

RESOLUTION NO. 698

A RESOLUTION ACCEPTING AND AUTHORIZING THE FILING OF A PERPETUAL EASEMENT TO PROVIDE FOR THE PUROSE OF CONSTRUCTING, OPERATING, MAINTAINING, AND REPAIRING DRAINAGE SYSTEMS AND WAYS, AND ANY APPURTENANCES THERETO TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT OVER, ALONG AND UNDER THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN BUTLER COUNTY, KANSAS.

WHEREAS, it is necessary to acquire a certain perpetual easement to provide for the purpose of constructing, operating, maintaining, and repairing drainage systems and ways, and any appurtenances; and,

WHEREAS, it is necessary to acquire a certain temporary construction easement to provide for the purpose of constructing, operating, maintaining, and repairing drainage systems and ways, and any appurtenances; and,

WHEREAS, said easements have been successfully negotiated.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSE HILL, KANSAS, THAT:

Section 1. The Mayor or Presiding Officer and Clerk of the City of Rose Hill, Kansas, are hereby authorized and directed to accept a certain permanent easement in Butler County, Kansas, granted by John and Tammy Niernberger, owners in Cowley County, Kansas, necessary to provide right-of-way for the purpose of constructing, operating, maintaining, and repairing drainage systems and ways, and any appurtenances therefore, in, over, under, and across the real estate described as follows:

The West 20 feet of the North 500 feet of the Southeast Quarter of the Northwest Quarter, Section 32, Township 28 South, Range 3 East, 6th Principal Meridian, Butler County, Kansas.

Section 2. The Mayor or Presiding Officer and Clerk of the City of Rose Hill, Kansas, are hereby authorized and directed to accept a certain temporary construction easement in Butler County, Kansas, granted by John and Tammy Niernberger, owners in Cowley County, Kansas, necessary to provide right-of-way for the purpose of constructing, operating, maintaining, and repairing drainage systems and ways, and any appurtenances therefore, in, over, under, and across the real estate described as follows:

The East 10 feet of the West 30 feet of the North 500 feet of the Southeast Quarter of the Northwest Quarter, Section 32, Township 28 South, Range 3 East, 6th Principal Meridian, Butler County, Kansas.

Section 3. The governing body hereby authorizes the Mayor, or in his absence the Presiding Officer and/or City Clerk to execute any and all documents necessary to obtain the property and complete the recording requirements.

Section 4. The Resolution shall take effect and be in force from and after its passage.

PASSED by the Rose Hill City Council this 18th day of June, 2023.



Jeanine Schantz
Jeanine Schantz, Council President

ATTEST:

Kelly

Kelly Mendoza, City Clerk

Approved as to form:

Richard A. Samaniego

Richard A. Samaniego, City Attorney