

ORDINANCE NO. 19-20

AN ORDINANCE AUTHORIZING PAYMENT BY THE CITY TREASURER OF AN EMINENT DOMAIN AWARD AND COURT APPOINTED APPRAISERS' FEES FOR THE CONSTRUCTION, RECONSTRUCTION, WIDENING, IMPROVEMENT AND MAINTENANCE OF THE SANTA FE & RIDGEVIEW ROAD GEOMETRICS IMPROVEMENTS PROJECT, PN 3-C-083-15, AS DESIGNATED IN ORDINANCE NO. 18-47, PASSED AND APPROVED BY THE GOVERNING BODY ON OCTOBER 16, 2018.

WHEREAS, on February 1, 2019, the City of Olathe, Kansas, filed a Petition for Eminent Domain Proceedings pertaining to the construction, reconstruction, widening, improvement and maintenance of the Santa Fe & Ridgeview Road Geometrics Improvement Project, PN 3-C-083-15, as designated in Ordinance No. 18-47, passed and approved by the Governing Body on October 16, 2018; and

WHEREAS, the Appraisers' Report was filed with the Clerk of the District Court on May 23, 2019, and the appraisers notified the City of the filing of the 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 \$46,000 to pay the eminent domain award and \$9,000 for the court appointed appraisers' fees for a total of \$55,000 in the case of *The City of Olathe, Kansas, vs. Sutherland Lumber Company of Kansas City, L.P., et al.*, Case No. 19CV00597.

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 June, 2019.

SIGNED by the Mayor this 4th day of June, 2019.

Michael E. Copeland
Mayor

ATTEST:

Emily K. Vincent
City Clerk

APPROVED AS TO FORM:

Ronald R. Shaver
City Attorney

Publish one time and return one Proof of Publication to the City Clerk, one to Public Works and one to the City Attorney.