CITY OF GALENA, KANSAS

RESOLUTION NO. 26-21

A RESOLUTION AUTHORIZING AND DIRECTING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF GALENA, KANSAS, TO GARY ROSE BY QUIT CLAIM DEED, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER SAID DEED.

WHEREAS, the City of Galena, Kansas (the "City") is a city of the second class, duly organized and existing under the laws of the State of Kansas; and

WHEREAS, the City acquired title to certain real property located in the City of Galena, Cherokee County, Kansas, by Quit Claim Deed from Tyler M. Lewis, a single person, dated September 9, 2025 and recorded February 5, 2026 in Book 642, Page 520 in the office of the Register of Deeds of Cherokee County, Kansas, said real property being more particularly described as follows (the "Property"):

> Lot Three (3), Block Eleven (11), Spring Grove Addition to the City of Galena, according to the recorded plat thereof.
>
> Property ID: 206 23 0 40 13 012 00 0 01

WHEREAS, the Governing Body of the City has determined that the Property is not needed for any present or reasonably foreseeable municipal purpose, and that the City's continued ownership of the Property imposes maintenance and administrative burdens upon the City without corresponding benefit to the City or its inhabitants; and

WHEREAS, the property is in substantial distress, and the City would have to expend funds in excess of the market value of the property to clean it up to be in conformance with City ordinances; and

WHEREAS, Gary Rose, a single person, has requested that the City convey its interest in the Property to him, and has agreed to accept the Property in its present condition, without warranty of any kind, and subject to all easements, restrictions, reservations, and assessments of record, and has agreed to clean up the property to be in conformance with City ordinances; and

WHEREAS, the Governing Body finds that returning the Property to private ownership and to the tax rolls, and securing its maintenance, rehabilitation, and productive use, serves a valid public purpose of the City, and that conveyance of the Property to Gary Rose without monetary consideration is in the best interests of the City and its inhabitants; and

WHEREAS, the City is authorized by to sell and convey real property owned by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

Section 1. Findings. The recitals and findings set forth above are hereby adopted and incorporated as the findings of the Governing Body as though fully set forth in this Section.

Section 2. Conveyance Authorized. The conveyance of all of the City's right, title, and interest in and to the Property to Gary Rose, a single person, by quit claim deed, without monetary consideration and without warranty of any kind, is hereby authorized, approved, and directed.

Section 3. Execution of Documents. The Mayor is hereby authorized and directed to execute, and the City Clerk to attest and affix the seal of the City to, a Quit Claim Deed conveying the Property to Gary Rose in substantially the form presented to and reviewed by the Governing Body at the meeting at which this Resolution is adopted, together with a real estate sales validation questionnaire or a statement of the applicable exemption under K.S.A. 79-1437e, and such other certificates, affidavits, and instruments as may be necessary or convenient to complete the conveyance and to cause the deed to be recorded in the office of the Register of Deeds of Cherokee County, Kansas. The Mayor, City Clerk, and City Attorney are further authorized to approve such changes to the form of the Quit Claim Deed as are not substantive and do not increase the obligations of the City, such approval to be conclusively evidenced by execution and delivery thereof.

Section 4. Delivery; Costs. Upon execution, the Quit Claim Deed shall be delivered to Gary Rose or to his designated agent. Recording fees, transfer-record fees, and all other costs of closing and recording shall be borne by the Grantee unless otherwise directed by the Governing Body. All ad valorem taxes and special assessments levied or becoming payable after the date of the deed shall be the responsibility of the Grantee.

Section 5. Further Action. The officers, officials, agents, and employees of the City are hereby authorized and directed to take such other and further action as may be necessary or desirable to carry out the intent and purposes of this Resolution.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unenforceable, such holding shall not affect the validity or enforceability of the remaining portions of this Resolution.

Section 7. Effective Date. This Resolution shall take effect and be in force from and after its adoption by the Governing Body and approval by the Mayor.

ADOPTED by the Governing Body of the City of Galena, Kansas, and APPROVED by the Mayor, this 17th day of August, 2026.

CITY OF GALENA, KANSAS

_____, Mayor

ATTEST:

_____, City Clerk

(SEAL)

APPROVED AS TO FORM:

_____, City Attorney