

ORDINANCE NO. S-13-02

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF AN INTEREST IN CERTAIN REAL PROPERTY SITUATED IN THE CITY OF COFFEYVILLE, MONTGOMERY COUNTY, KANSAS.

WHEREAS, K.S.A. 26-201 authorizes a city to acquire by condemnation any interest in real property, including a fee simple title thereto;

WHEREAS, Resolution No. R-12-115 was adopted by the Governing Body of the City of Coffeyville on December 11, 2012, providing for the appropriation of certain private property deemed necessary for the construction of the Cline Road improvement project; and

WHEREAS, a survey and description of the private property to be acquired for the aforementioned purposes has been filed with the city clerk

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Coffeyville, Kansas, as follows:

SECTION 1. The acquisition of permanent street right-of-way and temporary construction easements in and to the following described property is hereby authorized, to-wit:

Permanent Street Right of Way

A tract of land located in a portion of the West 125 feet of Lot 20, Block 2, West End Place Addition to the City of Coffeyville, Montgomery County, Kansas, said tract of land being more particularly described as follows:

Beginning at the Southwest corner of said Lot 20; thence N.01°36'44"W. along the East right-of-way line of Cline Road, a distance of 193.52 feet; thence N.88°26'12"E. a distance of 5.00 feet; thence S01°36'44"E. a distance of 193.56 feet; thence S.88°48'09"W. a distance of 5.00 feet to the Point of Beginning and containing 968 square feet or 0.022 acre.

Temporary Construction Easement

A tract of land located in a portion of the West 125 feet of Lot 20, Block 2, West End Place Addition to the City of Coffeyville, Montgomery County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southwest corner of said Lot 20; thence N.88°48'09"E. along the South line of said Lot 20 a distance of 5.00 feet to the Point of Beginning; thence N.01°36'44"W. a distance of 193.56 feet; thence N.88°23'16"E. a distance of 10.00 feet; thence S01°36'44"E. a distance of 173.63 feet; thence S.46°24'18"E. a distance of 28.39 feet to the South line of said Lot 20; thence S.88°48'09"W. along said South line a distance of 30.00 feet to the Point of Beginning and containing 2,136 square feet or 0.049 acre.

Permanent Street Right of Way

A tract of land located in a portion of the Southwest Quarter of Section 34, Township 34 South, Range 16 East of the Sixth Principal Meridian, Montgomery County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter; thence N.01°33'48"W. along the East line of said Southwest Quarter a distance of 39.89 feet; thence S.88°59'30"W. a distance of 24.75 feet to a point on the West right-of-way line of Cline Road and on the North right-of-way line of Eighth Street, said point being the Point of Beginning; thence continuing S.88°59'30"W. along said North right-of-way line a distance of 5.00 feet; thence N.01°32'23"W. a distance of 192.99 feet; thence N.88°26'12"E. a distance of 5.00 feet to the West right-of-way line of said Cline Road; thence S.01°32'23"E. along said West line a distance of 193.04 feet to the Point of Beginning and containing 965 square feet or 0.022 acre.

Temporary Construction Easement

A tract of land located in a portion of the Southwest Quarter of Section 34, Township 34 South, Range 16 East of the Sixth Principal Meridian, Montgomery County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter; thence N.01°33'48"W. along the East line of said Southwest Quarter a distance of 39.89 feet; thence S.88°59'30"W. a distance of 29.75 feet to a point on the North right-of-way line of Eighth Street, said point being

the Point of Beginning; thence continuing S.88°59'30"W. along said North right-of-way line a distance of 40.00 feet; thence N.01°32'23"W. a distance of 10.00 feet; thence N.88°59'30"E. a distance of 30.00 feet; thence N.01°32'23"E. a distance of 182.90 feet; thence N.88°27'37"E. a distance of 10.00 feet; thence S.01°32'23"E. a distance of 192.99 feet to the Point of Beginning and containing 2,229 square feet or 0.051 acre.

SECTION 2. That the City Attorney be and is hereby authorized and directed to appropriate said real property and exercise the power of eminent domain in accordance with K.S.A. 26-501 to 26-516 inclusive and amendments thereto.


SECTION 3. This Ordinance shall be published once in the official city newspaper.

PASSED AND APPROVED by the Board of Commissioners of the City of Coffeyville, Kansas, this day 8th of January 2013.



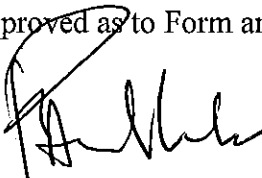
David George, Mayor

Attest:



Cindy Price, City Clerk

Approved as to Form and Legality:



Paul Kritz, City Attorney

