

ORDINANCE NO. 530

AN ORDINANCE ANNEXING CERTAIN DESCRIBED LAND TO THE CITY OF WATHENA, DONIPHAN COUNTY, KANSAS; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the hereinafter described land is generally located at the East boundary of the current corporate limits of the City of Wathena, Doniphan County, Kansas; and,

WHEREAS, the land described below as adjoins the corporate limits of the City of Wathena and is owned by Groh Orchards, Inc., by virtue of Warranty Deed dated December 30, 1971, as recorded in the records of the office of the Register of Deeds of Doniphan County, Kansas, in Book 155 at Page 529; and,

WHEREAS, the Governing Body of the City of Wathena, Doniphan County, Kansas, finds it advisable to annex the land described below pursuant to K.S.A. 12-520(a)(7), as amended, which provides that adjoining land may be annexed to the City upon the filing of a written petition or consent of the owner thereof, and pursuant to K.S.A. 12-20a(f), which provides that such annexation may occur without a resolution, notice or a public hearing of the same.

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

SECTION 1. LAND ANNEXED. That portion of the following described land which is not already a part of, and within the corporate limits of, the City of Wathena, is hereby annexed to and made a part of the City of Wathena, Doniphan County, Kansas, to wit:

(Groh Orchards, Inc.)

The following described real estate situate in Doniphan County, Kansas, to wit:

A tract of land in the Northwest Quarter of Section 26, Township 3, Range 22, Commencing at the quarter section corner between Sections 26 and 27 of said township and range thence East 66 rods and 20 links, to bank of the Missouri River, thence following up said bank Northwesterly to the West line of said quarter section, thence South on section line 60 rods, 19 links to place of beginning, and all accretions thereto containing 14 acres more or less

ALSO,

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The West one-half of the Southwest Quarter of Section 26, Township 3, Range 22 except the following parts or portions:

1. Right-of-way of railroad;
2. Right-of-way of public highway as described in Book 89 at Page 4 in office of the Register of Deeds of Doniphan County, Kansas,
3. A tract described as follows: Beginning at a point 595.2 feet North and 178.1 feet West of the Southeast Corner of the West Half of the Southwest Quarter of Section 26, Township 3, Range 22 and running West 310.2 feet parallel to the South line of the said Southeast Quarter, thence North 327.9 feet parallel to the West line of said Southwest Quarter to a point 16 feet at right angles from the concrete public road, thence Easterly along said concrete road and 6 feet from same to place of beginning, containing in said exception 1.167/1000 acres, more or less,

And also,

A tract of land containing 2.22 acres situated in the West Half of the Southwest Quarter of Section 26, Township 3, Range 22, Doniphan County, Kansas, being particularly described as follows: Beginning at an iron pipe located on the section line 501 feet South of the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 26, Township 3, Range 22, thence North 86 degrees 02 minutes East 400 feet to an iron pipe, thence South 3 degrees 39 minutes East 213 feet to an iron pipe, thence South 86 degrees 10 minutes West 407.6 feet to an iron pipe on the section line, thence North on said section line 213 feet to the point of beginning except a tract described in a certain Warranty Deed from Albert T. Groh and Georgia Groh to Donald A. Groh and Sharon Groh, dated January 7, 1967 and recorded in Book 153 at Page 79 records in the office of the Register of Deeds of Doniphan County, Kansas, and EXCEPT a tract described in a deed in Volume 210 at Page 5 71 (Timothy J. Wendt) and EXCEPT a tract described in a deed in Volume 210 at page 433 (James M. Jones).

The above real estate also being described as follows:

The West Half of the West Half of Section 26, Township 3, Range 22, and accretions thereto EXCEPT commencing at the Northwest Corner of the Southwest Quarter, thence South 481 feet, thence East 235.92 feet to the true point of beginning, thence North 437.45 feet, thence East 440.91 feet, thence South 434.14 feet, thence West 440.91 feet to the point of

beginning, and EXCEPT commencing at a point 481 feet South and 220.75 feet East of the Northwest Corner of the Southwest Quarter, thence East 179.25 feet along road, thence Southerly 243 feet, thence Westerly 196.45 feet, thence North 243 feet to the point of beginning and EXCEPT beginning 595.2 feet North and 178.1 feet West of the Southeast Comer of the West Half of the Southwest Quarter of Section 26, thence West 310.2 feet, thence North 327.9 feet to a point along county road, thence Southeasterly along said county road to point of beginning and EXCEPT beginning at the Northwest Corner of the Southwest Quarter of said Section, thence South 481 feet, thence Northeasterly 677.07 feet, thence South 20 feet to the true point of beginning, thence East 175 feet, thence Northeasterly 196.61 feet, thence North 25 feet, thence Northeasterly 129.31 feet, thence South 267.68 feet, thence West 500 feet, thence North 220 feet to the place of beginning, all in Doniphan County, Kansas.

SECTION 2. FILING OF CERTIFIED COPY. Immediately after the enactment and publication of this Ordinance, the City Clerk shall file certified copies hereof, as published, with the County Clerk/County Election Commissioner, and with the Register of Deeds of Doniphan County, Kansas, as is provided in K.S.A. 12-522.

SECTION 3. REPEALER. All ordinances of the City of Wathena, Kansas, and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in The Wathena Times, the official city newspaper.

ADOPTED AND APPROVED by the Governing Body, this 19th day of September, 2000.

  
James P. McAnerney, Mayor

ATTEST:

  
Jim Richardson, City Clerk