

ORDINANCE NUMBER 558

AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, PROVIDING FOR THE TRANSFER AND CONVEYANCE OF CERTAIN REAL ESTATE OWNED BY SAID CITY, DESCRIBED AS NORTH 65' OF LOTS 1 & 2, BLOCK 71, 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 formerly operated as a water tower site and as city hall;

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 June 12, 2019, authorized a public auction sale, pursuant to stated contractual terms and conditions, to be held on July 10, 2019, of the real estate described hereinafter, subject to the purchase price being sufficient as to fair market value and subject to the approval of the governing body, which purchase price and sale was approved at a meeting of the governing body held on July 10, 2019, all subject to a change of zoning of such real estate in accordance with the contract.

SECTION 2: APPROVAL. The required zoning change has been made and the governing body hereby approves the sale of said property.

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 purchasers, Kevin J. Lackey and Carla R. lackey, by general corporation warranty deed, the following described real estate owned by the city:

North Sixty-Five Feet (N 65'), Lots 1 and 2, in Block 71, 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, and subject to an easement retained by the city for the purpose of disconnecting, reapiaring and/or removing water lines that connect the water main of the city to water lines on the described property and which serviced the old city water tower.


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 October, 2019.



Charles N. Batchelder, Mayor



Joann Karn, City Clerk

Seal: