

ORDINANCE NO. 440

AN ORDINANCE RELATING TO THE TRANSFER AND CONVEYANCE OF CERTAIN REAL ESTATE OWNED BY THE CITY OF WATHENA, KANSAS; PROVIDING FOR SUCH TRANSFER AND CONVEYANCE; AND AUTHORIZING AND EMPOWERING THE MAYOR AND THE CITY CLERK OF SAID CITY TO EXECUTE, ACKNOWLEDGE AND DELIVER SPECIAL QUIT CLAIM DEEDS OF CONVEYANCE OF SUCH REAL ESTATE FOR AND ON BEHALF OF THE CITY UPON PAYMENT BY THE PURCHASERS OF THE AGREED PURCHASE PRICES FOR SUCH REAL ESTATE.

WHEREAS, the City of Wathena, Doniphan County, Kansas, is the owner of the hereinafter described tracts of real estate situate in Doniphan County, Kansas; and,

WHEREAS, said real estate is not needed for municipal purposes by the City of Wathena; and,

WHEREAS, Dennis Bembrick and Karol Bembrick, husband and wife, have offered to purchase from the City of Wathena the following described real estate referred to as Tract I; and,

WHEREAS, Jim Herring and Marceena Herring, husband and wife, have offered to purchase from the City of Wathena the following described real estate referred to as Tract II;

BE IT THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

SECTION 1. EXECUTION AND DELIVERY OF DEED FOR TRACT I. The Mayor and the City Clerk of the City of Wathena, Kansas, shall be and they are hereby authorized and empowered to execute, acknowledge, attest by corporate seal of the City of Wathena, Kansas, over the City Clerk's signature, and deliver to Dennis Bembrick and Karol Bembrick, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, the Special Quit Claim Deed of the City of Wathena, Kansas, for the following described real estate situate in Doniphan County, Kansas, to wit:

Block 34 in Creal's Addition to the City of Wathena, and Commencing at the Northeast Corner of Out Lot 5 in Creal's Addition to the City of Wathena, thence West 240 feet, thence South 140 feet, thence East 240 feet, thence north to the beginning, AND,

Vacated Street, Block 17, Wathena, Kansas; and also

Lots 1 to 12, Block 34, Creal's Addition to Wathena, AND,

Beginning at a point 140 feet South of the Northeast corner of Out Lot Five, in Creals Addition to the City of Wathena, Kansas, then West Fifty Five feet, then in a northwestwardly direction to a point 100 feet west of the northeast corner of Block 34, Creals Addition to the City of Wathena, then east 100 feet then south to the place of beginning

(said above described real property to be used for street and road purposes and if said street or road is ever abandoned, then said real property is to revert to the owner of the fee of said block and Out lot above mentioned, AND,

Twenty feet off of the North end of Lots Two (2), Three (3), Four (4), Five (5) and Six (6) in Block Twenty-four (24) in the original town of Wathena, now City,

conveying to such purchasers the ownership interest of the City of Wathena thereto.

**SECTION 2. EXECUTION AND DELIVERY OF DEED FOR TRACT II.**

The Mayor and the City Clerk of the City of Wathena, Kansas, shall be and they are hereby authorized and empowered to execute, acknowledge, attest by corporate seal of the City of Wathena, Kansas, over the City Clerk's signature, and deliver to James Herring and Marceena Herring, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, the Special Quit Claim Deed of the City of Wathena, Kansas, for the following described real estate situate in Doniphan County, Kansas, to wit:

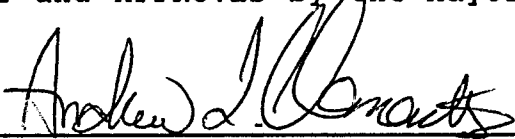
A tract of land described as follows: Begin at the Southeast corner of the Northwest Quarter of Section 33, Township 3, Range 22, Doniphan County, Kansas; thence West along the South line of said Quarter Section to the center of the public road; thence Northeasterly along the center line of said public road to a point of intersection with the East line of the said Northwest Quarter; thence South along the East line of said Northwest Quarter to the point of beginning,

conveying to such purchasers the ownership interest of the City of Wathena thereto.

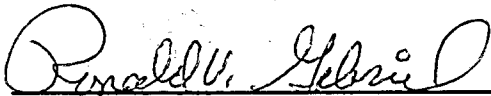
SECTION 3. FILING OF CERTIFIED COPY. Upon and after the passage, approval and publication of this Ordinance, the City Clerk shall file a certified true and correct copy of this Ordinance for recording in the office of the Register of Deeds of Doniphan County, Kansas.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in force and take effect from and after its publication in the official City newspaper.

PASSED by the Council and APPROVED by the Mayor on the 21st day of May, 1991.

  
Andrew J. Bonarts  
Mayor

ATTEST:

  
Ronald W. Gelsie  
City Clerk