

# COMMISSIONER'S RECORD N

437

Douglas County Republican, Lawrence

X The Mayor and City Council, accompanied by the City Engineer and the County Engineer met with the board of county commissioners in joint session in regard to various paving projects which are joint projects between the City and the County.

A petition signed by Morris Cohen and others was presented to the board of County Commissioners, asking for the establishment of a sanitary sewer and benefit district to serve the properties along Learnard Avenue. It was moved by Mr. Penny that the petition as presented be accepted and Sewer District No. 5 be established provided the City will grant permission to connect said Sewer to Sewer Main A just east of Learnard Avenue, and if such permission be granted, the City Engineer be authorized to draw the plans, specifications and estimates necessary for such project. Mr. Johnson seconded the motion and on vote called, the motion carried. The cost of said sewer to be paid according to Section 10-123 Supplement of 1943. It was also moved by Mr. Penny that the County ask the City for permission to connect said sewer District #5 to the City Sewer Main A. Mr. Johnson seconded the motion and on vote called, the motion carried.

Upon proper motion, second and vote, the county agreed to join with the City in the purchase of one or more car loads of tile to be used in sewer projects.

Y The City engineer presented the plans and specifications and estimates for the Louisiana Street paving, together with those of Haskell Avenue, which paving on Haskell Avenue is to be one block long. The paving of Louisiana Street is under one law, on the 30-30-40 basis, while the paving on Haskell Avenue is to be done under another law, which provides for that project to be paid for by the property owners. The plans and specifications were read by the City engineer with the estimated cost of each item, a copy of which is on file in the office of the County Clerk. It was moved by Mr. Penny that the county approve the estimate, plans and specifications, and June 10, 1946 be set for letting the contract for the paving, bids to be accepted at the office of the County Clerk until 5 o'clock P. M. on June 10th. Mr. Johnson seconded the motion and on vote called, the motion carried.

It was moved by R. O. Burgert the City accept the plans, specifications and estimates as set forth by the City Engineer, and that bids be accepted until 5 o'clock June 10, 1946 and the work let at the next meeting of the City Council on June 10th, which is to be a joint session with the County Board. It was seconded by Mr. Eustace and upon roll call by the City Clerk, the motion carried.

The County Clerk was instructed to publish a notice to that effect in the County official paper, which notice is to be published for two consecutive weeks, beginning May 23rd, 1946.

The following agreement between Douglas County and the City of Lawrence, was entered into, authorizing the sewer connection of Sewer District 4 with Sewer Manhole A-29.

## AGREEMENT

THIS AGREEMENT, made and entered into this 22 day of May, 1946 by the Board of Commissioners of Douglas County, Kansas, and the Governing Body of the City of Lawrence, Kansas, witnesseth that

WHEREAS, under provision of Chapter 165 of the Session Laws of the State of Kansas for 1927 the Board of Commissioners of Douglas County, Kansas, are forming what is known as the Douglas County Sewer District No. 4, the same comprising a tract of land lying South of 20th Street on Learnard Avenue, all being adjacent to the City of Lawrence, Kansas, and

WHEREAS, it is the desire of said Board of Commissioners of Douglas County, Kansas, to connect said Douglas County Sewer District No. 4 with the sewer system of the City of Lawrence, Kansas, at a point with Sewer manhole A-29 located in the 2000 Block on Learnard Avenue, and the Governing Body of the City of Lawrence, Kansas, is willing that such connection be made and that the sewerage from said Douglas County Sewer District No. 4 may flow through the mains of the sewer system of the City of Lawrence, Kansas, on certain terms and conditions.

## IT IS THEREFORE AGREED AS FOLLOWS:

1. In consideration of the sum of One Dollar to be paid by the Board of Commissioners of Douglas County, Kansas, to the Governing Body of the City of Lawrence, Kansas, and further covenants and promises herein contained, the Governing Body of the City of Lawrence, Kansas, does hereby grant to the Board of Commissioners of Douglas County, Kansas, the right to connect the sewer system of said Douglas County Sewer District No. 4 to the sewer system of the City of Lawrence, Kansas, at a point with Sewer manhole A-29 located in the 2000 block on Learnard Avenue.

2. As a part of the consideration of the above, the Board of Commissioners of Douglas County, Kansas, do agree that at such time as, in the opinion of the Governing Body of the City of Lawrence, Kansas, it will be necessary to build or rebuild main sewers in said city, which main sewers under the present law, are paid for by the city at large, that at such time the Board of County Commissioners, on behalf of the said Douglas County Sewer District No. 4, will pay to the Governing Body of the City of Lawrence, Kansas, such part of the costs of such new sewers as the value of the real estate in Douglas County Sewer District No. 4 shall bear to the value of the real estate in Lawrence, Douglas County, Kansas, subject to tax for the construction of such sewer, plus the value of real estate in Douglas County Sewer District No. 4.

3. As one of the conditions to the above right, the said Board of Commissioners of Douglas County, Kansas, does hereby agree that nothing shall be permitted to enter the sewer system of the City of Lawrence, Kansas, from said Douglas County Sewer District No. 4 except such matters as are proper under the present ordinances of the City of Lawrence, Kansas and any amendments which may be made thereto.

4. The said Board of Commissioners of Douglas County, Kansas, do further agree that no residence shall be connected with the sewer system in the said Douglas County Sewer District No. 4 until the plumbing thereof shall have been inspected by the authorities of the City of Lawrence, Kansas, and passed by such authorities, and no house hereafter built shall be allowed to connect with said sewer system unless the plumbing thereof shall have been installed in all respects in conformity with the ordinance of the City of Lawrence, Kansas, relating to plumbing, and until the owner of such residence shall have paid to the City of Lawrence, Kansas, the sum of \$50.00 and shall have agreed to all the conditions of this contract including the granting of the right to the officials of the City of Lawrence, Kansas, to go upon his property at any time, inspect the sewer system thereof, disconnect said system if the occupant of such property is not complying with this contract and the ordinances of the City of Lawrence, Kansas, relating to the sewers and sewerage.

*acting for  
city engineer  
if sanitary sewer*