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Resolution No 34-2026

A RESOLUTION DECLARING IT NECESSARY FOR THE CITY OF DERBY, KANSAS, TO ACQUIRE CERTAIN LANDS OR INTERESTS BY APPROPRIATE PROCEEDINGS IN EMINENT DOMAIN; AND AUTHORIZING AND DIRECTING THE CITY ENGINEER OR HIS DESIGNEE TO MAKE A SURVEY OF SUCH LANDS OR INTERESTS, PREPARE LEGAL DESCRIPTIONS THEREOF AND FILE THE SAME WITH THE CITY CLERK.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DERBY, KANSAS, that:

SECTION 1. The Governing Body of the City of Derby, Kansas ("City"), hereby finds and determines that it is necessary to acquire, by appropriate proceedings in eminent domain, certain lands or interests for the Derby Water Treatment Plant Construction and Associated Utilities (the "Project").

SECTION 2. The City's engineer or designee is hereby authorized and directed to survey such lands or interests as are necessary to facilitate completion of the Project, and to prepare and file with the city clerk descriptions of such lands and interests.

SECTION 3. Upon adoption of an appropriate ordinance as required by law, the City's attorney is authorized and directed to commence proceedings in eminent domain in the District Court of Sedgwick County, Kansas for the acquisition of such lands and interests and the determination of the amount of just compensation to be paid therefor.

SECTION 4. The costs of said acquisitions when ascertained shall be paid from the City's water fund.

SECTION 5. The City Clerk shall cause this resolution to be published once in the official City newspaper.

ADOPTED BY THE GOVERNING BODY of the City of Derby, Kansas, this 22nd day of September, 2026.

CITY OF DERBY, KANSAS

/s/Mark A Staats, Mayor

Attest:

/s/Lynn Ciarleglio, City Clerk

Approved as to form:

/s/Jacqueline R. Butler
City Attorney