



City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
April 21, 2026

DATE:	April 21, 2026	
CONTACT PERSON:	Dr. Robert Perez, City Manager	DOCUMENT #:
SECOND PARTY/SUBJECT:	Ordinance - Eminent Domain (SE 10th Ave)	PROJECT #: 291129.08
CIP PROJECT:		
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by the City Manager Dr. Robert M. Perez, authorizing initiation of condemnation proceedings to acquire temporary easements for sanitary sewer rehabilitation project on SE 10th Avenue (Indiana to Lafayette) - Project No. 291108.08.

(Approval will authorize the City Attorney to initiate eminent domain proceedings.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to continue the eminent domain process by authorizing the City Attorney to commence action in the District Court.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance as part of the consent agenda.

BACKGROUND:

The City Engineer has determined that acquisition of temporary easement(s) are necessary for the sanitary sewer rehabilitation project on SE 10th Avenue between Indiana and Lafayette (Project No. 291108.08). Because the property owner(s) have not provided the easement, it is necessary to initiate proceedings to acquire the temporary easement through the eminent domain process. After approval of the ordinance, the legal department will file a petition in district court requesting the court appoint three appraisers to view the property, hold a public hearing and issue a report determining the fair market value of the easement that the City will pay to the Court (and distributed to the owner) to acquire the easement. The property owner has the right to appeal the determination by filing an action in the district court.

BUDGETARY IMPACT:

Appraised fair market value

SOURCE OF FUNDING:

Project Budget

ATTACHMENTS:

[Ordinance - Eminent Domain SE 10th Avenue](#)