

AN ORDINANCE BY THE CITY OF MORGANTOWN REPEALING AN AUGUST 2, 2011, ORDINANCE WHICH AUTHORIZED THE CITY TO DEED A 294 SQUARE FOOT RIGHT OF WAY, ADJACENT TO THE "HOGBACK TURN" ON WEST VIRGINIA STATE ROUTE 7, TO THE WEST VIRGINIA DIVISION OF HIGHWAYS; AND AUTHORIZING A NEW DEED TO THE DIVISION OF HIGHWAYS FOR THE ABOVE DESCRIBED RIGHT-OF-WAY WHICH MORE ACCURATELY DESCRIBES THE WARRANTY BEING CONVEYED WITH SAID RIGHT OF WAY.

WHEREAS, By Ordinance adopted by Morgantown City Council on August 2, 2011, the City Manager was authorized to execute a deed from the City to the West Virginia Division of Highways for a 294 square foot right-of-way adjacent to the "Hogback Turn" on West Virginia Route 7;

WHEREAS, the West Virginia Division of Highways has recently contacted the City of Morgantown and not only requested that the "quit claim" right-of-way warranty that was granted by the City in the aforementioned right-of-way deed be changed to a "special" right-of-way warranty, but also, provided the City with a new deed for consideration that would accomplish the change in warranty;

WHEREAS, Morgantown City Council is of the opinion that such action should be taken.

NOW, THEREFORE, the City of Morgantown hereby ordains that the ordinance adopted by it on August 2, 2011, pertaining to the City's granting of a 294 square foot right-of-way, adjacent to the "Hogback Turn" on West Virginia Route 7, to the West Virginia Division of Highways is repealed in its entirety; and that the City Manager is authorized to execute the right-of-way deed, hereto attached, by and on behalf of the City of Morgantown.

This Ordinance shall be effective upon date of adoption.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED: