

(Published in The Wathena Times, January 7, 1993)1t.

ORDINANCE NO. 457

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENTS AND RIGHTS OF WAY OF PRIVATE PROPERTY FOR THE USE BY THE CITY OF WATHENA FOR PLACEMENT OF A SANITARY SEWER LINE AND FOR A MEANS OF ACCESS TO SAID SEWER LINE.

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

1. The Governing Body of the City of Wathena, Kansas, hereby authorizes the acquisition of temporary and permanent easements and rights-of-way upon, over, under and through the following described tract of real estate, to wit:

A permanent 10 foot wide utility easement, all off the Northerly side of the following described baseline:

Commencing at the Southeast Corner of the Southwest One-Quarter (SW1/4) of Section 27, Township 3 South, Range 22 East, of the Sixth Principal Meridian, Doniphan County, Kansas; thence N 89 degrees 47' 32" W (assumed bearing) along the South line of said SW1/4, 1471.35 feet; thence N 0 degrees 13' 29" E, 150.00 feet; thence N 89 degrees 46' 50" W, 172.61 feet; thence N 38 degrees 34' 52" E, 38.26 feet, to the TRUE POINT OF BEGINNING; thence continuing N 38 degrees 34' 52" E, 130.57 feet to the POINT OF TERMINATION.

Together with a 25 foot wide temporary construction easement, all off the Northerly side of the above described baseline.

(Owner: John L. Fetter);

together with the right of ingress to and egress from the above described real estate for all purposes incident to the full and complete use and exercise of the above described easement premises.

2. The purpose for acquiring said permanent and temporary construction easements and rights-of-way to the above described real estate is for the use, by the City of Wathena, Kansas, to construct, lay, maintain, operate, repair, replace,

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change and remove pipelines for the transportation, conveyance and movement of raw sewage and all other sanitary sewage materials, effluents and deposits together with such pipes, valves, fittings and other appurtenances as may be necessary or convenient to the operation of such sanitary sewage pipe and line.

3. The above described temporary and permanent easements and rights of way are to be obtained by the City of Wathena, Kansas, by the power of eminent domain in accordance with the provisions of K.S.A. 26-201, K.S.A. 26-501 to 26-516, inclusive.

4. This ordinance shall take effect and be in force from and after its publication in The Wathena Times, official City newspaper.

PASSED by the Council and APPROVED by the Mayor on the 5th day of January, 1993.

  
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Andrew Clements, Mayor

ATTEST:

(SEAL)

  
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Laralee Miller, City Clerk