

PUBLISHED IN THE WICHITA EAGLE ON January 6, 2023

ORDINANCE NO. 52-017

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PRIVATE PROPERTY, EASEMENTS AND RIGHT-OF-WAY THEREIN, FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR STORMWATER IMPROVEMENTS TO SERVE THE CEDAR DALE ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; DESIGNATING THE LANDS REQUIRED FOR SUCH PURPOSES AND DIRECTING THE CITY ATTORNEY TO FILE A PETITION IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS, FOR ACQUISITION OF THE LANDS AND EASEMENTS THEREIN TAKEN.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That it be and is hereby declared to be a public necessity to acquire by eminent domain proceedings for the purpose of public right-of-way for the development of infrastructure associated with stormwater improvements to serve the Cedar Dale Addition to Wichita, Sedgwick County, Kansas, the lands and easements hereinafter described in Section 2.

SECTION 2. That the description of the lands and title therein necessary for the purpose of such action is as follows:

Clear and complete title for the uses and purposes herein set forth in and to the following-described tracts, to-wit:

A permanent easement for the construction, maintenance and repair of a stormwater drainage system over, along and under the following described real estate:

A twenty (20) foot wide drainage easement in Section 13, Township 27, Range 2 West of the 6<sup>th</sup> Prime Meridian described as being ten (10) feet on either side of a line beginning at a point along the south line of the Cedar Dale Addition, 41.25 feet East of the Southwest corner of Reserve A in said Cedar Dale Addition; thence South 08 degrees, 58 feet, 49 inches West a distance of 212.13 feet to the end of said easement

SECTION 3. That the City Attorney is hereby authorized and directed to commence proceedings in eminent domain in the District Court of Sedgwick County, Kansas, for the appropriation of said lands and determination of the compensation to be awarded for the taking thereof.

SECTION 4. That this Ordinance shall take effect and be in force from and after its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 3<sup>rd</sup> day of, January 2023.

**CITY OF WICHITA**

\_\_\_\_\_  
Brandon J. Whipple, Mayor

**ATTEST:**

\_\_\_\_\_  
Jamie Buster, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jennifer Magana, Director of Law and City Attorney