

**RESOLUTION NO. 23-1060**

**A RESOLUTION DECLARING IT NECESSARY TO ACQUIRE PRIVATE PROPERTY IN THE CITY OF OLATHE, KANSAS FOR THE PURPOSE OF WIDENING, CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THE 119<sup>TH</sup> STREET, WOODLAND ROAD TO NORTHGATE STREET IMPROVEMENTS PROJECT, PN 3-C-024-21, 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, street right-of-way, permanent drainage easements, and temporary construction easements in the City of Olathe, Kansas for widening, constructing, reconstructing and maintaining the 119<sup>th</sup> Street, Woodland Road to Northgate Street, Improvements Project, PN 3-C-024-21. 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 his 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 the City of Olathe 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 5th day of September, 2023.

**SIGNED** by the Mayor this 5th day of September, 2023.

  
John W Bacon (Sep 6, 2023 08:56 CDT)

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John W. Bacon  
Mayor

ATTEST:

*Brenda D. Swearingian*

\_\_\_\_\_  
Brenda D. Swearingian  
City Clerk



(Seal)

APPROVED AS TO FORM:

*RS*  
\_\_\_\_\_  
[Ron Shaver \(Sep 6, 2023 10:51 CDT\)](#)

Ronald R. Shaver  
City Attorney

# The Legal Record

1701 E. Cedar St., Ste. 111  
Olathe, KS 66062-1775  
(913) 780-5790

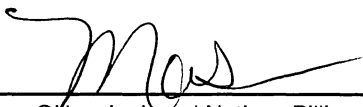
ATTN: CITY CLERK  
CITY OF OLATHE  
100 E SANTA FE ST  
OLATHE KS 66061-3409

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## Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;  
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

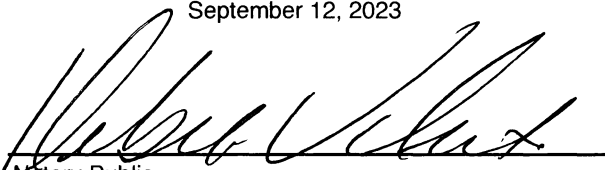
RESOLUTION NO. 23-1060  
9/12/23



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

September 12, 2023



Notary Public

**DEBRA VALENTI**  
Notary Public-State of Kansas  
My Appt. Expires Aug. 21, 2027

L14722  
Publication Fees: \$49.32

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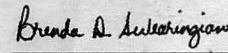
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