

RESOLUTION NO. 116

A RESOLUTION OF THE CITY OF LINN VALLEY, KANSAS, DECLARING THE NECESSITY OF THE CITY OF LINN VALLEY, KANSAS, A MUNICIPAL CORPORATION, TO APPROPRIATE THROUGH THE EXERCISE OF EMINENT DOMAIN REAL PRIVATE PROPERTY FOR THE USE OF SAID CITY AND GRANTING AUTHORIZATION TO OBTAIN A SURVEY AND DESCRIPTION OF THE LAND OR INTERESTS TO BE CONDEMNED, ALL IN ACCORDANCE WITH K.S.A. 26-201.

WHEREAS, the Governing Body of the City of Linn Valley, Kansas finds that it is necessary and in the public interest to acquire certain interests in real property in Linn County, Kansas, for the purpose of constructing wastewater lagoons (the “Project”) and;

WHEREAS, the Project Engineers and the City believe that land owned by Kiwi Cattle LLC, 16329 Hays Street, Stillwell, Kansas 66085 and located at:

24359 Ullery Road, LaCygne, KS 66040;

is the proper location for the project. Governing Body authorizes the making of a survey and description of the land or interests, by a licensed land surveyor or professional engineer, who shall be competent to conduct a land survey.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Linn Valley, Kansas:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.


SECTION 2. It is hereby found and determined necessary to the city and its inhabitants to proceed with the Project interest to appropriate the exercise of eminent domain on certain private property interests for the use of the City for the purpose of construction of wastewater lagoons and all equipment, roads, buildings, and facilities appurtenant thereto to effectuate the purpose of the wastewater lagoons.

SECTION 3. A licensed land surveyor or professional engineer, who is competent to conduct a land survey, shall be employed to provide a survey and description of the land or interest to be condemned. When completed, said survey and description of the land or interests to be condemned shall be filed with the City Clerk of the City of Linn Valley, Kansas.

SECTION 4. This Resolution shall be published one (1) time in an official City newspaper.

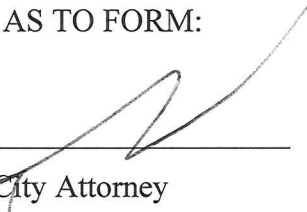
PASSED by the Governing Body of the City of Linn Valley, Kansas, this 13th day of June 2022.

CITY OF LINN VALLEY, KANSAS



Cindy Smith, Mayor

APPROVED AS TO FORM:



James Brun, City Attorney

ATTEST:





Karen Siffring, City Clerk