

RESOLUTION NO. 361

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBUS, KANSAS, DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE PURPOSE OF CONSTRUCTION AND FOR PERMANENT PUBLIC ROAD, HIGHWAY AND PUBLIC AND PRIVATE UTILITY USE OF TRACT 13, PROJECT NO. 69-11 K-8009-01.

WHEREAS, The City of Columbus, Kansas, has entered into Project No. 69-11 K-8009-01 with the Kansas Department of Transportation to improve and widen Highway 69 and relocate adjacent utilities.

WHEREAS, McDonald's Real Estate Company, a Delaware corporation, the owner of Tract 13, has not accepted the terms offered by the City to purchase the necessary easement interests and acquire the property by conveyance of deed.

WHEREAS, a permanent easement is necessary on Tract 13 for the purpose of utilizing the public road, highway and public and private utility.

WHEREAS, a temporary easement is necessary on Tract 13 to accommodate construction equipment, materials, and excavated earth during the construction of Project No. 69-11 K-8009-01.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Columbus, Kansas in regular meeting duly assembled this 4th day of September, 2007, that a land survey and description of the land known as Tract 13, subject to condemnation, shall be prepared and filed with the City Clerk.

BE IT FURTHER RESOLVED by the City Council, that condemnation proceedings shall begin as soon as practicable to exercise the City's power of eminent domain pursuant to K.S.A. 26-201, and K.S.A. 25-501, *et. seq.*, as amended.

PASSED AND ADOPTED this 4th day of September, 2007, by the City Council of the City of Columbus, Kansas.

CITY OF COLUMBUS, KANSAS


HARLEY MCDANIEL, Mayor

ATTEST:


JANICE BLANCETT, City Clerk

(Seal)