

RESOLUTION NO. 2006-11

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

IN THE MATTER OF TWO DANGEROUS STRUCTURES LOCATED AT 2295 175th ROAD, WATHENA, KANSAS.

RELATING TO TWO ALLEGED DANGEROUS STRUCTURES AT 2295 175TH ROAD, WATHENA, KANSAS, FIXING A TIME AND PLACE FOR A HEARING TO DETERMINE WHETHER SUCH STRUCTURES SHOULD BE CONDEMNED OR REHABILITATED, AND PROVIDING FOR THE SERVICE OF NOTICE OF SUCH HEARING.

WHEREAS, the Enforcing Officer under Ordinance No. 544 of the City of Wathena, Kansas, has filed a complaint with the Governing Body of said City alleging that two certain structures located at 2295 175th Road in the City of Wathena, Doniphan County, Kansas, upon real estate legally described as:

Begin at the Southeast Corner of the Southeast Quarter of Section 27, Township 3 South, Range 22 East of the 6th P.M., Doniphan County, Kansas, thence North (North 0 degrees 25 minutes West) on East line of said section 1845.4 feet to center line of Old U.S. Highway 36, thence following center line of Old U.S. Highway 36, North 43 degrees 40 minutes West 200 feet, North 50 degrees 45 minutes West 100 feet, North 61 degrees 03 minutes West 100 feet, North 74 degrees 16 minutes West 100 feet, North 85 degrees 41 minutes, West 100 feet, South 85 Degrees 34 minutes West 2159.7 feet to West line of Southeast Quarter of Section 27, Township 3, Range 22, thence South on West line of said Southeast Quarter 1961.7 feet to Southwest Corner of Southeast Quarter of Section 27, Township 3 South, Range 22 East of the 6th P.M., thence South (South 0 degrees 27 minutes East) a distance of 50.6 feet to North right-of-way line of St. Joseph & Grand Island Railway Company, thence East (North 89 degrees 36 minutes East) along North right-of-way line of St. Joseph & Grand Island Railway Company 600 feet to a point of angle, thence continuing East (North 89 degrees 31 minutes East) along North right-of-way line of St. Joseph & Grand Island Railway Company 2063.3 feet to East line of

Page 2 - Resolution

Section 34, Township 3 South, Range 22 East of the 6th P.M., thence North (North 0 degrees 25 minutes West) along East line of Section 34, Township 3 South, Range 22 East of the 6th P.M., a distance of 24.1 feet to THE POINT OF BEGINNING, SUBJECT TO AND EXCEPT the following (all recorded in Register of Deeds office in Doniphan County, Kansas):

- 1) an Easement or Right-of-way Agreement dated August 1, 1968, from Ruth Groh in favor of Williams Brothers Pipe Line Company recorded in Book 152 at Page 396,
- 2) a 99 year Lease Contract dated November 18, 1947, from Elizabeth Groh to the City of Wathena, Doniphan County, Kansas, recorded in Book 121 at Page 474,
- 3) a Right-of-Way Easement for Road Purposes dated June 18, 1973, from W.M. Grace and Ann K. Grace in favor of Doniphan County, Kansas, recorded in Book 157 at Page 365,
- 4) an Easement for Water Line dated April 18, 1974, from W.M. Grace and Ann K. Grace in favor of the City of Wathena recorded in Book 164 at Page 90,
- 5) an Easement for Sanitary Sewer Line dated November 17, 1992, from W.M. Grace and Ann K. Grace in favor of the City of Wathena recorded in Book 191 at Page 25, and
- 6) a Warranty Deed from W.M. Grace and Ann K. Grace to The City of Wathena, dated April 25, 1973, and recorded in the office of Register of Deeds, in Book 159 at Page 165,
- 7) a Deed Granting Permanent Easement for Roadway dated March 9, 1993, from W.M. Grace and Ann K. Grace in favor of the City of Wathena recorded in Book 191 at Page 69 all in the Register of Deeds, Doniphan County, Kansas,

are dangerous and unsafe and should be condemned and ordered repaired or demolished:

Page 3 - Resolution

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

1. A hearing before the Governing Body of the City of Wathena, Kansas, is hereby ordered to be held on the aforesaid complaint on the 2nd day of October, 2006, at 7:00 o'clock P.M. at the City Hall in Wathena, Kansas.

2. Any or all of the following parties who appear to have an interest in the above described premises, to wit:

OWNER(S) OF RECORD AND THOSE IN POSSESSION: W.M. GRACE, P.O. BOX 385, ST. JOSEPH, MO 64502;

LIENHOLDER(S) OF RECORD ARE: NONE;

may appear at the above hearing and show cause why the alleged dangerous and unsafe structure should not be condemned and ordered repaired or demolished.

3. This Resolution shall be published in the official City newspaper once each week for two consecutive weeks and a copy hereof shall be served upon the party (parties) named in paragraph two above in the manner provided in Ordinance No. 544 and K.S.A. 12-1752 as amended.

APPROVED and ADOPTED on the 7th day of August, 2006.



Mayor, City of Wathena, Kansas

ATTEST:

(CITY SEAL)



City Clerk