



# City of Olathe

## Legislation Details (With Text)

**File #:** G24-4437  
**Type:** New Business **Status:** Agenda Ready  
**File created:** 5/22/2024 **In control:** City Council  
**On agenda:** 6/4/2024 **Final action:**  
**Title:** Consideration of Ordinance No. 24-19 approving an engineer's survey and authorizing the acquisition of land for the South Hamilton Circle Improvement Project, PN 3-R-001-24, and South Hamilton Waterline Rehabilitation Project, PN 5-R-001-24.  
**Sponsors:** Ron Shaver  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. A: Project Location Map, 2. B: Eminent Domain Ordinance

Date	Ver.	Action By	Action	Result
6/4/2024	1	City Council	approved	Pass

**FOCUS AREA:** Infrastructure & Legal

**STAFF CONTACT:** Mary Jaeger / Nate Baldwin / Ron Shaver

**SUBJECT:** Approval of an engineer's survey for eminent domain for the South Hamilton Circle Improvement Project, PN 3-R-001-24, and South Hamilton Waterline Rehabilitation Project, PN 5-R-001-24.

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### TITLE:

Consideration of Ordinance No. 24-19 approving an engineer's survey and authorizing the acquisition of land for the South Hamilton Circle Improvement Project, PN 3-R-001-24, and South Hamilton Waterline Rehabilitation Project, PN 5-R-001-24.

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### SUMMARY:

Project No. 3-R-001-24 was created by Resolution No. 23-1024 on March 21, 2023. This project is a full depth asphalt pavement and subgrade replacement. This includes replacement of concrete curb and gutters, installation of sidewalk, driveway approaches, streetlight installation, and stormwater improvements. This project also includes select waterline replacement. The project limits for Phase 1 are Hamilton Circle from Harrison Street to just east of the railroad crossing. [Attachment A](#) is a map of the project area.

Easements need to be acquired on 15 commercial tracts of land for the project and easements on 8 tracts have been acquired to date.

On June 4, 2024, the City Council approved Resolution No. 24-1022 which authorized an engineering survey of land needed for the project.

The ordinance is the second step of the eminent domain process. The ordinance ([Attachment B](#)) approves the survey and authorizes the filing of a petition for eminent domain in the Johnson County, Kansas District Court.

To keep the project on schedule, land acquisition needs to be completed as soon as possible. Staff will continue to negotiate with the property owners to try and reach agreements to acquire the property before using the eminent domain process.

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**FINANCIAL IMPACT:**

This project is funded from the City of Olathe's 2024 Street Reconstruction Program authorized on March 7, 2023. Authorized revenue for the 2024 Street Reconstruction Program includes:

<u>General Obligation Bonds</u>	<u>\$ 4,000,000</u>
<b>Total</b>	<b>\$ 4,000,000</b>

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**ACTION NEEDED:**

Adopt Ordinance 24-19 approving an engineer's survey and authorizing the acquisition of land for the South Hamilton Circle Improvement Project, PN 3-R-001-24, and South Hamilton Waterline Rehabilitation Project, PN 5-R-001-24.

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**ATTACHMENT(S):**

- A: Project Location Map
- B: Eminent Domain Ordinance