

ORDINANCE NO. 25-06

AN ORDINANCE AUTHORIZING PAYMENT BY THE CITY TREASURER OF AN EMINENT DOMAIN AWARD AND COURT-APPOINTED APPRAISERS' FEES FOR CONSTRUCTING AND MAINTAINING THE ANIMAL SHELTER PROJECT, PN 6-C-007-23, AS DESIGNATED IN ORDINANCE NO. 24-25, PASSED AND APPROVED BY THE GOVERNING BODY ON OCTOBER 9, 2024.

WHEREAS, on October 21, 2024, the City of Olathe, Kansas, filed a Petition for Eminent Domain Proceedings pertaining to the construction and maintenance of the Animal Shelter Project, PN 6-C-007-23, as designated in Ordinance No. 24-25, passed and approved by the Governing Body on October 9, 2024; and

WHEREAS, the Appraisers' Report was filed with the Clerk of the District Court on January 31, 2025, 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 costs.

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 \$2,100,000 to pay the eminent domain award and \$12,967.50 for the court-appointed appraisers' fees for a total of \$2,112,967.50 in the case of The City of Olathe, Kansas vs. Sutherland Lumber Company of Kansas City, LLC, Case No. 24-CV-05563.

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 4th day of February 2025.

John W. Bacon
Mayor

ATTEST:

Brenda D. Swearingian
City Clerk

(SEAL)

APPROVED AS TO FORM:

Ronald R. Shaver
City Attorney