

First Published: October 13, 2006

RESOLUTION NO. 6677

A RESOLUTION DECLARING THE NECESSITY OF THE CITY OF LAWRENCE, KANSAS, TO APPROPRIATE INTERESTS IN REAL PROPERTY FOR THE USE OF SAID CITY FOR THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC SANITARY SEWER COLLECTION AND MAIN SYSTEM AND ALL EQUIPMENT AND FACILITIES APPURTENANT THERETO, PURSUANT TO K.S.A. 26-201 AND THE EMINENT DOMAIN PROCEDURE ACT, K.S.A. 26-501 ET SEQ., TOGETHER WITH AN AUTHORIZATION TO OBTAIN A SURVEY AND DESCRIPTION OF THE LAND OR INTEREST TO BE CONDEMNED.

WHEREAS, the City Commission of Lawrence, Kansas, pursuant to the authority granted by applicable Kansas statutes, has previously approved the a project for the location, construction, operation and maintenance of a public sanitary sewer pump station together with collection and main system sewer lines and all appurtenant equipment and facilities, to be known collectively as Baldwin Creek Pump Station #48, within Douglas County, Kansas and;

WHEREAS, the City Commission has previously approved the acquisition of real property interests in individual parcels of real property necessary for such project; and

WHEREAS, pursuant to K.S.A. 26-201 the City Commission possesses the power of eminent domain to acquire such parcels if negotiations are unsuccessful; and

WHEREAS, the City Commission does hereby find that with respect to certain parcels negotiations have to date been unsuccessful, and therefore finds that the exercise of eminent domain is necessary for the lawful public purposes and use of the City for the above-described project.

NOW, THEREFORE, BE IT RESOLVED that the City Commission hereby authorized and directs the City Manager to cause a survey and description of such parcels to be undertaken by a licensed land surveyor or a professional engineer who is competent to conduct a land survey; to thereafter cause such survey to be filed with the City Clerk; to prepare and submit to the City Commission an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same to initiate eminent domain proceedings in the District Court of Douglas County and undertake all other necessary actions to complete acquisition of such parcels.

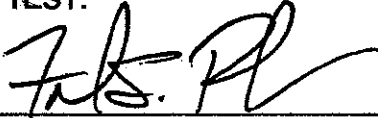
This Resolution was made and entered on this 10th day of October, 2006 following a vote approving the same by the City Commission of Lawrence, Kansas.

APPROVED



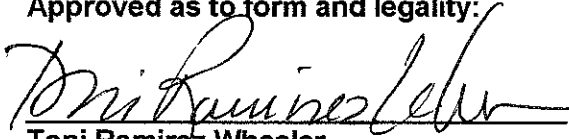
Honorable Mike Amyx
Mayor

ATTEST:



Frank S. Reeb
City Clerk

Approved as to form and legality:



Toni Ramirez Wheeler
Interim Director of Legal Services