

RESOLUTION 2022-1506

**A RESOLUTION DECLARING THAT CERTAIN REAL ESTATE OWNED
BY ATCHISON COUNTY IS NO LONGER NEEDED AND CANNOT
PRUDENTLY BE USED FOR PUBLIC PURPOSES OF THE COUNTY
AND AUTHORIZING SALE OF SAID PROPERTY.**

WHEREAS, Atchison County owns the following described property with no assigned address on Sherman Road in Atchison County, Kansas, which property is identified in County Records as Quick Ref ID: R8384, and which property is described as follows:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION EIGHTEEN (18), TOWNSHIP SIX (6), RANGE TWENTY-ONE (21), THENCE EAST 337 FEET TO THE POINT OF BEGINNING; THENCE EAST ALONG SAID SECTION LINE 373.50 FEET TO AN IRON BAR, THENCE NORTHERLY 212.00 FEET TO AN IRON BAR, THENCE NORTHWESTERLY 302 FEET TO AN IRON BAR, THENCE SOUTHWESTERLY 109.30 TO AN IRON BAR, THENCE SOUTHERLY ALONG SAID HIGHWAY RIGHT-OF-WAY 556 FEET TO THE POINT OF BEGINNING, CONTAINING 3.4 ACRES, MORE OR LESS, EXCEPTING THEREFROM A TRACT DESCRIBED AS COMMENCING AT A POINT 677.50 FEET EAST OF THE SOUTHWEST CORNER OF SAID SE/4 OF THE NW/4 OF SEC 18, TWP 6, RNG 21, THENCE EAST 33 FEET TO AN IRON BAR, THENCE NORTHERLY 212 FEET TO AN IRON BAR, THENCE NORTHWESTERLY 302 FEET TO AN IRON BAR, THENCE WESTERLY 53 FEET TO THE CENTER OF WHISKEY CREEK, THENCE SOUTHEASTERLY ALONG THE MEANDERINGS OF SAID CREEK 538 FEET TO THE POINT OF BEGINNING, CONTAINING .70 ACRE, MORE OR LESS

But not to include any of the following described real estate: A tract of land in the Northwest Quarter of Section 18, Township 6 South, Range 21 East of the 6th P.M., Atchison County, Kansas, for the purpose of public road right of way being more particularly described as follows: COMMENCING at the Southeast corner of said Northwest Quarter being marked by an axle spindle; THENCE along the South line of said Northwest Quarter, on an assumed bearing of N 89°44'48" W, for a distance of 621.49 feet; THENCE perpendicular to said South line, N 00°15'12" E, for a distance of 304.22 feet, to a point on the East line of Road 376 (also known as Trego Road) as described in the record; THENCE S 85°35'11" W for a distance of 40.00 feet to a point on the West line of said Road; THENCE N 10°07'28" W for a distance of 100.50 feet; THENCE N 57°01'18" W for a distance of 69.44 feet to a point on the centerline of Whiskey Creek and the POINT OF BEGINNING, THENCE N 57°01'18" W for a distance of 106.52 feet to a point on the apparent centerline of old US 73 highway; THENCE along said centerline N 38°05'11" E for a distance of 187.54 feet; THENCE, departing said centerline, S 51°54'49" E for a distance of 29.95 feet to a point on the West line of said Road 376; THENCE along said West line S 04°35'35" E for a distance of 44.47 feet to the centerline of Whiskey Creek: THENCE along the centerline of Whiskey Creek the following 7 courses: S 50°10'10" W, 49.57 feet; S 03°51'54" W, 14.45 feet; S 18°08'52" W, 12.68 feet; S 38°19'59" W, 39.41 feet; S 08°59'44" W, 15.52 feet; S 37° 35' 36" E 24.03 feet; S 05°08'41" E 19.38 feet to the POINT OF BEGINNING;

and;

WHEREAS, the Board of County Commissioners has determined that said property is no longer needed for use by the County and cannot prudently be used for public purposes; and

WHEREAS, Atchison County Resolution 2012-1400 sets forth the methodology for disposing of surplus property owned by the County, all as authorized by K.S.A. 19-211(b); and

WHEREAS, K.S.A. 19-101, as amended, authorizes the Board of County Commissioners to transact all County business and to perform all powers of local legislation and administration it deems appropriate, including selling and conveying any real estate owned by the County; and

WHEREAS, Atchison County publicly sought bids for the purchase of the property from the County through the promulgation of an INVITATION FOR BIDS - SEALED BID AUCTION FOR SALE OF REAL ESTATE published on the County Website, referenced in social media posts, and emailed to known interested parties; and

WHEREAS, bids were opened at the Board's meeting on June 6, 2022, and the bid submitted by Roger W. Denton on behalf of JR DENTON LAND, LLC in the amount of \$5,601.00 was the highest bid for the property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON, KANSAS as follows:

1. The bid of JR DENTON LAND, LLC in the amount of \$5,601.00 is accepted.
2. In accordance with the terms of the INVITATION FOR BIDS - SEALED

BID AUCTION FOR SALE OF REAL ESTATE, the successful bidder has fourteen (14) days to tender to Atchison County the purchase price in cash or certified funds.

3. Upon such tender being made by the successful bidder, the Chairman of the Board of County Commissioners is authorized and directed to execute a GENERAL WARRANTY DEED conveying the property to the successful bidder.

4. After recordation of the said GENERAL WARRANTY DEED, the County shall deliver the same to the successful bidder.

5. The proceeds of the sale, less the payment of the premium for title insurance, shall be credited to the County General Fund.

ADOPTED AND APPROVED by the BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS this 13th day of June, 2022.



By: Eric Noll
Eric Noll, Chairman

By: Jack Bower
Jack Bower, 1st District Commissioner

By: Casey Quinn
Casey Quinn, 3rd District Commissioner

ATTEST:

Michelle Phillips
Michelle Phillips, Atchison County Clerk