

**City of Caney, KS
Regular Council Meeting Agenda
Monday, July 15, 2024 – 6:30 p.m.**

1. CALL TO ORDER

2. ROLL CALL

Zach Ellison		Justin Harkey		Aaron Elliott		Lori Patterson	
Valerie Hurd		Kenith Butts		Addie Traxson		Debbie Wood	

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. CONSENT AGENDA

The items listed below are considered to be routine by the City Council and may be approved in one motion.

- A. Approval of the City Council meeting minutes of July 1, 2024
- B. Approval of Appropriations and Payroll Ordinance No. 07/12/2024 in the amount of \$207,533.53

1. Associated Wholesale Grocery	\$46,345.03
2. Allgeier, Martin & Assoc.	\$3,700.00
3. Kansas Public Employees	\$7,251.61
4. Pepsi	\$2,498.30
5. South Roofing & Contracting	\$64,266.18
6. Blue Cross/Blue Shield	\$10,853.36
7. Waste Connections	\$18,754.43
8. Evergy	\$15,164.79
9. Federal Withholding	\$13,288.30
10. State Withholding	\$2,355.67
11. Eric's Plumbing	\$3,779.00
12. Frito-Lay	\$2,878.46
13. Acrisure	\$2,771.00

Motion made by _____; seconded by _____. Vote: _____

- C. Approval of expenses from Main Street Auto & Tire in the amount of \$1,397.90
 - 1. Door panels (2 @ \$698.95)

Motion made by _____; seconded by _____. Vote: _____

6. OLD BUSINESS

A. Discussion, consideration, and action on "Declaration of Restrictive Covenant"

Motion made by _____; seconded by _____. Vote: _____

7. NEW BUSINESS

A. Open Hearing for CDBG Regionalization Water Project

1. Questions and comments from the public

2. Resolution No. 2024-03 to certify legal authority to apply for the 2023 Kansas Small Cities Community Development Block Grant Program

Motion made by _____; seconded by _____. Vote: _____

3. Resolution No. 2024-04 to assure the Kansas Department of Commerce that funds will be continually financed with CDBG Grant Funds.

Motion made by _____; seconded by _____. Vote: _____

4. Close Hearing

B. Discussion, consideration, and action on approved 2nd Quarter Treasurer's Report

Motion made by _____; seconded by _____. Vote: _____

C. Discussion, consideration, and action on Sales Tax Increase

1. Does the City want to entertain a sales tax increase (\$.25)

Motion made by _____; seconded by _____. Vote: _____

2. City Council discussion of a Mill Rate full increase (7.726)
Library .441

Motion made by _____; seconded by _____. Vote: _____.

Museum 1.0

Motion made by _____; seconded by _____. Vote: _____.

General Fund 6.285

Motion made by _____; seconded by _____. Vote: _____.

D. Discussion, consideration, and action on pool roof repair

1. A-R Roofing - \$7,758.02

Motion made by _____; seconded by _____. Vote: _____

E. Discussion, consideration, and action on deeding 123 & 125 W. 4th to Land Bank

Motion made by _____; seconded by _____. Vote: _____

F. Discussion, consideration, and action to reduce ward representatives to 5

Motion made by _____; seconded by _____. Vote: _____

G. Advertise for applications for the open Ward 4 seat

Motion made by _____; seconded by _____. Vote: _____.

H. Executive Session

To discuss confidential information relating to non-elected personnel according to K.S.A 75-4319 b(1). Possible action can be taken.

Motion made by _____; seconded by ____ to recess into Executive Session to discuss confidential information relating to non-elected personnel according to K.S.A 75-4319 b(1) for 20 minutes to include the City Council, Mayor, City Administrator, and City Clerk. Entering in at _____ and returning to regular session at _____; seconded by _____. Vote: _____

Motion made by _____; seconded by _____ to return to Regular Session at _____. Vote: _____.

8. PUBLIC COMMENTS

The Council only allows public comments from anyone who has filled out a "Request for Communication with City Council." Comments shall be limited to 3 minutes unless extended by a majority of the Council. The Council does not hear matters involving litigation or City Personnel. The Council does not take action on subjects not on the agenda unless unusual or hardship conditions exist.

9. DEPARTMENT REPORTS

Mayor Joshua Elliott
City Administrator Kelley Zellner
City Clerk Wendy Wickham

10. COUNCIL COMMENTS

Council Member Hurd
Council Member Ellison
Council Member Patterson
Council Member Elliott
Council Member Butts
Council Member Traxson
Council Member Wood
Council Member Harkey

11. INFORMATIONAL ITEMS

Next City Council Meeting: Monday, August 5, 2024 at 6:30 p.m.
Workshop: Monday, August 5, 2024

12. ADJOURNMENT

Motion made by _____; seconded by _____. Vote: _____

City of Caney, KS
Minutes Regular Council Meeting Agenda
Monday, July 1, 2024 – 6:30 p.m.

1. CALL TO ORDER

Meeting called to order at 6:00 p.m. by Zach Ellison.

2. ROLL CALL

Zach Ellison	x	Justin Harkey	x	Aaron Elliott		Lori Patterson	x
Valerie Hurd		Kenith Butts	x	Addie Traxson		Debbie Wood	x

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. PUBLIC COMMENTS

The Council only allows public comments from anyone who has filled out a "Request for Communication with City Council." Comments shall be limited to 3 minutes unless extended by a majority of the Council. The Council does not hear matters involving litigation or City Personnel. The Council does not take action on subjects not on the agenda unless unusual or hardship conditions exist.

6. CONSENT AGENDA

The items listed below are considered to be routine by the City Council and may be approved in one motion.

A. Approval of the City Council meeting minutes of June 17, 2024

B. Approval of Appropriations and Payroll Ordinance No. 06/28/2024 in the amount of \$36,986.97

- 1. A-R Roofing \$24,251.15
- 2. Brenntag \$4,747.94
- 3. Community National Bank \$2,747.91

Motion made by Councilperson Wood; seconded by Councilperson Harkey. Carried: 5-0

C. Approval of expenses from Main Street Auto & Tire in the amount of \$458.43

- 1. Interstate Battery – 2017 Tahoe - \$198.89
- 2. Flat Repair/BG Trans Flush – Ambulance 125 - \$259.54

Motion made by Councilperson Wood; seconded by Councilperson Harkey. Carried: 5-0.

7. OLD BUSINESS

A. Report from Grocery Store Committee

8. NEW BUSINESS

- A. Presentation of Zoning Commission's recommendation on the award of the old nursing home property at 615 S. High

Motion made by Councilperson Patterson; seconded by Councilperson Wood to accept sealed bids. Carried: 5-0.

- B. Discussion, consideration, and possible action on a change order for Horseshoe Construction: additional water lines to move Ennett's water meter out to the road for \$12,400.00.

Motion made by Councilperson Patterson; seconded by Councilperson Wood. Carried: 5-0.

- D. Discussion, consideration, and possible action on setting date for "Notice of Hearing to Exceed Revenue Neutral Rate and Budget Hearing" at the regular Council Meeting Tuesday, September 3, 2024.

Motion made by Councilperson Patterson; seconded by Councilperson Harkey. Carried: 5-0.

- E. Discussion, consideration, and possible action on CDBG Hearing for the Regionalization Water Grant July 15, 2024, at 6:30 p.m.

Motion made by Councilperson Wood; seconded by Councilperson Patterson. Carried: 5-0.

9. DEPARTMENT REPORTS

Mayor Joshua Elliott
City Administrator Kelley Zellner
City Clerk Wendy Wickham

10. COUNCIL COMMENTS

Council Member Hurd
Council Member Ellison
Council Member Patterson
Council Member Elliott
Council Member Butts
Council Member Traxson
Council Member Wood
Council Member Harkey

11. INFORMATIONAL ITEMS

Next City Council Meeting: Monday, July 15, 2024

12. ADJOURNMENT

Motion made by Councilperson Patterson; seconded by Councilperson Wood. Carried: 5-0.
6:53 p.m.

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (this "Declaration") is made this ____ day of _____, 202__, by James Michael Freisberg and Sara Elizabeth Freisberg, husband and wife, whose mailing address is 311 South Wood Street, Caney, KS 67333, ~~and Delbert R. Randell and Melissa D. Randell, husband and wife, whose mailing address is 107 East 9th Avenue, Caney, KS 67333~~ (the "Owners").

The legal description of the land upon which this Declaration is imposed is:

The South Half of the Northeast Quarter and Lots 5 and 6 in Section 18, Township 35, Range 14 East of the 6th P.M., Montgomery County, Kansas, containing 142.81 acres, more or less.

(the "Property").

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the Owners do hereby impress the Property with the following covenants and restrictions:

1. Representation: The Owners represent they are the owners of the Property and are unconditionally authorized to execute and record this Declaration.

2. Declaration: The Owners hereby publish and declare that the Property is held and shall be held, conveyed, sold, leased, and encumbered subject to the covenants, restrictions, limitations and obligations contained in this Declaration for the improvement of the Property, and each part thereto, and these covenants, restrictions, limitations and obligations shall run with the land and shall apply to and bind the Owners and any person acquiring or owning an interest in the Property and improvements thereon, and any occupants thereof, and the grantees, successors, assigns, heirs, devisees, and personal representatives of said Owners and persons.

3. Property Use: Subject to the terms of that certain Water Extension Agreement of even date herewith, in the event of any additional residential or commercial development on any portion of the Property, the entire Property shall be subdivided in accordance with applicable subdivision regulations, and annexed into the corporate limits of the City of Caney, Kansas. The Owners hereby fully, freely and unconditionally consent to the annexation thereof, upon such additional residential or commercial development.

4. Term: These covenants and restrictions shall remain in force and be binding upon the Property and run with the land and all owners and subsequent owners that acquire any interest in the Property, or any portion thereof, without expiration.

5. Amendment: The covenants and restrictions contained in this Declaration may not be changed, modified, amended or varied, in whole or in part, except by written consent of the owner of the Property and written concurrence by the governing body of the City of Caney, Kansas; provided, in each case, such consent or concurrence will not be unreasonably withheld, conditioned or delayed.

6. Liberal Construction: The provisions of this Declaration shall be liberally construed to effectuate their purpose.

7. Enforcement: Enforcement of this Declaration shall be by proceeding at law or equity against any person or persons, owner or owners, violating or attempting to violate any covenant or restriction herein, and such proceedings may be either to recover damages or to restrain or both. Such proceedings may be brought by the owner of any portion of the Property or by the City of Caney, Kansas.

IN WITNESS WHEREOF, the Owners have executed this Declaration on the date first above written.

James Michael Freisberg

Sara Elizabeth Freisberg

Delbert R. Randell

Melissa D. Randell

Subscribed and sworn to before me on this ____ day of _____,
2020.

Notary Public

My Appointment Expires:

Application Checklist for Regional Water Planning Grant

- _____ Community Needs Form
- _____ Project Budget Form
- _____ Pre-Selection of Professional Services
- _____ Statement of Assurances and Certifications
- _____ Resolution of Governing Body to File Application
- _____ Commitments from other funding sources
- _____ Disclosure Report
- _____ Anti-displacement Plan
- _____ **Affidavit of Public Hearing Notice** *
- _____ Intergovernmental Agreements (on behalf of or multi-jurisdictional applications), if applicable
- _____ Map of Project Area
- _____ Environmental Review - Determination of Level of Review

*** The total project funding and CDBG amount requested must match what appears in the public hearing notice.**

STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
- (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
- (5) Its chief executive officer or other officer of the grantee approved by Commerce:
 - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
 - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
- (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

- (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1:
- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
- (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
- (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
- (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
- (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
- (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
- (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
- (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended:
- (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
- (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

- (n) The regulations, policies, guidelines and requirements of 2 CFR Part 200 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
 - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
- (7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
 - (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
 - (9) It will comply with the provisions of 24-CFR-200.
 - (10) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
 - (11) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
 - (12) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
 - (13) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.

- (14) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
- (15) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

	Joshua Elliott
Signature, Chief Elected Official	Name (typed or printed)
Mayor	
Title	Date

To Whom It May Concern:

As Chief Elected Official of the City/County of Caney, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk

THE CITY/COUNTY OF CANEY, KANSAS

RESOLUTION NO. _____

RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE 2023 KANSAS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR/COMMISSIONER
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City/County of Caney, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City/County of Caney, Kansas, intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City/County of Caney, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR/COMMISSIONER of Caney, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$ 6,894,325 in cash funds toward this project and \$ 0 in force account labor for same.

APPROVED BY THE GOVERNING BODY OF THE CITY/COUNTY OF CANEY
KANSAS, this 15th day of July, 2024

APPROVED _____
MAYOR/COMMISSIONER

ATTEST _____

(SEAL)

THE CITY/COUNTY OF CANEY, KANSAS

CITY/COUNTY OF CANEY, KANSAS

RESOLUTION NO. _____

A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE WATER SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, The City/County of Caney is applying for Small Cities Community Development Block Grant funds under the Regional Water Category, as administered by the Kansas Department of Commerce; and,

WHEREAS, The City/County of Caney wishes to utilize this funding for the purpose of constructing improvements to the city's/county's water system, as described in the Community Development Block Grant application submitted to the Kansas Department of Commerce; and,

WHEREAS, The City/County of Caney has determined that the annual operation and maintenance costs of the water system improvements are anticipated to be approximately \$ 567,713; and,

WHEREAS, The annual water budget has been determined to be adequate to fund the operation and maintenance of the water system,

NOW, THEREFORE, BE IT RESOLVED THAT: The Governing Body of the City/County of Caney, Kansas, hereby assures the Kansas Department of Commerce that sufficient funds will be provided for the continued operation and maintenance of the above described improvement; that these operation and maintenance costs will be reviewed annually; and that the budget will be adjusted, when necessary, to reflect and cover any increase in costs.

ADOPTED BY THE GOVERNING BODY OF THE CITY/COUNTY OF CANEY, KANSAS THIS 15th DAY OF JULY, 2024.

ATTEST:

MAYOR/COMMISSIONER

CITY CLERK/COUNTY CLERK

(SEAL)

(Minimum required by all applicants for funding – must be submitted with application)

**Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended**

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

No occupied dwellings will be demolished as part of this project.

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of City of Caney on the 15th day of July, 2024.

Date: _____ Signature – Chief Elected Official: _____

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: City of Caney, TBD

Project Location: 14 miles from Caney's elevated water storage along HWY 166 to Cline Road in Coffeyville, KS

Project Description:

his project will install 14 miles of 8" Poly DR11(uncased) from Caney's elevated water storage at 400 N. Fawn along HWY 166 to Cline Road in Coffeyville, KS, connecting to their 12" water main. A Booster Pump Station will need to be placed along this line at an optimal location. This project will provide Caney with an adequate, permanent water supply. The estimated project cost is \$7,894,325, with the grant request for \$1,000,000 of the project cost. Construction is estimated to begin winter of 2025 or early spring of 2026.

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

- Exempt from NEPA review requirements per 24 CFR 58.34(a)(___)
- Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(___)
- Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(___)
- An Environmental Assessment (EA) is required to be performed.
- An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

Joshua Elliott, Mayor	
Chief Elected Official (print name/title)	Chief Elected Official's Signature
Date	

GRANTEE NAME: City of Caney

GRANT NUMBER: TBD

ACTIVITY	CDBG FUNDS	OTHER FUNDS	SOURCE OF OTHER FUNDS	TOTAL COST
1. Public Facilities/Construction				
a. Water/Lines/Treatment	\$ 978,000	\$ 4,787,804		\$ 5,765,804
b. Sewer/Lines/Treatment				\$ -
c. Street Improvements				\$ -
d. Drainage/Flood				\$ -
e. Center/Facility				
f. Other (Identify)				\$ -
g. Acquisition, including easements		\$ 226,400		\$ 226,400
h. Engineering Design		\$ 461,264		\$ 461,264
i. Construction Inspection		\$ 809,277		\$ 809,277
j. Architectural Services				\$ -
k. Other Professional Services		\$ 606,580		\$ 606,580
Public Facility Activities Total	\$ 978,000	\$ 6,891,325		\$ 7,869,325
2. Housing Activities				
a. Housing Rehabilitation				\$ -
b. Lead-Based Paint Activities				\$ -
c. Demolition				\$ -
d. Acquisition				\$ -
e. Relocation				\$ -
f. New Construction				\$ -
g. Housing Inspection				\$ -
Housing Activities Total	\$ -	\$ -		\$ -
3. Administration				
a. Administrative Activities	\$ 22,000	\$ 3,000		\$ 25,000
b. Legal				\$ -
c. Audit				\$ -
Administration Total	\$ 22,000	\$ 3,000		\$ 25,000
ALL ACTIVITIES TOTAL	\$ 1,000,000	\$ 6,894,325		\$ 7,894,325

CITY OF CANEY TREASURER'S FINANCIAL STATEMENT

2nd

QUARTER TREASURER REPORT

	Beginning			Pending	Ending
Funds	Cash Bal	Revenues	Expenditures	Payables	Cash Bal.
1. General	\$ 724,686.04	\$ 507,923.56	\$ 409,258.21	\$ 19,885.13	\$ 843,236.52
2. VID Identification	\$ 4,932.52	\$ 1,060.00	\$ -	\$ -	\$ 5,992.52
3. Cemetery Perpetual Care Fund	\$ 4,667.13	\$ -	\$ -	\$ -	\$ 4,667.13
4. Tourism Fund	\$ 33,350.05	\$ 5,627.91	\$ 20,642.22	\$ -	\$ 18,335.74
5. Library Fund	\$ 5,357.41	\$ 19,077.64	\$ 24,435.02	\$ -	\$ 0.03
7. COVID-19 Expenses	\$ 3,000.00	\$ -	\$ -	\$ -	\$ 3,000.00
8. City Grocery Store	\$ 284.30	\$ 288,547.56	\$ 246,216.18	\$ (27,962.33)	\$ 14,653.35
9. Industrial Fund	\$ 6,775.15	\$ 1,336.15	\$ 2,625.00	\$ -	\$ 5,486.30
10. Water Fund	\$ 186,769.22	\$ 173,600.05	\$ 106,279.71	\$ (13,643.02)	\$ 240,446.54
17. Water Plt. Memb. Filter Rep.	\$ 10,574.96	\$ 4,025.02	\$ -	\$ -	\$ 14,599.98
18. Sp. Law Enforcement Trust	\$ 2,138.24	\$ -	\$ -	\$ -	\$ 2,138.24
19. Special Gasoline Tax HW	\$ 97,087.66	\$ 3,242.75	\$ 2,338.22	\$ (962.68)	\$ 97,029.51
20. Ambulance/Fire/Police	\$ 13,085.98	\$ 12,502.37	\$ (14,504.18)	\$ (2,747.91)	\$ 37,344.62
26. Solid Waste	\$ 120,697.45	\$ 59,851.46	\$ 63,023.33	\$ -	\$ 117,525.58
29. G O. Bonds- Debit Service	\$ 398,680.73	\$ 49,780.52	\$ 164,562.50	\$ -	\$ 283,898.75
42. American Resuce Plan	\$ 377,499.37	\$ -	\$ 279,270.00	\$ -	\$ 98,229.37
43. Grant Funds	\$ 31,662.70	\$ 95.92	\$ -	\$ -	\$ 31,758.62
73. Phase II Wastewatr System	\$ 22,849.27	\$ -	\$ -	\$ -	\$ 22,849.27
80. Employee Benefits	\$ 245,237.49	\$ 69,548.79	\$ 102,332.76	\$ (24,318.78)	\$ 188,134.74
85. Equipment Fund	\$ 91,442.03	\$ 1,790.60	\$ 1,379.08	\$ (9,643.46)	\$ 82,210.09
92. Wastewater Treatment Repl	\$ 41,679.89	\$ 1,886.58	\$ -	\$ -	\$ 43,566.47
94. Sewer SF WW Treat Opr/Mt	\$ 262,963.41	\$ 130,239.16	\$ 51,876.88	\$ (2,842.20)	\$ 338,483.49
95. Special Park & Rec. & Pool	\$ 13,473.70	\$ -	\$ 337.02	\$ (310.31)	\$ 12,826.37
98. Street (Sales Tax 93-98)	\$ 263,621.17	\$ 25,948.19	\$ 624.04	\$ -	\$ 288,945.32
Total Funds All Funds	\$ 2,962,515.87	\$ 1,356,084.23	\$ 1,460,695.99	\$ (62,545.56)	\$ 2,795,358.55

Bank Accounts	
Checking - Operations	\$ 149,061.07
Money Market Account	\$ 100,040.98
Investment acc 14-2005-43-8	\$ 1,794,985.57
Investment acc 14-1043-84-4	\$ 716,239.55
Outstanding Checks	\$ 106,674.03
Outstanding Deposits	\$ 151,747.45
Adjustments	\$ 10,042.04
Pending Wages	
Ending Balance	\$ 2,795,358.55

State of Kansas

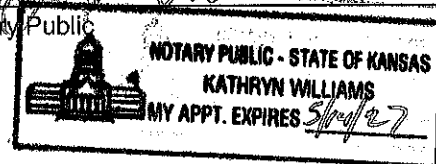
Montgomery County

I, Amber Dean believe this to be a true and accurate report.

Amber Dean

Amber Dean, Treasurer Consultant

Kathryn Williams
Notary Public



Budget Timeline – Exceeding RNR

If exceeding Revenue Neutral Rate (RNR), follow procedure KSA 79-2988

- **June 15th:** Assessed property valuation estimates distributed from County Clerks (will include the Revenue Neutral Rate)
- **July 20th:** Last day to notify County Clerk of intent to levy above RNR
 - Provide County Clerk proposed tax rate and hearing information
 - **County Clerk will notify tax payers via mail/email of all taxing subdivisions exceeding RNR 10 days prior to first hearing**
- **August 20th – September 20th:** Hold RNR hearing *prior to or in conjunction with* budget hearing
 - **Publication of hearing must be done 10 days prior to RNR hearing***
 - **Publish in newspaper *and* website (if website is maintained)**
- **August 20th – September 20th:** Hold budget hearing
 - Publication of hearing must be done 10 days prior to budget hearing
- **August 20th – October 1st:** Governing body passes resolution to exceed RNR (if applicable), records roll call for governing body vote, and then formally adopts budget
 - **Note:** Roll Call Vote will still be recorded and submitted with budget documents if resolution fails.
- **August 30th – October 1st:** Governing body certifies budget to County Clerk

**Best Practice: Contact your newspaper(s) in advance to confirm publication content due dates, procedure, and contact information! There is no remedy if the RNR hearing newspaper publication is missed.*

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

The governing body of
City of Caney, Kansas

will meet on September 3rd, 2024 at 6:30 PM at City Hall, 100 W 4th, Street, Caney, KS for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds, the amount of ad valorem tax, and the Revenue Neutral Rate.

Detailed budget information is available at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2025 Expenditures and Amount of 2024 Ad Valorem Tax establish the maximum limits of the 2025 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2023		Current Year Estimate for 2024		Proposed Budget for 2025		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2024 Ad Valorem Tax	Proposed Estimated Tax Rate*
General	1,460,227	28.997	1,482,161	22.601	1,587,392	344,335	29.002
Debt Service	503,512		513,688		434,881		
Library	69,849	6.676	75,000	6.006	83,500	76,544	6.447
Employee Benefits	380,226	19.585	385,937	17.047	395,937	182,183	15.345
Police, Fire, Ambulance	47,067	3.086	53,000	3.092	33,000	29,420	2.478
Industrial	3,410	0.391	3,220	0.327	3,220	2,842	0.239
Tourism	3,765		12,500		24,373	11,873	1.000
Special Highway	32,162		65,000		65,000		
Vin Inspections	5,971		6,500		5,500		
Special Parks	913		5,000		5,000		
Street Tax	5,059		90,000		90,000		
Water Fund	863,818		736,100		762,100		
Sewer Fund	449,915		584,174		584,174		
Solid Waste	265,413		268,000		285,000		
Grocery Store	1,327,179		1,455,038		1,450,038		
Water Filter Replacement	122,147		16,349		10,000		
Non-Budgeted Funds-A	201,252						
Non-Budgeted Funds-B	19,362						
Totals	5,761,247	58.735	5,751,667	49.073	5,819,115	647,197	54.511
						<i>Revenue Neutral Rate**</i>	<i>46.785</i>

Less: Transfers	390,000		385,000		410,000		
Net Expenditure	5,371,247		5,366,667		5,409,115		
Total Tax Levied	555,469		555,469		xxxxxx		
Assessed Valuation	9,457,370		0		11,872,712		
Outstanding Indebtedness, January 1,							
	<u>2022</u>		<u>2023</u>		<u>2024</u>		
G.O. Bonds	7,060,793		7,977,551		7,626,987		
Revenue Bonds	0		0		0		
Other	0		0		0		
Lease Purchase Principal	147,596		97,818		59,013		
Total	7,208,389		8,075,369		7,686,000		

needed - 7.726

*Tax rates are expressed in mills
** Revenue Neutral Rate as defined by KSA 79-2988

Kelley Zellner
Official Title: City Administrator

NOTICE OF BUDGET HEARING

The governing body of
City of Caney
will meet on August 21st at 6:30 PM at City Hall for the purpose of hearing and
answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2024 Expenditures and Amount of 2023 Ad Valorem Tax establish the maximum limits of the 2024 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2022		Current Year Estimate for 2023		Proposed Budget for 2024		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2023 Ad Valorem Tax	Proposed Estimated Tax Rate*
General	2,312,863	29.398	1,475,261	28.997	1,482,161	255,825	22.601
Debt Service	309,367		516,006		513,688		
Library	61,458	6.383	70,175	6.676	75,000	67,984	6.006
Employee Benefits	209,624	19.967	375,937	19.585	385,937	192,960	17.047
Police, Fire, & Ambulance	34,316	3.146	50,324	3.086	53,000	35,000	3.092
Industrial Fund	8,811	0.399	3,220	0.391	3,220	3,700	0.327
Special Highway	52,450		64,291		65,000		
Vehicle ID	2,978		7,500		6,500		
Special Parks	2,364		5,000		5,000		
Street Sales Tax	17,254		130,911		90,000		
Water Utility	697,863		731,600		736,100		
Sewer Utilitiy	630,744		534,174		584,174		
Solid Waste	248,014		258,000		268,000		
Grocery Store	1,685,071		1,439,038		1,455,038		
Tourism			12,500		12,500		
Water Filter Replacement	2,922		122,147		16,349		
Non-Budgeted Funds-A	97,038						
Non-Budgeted Funds-B	64,923						
Totals	6,438,060	59.293	5,796,084	58.735	5,751,667	555,469	49.073
					<i>Revenue Neutral Rate**</i>		49.073
Less: Transfers	357,908		320,000		385,000		
Net Expenditure	6,080,152		5,476,084		5,366,667		
Total Tax Levied	555,474		555,478		XXXXXXXXXXXXXXXXXX		
Assessed Valuation	55		9,457,370		11,319,239		
Outstanding Indebtedness, January 1,	2021		2022		2023		
G.O. Bonds	7,387,000		7,060,793		7,977,551		
Revenue Bonds	0		0		0		
Other	0		0		0		
Lease Purchase Principal	192,883		147,596		97,818		
Total	7,579,883		7,208,389		8,075,369		

*Tax rates are expressed in mills

** Revenue Neutral Rate as defined by KSA 79-2988

Kelley Zellner

Official Title: City Administrator

CITY Caney City

1. Valuation Information as of June 2024:

Estimated Assessed Valuations:

Caney City	Assessed Valuation	Territory Added	Changed Use
Real Estate	10,128,406	0	0
State Assessed	924,749		
Severed Minerals	0		
Personal Property	819,557		
Oil	0		
Gas	0		
Other County Value	0		
Total Value	11,872,712		
New Improvements	54,714		
Remodel/Renovation	0		

2. Personal Property including oil, gas and mobile homes: 819,557
 (Use this amount on Computation to Determine Limit for 2025 Budget, Line 5a)

2024 - 49.073

3. Revenue Neutral Rate(s) (\$ 555,468.29) 46.785

4. Actual Tax Rates Levied for the 2024 Budget: (2023 Levies)

Fund	Rate	Fund	Rate
201 General Fund-Caney City	22.46100	202 Employee Benefits	16.94200
203 Industrial	.32500	204 Library	5.96900
205 Fire Law Enforment Ambulan	3.07300		

Total Levied 48.77000

4b. Actual Taxes for 2023

Fund	Taxes	Fund	Taxes
201 General Fund-Caney City	255,820.64	202 Employee Benefits	192,961.72
203 Industrial	3,701.62	204 Library	67,984.22
205 Fire Law Enforment Ambulan	35,000.09		.00

5. Final Assessed Valuation from the November 2023 Abstract: 11,389,517

6. 2023 P. Property including oil gas and mobile homes: 871,622
 (Use this amount on Computation to Determine Limit for 2025 Budget, Line 5b)

7. Expiration of Property Tax Abatements: 0

8. Gross Earnings (Intangible) Tax Estimate: .00

9. Neighborhood Revitalization Districts:
 Valuation Subject to Rebates 0

10. Tax Increment Financing (TIF):
 TIF Total Assessed Valuation 0
 TIF Base Year Assessed Value 0

11. Watercraft Tax Estimate: 423.74

12. 2022 Average Tax Delinquency Percentage: 5.1493

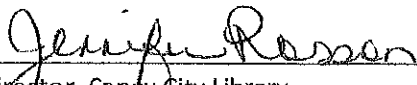
13. 2022 Delinquent Percentage Special Assessments: .0000

Date Provided: 6/13/24 Provided by: Charlotte A. Schmidt
 MONTGOMERY COUNTY

Pending Exemption: 158,309



Total Insurance	\$2,800.00	\$2,800.00
Professional Development		
Meals	\$100.00	\$100.00
Mileage	\$400.00	\$400.00
Total Professional Development	\$500.00	\$500.00
Professional Fees		
Nonprofit Fee	\$100.00	\$100.00
KOHA Annual Dues	\$400.00	\$400.00
Audit	\$0.00	\$2,400.00
Dues (Amazon Prime Membership)	\$139.00	\$139.00
Total Professional Fees	\$639.00	\$3,039.00
Programs and Outreach		
Programming: Adult	\$300.00	\$500.00
Programming: Children	\$300.00	\$500.00
Total Programming	\$600.00	\$1,000.00
Postage		
Total Postage	\$100.00	\$100.00
Public Relations	\$200.00	\$200.00
Total Public Relations	\$200.00	\$200.00
Grand Total Expense	\$97,710.00	\$104,950.00
INCOME		
State Aid	\$500.00	\$1,500.00
Tax Income	\$75,000.00	\$83,500.00
Materials Delivery Grant (Courier)	\$3,530.00	\$3,600.00
SEK Allocation	\$11,000.00	\$11,000.00
Book Sales	\$350.00	\$350.00
Daily Transactions (Fines, Copies, Faxes)	\$3,500.00	\$3,500.00
Hoopla Grant	\$500.00	\$500.00
FEPL Grant	\$2,330.00	\$0.00
Donations	\$1,000.00	\$1,000.00
Total Income	\$97,710.00	\$104,950.00
INCOME VS. EXPENSE	\$0.00	\$0.00


 Director, Candy City Library
 Jennifer Rosson

Caney City Library, Inc.

	2024	2025
EXPENSES	Prior Year	Proposed
	Budgeted	Budget
PAYROLL AND BENEFITS		
Salaries	\$57,600.00	\$60,000.00
FICA (SS and Medicare)	\$4,500.00	\$4,600.00
State Witholding	\$1,000.00	\$1,100.00
IRA Company Pd Benefit	\$1,800.00	\$1,900.00
IRA Liability	\$3,900.00	\$4,000.00
Work Comp	\$300.00	\$300.00
Kansas Unemployment	\$150.00	\$150.00
Unemployment Taxes	\$150.00	\$150.00
Accountant	\$1,000.00	\$1,500.00
Total Payroll and Benefits	\$70,400.00	\$73,700.00
Utilities		
Atmos	\$2,000.00	\$2,000.00
Energy	\$4,000.00	\$4,000.00
Telecommunications	\$2,200.00	\$2,200.00
Total Utilities	\$8,200.00	\$8,200.00
LIBRARY MATERIALS		
Books	\$3,540.00	\$3,635.00
Hoopla	\$1,500.00	\$2,000.00
Periodicals	\$55.00	\$55.00
DVD	\$700.00	\$800.00
Total Library Materials	\$5,795.00	\$6,490.00
Materials Delivery Service (Courier)		
Total Materials Delivery Service (Courier)	\$4,100.00	\$4,245.00
Tech Support		
Computer Software (Deepfreeze, Office)	\$500.00	\$500.00
Total Tech Support	\$500.00	\$500.00
Building Repair and Maintenance		
Furniture	\$76.00	\$76.00
Repair and Maintenance	\$2,000.00	\$2,000.00
Total Building Repair and Maintenance	\$2,076.00	\$2,076.00
Supplies		
Total Supplies	\$2,400.00	\$2,600.00
Insurance		



AGREEMENT

Caney City Pool

CUSTOMER

Kelly Zellner

504 S High
Caney, Ks

PREPARED BY

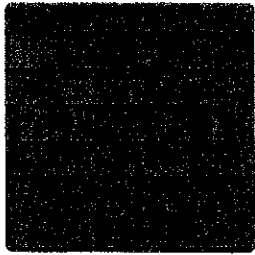
Daniel Hewitt

A-R ROOFING OF KANSAS
40100 N. HWY 281, Pratt
KS, 67124 and 4010 West
Irving Street Wichita, KS
67209

316-249-7616
daniel@arroofing.com

PREPARED ON

7/3/2024



Tamko Titan Class III 160 MPH Wind Rated..

Color: Oxford Grey

Contract Items

DESCRIPTION	QUANTITY
Scope of Work	
Tamko Titan Class III 160 MPH Wind Rated.. Oxford Grey	19.7 sq
Remove & Dispose 1st Layer of Asphalt shingles	17.8 sq
High-Grade Synthetic Felt	20.6 sq
A-Style Eave Edge Bronze	117 ft
D-Style Rake Edge Bronze	61 ft
Premium Starter Strip	186.9 ft
4" Rubber Plumbing Boot	1 count
Shingle Over Ridge Vent w/ Snow Guard Filter	54 ft
Other	
FREE UPGRADE TO IMPACT RESISTANT SHINGLES	1 count
PROTECT GUTTER , POOL EQUIPMENT AND SURROUNDING FENCE. USE MAGNETS TO PICK UP NAILS.	1 count
TAX EXEMPT	1 count

Contract Total

\$7,758.02

Payment Options: Half down day of start and, balance due 30 days after completion

In signing this, Owner agrees to the proposal and to pay for the work described upon its completion and to the following terms and conditions:

1. Owner has received and read a written copy of A-R Roofing's 2 Yr. Leak Free Limited Express Warranty applicable to the roofing.
2. Owner has received a certificate of insurance showing the insurance to be provided by A-R Roofing.
3. Changes and modifications of the roofing proposal must be agreed upon in writing by Owner and A-R Roofing. Cancellations made after 3 business days after the contract sign date will incur a 15% cancellation fee.
4. Payment shall be made at the address (above) by Owner to A-R Roofing upon completion of the roofing and the final billing. Payments shall be due upon billing. Any payment not made within 30 days of billing shall bear interest at 18% per annum. If A-R Roofing must resort to collection activities, Owner shall be liable for A-R Roofing's attorney fees, cost and expenses of collection. There will be an additional 3% convenience fee for all debit/credit card transactions.
5. In the event of a dispute between A-R Roofing and Owner arising out of the roofing which is not mutually resolved, the parties shall submit the dispute to binding arbitration pursuant to the Uniform Arbitration Act of Kansas, K.S.A. 5-401 et seq. To initiate arbitration, either party shall notify the other in writing of the specific issues in dispute and the parties shall then have twenty (20) days to mutual agree on an arbitrator. If the parties are unable to agree on an arbitrator, the arbitrator shall be selected by the Judge of the District Court of the county where the roofing is located, upon written application of the parties. The arbitration hearing will take place in Pratt, KS. The arbitration award or decision shall be binding on the parties. The parties shall equally pay the cost of the arbitrator.
6. All remaining material is the property of A-R Roofing L.L.C.

X

Signature

Date

City of Caney
P. O. Box 129
Caney, KS 67333
(620) 879-2772

EXEMPTION #4

CORPORATION DEED - QUIT CLAIM
(Statutory)

THE GRANTOR, **City of Caney, Kansas**, a municipal corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas and having its principal place of business at Caney in the State of Kansas, hereby CONVEYS AND QUITCLAIMS to **Caney Kansas Land Bank** of the County of Montgomery and State of Kansas, the following described real estate in the county of Montgomery and state of Kansas, to-wit:

A Complete legal description of the real properties being conveyed by this instrument is attached on page 2 as **EXHIBIT A**

Except and subject to easements, restrictions and reservations of record for the sum of *One Dollar and Other* goods and valuable consideration; the receipt of which is hereby acknowledged.

IN WITNESS WHEREOF, City of Caney, Kansas, has hereunto set its hand this day of _____ 2024, signed on its behalf by its Mayor, thereunto duly authorized so to do.

City of Caney, Kansas

By: _____
Joshua Elliott
Mayor

Attest:

Wendy Wickham, City
Clerk.

ACKNOWLEDGMENT

STATE OF KANSAS,
COUNTY OF MONTGOMERY, SS:

BE IT REMEMBERED, That on this ____ day of _____ 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came Joshua Elliott, Mayor of the City of Caney, Kansas, a municipal corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, and Wendy Wickham, City Clerk of said municipal corporation, who are personally known to me to be such officers, and who is personally known to me to be the same persons who executed, as such officers, the within instrument of writing on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

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

EXHIBIT A

Legal Description of the real property being conveyed by this statement:

125 W. 4th AVE., Caney, KS. 67333-

ORIGINAL, S12, T35, R13, 2433 Square Feet, PT Lots 11 & 12 DAF: BEG 25' E NW COR Lot 12 S 100' E 24' N 100' W to POB; Lot Width; 024.0 Lot Depth: 100.0

Commencing 25 feet East of the Northwest Corner of Block Twelve (12), City of Caney, Kansas, thence South 100 feet to the South line of Lot Eleven (11), said Block Twelve (12); thence East 24 feet; thence North 100 feet, thence West 24 feet to point of beginning (EXCEPT Second Floor), and

The Second Floor of the building situated upon the following described real estate, to wit;

123 W. 4th AVE., Caney, KS. 67333-

ORIGINAL, S12, T35, R13, 2649 Square Feet, AC 000258 Upper Floor of Building; BEG 25' E NW COR LT 12 BLK 12 S 100' E 48' N 100' W to POB; LOT Width: 048.0 Lot Depth: 100.0

Commencing 25 feet East of the Northwest Corner of Block Twelve (12), City of Caney, Kansas, thence South 100 feet to the South line of Lot Eleven (11), said Block Twelve (12); thence East 48 feet; thence North 100 feet, thence West 48 feet to point of beginning, and also the right of ingress and egress therefrom upon the following described stairway, to-wit: The stairway and hallway running along the West wall of the above-described building situated on that part of Lots Eleven (11) and Twelve (12), City of Caney, described as: Beginning at the Northwest corner of Lot Twelve (12), thence East 25 feet, thence South 100 feet, thence West 25 feet, thence North 100 feet to beginning.