



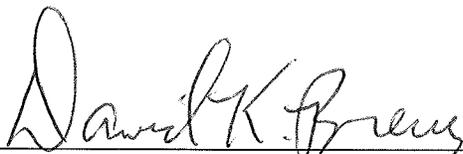
## NOTICE OF SPECIAL MEETING

### TO THE MEMBERS OF THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

You are hereby notified that I have called and do hereby call a special meeting of the governing body of the City of Basehor, Kansas (the "Issuer"), to be held at Basehor City Hall, 2620 North 155<sup>th</sup> Street, Basehor, Kansas, 66007 on February 4, 2013, at 6:30 p.m., for the purpose of:

1. Consideration of Resolution 2013-04 declaring it necessary and in the public interest to acquire right of way, permanent drainage easements, permanent utility easements and temporary construction easements as the first step related to the exercise of eminent domain for US-24/40 Corridor Management Projects.

DATED: January 29, 2013.

  
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David K. Breuer, Mayor

**CONSENT TO MEETING**

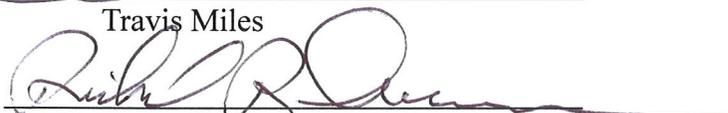
We, the undersigned, being all the members of the Governing Body of the City of Basehor, Kansas, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and in such notice and consent and agree that said Governing Body shall meet at the time and place therein specified and for the purposes therein stated.

DATED: January 29, 2013.



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Travis Miles

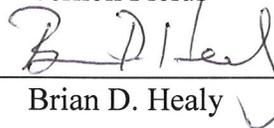


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Richard Drennon

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Vernon Fields



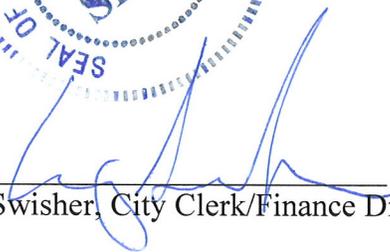
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Brian D. Healy

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Ty Garver

Attest/Seal:



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Corey Swisher, City Clerk/Finance Director

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 1

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**Topic:**

Consider Resolution 2013-04 declaring it necessary and in the public interest to acquire right of way, permanent drainage easements, permanent utility easements and temporary construction easements as the first step related to the exercise of eminent domain for US-24/40 Corridor Management Projects.

**Action Requested:**

Consider Resolution 2013-04.

**Narrative:**

Land acquisition is approximately 80% complete. The City's land acquisition agent is in the appraisal process. Once the appraisal process is completed, offer(s) will be made. If the offer(s) are not accepted, the City will need to move forward with eminent domain. Resolution 2013-04 is the start of eminent domain process. Approving this resolution will not authorize the filing of the eminent domain petition. It declares it necessary and in the public interest to acquire right of way, permanent drainage easements, permanent utility easements, and temporary construction easements. It also authorizes the preparation of a survey and description of the interests to be condemned. Once the survey and description is prepared and filed with the City Clerk, an Ordinance will be brought to the City Council, which will authorize the filing of the eminent domain petition with the Leavenworth County district court.

**Presented by:**

Mitch Pleak, City Engineer

**Administration Recommendation:**

Approve Resolution 2013-04.

**Committee Recommendation:**

**Attachments:**

Resolution 2013-04 (2 pages)

**Projector needed for this item?**

No

RESOLUTION NO. 2013-04

A RESOLUTION DECLARING IT NECESSARY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY OF BASEHOR, KANSAS, FOR THE CONSTRUCTION OF THE US-24/40 CORRIDOR MANAGEMENT PROJECT INCLUDING THE IMPROVEMENT OF: WOLF CREEK PARKWAY FROM 158<sup>TH</sup> STREET TO 155<sup>TH</sup> STREET; 158<sup>TH</sup> STREET FROM US-24/40 TO WOLF CREEK PARKWAY; AND 155<sup>TH</sup> STREET FROM US-24/40 TO WOLF CREEK PARKWAY IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS.

WHEREAS, the City of Basehor, Kansas, has heretofore authorized and directed the acquisition of right of way, permanent drainage easements, permanent utility easements and temporary construction easements for the construction of the US-24/40 Corridor Management Project, including the improvement of: Wolf Creek Parkway from 158<sup>th</sup> Street to 155<sup>th</sup> Street; 158<sup>th</sup> Street from US-24/40 to Wolf Creek Parkway; and 155<sup>th</sup> Street from US-24/40 to Wolf Creek Parkway (the "US 24/40 Corridor Management Project"); and

WHEREAS, it is necessary and in the public interest to acquire right of way, permanent drainage easements, permanent utility easements and temporary construction easements for the construction of the US-24/40 Corridor Management Project by the exercise of eminent domain.

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

Section 1. That it is hereby declared necessary and in the public interest to acquire right of way, permanent drainage easements, permanent utility easements and temporary construction easements for the use of the City of Basehor, Kansas, for the construction of the US-24/40 Corridor Management Project in the City of Basehor, Kansas.

Section 2. That it is hereby authorized and directed that a survey and description of the right of way, permanent drainage easements, permanent utility easements and temporary construction easements to be acquired be made by a competent engineer and filed with the City Clerk of the City of Basehor, Kansas.

Section . That this resolution shall be effective upon its adoption by the Governing Body of the City of Basehor, Kansas.

Section 4. That this resolution shall be published once in the City's official newspaper.

ADOPTED by the Governing Body this 4th day of February, 2013.

APPROVED by the Mayor this 4th day of February, 2013.

[SEAL]

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David K. Breuer, Mayor

ATTEST:

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Corey Swisher, City Clerk

APPROVED AS TO FORM:

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Shannon M. Marcano, City Attorney