

RESOLUTION 2023-019

A RESOLUTION DECLARING CERTAIN REAL ESTATE OWNED BY THE CITY OF PAOLA TO BE SURPLUS PROPERTY AND AUTHORIZING THE SALE OF SAID SURPLUS PROPERTY.

WHEREAS, in 1921 a water treatment plant was built at 201 Waterworks Rd. and ran by the City of Paola. The plant production required a settlement basin be located near the property. Both properties are legally described as follows:

Tract 1:

Commencing at the Northwest corner of aforesaid Section 9; thence N88°17'20"E, along the North line of said Section 9, a distance of 1,503.91 feet; thence S01°42'40"E, departing from the North line of said Section 9, a distance of 519.19 feet to a point on the South Right-of-Way line of Waterworks Road (Johnson Drive) and the East Right-of-Way line of the St. Louis-San Francisco Railroad, as both road and railroad are now established, and the Point of Beginning; thence S88°23'47"E, along the South Right-of-Way line of said Waterworks Road a distance of 602.47 feet (594.00 feet Deed Doc. No. 20220526092051933, Book 69, Page 465); thence S01°39'35"E, departing the South Right-of-Way line of said Waterworks Road, now being along the East line of said Deed, a distance of 277.40 feet to the North most Northwest corner of Document P009-00038 Paola Assembly of God Plat; thence S01°39'35"E (S01°35'18"W, Plat) along the West line of said Plat, a distance of 272.86 feet; thence S88°07'23"W (S88°37'44"W, Plat) along the North line of said Plat a distance of 603.78 feet to a point on the West Right-of-Way line of said Railroad; thence Northeasterly departing the North line of said Plat, now being along the East Right-of-Way line of said Railroad, being also the West line of said Deed and along a curve to the left having an initial tangent bearing of N01°00'30"E, a radius of 5,363.78 feet, a central angle of 2°52'52" and an arc length of 269.71 feet to a point of compound curve; thence continuing Northwesterly along the West Right-of-Way line of said Railroad, being also the West line of said Deed and on a curve to the left having an initial tangent bearing of N02°20'29"W, a Central Angle of 0°21'39", a radius of 34,436.42 feet and an arc length of 216.87 feet; thence N02°42'08"W continuing along the West Right-of-Way line of said Railroad, being also the West line of said Deed, a distance of 66.69 feet to the Point of Beginning. This description having been prepared by Lee A. Hermreck, Kansas, L.S. No. 1232. MEC Corporate Certificate / License No. 2012009395

Tract 2:

Commencing at the Northwest corner of aforesaid Section. 9; thence N88°17'20"E along the North line of said Section 9, a distance of 1,403.89 feet; thence S01°42'40"E, 519.00 feet to a point on the South Right-of-Way line of Waterworks Road (Johnson Drive) and the West Right-of-Way line of the St. Louis-San Francisco Railroad as now established and the Point of Beginning; thence S02°42'08"E along the West Right-of-Way line of said Railroad, also being the East line of Deed Document 42622-04262022090412 Book 49, Page 121, a distance of 68.61 feet; thence Southeasterly and Southerly along a curve to the right and along the West Right-of-Way line of said Railroad, also being the East line of said Deed, having an initial tangent bearing of S02°42'08"E, a radius of 34,336.42 feet, a central angle of 0°21'37" and an arc length of 215.83 feet to a point of compound curve; thence continuing along a curve to the right and along the West Right-of-Way of said Railroad, also being the East line of said Deed and its Southerly extension, having an initial tangent bearing of S01°52'06"E, a radius of 5,263.78 feet, a central angle of 2°55'53", and an arc length of 269.31 feet to a point on the North line of the Paola Assembly of God Plat Document No.P009-00038; thence S88°07'23"W (N88°37'44"W plat) along the North line of said Plat, a distance of

245.09 feet to the West most Northwest corner of said Plat; thence S11°49'54"W (S15°04'47"W Plat, S08°00'00"W Deed) along the West line of said Plat, a distance of 253.73 feet to a point 1,320 feet South of the North line of said Section 9; thence S88°17'20"W, along a line 1,320 feet South of and parallel with the North line of said Section 9, also being along the South line of said Deed, Document 42622-04262022090412 Book. 49, Page. 121, a distance of 291.81 feet to a point on the West line of said Deed; thence N22°17'20"E, (N24°E Deed) a distance of 138.60 feet; thence N30°17'20"E, (N32°E Deed) a distance of 82.50 feet; thence N05°17'20"E (N7°E Deed) a distance of 49.50 feet; thence N05°41'18"E, departing said Deed a distance of 310.62 feet to the Southeast corner said Deed; thence N01°42'40"W, 248.10 feet (238.26 feet Deed) to a point on the South Right-of-Way line

AND WHEREAS, the City of Paola ceased operation in 2009, after the development of the Public Utility Authority.

AND WHEREAS, the plant and adjacent property have remained under ownership of the City of Paola but have been inactive for 14 years.

AND WHEREAS, the City of Paola no longer has a use for the building or property containing the settlement basin associated with the decommissioned water treatment plant.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS, that said Governing Body hereby finds that the afore mentioned property located at 201 Waterworks Rd (Tract 2) and settlement basin (Tract 1) , owned by the City of Paola, to be surplus property; and

BE IT FURTHER RESOLVED, that the Governing Body hereby approves the sale of said surplus property; and

BE IT FURTHER RESOLVED, that the Governing Body hereby authorizes the Mayor to execute all necessary documents to consummate the sale of said surplus property.

ADOPTED this 14th day of November, 2023.



ATTEST: [seal]


Stephanie Marler, City Clerk


Leigh House, Mayor