

RESOLUTION NO. 2046

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands or interests therein necessary to be condemned for the location, laying-out, construction, reconstruction, operation, use, maintenance and repair of raw water lines and improvements attendant thereto from Hillsdale Lake to the City's Hillsdale Water Treatment Plant located within Miami County, Kansas.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDNER, KANSAS

SECTION 1. It is hereby found and determined necessary that certain lands or interests therein be condemned, or otherwise acquired, for public use providing for land necessary for the location, laying-out, construction, reconstruction, operation, use, maintenance and repair of raw water lines and improvements attendant thereto line from Hillsdale Lake to the City's Hillsdale Water Treatment Plant located within Miami County, Kansas, as generally depicted in Exhibit A, which is attached hereto and incorporated herein by reference, provided however that the property interests which will ultimately be acquired shall be established by the survey as described in Section 2.

SECTION 2. The City Council hereby directs and authorizes its City Attorney to cause a survey and description of such parcels to be undertaken and filed with the City Clerk; to thereafter prepare and submit to the Council an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Council to initiate eminent domain proceedings in the District Court of Miami County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official city newspaper for the City of Gardner.

**ADOPTED BY THE BY THE CITY COUNCIL OF THE CITY OF GARDNER,
KANSAS THIS 16th DAY OF December, 2019.**

_____/s/_____
Steve Shute, Mayor

ATTEST:

_____/s/_____
Sharon Rose
City Clerk

APPROVED AS TO FORM:

_____/s/_____
Ryan Denk
City Attorney