ORDINANCE NO. S-16-04

AN ORDINANCE VACATING A PORTION OF A STREET RIGHT, 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 a portion of a street, 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 March 22, 2016, that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience 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 portion of a street located as more particularly described below, is 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 Vacation

North Pine Street from the north right-of-way of East First Street to the north right-of-way of East New Street.

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 12TH DAY OF APRIL, 2016.

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Craig C. Powell, Mayor

ATTEST:

_____
Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY:

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Paul Kritz, City Attorney