

CITY OF WATHENA, KANSAS

ORDINANCE NO. 643

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS VACATING A PORTION OF SEWARD STREET IN NORTH WATHENA, AN ADDITION TO THE CITY OF WATHENA, DONIPHAN COUNTY, KANSAS.

WHEREAS, on September 5, 1995 the governing body of the City of Wathena, Kansas enacted Ordinance No. 477 vacating a portion of Seward Street described as follows:

That part of Seward Street described as follows: Commencing at the Northeast Corner of Lot 12 in Block 34, thence North 40 feet, thence West 80 feet, thence South 40 feet to the Northwest Corner of Lot 11 in Block 34, thence East along the North line of Block 34 to the Northeast Corner of Lot 12 in Block 34 to point of beginning.

WHEREAS, prior to the enactment of City of Wathena Ordinance No. 477 that portion of Seward Street situated North of Lots 11 and 12 in Block 34 in North Wathena, an addition to the City of Wathena, Kansas, was 80 feet in width.

WHEREAS, at the time the above referenced portion of Seward Street was vacated William C. (Bill) Jones owned the real estate adjacent to the South side of the vacated portion of Seward Street and the City of Wathena, Kansas, owned the property adjacent to on the North side of the vacated portion, the City's property being the 40 foot wide portion of Seward Street which was not vacated by Ordinance No. 477.

WHEREAS, K.S.A. 15-4271 provides that vacated street property reverts to the owner or owners of the real estate thereto adjacent on each side.

WHEREAS, pursuant to the terms and provisions of K.S.A. 15-4271 the South 20 feet of the 40 foot portion of Seward Street vacated by Ordinance No. 477 reverted to William C. (Bill) Jones and the North 20 feet of said 40 foot portion reverted to the City of Wathena.

WHEREAS, the governing body of the City of Wathena has determined that vacation of the following portion of Seward Street would promote beneficial use and development, enhance the City's tax base, and generally be in the best interest of the City of Wathena, Kansas, to wit:

Commencing 40 feet North of the Northeast Corner of Lot 12 in Block 34 in North Wathena, an addition to the City of Wathena, Doniphan County, Kansas, thence North 40 feet, thence West 80 feet,

thence South 40 feet to a point 40 feet North of the Northwest Corner of Lot 11 in Block 34, thence East along the North line of that portion of Seward Street vacated by City of Wathena Ordinance No. 477 to the point of beginning

WHEREAS, Mark D. Morgan and Janet M. Morgan are the owners of that real estate adjacent to the North side of that portion of Seward Street vacated pursuant to this Ordinance and the City of Wathena, Kansas, pursuant to the vacation occasioned by the Wathena, Kansas Ordinance No. 477 is the owner of the property adjacent thereto on the South, the City's property being the North Half of the street right-of-way vacated pursuant to City of Wathena, Kansas Ordinance No. 477.

NOW, THEREFORE, be it ordained by the governing body of the City of Wathena, Kansas:

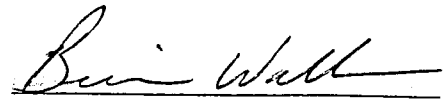
SECTION 1. That the following described portion of Seward Street in North Wathena, an addition to the City of Wathena, Kansas, to wit:

Commencing 40 feet North of the Northeast Corner of Lot 12 in Block 34 in North Wathena, an addition to the City of Wathena, Doniphan County, Kansas, thence North 40 feet, thence West 80 feet, thence South 40 feet to a point 40 feet North of the Northwest Corner of Lot 11 in Block 34, thence East along the North line of that portion of Seward Street vacated by City of Wathena Ordinance No. 477 to the point of beginning, SUBJECT, HOWEVER, to reservation by the City of Wathena, Kansas, of an easement for utilities over, under, and upon said property,

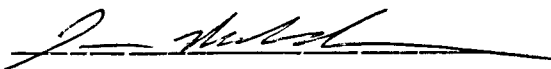
be and the same is hereby vacated, SUBJECT, HOWEVER, TO reservation by City of Wathena, Kansas, of an easement for utilities over, under and upon the entire portion of Seward Street hereby vacated.

SECTION 2. That this Ordinance shall be in full force and effect from and after its publication in "The Kansas Chief", the official city newspaper.

PASSED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS AND APPROVED BY THE MAYOR OF SAID CITY THIS 5TH DAY OF SEPTEMBER, 2017.


Brian Walker, Mayor

ATTEST:
(CITY SEAL)


James Richardson, City Clerk

Exempt transaction pursuant to K.S.A. Supp. 79-1437e(4)

QUIT CLAIM DEED

The City of Wathena, Kansas,

QUIT CLAIMS TO : Mark D. Morgan and Janet M. Morgan, husband and wife, as joint tenants with the right of survivorship and not as tenants in common,

All of its right, title and interest in and to the following described real estate to wit:

Commencing 40 feet North of the Northeast Corner of Lot 12 in Block 34 in North Wathena, an addition to the City of Wathena, Doniphan County, Kansas, thence North 40 feet, thence West 80 feet, thence South 40 feet to a point 40 feet North of the Northwest Corner of Lot 11 in Block 34, thence East along the North line of that portion of Seward Street vacated by City of Wathena Ordinance No. 477 to the point of beginning, SUBJECT, HOWEVER , to reservation by the City of Wathena, Kansas, of an easement for utilities over, under, and upon said property.

The consideration for this conveyance is the promotion of development in the City and the addition of the above described property, which was formerly street right-of-way, to the taxable property of Doniphan County, Kansas.

Dated: September 5, 2017

CITY OF WATHENA, KANSAS

By: Brian Walker
Brian Walker, Mayor

ATTEST:
(CITY SEAL)

J. Howard

James Richardson, City Clerk

STATE OF KANSAS, COUNTY OF DONIPHAN, SS:

The above and foregoing instrument was executed and acknowledged before me this 5th day of September 2017, by Brian Walker, Mayor of the City of Wathena, Kansas, acting for and on behalf of said city.

Doris DeLent
Notary Public

Doris DeLent
Printed Name of Notary Public

My Appointment Expires: 6-21-19

DORIS DELENT
Notary Public
State of Kansas

Exempt transaction pursuant to K.S.A. Supp. 79-1437e(4)

QUIT CLAIM DEED

The City of Wathena, Kansas,

QUIT CLAIMS TO : William C. Jones,

All of its right, title and interest in and to the following described real estate to wit:

Commencing at the Northeast Corner of Lot 12 in Block 34, thence North 40 feet, thence West 80 feet, thence South 40 feet to the Northwest Corner of Lot 11 in Block 34, thence East along the North line of Block 34 to the Northeast Corner of Lot 12 in Block 34 to point of beginning.

The consideration for this conveyance is the promotion of development in the City and the addition of the above described property, which was formerly street right-of-way, to the taxable property of Doniphan County, Kansas.

Dated: September 5, 2017

CITY OF WATHENA, KANSAS

By: Brian Walker
Brian Walker, Mayor

ATTEST:
(CITY SEAL)

James Richardson
James Richardson, City Clerk

STATE OF KANSAS, COUNTY OF DONIPHAN, SS:

The above and foregoing instrument was executed and acknowledged before me this 5th day of September 2017, by Brian Walker, Mayor of the City of Wathena, Kansas, acting for and on behalf of said city.

Don Delzeit

Notary Public

Doris Delzeit

Printed Name of Notary Public

My Appointment Expires: 6-21-19

DONIS DELZEIT
Notary Public
State of Kansas