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RESOLUTION 1977-2

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS REQUESTING THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS TO MAINTAIN THAT PORTION OF U.S. HIGHWAY 36, WHICH RUNS THROUGH THE CITY OF WATHENA AND WHICH IS DESIGNATED AS A CONNECTING LINK IN THE STATE HIGHWAY SYSTEM.

WHEREAS, The Department of Transportation of the State of Kansas has heretofore paid the City of Wathena the sum of \$750.00 per traffic lane mile for the maintenance of 4.060 traffic lane miles of U.S. Highway 36 which runs through the City of Wathena and which is designated as a connecting link in the State highway system; and,

WHEREAS, The City of Wathena has heretofore had the obligation to maintain that portion of U.S. Highway 36 which runs through the City of Wathena; and,

WHEREAS, The City of Wathena does not have adequate manpower or equipment to continue the maintenance of U.S. Highway 36 through the City of Wathena; and,

WHEREAS, The provisions of K.S.A. Supp. 68-416, authorizes the Secretary of Transportation, with the consent of the Governing Body of the City of Wathena, to maintain said highway and to use state highway funds for the maintenance thereof in lieu of making payment to the City of Wathena for the maintenance of said highway:

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

1. That the Secretary of Transportation of the Department of Transportation of the State of Kansas, be requested to maintain U.S. Highway 36, through the City of Wathena, with state highway funds, in lieu of making payment to the City of Wathena for the maintenance of said highway.
2. That the maintenance of U.S. Highway 36, through the City of Wathena, by the Department of Transportation commence on January 1, 1978.
3. That a certified copy of this Resolution be forthwith transmitted, by the City Clerk, to the Secretary of Transportation of the State of Kansas.

PASSED and ADOPTED on the 20th day of September, 1977.

CITY OF WATHENA, KANSAS

BY: Robert F. Spadoff
Mayor

ATTEST:

Carlene J. Muehler
City Clerk

BEFORE THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS.

IN THE MATTER OF THE ABATEMENT OF A NUISANCE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3, RANGE 22, WITHIN THE CITY OF WATHENA, KANSAS.

RESOLUTION NO. 77 - 4

RELATING TO A NUISANCE LOCATED ON PROPERTY OWNED BY JAMES H. BOOTH AND GLORIA JEAN BOOTH, WHICH IS SITUATE IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3, RANGE 22, WITHIN THE CITY OF WATHENA, AND ORDERING THE ABATEMENT THEREOF AND PROVIDING FOR THE SERVICE OF NOTICE OF SUCH ACTION.

WHEREAS, the Governing Body of the City of Wathena, under the provisions of Ordinance No. 335 hereby determines that a nuisance exists on property owned by James H. Booth and Gloria Jean Booth, and that the same constitutes a menace and is dangerous to the inhabitants of the neighborhood in which said nuisance exists:

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

1. That a nuisance exists on the following described real estate, situate within the City of Wathena, to wit:

Commencing at a point that is 20 feet North and 340 feet West of the Southeast corner of the Southwest Quarter of Section 21, Township 3, Range 22, thence West 100 feet, thence North 178.27 feet, thence East 100 feet, thence South 178.34 feet to point of beginning, and also, Commence at an iron pipe in place at a point 20 feet North and 440 feet West of the Southeast corner of the Southwest Quarter of Section 21, Township 3 South, Range 22 East of the 6th P.M., thence North 178.27 feet to an iron pipe in place, thence West 75 feet, thence South 178.22 feet, thence East 75 feet to place of beginning,

that the conditions constituting such nuisance are an accumulation of litter, junk, debris and other trash in the form of cans, boxes, barrels, metal, wood, screens, tires, wire, household appliances, bathroom fixtures, motor vehicle parts and various other items.

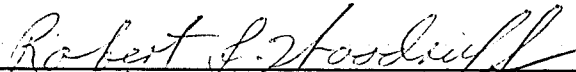
2. That the condition described in the next paragraph above is a menace and is dangerous to the health of the neighborhood and the residents of the neighborhood in which it is located and the same constitutes a nuisance.

3. That James H. Booth and Gloria Jean Booth, owners of the above described real estate, are hereby ordered and directed to remove and abate the items and things described in paragraph one above, which constitute a nuisance, from said property within ten (10) days from the date a copy of this Resolution is served upon them.

4. That in the event the owners of said property fail to remove the items described in paragraph one above and to abate the premises of the nuisance within said ten (10) day period, then and in that event, the City of Wathena will proceed to remove and abate the nuisance and cause the cost of such removal and abatement to be assessed and charged against the real estate described in paragraph number one above as authorized by Ordinance No. 335 of the City of Wathena.


5. That the Clerk of the City of Wathena is hereby directed to forthwith cause a true and complete copy of this Resolution to be served, by personal service, upon James H. Booth and Gloria Jean Booth.

APPROVED and ADOPTED on the 15th day of November, 1977.



Mayor, City of Wathena, Kansas.

ATTEST:



City Clerk

BEFORE THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS.

IN THE MATTER OF THE ABATEMENT OF A NUISANCE LOCATED IN THE
SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3, RANGE 22,
WITHIN THE CITY OF WATHENA, KANSAS.

RESOLUTION NO. 77 - 4

RELATING TO A NUISANCE LOCATED ON PROPERTY OWNED BY JAMES H.
BOOTH AND GLORIA JEAN BOOTH, WHICH IS SITUATE IN THE
SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3, RANGE 22, WITHIN
THE CITY OF WATHENA, AND ORDERING THE ABATEMENT THEREOF AND
PROVIDING FOR THE SERVICE OF NOTICE OF SUCH ACTION.

WHEREAS, the Governing Body of the City of Wathena,
under the provisions of Ordinance No. 335 hereby determines that
a nuisance exists on property owned by James H. Booth and Gloria
Jean Booth, and that the same constitutes a menace and is
dangerous to the inhabitants of the neighborhood in which said
nuisance exists:

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

1. That a nuisance exists on the following described
real estate, situate within the City of Wathena, to wit:

Commencing at a point that is 20 feet
North and 340 feet West of the Southeast
corner of the Southwest Quarter of Section
21, Township 3, Range 22, thence West 100
feet, thence North 178.27 feet, thence
East 100 feet, thence South 178.34 feet to
point of beginning, and also,
Commence at an iron pipe in place at a point
20 feet North and 440 feet West of the South-
east corner of the Southwest Quarter of
Section 21, Township 3 South, Range 22 East
of the 6th P.M., thence North 178.27 feet
to an iron pipe in place, thence West 75 feet,
thence South 178.22 feet, thence East 75 feet
to place of beginning,

that the conditions constituting such nuisance are an accumulation
of litter, junk, debris and other trash in the form of cans, boxes,
barrels, metal, wood, screens, tires, wire, household appliances,
bathroom fixtures, motor vehicle parts and various other items.

2. That the condition described in the next paragraph
above is a menace and is dangerous to the health of the neighborhood
and the residents of the neighborhood in which it is located and
the same constitutes a nuisance.

3. That James H. Booth and Gloria Jean Booth, owners of the above described real estate, are hereby ordered and directed to remove and abate the items and things described in paragraph one above, which constitute a nuisance, from said property within ten (10) days from the date a copy of this Resolution is served upon them.

4. That in the event the owners of said property fail to remove the items described in paragraph one above and to abate the premises of the nuisance within said ten (10) days period, then and in that event, the City of Wathena will proceed to remove and abate the nuisance and cause the cost of such removal and abatement to be assessed and charged against the real estate described in paragraph number one above as authorized by Ordinance No. 335 of the City of Wathena.

5. That the Clerk of the City of Wathena is hereby directed to forthwith cause a true and complete copy of this Resolution to be served, by personal service, upon James H. Booth and Gloria Jean Booth.

APPROVED and ADOPTED on the 15th day of November, 1977.

Mayor, City of Wathena, Kansas.

ATTEST:

Darlene J. Weeden
City Clerk

PROOF OF SERVICE

STATE OF KANSAS, COUNTY OF DONIPHAN, SS:

Received the above and foregoing Resolution No. 77-4 on the 16 day of NOVEMBER, 1977, and proceeded to serve the same in Wathena, Doniphan County, Kansas, on the 16 day of NOVEMBER, 1977, as follows: (1) Upon James H. Booth by (personal service) (leaving a copy thereof at his usual place of residence) (leaving a copy thereof with some person over 12 years of age residing on the premises) (no person being found upon said premises, I posted a copy of said Resolution in a conspicuous place thereon.)

(2) Upon Gloria Jean Booth by (personal service) (leaving a copy thereof at her usual place of residence) (leaving a copy thereof with some person over 12 years of age residing on the premises) (no person being found upon said premises, I posted a copy of said Resolution in a conspicuous place thereon.)

Bobby L. Laska, City Marshal