

Resolution published in the *Abilene Reflector-Chronicle* on August 14, 2019.

RESOLUTION NO. 081219-1

A RESOLUTION OF THE CITY OF ABILENE, KANSAS, DECLARING THE NECESSITY OF THE CITY OF ABILENE, KANSAS, A MUNICIPAL CORPORATION, TO APPROPRIATE THROUGH THE EXERCISE OF EMINENT DOMAIN CERTAIN INTERESTS IN REAL PROPERTY FOR THE USE OF THE CITY PURSUANT TO K.S.A. 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. 26-201.

WHEREAS, the Governing Body has approved an improvement project to extend 8th Street from Washington Street to Van Buren Street, and to locate, construct, and maintain public means of transportation, public drainage structures, public landscaping and other aesthetic improvements, and any other improvements necessary for the purpose of conducting, transmitting, and distributing water, sewage, electricity, gas and electronic communications by the City of Abilene and its authorized licensees and franchisees (the “8th Street Improvement Project”).

WHEREAS, the Governing Body finds that it is necessary and in the public interest to acquire certain property interests, including a permanent right-of-way and a temporary construction easement on real property located in Abilene, Dickinson County, Kansas, commonly located at 805 N. Van Buren Street, for the purpose of the 8th Street Improvement 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 Abilene, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, AS FOLLOWS:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

SECTION 2. The Governing Body hereby finds and determines that it is necessary for the City of Abilene to appropriate, through the exercise of eminent domain, certain private property interests, including a permanent right-of-way and a temporary construction easement, for the use of the City for the purpose of the 8th Street Improvement Project, on property commonly located at 805 N. Van Buren Street, Abilene, Dickinson County, Kansas.

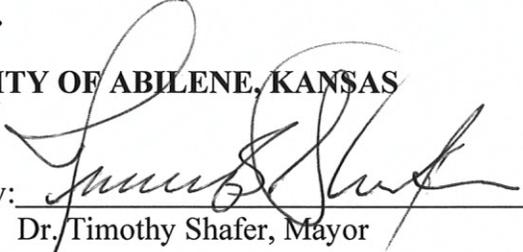
SECTION 3. The Governing Body hereby directs and authorizes its City Manager to cause a survey and description of the land or interests to be condemned to be undertaken and filed with the City Clerk; to thereafter prepare and submit to the Governing Body an ordinance authorizing the exercise of eminent domain with respect to such land or interests; and upon approval of the same by the Governing Body to cause to be initiated eminent domain proceedings in the District Court of Dickinson County, and to undertake all other necessary actions to complete acquisition of such land or interests.

SECTION 4. This resolution shall be published once in the official city newspaper, *The Abilene Reflector-Chronicle*.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, ON THIS 12th DAY OF AUGUST, 2019.

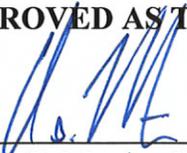


CITY OF ABILENE, KANSAS

By: 
Dr. Timothy Shafer, Mayor


Penny L. Soukup, CMC, City Clerk

APPROVED AS TO FORM:


Aaron O. Martin, City Attorney