

RESOLUTION NO. 7276

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING THE NECESSITY OF THE CITY OF LAWRENCE, KANSAS, A MUNICIPAL CORPORATION, TO APPROPRIATE THROUGH THE EXERCISE OF EMINENT DOMAIN CERTAIN INTERESTS IN REAL PROPERTY FOR THE USE OF SAID CITY PURSUANT TO K.S.A. 2017 SUPP. 26-501 ET SEQ., AND GRANTING AUTHORIZATION TO OBTAIN A SURVEY AND DESCRIPTION OF THE LAND OR INTERESTS TO BE CONDEMNED, ALL IN ACCORDANCE WITH K.S.A. 2017 SUPP. 26-201.

WHEREAS, the Governing Body of the City of Lawrence, Kansas on September 18, 2018, awarded Bid No. B1834, 23rd Street from Massachusetts Street to Louisiana Street, pertaining to a project for the reconstruction of 23rd Street from Massachusetts Street to Louisiana Street, a mill and overlay from Iowa Street to Ousdahl Road, and a waterline replacement project from Louisiana Street to Barker Avenue; and

WHEREAS, the Governing Body of the City of Lawrence, Kansas finds that it is necessary and in the public interest to acquire certain property interests including a utility and pedestrian easement and a temporary construction easement on real property located in Lawrence, Douglas County, Kansas, commonly located at 2305 Vermont Street, for the purpose of the above said project; and

WHEREAS, the Governing Body also authorizes the making of a survey and description of the land or interests to be condemned, by a licensed land surveyor or professional engineer, who shall be competent to conduct a land survey, and directs that said survey and description of the land or interests to be condemned 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-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

SECTION 2. It is necessary and in the public interest to appropriate, through the exercise of eminent domain, certain private property interests, including a utility and pedestrian easement and a temporary construction easement, for the use of the City for the purpose of a road and waterline improvement project, including construction of sidewalks and other appurtenances thereto, on property commonly located at 2305 Vermont Street, Lawrence, Douglas County, Kansas.

SECTION 3. 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 the land or interests to be condemned. When completed, said survey and description of the land or interests to be condemned shall be filed with the City Clerk of the City of Lawrence, Kansas.

PASSED by the Governing Body of the City of Lawrence, Kansas, this 8th day of January, 2019.

APPROVED:


Stuart Boley, Mayor



ATTEST:

Steven Lemons, Jr., Deputy City Clerk

APPROVED AS TO FORM:

Toni R. Wheeler, City Attorney