

**ORDINANCE NUMBER 550**

**AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, PROVIDING FOR THE TRANSFER AND CONVEYANCE OF CERTAIN REAL ESTATE OWNED BY SAID CITY, DESCRIBED AS LOTS 7 & 8, BLOCK 105, AND LOTS 11 & 12, BLOCK 106, AND AUTHORIZING THE MAYOR AND CITY CLERK OF SAID CITY TO EXECUTE, ACKNOWLEDGE AND DELIVER DOCUMENTS AND DEEDS OF CONVEYANCE, FOR AND ON BEHALF OF THE CITY, UPON PAYMENT FOR SUCH REAL ESTATE.**

WHEREAS, the City of Highland, Kansas, is authorized to receive, purchase, convey and transfer real property pursuant to the terms and provisions of the Kansas Constitution, Home Rule Authority and K.S.A. 12-101; and

WHEREAS, the City of Highland, Kansas, is the owner of a certain tract of real estate as hereinafter described, said real estate being acquired following its abandonment as railroad right of way; and

WHEREAS, said real estate is not needed for municipal purposes and it is in the best interests of the City that said real estate be sold; and

WHEREAS, said city held a public auction of such real estate and received the highest and best bid for such real estate at said auction, subject only to the approval of such bid by the governing body;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HIGHLAND, KANSAS:

**SECTION 1: AUTHORITY TO SELL.** The City of Highland, Kansas, has heretofore, by motion passed at a properly convened meeting of the governing body on December 17, 2018, authorized a public auction sale, pursuant to stated contractual terms and conditions, to be held on January 2, 2019, of the real estate described hereinafter, subject to the purchase price being sufficient and subject to the approval of the governing body.

**SECTION 2: APPROVAL.** The governing body hereby determines that the price offered at such public auction is equal to its fair market value and does hereby approve the sale of said property at such sale price.

**SECTION 3: EXECUTION AND DELIVERY OF DEED.** The Mayor and the City Clerk of the City of Highland, Kansas, are hereby authorized and empowered to execute, acknowledge, attest by corporate seal of the City, and deliver to the purchaser, S & W Custom Drying and Storage, LLC, by general corporation warranty deed, the following described real estate owned by the city:

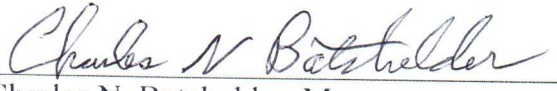
Lots 7 and 8, in Block 105, and Lots 11 and 12, in Block 106, in the Original Town, now City of Highland, Doniphan County, Kansas,

conveying to such purchaser the ownership interest of the City of Highland in and to said real estate, subject to easements and restrictions of record.

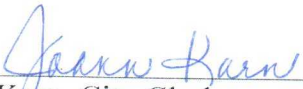
**SECTION 4. FILING OF CERTIFIED COPY.** Following passage and approval of this ordinance, the City Clerk shall file a certified true and correct copy of the same in the office of the Register of Deeds of Doniphan County, Kansas.

SECTION 5. EFFECTIVE DATE. The terms and provisions of this ordinance shall take effect and be in full force from and after its passage and summary publication in the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of Highland, Kansas, this 9th day of January, 2019.

  
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Charles N. Batchelder, Mayor

ATTEST:

  
\_\_\_\_\_  
Joann Karn, City Clerk

(SEAL)

