

ORDINANCE NO. 1037

AN ORDINANCE AUTHORIZING THE COMMENCEMENT OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN PROPERTY FOR THE PURPOSE OF RECONSTRUCTING CERTAIN ROADWAYS KNOWN AS THE 4TH STREET/UPRR QUIET ZONE PROJECT

WHEREAS, the City of Edwardsville, Kansas plans to undertake the reconstruction of 4th street generally between Newton Street and K-32 (the "Project"), and finds it necessary to appropriate certain interests in private property for use in said project.

WHEREAS, the City has been unable to procure the property by negotiation and finds it necessary to resort to its condemnation authority.

WHEREAS, cities are authorized to condemn property for public purposes pursuant to the authority of K.S.A. 26-201 et. seq.

WHEREAS, the Governing Body did adopt Resolution No. 2020-15 on October 26, 2020, finding that the proposed Project is in the public interest, that it is necessary to acquire certain property interests by condemnation and directing the commission of a survey of the subject property and the commission of a surveyed description of the land and interests to be condemned for the purpose of said sewer project.

WHEREAS, the survey and legal descriptions were completed as directed, and said survey and legal descriptions required for acquisition by condemnation were filed with the City Clerk, a copy of which are attached hereto as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Edwardsville, Kansas and pursuant to the condemnation authority referenced above, the Governing Body of the City of Edwardsville, Kansas, hereby provides and authorizes the following:

Section 1. That the Project is in the public interest.

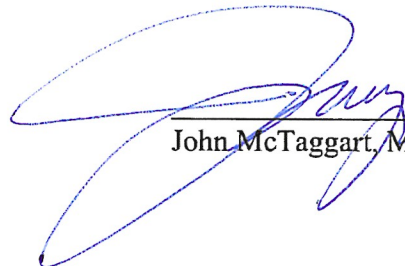
Section 2. That the City has been unable to acquire the subject property to construct the Project by negotiation and must, therefore, resort to its condemnation authority pursuant to K.S.A. 26-201, et seq. to acquire the property.

Section 3. That the Governing Body hereby directs the condemnation proceedings be initiated in the District Court of Wyandotte County, Kansas, to condemn, for public use in the Project, the following described properties:

Parcel ID	Street Address	Owner
186223	111 S. 4 th Street	Eugene W. Snider and Tami K. Snider, H&W
186251	203 S. 4 th Street	Samuel R. Westhoff

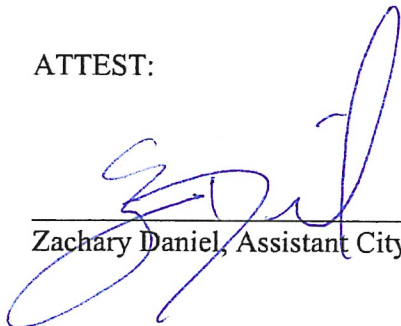
Section 4. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 25th DAY OF JANUARY, 2021.




 John McTaggart, Mayor

ATTEST:



 Zachary Daniel, Assistant City Manager/City Clerk

APPROVED AS TO FORM:



 Lisa Dehon, City Attorney

