

ORDINANCE NO. S-3210

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LANDS OR INTERESTS THEREIN BY CONDEMNATION FOR THE PURPOSE OF CONSTRUCTING, USING, MAINTAINING, REPLACING, AND/OR REPAIRING A SANITARY SEWER LINE IN THE CITY OF JUNCTION CITY, KANSAS.

WHEREAS, the Governing Body of the City of Junction City, Kansas, did by Resolution No. R-2911 declare the necessity for, and authorize the completion of a survey and preparation of a description of the lands or interests therein to be condemned by the City for the following improvements:

The construction, use, maintenance, placement, and repair of a sanitary sewer line at 2511 Liberty Hall Road, in the City of Junction City, Kansas ("Improvements").

WHEREAS, the Resolution was published once in the official City newspaper as shown in Exhibit B, which is attached hereto and incorporated herein by reference; and

WHEREAS, a survey and legal description of the land or interests therein to be condemned have been made and prepared by a professional engineer and filed with the Clerk of the City of Junction City, Kansas;

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

SECTION 1. It is hereby authorized and provided that the lands or interests described on Exhibits A & C be acquired by condemnation pursuant to K.S.A. 26-201 and K.S.A. 26-501, *et seq.* for the purpose of constructing, using, maintaining, replacing, and repairing the Improvements. The City Commission authorizes the City Attorney to initiate legal proceedings to effect the aforementioned condemnation.

SECTION 2. Take Effect. This Ordinance shall be in full force and effect from and after the date of its passage, approval, and publication as provided by law.

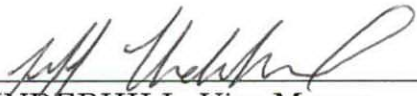
SECTION 3. Settlement. The City Commission authorizes the City Manager and City Attorney to resolve the matter prior to or during litigation up-to-but-no-more than \$5,000.00 for the lands or interests described in Exhibits A & C.

ADOPTED by the Governing Body of the City of Junction, Kansas, on the 20th day of August, 2019.

APPROVED by the Vice Mayor on the 20th day of August.

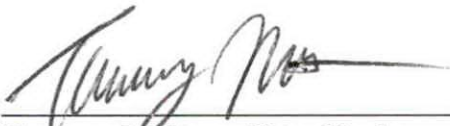
(SEAL)





JEFF UNDERHILL, Vice Mayor

ATTEST:



Tammy Melton, City Clerk

APPROVED AS TO FORM:



Britain D. Stites, City Attorney

MATCH LINE

N 89°14'01" E 32.94'

S 89°14'01" W 32.91'

PROPOSED TEMPORARY
CONSTRUCTION EASEMENT

PROPOSED TEMPORARY
CONSTRUCTION EASEMENT

PROPOSED
SANITARY SEWER
EASEMENT

10' 20' 10'

N 00°56'11" W 409.17'

S 00°56'11" E 429.19'

UNPLATTED

OWNER:
DERRYL BURRIS &
MICHIKO BURRIS
(BK 85, PG 643)

UNPLATTED

OWNER:
WAYNE S. CHESTERMAN
(BK 110, PG 1338)

EASTERLY LINE
BK 85, PG 643

POINT OF BEGINNING

NW COR, LOT 4, BLOCK 1,
SPRING VALLEY ADDITION
UNIT NO. 1

PROPOSED TEMPORARY
CONSTRUCTION EASEMENT

PROPOSED 20'
SANITARY SEWER
EASEMENT

S 89°20'05" W
60.04'

N 89°20'05" E 344.17'

S 89°20'05" W 158.25'

N 00°37'40" W
50.00'

OVERBROOKE
DRIVE
NE COR, LOT 1,
BLOCK 5, SPRING
VALLEY ADDITION
UNIT NO. 1

S 89°20'05" W 132.07'
LOT 4
NORTH LINE
SPRING VALLEY
ADDITION UNIT NO. 1

S 10°37'28" W 20.39'
SPRING VALLEY
ADDITION UNIT NO. 1
BLOCK 1 LOT 3

10' UTILITY
EASEMENT
LOT 2

2319 NORTH JACKSON | P.O. BOX 1304
JUNCTION CITY, KANSAS 66441

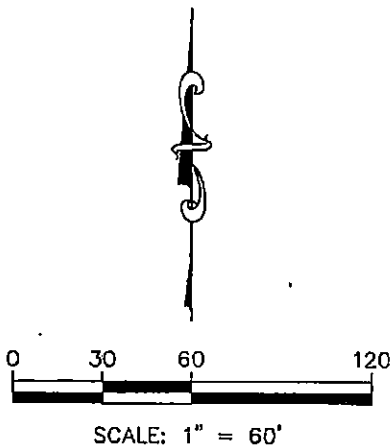
PH. (785) 762-5040 | FAX (785) 762-7744
jc@kveng.com | www.kveng.com

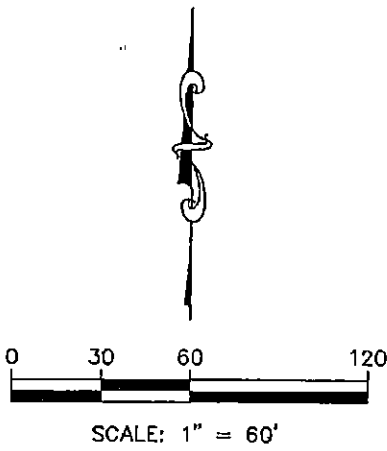


KAW VALLEY ENGINEERING

EXHIBIT "A"

NOVEMBER 21, 2018
8150EXBG_BURRIS_TE





N 89°22'08" E 10.00'

UNPLATTED
OWNER:
JOHN M. HOLLIBAUGH &
JULIE A. HOLLIBAUGH
(BK 114, PG 1575)

SOUTH LINE
BK 114, PG 1575

UNPLATTED
OWNER:
MICHAEL—JUSTIN
LOUIS BOLLIG
& KELLY SUE BOLLIG
(BK 114, PG 329)

PROPOSED TEMPORARY
CONSTRUCTION EASEMENT

UNPLATTED
OWNER:
DERREL BURRIS &
MICHIKO BURRIS
(BK 85, PG 643)

N 00°47'22" W 540.60'

S 00°47'22" E 550.57'

10'

PROPOSED 20'
SEWER EASEMENT

PROPOSED 10' TEMPORARY
CONSTRUCTION EASEMENT

MATCH LINE



2319 NORTH JACKSON | P.O. BOX 1304
JUNCTION CITY, KANSAS 66441
PH. (785) 762-5040 | FAX (785) 762-7744
jc@kveng.com | www.kveng.com

KAW VALLEY ENGINEERING

EXHIBIT "A"

NOVEMBER 21, 2018
8150EXBG_BURRIS_TE

Seaton Media, Inc

The Manhattan Mercury, Junction City Union
Warrego Smoke Signal, The Times
1st Infantry Divisional Post, Flint Hills Shoppers
P.O. Box 787, Manhattan, KS 66505

In The Matter of IN THE DISTRICT COURT OF GEARY COUNTY, KANSAS,

STATE OF KANSAS
GEARY COUNTY SS

Resolution R-2911

BE IT RESOLVED that the City Commission of the City of Junction City, Kansas declares the necessity of acquiring real property by eminent domain and hereby authorizes a licensed land survey or a professional engineer, pursuant to K.S.A. 26-201, to make a survey and describe the southeastern portion of 2511 Liberty Hall Road, Junction City, Geary County, Kansas, or commencing at the point of beginning at the north-west corner of Lot 4, Block 1 Spring Valley Addition Unit No. 1 to Junction City, Kansas recorded in Book F at Page 83, thence on the north line of said Spring Valley Addition Unit No. 1, S 89°20'05" W 60.04 feet to the northeast corner of Lot 1, Block 5 of said Spring Valley Addition Unit No. 1; thence N 00°37'40" W 50.00 feet north from said north line, N 89°20'05" E 344.17 feet; thence parallel with and 10.00 feet west of the easterly line of a tract of land described in deed book 85 at page 643, N 00°56'11" E 32.94 feet; thence; thence continuing parallel with and 10.00 feet west of said easterly line, N 00°47'22" W 540.60 feet to the south line of a tract of land described in Deed Book 114 at page 1575; thence on said south line, N 89°22'08" E 10.00 feet to said easterly line of said tract of land described in Deed Book 85 at page 643; thence on said easterly line, S 00°47'22" E 550.57 feet; thence continuing on said easterly line, S 89°14'01" W 32.91 feet; thence continuing on said easterly line, S 00°47'22" E 550.57 feet; thence continuing on S 00°56'11" E 429.19 feet, thence S 89°20'05" W 158.25 feet; thence S 10°37'28" W 20.39 feet to said north line of Spring Valley Addition Unit No.1; thence on said north line, S 89°20'05" W 132.07 feet to the point of beginning. Contains 24,336.42 square feet, more or less. The interest to be condemned is a temporary construction easement and, upon completion, to

I, ~~Tabitha Hilgner~~ being first duly sworn, depose and say: That I am Inside Sales of The Junction City Union, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Geary County, Kansas, with a general paid circulation on a daily basis in Geary County, Kansas and that said newspaper is not a trade, religious or fraternal publication. Said newspaper has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Junction City in said county as second class matter. That the attached notice is true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive insertions the first publication thereof being made as aforesaid on 11 day of August, 2019 with subsequent publications being made on the following dates:

On the _____ day of _____, 2019

On the _____ day of _____, 2019

On the _____ day of _____, 2019

On the _____ day of _____, 2019

Tabitha Hilgner-Rice
Subscribed and sworn to before me this 12

day of August, 2019

Robin T. Phelan
Notary Public



Notary Seal

AD# 18400

file the survey and description with the City Clerk. The property is to be used for the maintenance and improvement of the sanitary sewer system. That said resolution shall be published once in the newspaper, having general circulation in the City.

Adopted by the City Commission on the 6th day of August, 2019.

A complete text of the resolution may be obtained or viewed free of charge at the office of the City Clerk, 700 North Jefferson, Junction City, Kansas. A reproduction of the resolution is available for not less than 7 days following the publication date of this summary at www.junctioncity-ks.gov. This summary and notice certified by Britain D. Sutes, City Attorney, on August 7, 2019.

A4675
August 11, 2019