

**ORDINANCE NUMBER 588**

**AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, PROVIDING FOR THE TRANSFER AND CONVEYANCE OF CERTAIN REAL ESTATE OWNED BY SAID CITY, DESCRIBED AS THE WEST 112' OF LOTS 1, 2, 3, 4, 5, 6, BLOCK 57 AND LOTS 7, 8, 9, 10, 11 AND 12, BLOCK 58, 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.**

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 ownership originating on the original plat of said city and designated as Union Square, and later being leased by Unified School District 111 (USD 111) and its predecessors operating the former Grade School and a portion of which has been sub-leased by Doniphan Darlings, LLC for a Child Day Care Facility; and

WHEREAS, said real estate is not needed for municipal purposes and it is in the best interests of the Highland Community that said real estate be sold for the purpose of operating said childcare facility; and

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 April 11, 2023, authorized a transfer and conveyance to Doniphan Darlings, LLC, subject to the approval of the contract for transfer by USD 111 and Doniphan Darlings, LLC.

**SECTION 2: APPROVAL.** The contract for transfer was approved by USD 111 by Resolution # 2023-4 at its Board meeting on the 8th of May, 2023 and by Doniphan Darlings, LLC and the governing body hereby approves the transfer of said property, in accordance with the terms of such contract, including no monetary consideration, subject to such approval and corollary execution.

**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, Doniphan Darlings, LLC, by general corporation quitclaim deed, the following described real estate owned by the city:

Beginning at a point on the south line of Ohio Street that is 152 feet west of the northeast corner of Block 57 (where the west line of Kansas Street intersects with the south line of Ohio Street), thence continuing west along said south line of Ohio Street 317 feet to the point where the said south line intersects with the east line of what would have been the platted 14 foot wide alley in said block, thence south along the east line of said alley 264 feet to a point on the north line of Illinois Street that is 139 feet east of the southwest corner of Block 58 (where the said north line intersects with the east line of Genesee Street), thence east along the north line of Illinois Street 317 feet to a point that is 152 feet east of the southeast corner of Block 57 (where said north line intersects with the west line of Kansas Street), thence north 264 feet to the point of beginning, in the original town, now City of Highland, Doniphan County,

Kansas. Said tract of real estate constitutes part of a tract designated as Union Square on the original plat of said city, comprising a two-block area bounded on the North by Ohio Street, on the East by Kansas Street, on the South by Illinois Street and on the West by Genesee Street and which, if numbered, would constitute Blocks 57 and 58, including interior streets and alleys. If such Union Square had been platted into lots and blocks, including streets and alleys, the afore-described tract would be described as the west one hundred twelve feet (112'), more or less, of Lots 1 through 6, Block 57; that portion of Iowa St., eighty feet (80') in width, located between Illinois St and Ohio St.; and the east half of Block 58, Lots 7-12, all 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 the additional terms of such contract.

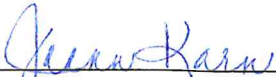
SECTION 4. FILING OF CERTIFIED COPY. Following passage and approval of this ordinance, the City Clerk shall file a certified true and correct copy of the same in the office of the Register of Deeds of Doniphan County, Kansas.

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 10th day of May, 2023.



Charles N. Batchelder, Mayor



Joann Karn, City Clerk

Seal: