

**RESOLUTION NO. 7013**

**A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING THE NECESSITY OF THE CITY OF LAWRENCE, KANSAS, A MUNICIPAL CORPORATION, TO APPROPRIATE THROUGH THE EXERCISE OF EMINENT DOMAIN CERTAIN INTERESTS IN REAL PROPERTY FOR THE USE OF SAID CITY, PURSUANT TO K.S.A. 2011 SUPP. 26-501b, AND GRANTING AUTHORIZATION TO OBTAIN A SURVEY AND DESCRIPTION OF THE LAND OR INTERESTS TO BE CONDEMNED, ALL IN ACCORDANCE WITH K.S.A. 2011 SUPP. 26-201.**

**WHEREAS**, on March 5, 2012, City of Lawrence Code Enforcement staff, in accordance with K.S.A. 2011 Supp.12-1750, et seq., and Chapter V, Article 11 of the Code of the City of Lawrence, Kansas 2011 Edition, and amendments thereto, filed with the Governing Body a statement in writing that the structures located on property commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas are unsafe and dangerous.

**WHEREAS**, the Governing Body of the City of Lawrence, Kansas on March 13, 2012 adopted Resolution 6964, declaring the structures on property commonly located at 1106 Rhode Island Street as unsafe and dangerous and ordering a hearing before the Governing Body on May 15, 2012 to consider why said structures should not be ordered repaired or demolished as unsafe or dangerous structures;

**WHEREAS**, the Governing Body of the City of Lawrence, Kansas on May 15, 2012 held a hearing, finding the structures commonly located at 1106 Rhode Island, unsafe and dangerous and ordering the property owner to repair or remove the structures by July 17, 2012;

**WHEREAS**, the Governing Body of the City of Lawrence, Kansas on May 22, 2012 adopted Resolution 6972, declaring the structures on property commonly located at 1106 Rhode Island Street as unsafe and dangerous and ordered the repair or demolition of said structures by July 17, 2012;

**WHEREAS**, the Governing Body of the City of Lawrence, Kansas on February 5, 2013, directed initiation of condemnation proceedings by the City of Lawrence to obtain title to the property for purpose of rehabilitation pursuant to K.S.A. 2011 Supp. 26-501b(e);

**WHEREAS**, the Governing Body of the City of Lawrence, Kansas finds that it is necessary and in the public interest to acquire fee simple title to real property in Lawrence, Douglas County, Kansas, commonly located at 1106 Rhode Island Street, for the purpose of rehabilitation of said property so that it is no longer unsafe and dangerous as declared in Resolution 6972; and

**WHEREAS**, the Governing Body also authorizes the making of a survey and description of the land or interests to be condemned, by a licensed land surveyor or professional engineer, who shall be competent to conduct a land survey, and directs that said survey and description of the land or interests to be condemned be filed with the City Clerk of the City of Lawrence, Kansas.

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

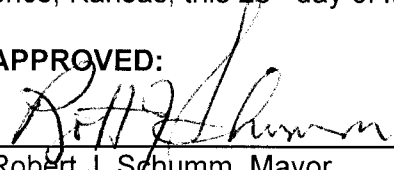
**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** It is necessary and in the public interest to appropriate, through the exercise of eminent domain, fee simple title to private property interests for the use of the City for the purpose of rehabilitation of the structures commonly located at 1106 Rhode Island Street, Lawrence, Kansas and legally described as Lots 118 and 120 on Rhode Island Street in the Original Townsite of the City of Lawrence, Douglas County, Kansas.

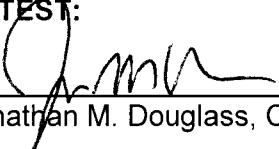
**SECTION 3.** A licensed land surveyor or a professional engineer, who is competent to conduct a land survey, shall be employed to provide a survey and description of the land or interests to be condemned. When completed, said survey and description of the land or interests to be condemned shall be filed with the City Clerk of the City of Lawrence, Kansas.

**PASSED** by the Governing Body of the City of Lawrence, Kansas, this 26<sup>th</sup> day of March, 2013.


**APPROVED:**

  
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Robert J. Schumm, Mayor

**ATTEST:**

  
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Jonathan M. Douglass, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

  
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Toni R. Wheeler  
City Attorney