

ORDINANCE NO. 450

**AN ORDINANCE DECLARING THE NECESSITY OF APPROPRIATING CERTAIN PRIVATE PROPERTY BY CONDEMNATION FOR PERMANENT EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND SEWER CONSTRUCTION PURPOSES AND AUTHORIZING AND DIRECTING THE APPROPRIATION OF SAID PRIVATE PROPERTY BY CONDEMNATION AND ADOPTING AND APPROVING THE SURVEY AND DESCRIPTION OF LAND REQUIRED AS MADE BY THE CITY ENGINEER AND FILED WITH THE CITY CLERK OF THE CITY OF BASEHOR, KANSAS.**

**WHEREAS**, the City of Basehor, Kansas, is a municipal corporation and a city of the third class with the authority to acquire by condemnation any interest on real property for permanent easement, temporary construction easement and sewer construction purposes for the use of the city as provided by K.S.A. 26-201, et. seq., and K.S.A. 26-501, et. seq., and K.S.A. 26-845; and

**WHEREAS**, the City Governing Body has found it necessary to appropriate certain private property for the purpose of constructing and repairing its sewer lines: and

**WHEREAS**, a petition must be filed with the District Court of Leavenworth County, Kansas, asking for the appointment of three (3) disinterested householders in the county as commissioners to condemn and appraise said land.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:**

**Section 1.** That the description of the lands to be appropriated, the names of the owners of the property for which land is taken as set forth, and said survey is now on file in the office of the City of Clerk in the City of Basehor, Kansas, as follows, to-wit:

Barbara A. Winn, Trustee of the Barbara A. Winn Revocable Trust dated the **24<sup>th</sup> day of December 1996.**

**Permanent Sanitary Easement Description:**

An easement in the Southwest Quarter of Section 13, Township 10 South, Range 22 East of the Sixth P.M., Leavenworth County, Kansas, described as: The East 30.0 feet of the South one-half of the Northeast Quarter of the Southwest Quarter AND the East 30.0 feet of the South one-half of the Southwest Quarter.

**TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:**

An easement in the Southwest Quarter of Section 13, Township 10 South, Range 22 East of the Sixth P.M., Leavenworth County, Kansas, described as: The East 50.0 feet of the

South one-half of the Northeast Quarter of the Southwest Quarter AND the East 50.0 feet of the South one-half of the Southwest Quarter.

Said real property is not located within the City of Basehor, Kansas, but is located within Leavenworth County, Kansas and that said real property will be appropriated and condemned for the purposes set forth hereinabove.

Section 2. That the City Attorney be authorized to file a petition in the District Court of Leavenworth County, Kansas, asking for the appointment of three (3) disinterested householders in said county as commissioners to condemn and appraise said land.

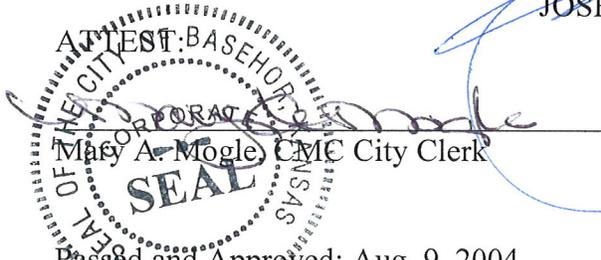
Section 3. That said condemnation shall be done as provided in K.S.A. 26-201, et. seq., and 26-501, et. seq., and K.S.A. 26-208 and any amendments thereto.

Section 4. That this ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper as provided by law.

Passed and approved by the Governing Body of the City of Basehor, Kansas, this 9<sup>th</sup> day of August 2004.

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JOSEPH SCHERER, Mayor

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MAY A. MOGLE, CMC City Clerk



Passed and Approved: Aug. 9, 2004

Published: Sept. 2, 2004

Read and Approved:

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John F. Thompson, #09169  
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