

**ORDINANCE NO. 26-26**

**AN ORDINANCE AUTHORIZING PAYMENT BY THE CITY TREASURER OF AN EMINENT DOMAIN AWARD AND COURT-APPOINTED APPRAISERS' FEES FOR CONSTRUCTING AND MAINTAINING THE SANTA FE, RIDGEVIEW TO MUR LEN IMPROVEMENTS PROJECT [PN 3-C-025-18], AS DESIGNATED IN ORDINANCES NOS. 25-46 and 26-01, PASSED AND APPROVED BY THE GOVERNING BODY ON NOVEMBER 4, 2025, AND JANUARY 6, 2026, RESPECTIVELY.**

**WHEREAS**, on January 14, 2026, the City of Olathe, Kansas, filed a Petition for Eminent Domain Proceedings pertaining to the construction and maintenance of the Santa Fe, Ridgeview to Mur Len Improvements Project [PN 3-C-025-18], as designated in Ordinances Nos. 25-46 and 26-01, passed and approved by the Governing Body on November 4, 2025, and January 6, 2026, respectively; and

**WHEREAS**, the Appraisers' Report was filed with the Clerk of the District Court on May 6, 2026, and said appraisers notified the City of the filing of said report; and

**WHEREAS**, the Governing Body of the City of Olathe, Kansas, deems it advisable to authorize the City Treasurer to pay the Clerk of the District Court the amount of the awards and the court-appointed appraisers' fees.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE:** The City Treasurer is hereby authorized to pay the Clerk of the District Court the sum of \$417,000.00 to pay the eminent domain award for Tract 11, \$360,000.00 to pay the eminent domain award for Tract 54, \$26,000.00 to pay the eminent domain award for Tract 55, \$28,500.00 to pay the eminent domain award for Tract 56, and \$17,727.50 for the court-appointed appraisers' fees, for a total of \$849,227.50 in the case of The City of Olathe, Kansas v. Brogden Properties, LLC, et al., Case No. JO-2025-CV-000103.

**SECTION TWO:** This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

**PASSED** by the Governing Body this 19th day of May 2026.

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John W. Bacon  
Mayor

ATTEST:

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Brenda D. Swearingian  
City Clerk

(SEAL)

APPROVED AS TO FORM:

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Ronald R. Shaver  
City Attorney