

ORDINANCE NO. 152

BE IT RESOLVED by the Town of Egan, South Dakota as follows:

THAT, WHEREAS, the Town of Egan, South Dakota finds it necessary to expand its current wastewater treatment lagoon system to avoid noncompliance with environmental regulations and expand its capacity to provide for future growth for the community; and

WHEREAS, the construction of said expansion project will require the acquiring of additional land south and west of its existing pond either by purchase or condemnation; and

WHEREAS, the Town of Egan, South Dakota has been unable to acquire the land necessary for the construction of said project by purchase or agreement with the owner thereof; and

WHEREAS, said municipality is authorized by South Dakota statutes SDCL 9-27-1 and 9-48-2 to condemn land either within its corporate limits or within ten miles of its corporate limits for such purpose and said municipality finds that it is necessary to do so in order to go ahead with said project; now therefore

IT IS HEREBY DECLARED NECESSARY and it is hereby resolved by Egan, South Dakota to acquire the following described real estate for the purposes referred to above and to authorize and request its attorney to institute proceedings for condemnation of the real estate described below for wastewater lagoon purposes and, if necessary, to file a Declaration of Taking in accordance with South Dakota State Law.

The real property necessary for this project and which is to be condemned is described as follows:

From the Southeast corner of Lot S in the North half (N ½) of Section seven (7), Township one hundred six (106) North, Range forty-eight (48) West of the 5<sup>th</sup> P.M., Moody County, South Dakota, South 410.52 feet, then West 630 feet, then North 436.41 feet, then East to the West line of said Lot S; also described as the South 410.52 feet of the North 2,670.98 feet of the West 169.75 feet of the Northeast quarter (NE ¼) of Section seven (7); and the South 436.41 feet of the North 2,670.98 feet of the East 460.25 feet of the Northwest quarter of Section seven (7), excluding the South 25.55 feet of Lot S of the North half (N ½) of Section seven (7), all in Section seven (7), Township one hundred six (106) North, Range forty-seven (47) West of the 5<sup>th</sup> P.M., Moody County, South Dakota.

Adopted this 11<sup>th</sup> day of February, 2000.

TOWN OF EGAN, SOUTH DAKOTA

By: *John Valentine*

Its: Board President

ATTEST:

*Ralph Hammer*

Its: Finance Officer