

RESOLUTION NO. 76-1

A RESOLUTION OF THE CITY OF WATHENA, KANSAS, RELATING TO THE PROPOSED LOCATION OF U.S.-36 HIGHWAY IN DONIPHAN COUNTY, KANSAS, ENDORSING BASIC STUDY ROUTE "A-4", AND REQUESTING THE EARLY COMPLETION OF CONSTRUCTION OF A NEW U.S.-36 HIGHWAY ACROSS DONIPHAN COUNTY.

WHEREAS, the Kansas Department of Transportation (herein "Kansas DOT") has prepared plans for the construction of a new U.S.-36 Highway across Doniphan County, Kansas, such project being numbered (BC) 36-22 RF 092-5 (11) in the Office of the Kansas DOT; and,

WHEREAS, Representatives of the Kansas DOT have previously met with the Governing Body of the City to explain and discuss such project and an official public hearing thereon will be held in Troy, Kansas, on January 8, 1976; and,

WHEREAS, the best interest of the City and its citizens require the City to adopt an official position with reference to the proposed construction of such highway:

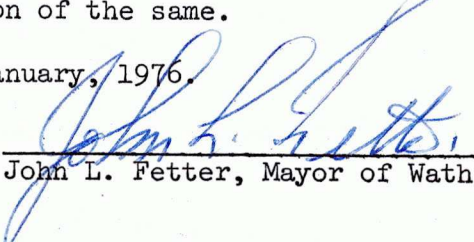
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

1. The City hereby endorses and approves Basic Study Route "A-4" as shown on that certain document prepared by the Kansas DOT for the project entitled "U.S.-36 Location Study, Doniphan County" as and for the first preference of the City for the location of the new U.S.-36 Highway.

2. For its second preference for the location of such highway, if Basic Study Route "A-4" is not approved, the City hereby endorses and approves Basic Study Route "A" for the location of such highway.

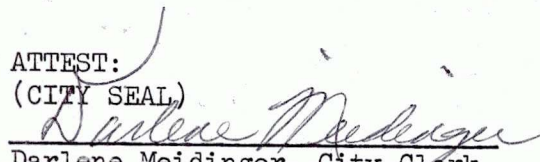
3. The City further endorses and approves the construction of a new U.S.-36 Highway in Doniphan County, Kansas, and respectfully urges the earliest possible commencement and completion of the construction of the same.

ADOPTED and APPROVED on the 6th day of January, 1976.


John L. Fetter, Mayor of Wathena

ATTEST:

(CITY SEAL)

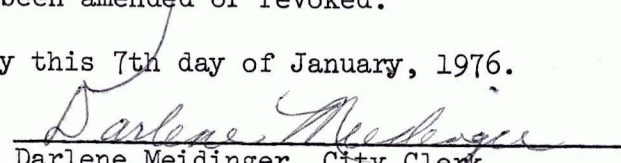

Darlene Meidinger, City Clerk

CERTIFICATE OF TRUE COPY

STATE OF KANSAS, COUNTY OF DONIPHAN, SS:

I, Darlene Meidinger, City Clerk of the City of Wathena, Kansas, do hereby certify that the within and foregoing Resolution constitutes a full, true and correct copy of the original thereof as the same remains on file and of record in my office in the Wathena City Hall, and that such Resolution was duly adopted at the regular January 6, 1976, meeting of the Wathena Governing Body, and that such Resolution, on date hereof, remains in full force and effect and has not been amended or revoked.

WITNESS my hand and the seal of said City this 7th day of January, 1976.


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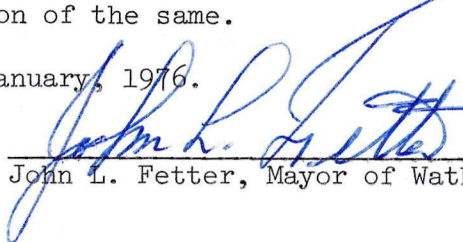
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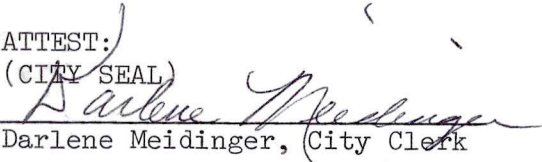
2. For its second preference for the location of such highway, if Basic Study Route "A-4" is not approved, the City hereby endorses and approves Basic Study Route "A" for the location of such highway.

3. The City further endorses and approves the construction of a new U.S.-36 Highway in Doniphan County, Kansas, and respectfully urges the earliest possible commencement and completion of the construction of the same.

ADOPTED and APPROVED on the 6th day of January, 1976.


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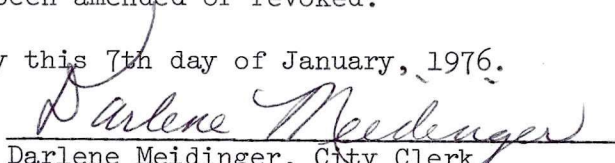

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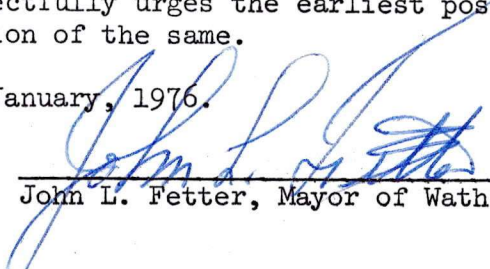
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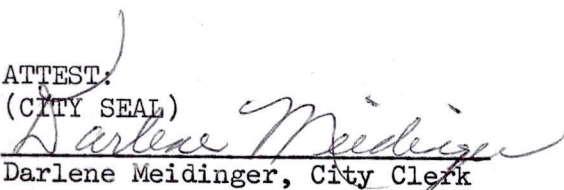
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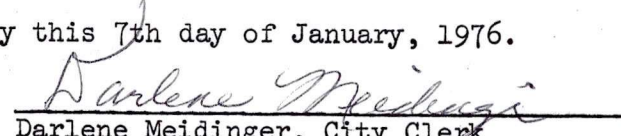
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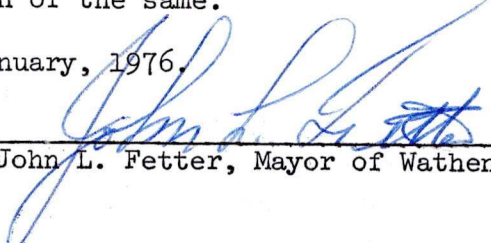
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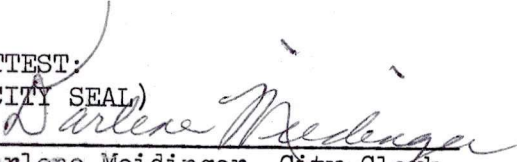
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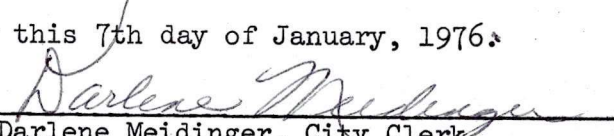

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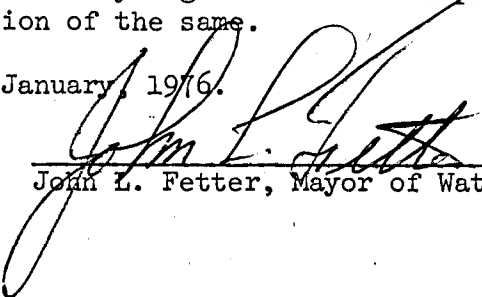
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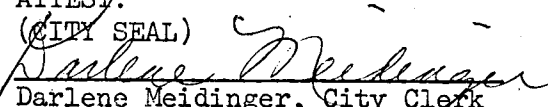
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John L. Fetter, Mayor of Wathena

ATTEST:

(CITY SEAL)



Darlene Meidinger, City Clerk

RESOLUTION NO. 76-1

A RESOLUTION RELATING TO THE CONSTRUCTION OF SEWER LATERALS IN EVERGREEN, CRESCENT AND ALLENDALE STREETS IN SEWER DISTRICT NO. 1 - EAST WATHENA.

WHEREAS, the City of Wathena, Kansas, by Resolution No. 74-2 of the City of Wathena created a special improvement district to provide for the construction of certain sanitary sewer improvements, which such district was designated as "Sewer District No. 1 - East Wathena"; and,

WHEREAS, subsequent to the establishment of said "Sewer District No. 1 - East Wathena" and subsequent to the passage of Ordinance No. 323 of the City of Wathena, Kansas, relating to the apportioning of special assessments and taxes upon all lots, tracts and parcels of land situate in said Sewer District, a suit was filed in the District Court of Doniphan County, Kansas, by Coursen Construction Company, Inc., a Kansas Corporation and an owner of certain lots and parcels of land situate within the boundaries of "Sewer District No. 1 - East Wathena" in which suit the assessments made and levied by Ordinance No. 323 of the City of Wathena, Kansas were challenged; and,

WHEREAS, the parties to said suit, Coursen Construction Co., Inc., as Plaintiff and the City of Wathena, Kansas, as Defendant, are desirous of disposing of said suit without further litigation and have stipulated and agreed to dismiss said suit upon the passage of this Resolution by the Governing Body of the City of Wathena, Kansas:

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA:

1. When and as sewer laterals are hereafter constructed in Evergreen, Crescent and Allendale Streets in Schuster's Pine Cone Villa Addition to the City of Wathena, Kansas, the owner of the lots adjoining said streets, Coursen Construction Co., Inc., or its successor in title, shall have the right to lay and construct the laterals in said streets at the expense of Coursen Construction Co., Inc. or its successor in title, subject to supervision by the City of Wathena and according to standards and specifications imposed by the City of Wathena. The standards and specifications imposed by the City of Wathena shall be comparable to the standards and specifications of the lateral herebefore installed in Spruce Street in Schuster's Pine Cone Villa.

2. Upon completion of the sewer laterals hereafter constructed in Evergreen, Crescent and Allendale Streets the same shall become the property of the City of Wathena.

3. The City of Wathena or "Sewer District No. 1 - East

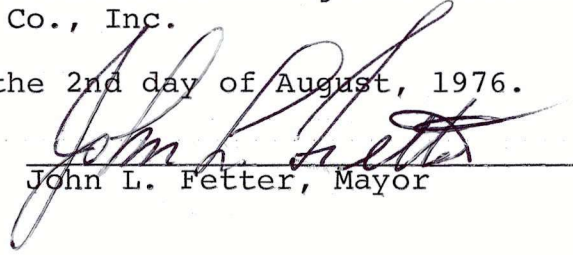
Resolution No. 76-1

Page - 2 -

Wathena" as a whole or Lots 15, 28, 29, 42, 59 and 60 in Schuster's Pine Cone Villa shall bear no part of the cost of any of such installations.

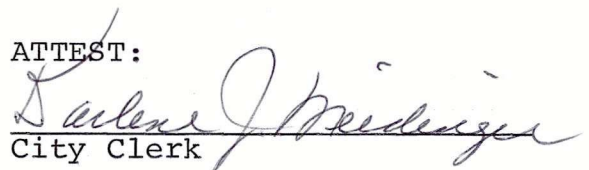
4. The Governing Body of the City of Wathena shall not amend or repeal this Resolution without first obtaining the written consent of Coursen Construction Co., Inc.

ADOPTED AND APPROVED on the 2nd day of August, 1976.



John L. Fetter, Mayor

ATTEST:



City Clerk