

RESOLUTION 14-3

Whereas, the City of Downs, Kansas, a municipal corporation, is the owner of the following described real estate, to-wit:

A tract of land in the North Half of the Northeast Quarter (N/2NE/4) of Section Twenty-nine (29), Township Six South, Range Eleven West (T6S-R11W) of the Sixth P.M., Osborne County, Kansas, more particularly described as follows: Commencing at the Southeast Corner of the North Half of the Northeast Quarter (N/2NE/4) of Section Twenty-Nine (29), Township Six South, Range Eleven West (T6S-R11W); thence along the South Line of said North Half (N/2) on an assumed bearing of S 89°19'16" W a distance of 1945.48 feet to a ½" Rebar and Stroede Cap, said point being the POINT OF BEGINNING; thence continuing along the previous course a distance of 704.24 feet to the Southwest Corner of the North Half of the Northeast Quarter (N/2NE/4) of Section Twenty-nine (29), Township Six South, Range Eleven West (T6S-R11W); thence along the West Line of said North Half (N/2) on a bearing of N 0°24'29" E a distance of 1,033.67 feet, to a point 283.00 feet South of the Northwest Corner of the North Half of the Northeast Quarter (N/2NE/4) of Section Twenty-nine (29), Township Six South, Range Eleven West (T6S-R11W); thence N 61°17'31" E a distance of 390.97 feet to a point on the Southerly Right of Way of US Highway 24; thence along said Southerly Right of Way on a bearing of S 46°14'32" E a distance of 64.25 feet to a 5/8" Rebar and Aluminum Cap; thence continuing along said Right of Way on a bearing of N 89°23'50" E a distance of 127.23 feet to a 5/8" Rebar and Aluminum Cap, said point being at the intersection of the Southerly Right of Way of US Highway 24 and Southerly Railroad Right of Way; thence along said Railroad Right of Way on a bearing of S 62°44'41" E a distance of 179.14 feet to a ½" Rebar and Stroede Cap; thence S 1°06'28" E a distance of 1,088.17 feet to a point of beginning, containing 18.0 acres, more or less.

which real estate is no longer necessary to be retained and held in the exercise of the proprietary and governmental functions of said city, and

Whereas, the above describe land was offered for sale at a public auction and H & H Investments was the highest bidder, and

Whereas, H & H Investments, has entered into a contract for sale of real estate with the City of Downs dated November 10, 2014, and hereby incorporated by reference, for the sum of Fifty-two Thousand and no/100 Dollars (\$52,000.00), and

Whereas, the Governing Body of said City deems it advisable and for the best interest of said City to accept the foregoing offer for said real estate.

Now Therefore, Be It Resolved by the Governing Body of the City of Downs, Osborne County,

Kansas, that the above described real estate be sold to H & H Investments, for the sum of Fifty-two Thousand and no/100 Dollars (\$52,000.00), and that Jennifer Brush, as Mayor and Vickie Oviatt as City Clerk of Downs, be and they are hereby authorized and empowered to execute, acknowledge, attest and deliver a Warranty Deed conveying said real estate to H & H Investments, upon receiving payment therefore as herein provided.

Jennifer Brush , Mayor

ATTEST:

Vickie Oviatt, City Clerk

(Seal)

CERTIFICATE

STATE OF KANSAS, OSBORNE COUNTY, SS:

I, the undersigned, being the duly appointed and qualified City Clerk of the City of Downs, Kansas, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and regularly adopted by the Governing Body of said City at regular meeting held on the 1st day of December, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City, this 1st day of December, 2014.

(Seal)

Vickie Oviatt, City Clerk