

ORDINANCE NO. S-11-10

AN ORDINANCE VACATING A CERTAIN PORTION OF NEW STREET, AS DESCRIBED MORE PARTICULARLY IN THE BODY HEREOF; BUT RESERVING TO THE CITY AND OWNERS OF ANY LESSER PROPERTY RIGHTS, ALL RIGHTS-OF-WAYS AND EASEMENTS FOR PUBLIC SERVICE FACILITIES ORIGINALLY HELD IN SUCH STREET, OR PUBLIC RESERVATION CURRENTLY IN EXISTENCE AND USE, ALL AS PROVIDED BY K.S.A. 12-504 ET SEQ., AS AMENDED, AND K.S.A. 13-443, AS AMENDED.

WHEREAS, a petition has been filed in the Office of the City Clerk of the City of Coffeyville praying for the vacation of certain portion of alley, as described herein in the City of Coffeyville, Montgomery County, Kansas; and

WHEREAS, the Governing Body of the City of Coffeyville has determined that due and legal notice of the hearing regarding the vacation request has been given by publication as required by K.S.A. 12-504, et seq., as amended; and

WHEREAS, the Governing Body of the City of Coffeyville has determined from the proofs and evidence presented at the public hearing on September 27, 2011, that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience thereby, by the vacation requested, as described herein; and

WHEREAS, the Governing Body of the City of Coffeyville has determined that in justice to the petitioners, the prayer of the petitioners ought to be granted.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Coffeyville, Kansas, as follows:

SECTION 1. That a certain portion of alley, as more particularly described below, are hereby vacated; reserving, however, to the City and owners of any lesser property rights, all rights-of-ways and easements for public service facilities originally held in such alley, or public reservation currently in existence and use, to-wit:

Portion of New Street Vacation

Commencing at the Northwest corner of Lot 1, Block 2, North Park Addition to the City of Coffeyville, Montgomery County, Kansas;

Thence S.89°43'35"E. along the North line of said Lot 1, a distance of 25.00 feet to the West Right of Line of New Street, said point being the Point of Beginning;

Thence continuing N.89°43'35"E. along the North Right of Way line of said New Street a distance of 75.00 feet;

Thence S.00°09'34"E. a distance of 45.00 feet to the South Right of Way line of said New Street;

Thence N.89°43'35"W. along said South Right of Way line a distance of 75.00 feet to the West Right of Way line of said New Street;

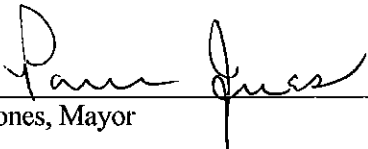
Thence N.00°09'34"W. along said West Right of Way line a distance of 45.00 feet to the Point of Beginning and containing 3,375 square feet or 0.077 acres.

The above-mentioned property shall be retained as a Utility Easement by the City of Coffeyville, a municipal corporation of the first class.

SECTION 2. That upon publication of this ordinance, the City Clerk shall file certified copies thereof in the office of the County Clerk and in the office of the Register of Deeds to be entered and recorded as provided by law.

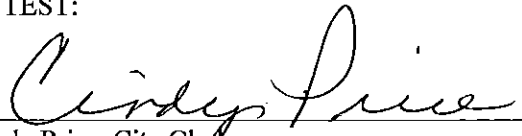
SECTION 3. That this Ordinance shall be in full force and effect when the same is passed, signed and published as by law required.

PASSED AND APPROVED THIS 11TH DAY OF OCTOBER, 2011.



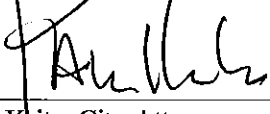
Pam Jones, Mayor

ATTEST:



Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY:



Paul Krutz, City Attorney

