

ORDINANCE NO. S-12-02

AN ORDINANCE VACATING CERTAIN STREETS AND ALLEYS, 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, EASEMENT, 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 streets and alleys, 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 December 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 certain streets and alleys, 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 street, easement, or public reservation currently in existence and use, to-wit:

Street and Alley Vacation

1. The alley in Block 2, Sterling Addition, City of Coffeyville and the alley in Block B, Upham Pottery Addition, City of Coffeyville, between Union Street and Sparks Street.
2. Martin Street between Union Street and Sparks Street.
3. The alley in Block 3, Sterling Addition, City of Coffeyville and the alley in Block C Upham Pottery Addition, City of Coffeyville, between Union Street and Sparks Street.
4. North Street between Union Street and Sparks Street.
5. The alley located between Block 4, Sterling Addition, City of Coffeyville and the alley located in Block 11, River View Place Addition, between Union Street and Laurel Street and the alley located in Block 12 River View Place Addition.
6. Sterling Street between Union Street and Laurel Street.
7. Laurel Street north of Sterling Street.
8. The alley in Block 8, River View Place Addition, City of Coffeyville, between Union Street and Laurel Street.
9. Beatty Street between Union Street and Laurel Street.

10. The alley in Block 5, River View Place Addition, City of Coffeyville, between Union Street and Laurel Street.
11. Wilcox Street between Union Street and Sycamore Street.
12. The alley between Block 2 River View Place Addition, City of Coffeyville and Hills First Addition, City of Coffeyville, between Union Street and Laurel Street.
13. The alley between Block 1, River Place View Addition, City of Coffeyville and Hills First Addition, City of Coffeyville, between Laurel Street and Sycamore Street.

Said Martin and Laurel Streets and said vacated alleys shall be retained as utility easements to the City of Coffeyville, Montgomery County, Kansas.

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 13th DAY OF MARCH, 2012.

Pam Jones, Mayor

ATTEST:

Cindy Price, City Clerk