

RESOLUTION NO. 6744

A RESOLUTION DECLARING THE NECESSITY OF THE CITY OF LAWRENCE, KANSAS, A MUNICIPAL CORPORATION, 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, UNDERGROUND DATA AND COMMUNICATION LINES, AND A PERMANENT GREENSPACE AND PEDESTRIAN AND RECREATIONAL PATH, AND ALL EQUIPMENT AND FACILITIES APPURTENANT THERETO, PURSUANT TO K.S.A. § 26-201 ET SEQ. AND THE EMINENT DOMAIN PROCEDURE ACT, K.S.A. § 26-501 ET SEQ., ALONG WITH K.S.A. 12-1306, K.S.A. 12-622, AND K.S.A. 12-623, TOGETHER WITH AN AUTHORIZATION TO OBTAIN A SURVEY AND DESCRIPTION OF THE LAND OR INTERESTS TO BE CONDEMNED.

WHEREAS, the Governing Body of the City of Lawrence, Kansas finds that it is necessary and in the interest of the public to acquire certain interests in real property in Lawrence, Douglas County, Kansas for the purpose of extending, constructing and maintaining utilities, including a sanitary sewer collection and main system, underground data and communication lines, and all equipment and facilities appurtenant thereto, including temporary construction easements, and for the purpose of constructing and maintaining a permanent green space and a pedestrian and recreational path, and all equipment and facilities appurtenant thereto, including temporary construction easements, for the use in the extension and construction of said facilities; and

WHEREAS, the Governing Body further deems it necessary and in the public interest to acquire by condemnation temporary construction and permanent easements in, upon, over, under, and across portions of real estate situated in Douglas County, Kansas; and

WHEREAS, the acquisition of said real estate shall be for the purpose of extending, constructing and maintaining the utilities and green space and pedestrian and recreational path, with attendant facilities referenced above, 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, and 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 certain private property for the use of the City for the purposes stated herein.

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

PASSED by the Governing Body of the City of Lawrence, Kansas, on the 22nd day of October, 2007.

APPROVED

Sue Hack.
Sue Hack, Mayor

ATTEST:

Frank S. Reeb
Frank S. Reeb
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Toni Ramirez Wheeler
Director of Legal Services