

**RESOLUTION NO. 1066**

**A RESOLUTION INITIATING EMINENT DOMAIN PROCEEDINGS  
IN THE DISTRICT COURT OF THOMAS COUNTY, KANSAS, FOR  
THE PURPOSE OF IMPROVING AND EXPANDING THE COLBY  
MUNICIPAL AIRPORT AND SHALZ FIELD.**

**WHEREAS**, pursuant to K.S.A. 3-113 and other applicable statutes, the City is authorized to equip, improve, operate, maintain and regulate a municipal airport or a municipal field for aviation purposes, and has previously established and operates the Colby Municipal Airport and Shalz Field for such purposes; and

**WHEREAS**, the City Council has previously approved a project to improve and expand the Colby Municipal Airport and Shalz Field, and has determined the acquisition of certain parcels of private real property and/or private real property rights are necessary for such project; and

**WHEREAS**, pursuant to K.S.A. 3-115, K.S.A. 26-201 and K.S.A. 12-16,103 the City possesses the right of eminent domain to acquire such parcels if negotiations are unsuccessful; and

**WHEREAS**, the City Council does hereby find that with respect to certain parcels negotiations have to date been unsuccessful, and therefore finds that the exercise of eminent domain is necessary for the lawful public purposes and use of the City for the above-described project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby directs and authorizes its City Attorney to cause a survey and description of such parcels to be undertaken and filed with the City Clerk; to thereafter prepare and submit to the City Council an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the City Council to initiate eminent domain proceedings in the District Court of Thomas County and to take all other necessary actions to complete acquisition of such parcels.

This Resolution was made and entered on this 19<sup>th</sup> day of November, 2013, following a vote upon the same by the City Council of Colby, Kansas.

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Gary L. Adrian, Mayor

Attest:

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Joni Ketchum, City Clerk

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