

**ORDINANCE NO. S-3211**

**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-2912 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 \$3,000.00 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.

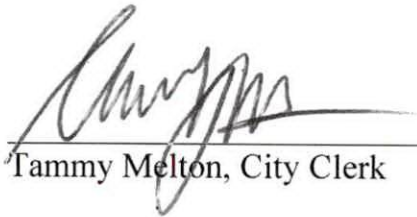
APPROVED by the Vice Mayor on the 20th day of August.

(SEAL)



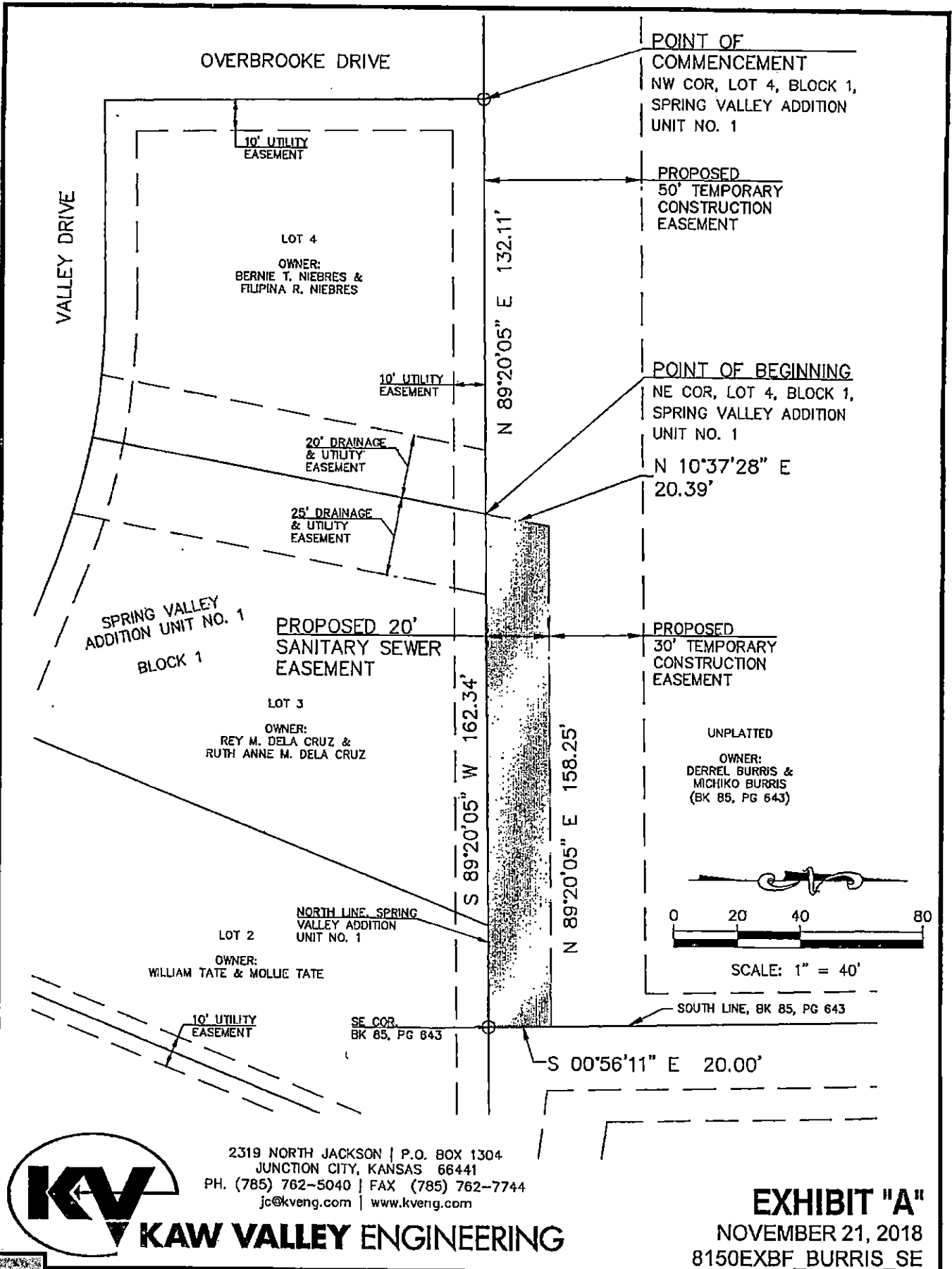
  
\_\_\_\_\_  
JEFF UNDERHILL, Vice Mayor

ATTEST:

  
\_\_\_\_\_  
Tammy Melton, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Britain D. Stites, City Attorney



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**KAW VALLEY ENGINEERING**

**EXHIBIT "A"**

NOVEMBER 21, 2018  
8150EXBF\_BURRIS\_SE

# Seaton Media, Inc

The Manhattan Mercury, Junction City Union  
Warrego Smoke Signal, The Times  
1<sup>st</sup> 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-2912

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 northwest corner of Lot 4, Block 1 of Spring Valley Addition Unit No. 1 to Junction City, Kansas, recorded in Book F at page 83; thence on the north line of said Lot 4, N 89°20'05" E 132.11 feet to the northeast corner of said lot 4 and the point of beginning; thence N 10°37'28" E 20.39 feet; thence N 89°20'05" E 158.25 feet to the east line of a tract of land described in deed book 85 at page 643; thence on said east line, S 00°56'11" E 20 feet to the southeast corner of said tract of land and a point on the north line of Lot 2, Block 1, of Spring Valley Addition Unit No. 1; thence on the north line of Lot 2 and Lot 3, Block 1, Spring Valley Addition Unit No. 1, S 89°20'05" W 163.34 feet to the point of beginning. Contains 3,205.85 square feet, more or less. 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 AD# 18394

of this summary at [www.junctioncity-ks.gov](http://www.junctioncity-ks.gov). This summary and notice certified by Brittain D. Sikes, City Attorney, on August 7, 2019.

A4674  
August 11, 2019

I, Tabitha Hilton-Lee 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 insertion the first publication thereof being made as aforesaid on the 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 Hilton-Lee  
Subscribed and sworn to before me this 12

day of August, 2019

Robin T. Phelan

Notary Public



Notary Seal