

**RESOLUTION NO. 19-1067**

**A RESOLUTION DECLARING IT NECESSARY TO ACQUIRE PRIVATE PROPERTY IN OLATHE, KANSAS FOR THE PURPOSE OF CONSTRUCTING EARTHEN EMBANKMENTS AND REINFORCED CONCRETE BOX CULVERTS ON COFFEE CREEK ALONG THE FUTURE BROUGHAM DRIVE ALIGNMENT SOUTH OF 167<sup>TH</sup> STREET AND THE FUTURE LINDENWOOD DRIVE ALIGNMENT SOUTH OF 167<sup>TH</sup> STREET FOR THE BROUGHAM DRIVE REGIONAL DETENTION BASIN PROJECT, PN 2-C-002-16, AND FURTHER DIRECTING THE CITY ENGINEER OR DESIGNEE TO CAUSE A SURVEY TO BE MADE OF THE LAND NEEDED FOR SUCH IMPROVEMENT.**

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

**SECTION ONE:** It is necessary to acquire by appropriation and proceedings in Eminent Domain fee simple title to private property in Olathe, Kansas for the construction of an earthen embankment and reinforced concrete box culverts on Coffee Creek along the future Brougham Drive alignment south of 167<sup>th</sup> Street and the future Lindenwood Drive alignment south of 167<sup>th</sup> Street for the Brougham Drive Regional Detention Basin Project, PN 2-C-002-16. The City Engineer or designee is hereby directed and instructed to cause to be prepared and made a survey of the land necessary for such purpose and to prepare a certificate showing the results of such survey over her signature and to cause the same to be filed in the Office of the City Clerk of the City of Olathe, Kansas. Said report shall also contain a description of the land which is necessary for such purposes.

**SECTION TWO:** After the filing of said survey and report by the City Engineer or designee, the City Attorney of the City of Olathe, Kansas shall cause a proper ordinance to be prepared and submitted to the Governing Body for consideration, providing for the acquisition of private property in Olathe, Kansas by appropriate proceedings in Eminent Domain.

**SECTION THREE:** The City Clerk shall cause this Resolution to be published once in the official City newspaper.

**ADOPTED** by the Governing Body this 19<sup>th</sup> day of November, 2019.

**SIGNED** by the Mayor this 19<sup>th</sup> day of November, 2019.

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Michael E. Copeland  
Mayor

ATTEST:

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Emily K. Vincent  
City Clerk

(Seal)

APPROVED AS TO FORM:

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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.