

RESOLUTION NO. 6711

A RESOLUTION DECLARING THE NECESSITY OF THE CITY OF LAWRENCE, KANSAS, A MUNICIPAL CORPORATION, TO APPROPRIATE INTERESTS IN REAL ESTATE FOR USE AS A PERMANENT AND PERPETUAL EASEMENT FOR THE EXTENSION, CONSTRUCTION AND MAINTENANCE OF UTILITIES IN, UPON, OVER, UNDER AND THROUGH A PORTION OF LOT ONE, BLOCK ONE IN LEWIS SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT FOR USE IN THE EXTENSION AND CONSTRUCTION OF A SANITARY SEWER AND RELATED FACILITIES IN, UPON, UNDER, OVER, AND THROUGH SAID LOT ONE, PURSUANT TO K.S.A. CHAPTER 26 ARTICLES 2 AND 5, AS AMENDED, TOGETHER WITH THE AUTHORIZATION FOR A SURVEY AND DESCRIPTION OF THE LAND OR INTERESTS TO BE CONDEMNED TO BE MADE BY A LICENSED LAND SURVEYOR OR A PROFESSIONAL ENGINEER WHO IS COMPETENT TO CONDUCT A LAND SURVEY, WHICH SHALL BE FILED WITH THE CITY CLERK.

WHEREAS, the Governing Body of the City of Lawrence, Kansas, finds that it is in the interest of the public to acquire a permanent and perpetual easement on a portion of Lot One, Block One in Lewis Subdivision in the City of Lawrence, Douglas County, Kansas, for the extension, construction and maintenance of utilities, including a sanitary sewer and attendant facilities, together with a temporary construction easement, for use in the extension and construction of said sanitary sewer and attendant facilities;

WHEREAS, the Governing Body further deems it necessary and in the public interest to acquire by condemnation temporary and/or permanent easements in, upon, over, under, and across portions of the following described tracts of real estate situated in Lawrence, Kansas:

A PORTION OF LOT ONE, BLOCK ONE IN LEWIS SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

THE SOUTH 20.00 FEET OF SAID LOT ONE LYING EAST OF THE PLATTED 25' UTILITY EASEMENT (ELECTRIC, GAS, SEWER & PHONE) AND THE EAST 15.00 FEET OF SAID LOT ONE, CONTAINING 3953 SQUARE FEET, MORE OR LESS.
[PERMANENT EASEMENT]

ALSO:

A STRIP OF LAND LYING IN LOT ONE, BLOCK ONE, IN LEWIS SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

THE WEST 5.00 FEET OF THE EAST-MOST 20.00 FEET OF SAID LOT ONE, EXCEPT THE SOUTH 20 FEET THEREOF, CONTAINING 598 SQUARE FEET, MORE OR LESS.
[TEMPORARY EASEMENT]

WHEREAS, the acquisition of said real estate shall be for the purpose of extending, constructing and maintaining utilities, with attendant facilities, including the extension and construction of a sanitary sewer and attendant facilities over portions of said Lot One, Block One in Lewis Subdivision in the City of Lawrence, Douglas County, Kansas; and

WHEREAS, the Governing Body of the City of Lawrence, Kansas, authorizes the making of a survey and description of the lands and interests therein to be taken, by some competent land

surveyor or professional engineer who is competent to conduct a land survey, said survey to be filed with the City Clerk of the City of Lawrence, Kansas.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

Section 1. The above recitals are incorporated herein as if fully set forth.

Section 2. That it is necessary and in the public interest to acquire by condemnation the following stated interests in real estate situated in Lawrence, Kansas, to-wit:

A PORTION OF LOT ONE, BLOCK ONE IN LEWIS SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

THE SOUTH 20.00 FEET OF SAID LOT ONE LYING EAST OF THE PLATTED 25' UTILITY EASEMENT (ELECTRIC, GAS, SEWER & PHONE) AND THE EAST 15.00 FEET OF SAID LOT ONE, CONTAINING 3953 SQUARE FEET, MORE OR LESS. [PERMANENT EASEMENT]

ALSO:

A STRIP OF LAND LYING IN LOT ONE, BLOCK ONE, IN LEWIS SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

THE WEST 5.00 FEET OF THE EAST-MOST 20.00 FEET OF SAID LOT ONE, EXCEPT THE SOUTH 20 FEET THEREOF, CONTAINING 598 SQUARE FEET, MORE OR LESS. [TEMPORARY EASEMENT].


for the purpose of and use in extending, constructing and maintaining utilities, with attendant facilities, including the extension and construction of a sanitary sewer and attendant facilities, on, upon, over, under and across portions of said Lot One, Block One in Lewis Subdivision in the City of Lawrence, Douglas County, Kansas.

Section 3. That a licensed land surveyor or professional engineer who is competent to make land surveys shall be employed to provide a survey and description of said lands and the interest therein to be condemned which shall be filed with the City Clerk of Lawrence, Kansas.

Adopted by the Governing Body of the City of Lawrence, Kansas, on the 3rd day of

April, 2007.

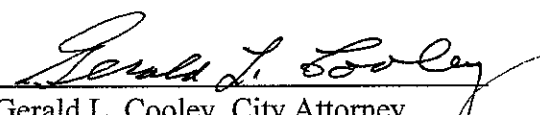
APPROVED:


Mike Amyx, Mayor

ATTEST:


Frank Reeb, City Clerk

Approved as to form and legality:


Gerald L. Cooley, City Attorney