

RESOLUTION NO. 2006-12

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 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 an Easement or Right-of-
Way Agreement in favor of Williams Brothers Pipe Line Company

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recorded in Book 152 at Page 396 and SUBJECT TO a Lease Contract with the City of Wathena, Doniphan County, Kansas, recorded in Book 121 at Page 474, all in the Register of Deeds of Doniphan County, Kansas, and grantor expressly conveying and assigning to grantee all benefits accruing under and running with the aforesaid Lease Contract with the City of Wathena,

THE FOLLOWING DESCRIBED REAL ESTATE TO WIT: Commencing at a point on the East line of the Northeast Quarter of Section 34, Township 3 South, Range 22 East, which point is at the intersection of the North right-of-way of the St. Joseph and Grand Island Railway Company with the said East line of the Northeast Quarter and which point is 24.1 feet South (South 0 degrees 25 minutes East) of the Northeast Corner of the Northeast Quarter, thence North (North 0 degrees 25 minutes West) along the Section line 24.1 feet to the corner common to Sections 26, 27, 34 and 35, Township 3 South, Range 22 East, thence continuing North (North 0 degrees 25 minutes West) on the East line of the Southeast Quarter Section 27, Township 3 South, Range 22 East, 1,225.9 feet, thence West (South 89 degrees 31 minutes West) on a line parallel with the North line of the right-of-way of the St. Joseph and Grand Island Railway Company located in the Northeast Quarter of said Section 34, a distance of 745 feet, thence South (South 0 degrees 11 minutes East) 1,218.5 feet to the South line of the Southeast Quarter of the said Section 27, thence continuing South (South 0 degrees 11 minutes East) 31.5 feet to the North right-of-way line of the St. Joseph and Grand Island Railway Company in the Northeast Quarter of the said Section 34, thence East (North 89 degrees 31 minutes East) along the North right-of way line of the St. Joseph and Grand Island Railway Company 749.8 feet to the point of beginning, all Doniphan County, Kansas; and also except commence at a point which is 1,225.9 feet North (North 0 degrees 25 minutes West) and 745 feet West (South 89 degrees 31 minutes West) of the Southeast Corner of Section 27, Township 3 South, Range 22 East of the 6th P.M., thence South 0 degrees 11 minutes East 1,218.5 feet to South line of said Section 27, thence South 0 degrees 11 minutes East 31.5 feet to the North right-of-way line of the St. Joseph and Grand Island Railway Company in the Northeast Quarter of Section 34, Township 3 South, Range 22 East, thence West (South 89 degrees 31 minutes West) 75.2 feet, thence North 0 degrees 25 minutes West 32.6 feet to the South line of the Southeast Quarter of the said Section 27, thence West (North 89 degrees 54 minutes West) 419.8 feet, thence North 0 degrees 11 minutes West 1,213.6 feet, thence East (North 89 degrees 31 minutes East) 495 feet to the point of beginning, all in Doniphan County, Kansas,

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

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 16th 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: ANN K. GRACE REVOCABLE TRUST, 1010 W. ST. MAARTENS DRIVE, ST. JOSEPH, MISSOURI 64506;

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 21st day of August, 2006.



Mayor, City of Wathena, Kansas

ATTEST:

(CITY SEAL)



City Clerk