

ORDINANCE NO. 499

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 A SPECIAL WARRANTY DEED OF CONVEYANCE OF SUCH REAL ESTATE FOR AND ON BEHALF OF THE CITY.

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

WHEREAS, Skyjack Equipment, Inc. has agreed to utilize such real estate to construct a facility for the assembly of overhead lift products which will add to the local tax base and will add employment opportunities to this area including the City of Wathena and its citizens;

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

SECTION 1. EXECUTION AND DELIVERY OF DEED. 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 Skyjack Equipment, Inc., a Special Warranty Deed of the City of Wathena, Kansas, for the following described real estate situate in Doniphan County, Kansas, to wit:

The Northwest Quarter of the Northwest Quarter of Section 35, Township 3, Range 22, SUBJECT to railroad right-of-way and right-of way for public road, and FURTHER SUBJECT to an easement and right-of-way for use as a roadway and for road purposes as set forth in Warranty Deed dated October 24, 1997, and filed in Book 205 at Page 725 in the records in the office of the Register of Deeds of Doniphan County, Kansas, on October 24, 1997, at 3:45 P.M.,

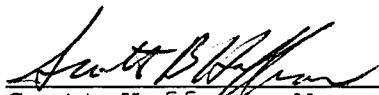
RESERVING, HOWEVER, unto the City of Wathena, Doniphan County, Kansas, a Municipal Corporation, its successors and assigns, an easement and right of way to construct, lay, maintain, operate, repair, replace, change and remove pipelines for the transportation of natural gas and/or water and/or sewage together with such valves, fittings, meters and similar appurtenances as may be necessary or convenient to the operation of said lines and the right to build, maintain, operate, repair, replace and remove electric power lines with all incidental equipment, upon and over, under and through, the East twenty (20) feet of the above described tract together with the right of ingress to and egress from said lands for all purposes incident to said grant,

conveying to the said Skyjack Equipment, Inc. the ownership interest of the City of Wathena thereto and reserving utility easement as reflected therein.

SECTION 2. 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 3. 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 18th day of November, 1997.

  
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Scott Hoffman, Mayor

ATTEST:

  
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Karen Gilland  
City Clerk