

RESOLUTION NO. 1048

A RESOLUTION APPROVING THE EXCHANGE OF LAND BETWEEN THE CITY OF OSAWATOMIE AND MARK & TAMMY GODDARD

WHEREAS, on or about December of 1974 the city acquired an easement to access and maintain a powerline along the western edge of the Goddard Property; and

WHEREAS, on or about June of 1987 the city obtained an extension of this easement to use additional land to site and maintain a lift station for the city's wastewater treatment system; and

WHEREAS, In September of 2022, the owner of the adjacent property, Mark Goddard approached the city and offered to convert the easement into full right of way access and in exchange for full right of way access, he requested the city deed to him three tracts of unplatted land that resides in the floodplain and/or land that was acquired as a part of the construction of the city's levee system.

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

SECTION ONE: The Governing Body of the City of Osawatomie, Kansas hereby directs city staff to take the necessary steps to affect the exchange of property with Mr. and Mrs. Goddard to convert the easement into city-owned right of way and ensure that all title work is completed and filed with the Miami County Register of Deeds.

SECTION TWO: The Governing Body also directs city staff to ensure that the city has clear and unabated access to continue its maintenance responsibilities for the levee system as well as annual inspections with the US Army Corps of Engineers and in the event of a flood emergency.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas this 10th day of November 2022, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk