

ORD 1073

JO CO KS BK:201802 PG:003699
20180215-0003699 2/15/2018
Pages: 3 F: \$0.00 8:51 AM
Register of Deeds T20180007965

CERTIFICATION

I, Janeice L. Rawles, City Clerk for the City of Edgerton, Kansas, do hereby certify the attached Ordinance No. 1073, approved by the City Council of the City of Edgerton, Kansas on January 25, 2018, and duly published on January 31, 2018 in the Gardner News, the official paper of the City of Edgerton, to be true and correct as same appears in my office.

Dated this 13th day of February, 2018.



(Seal)

Janeice L. Rawles, City Clerk

ORDINANCE NO. 1073

AN ORDINANCE ORDERING THE VACATION OF STREETS AND ANY ADJOINING PUBLIC RIGHT-OF-WAY THERETO, BUT RESERVING A 20 FOOT WIDE PUBLIC UTILITY EASEMENT

WHEREAS, the City of Edgerton requests that the streets described below, and any public right-of-way adjacent thereto, be vacated pursuant to K.S.A. 12-504 et seq.; and

WHEREAS, in accordance with K.S.A. 12-504, the City has published the required notice preceding the public hearing regarding the requested vacation of streets and public right-of-way; and

WHEREAS, in accordance with K.S.A. 12-505, the governing body heard evidence concerning the true nature and propriety of vacating the public right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Findings. In accordance with K.S.A. 12-505, the governing body finds and concludes that no private rights will be injured or endangered by such vacation of streets and public right-of-way and that the public will not suffer loss or inconvenience because of such vacation. The governing body also finds and concludes that justice to the adjacent property owners requires that the vacation of the streets and public right-of-way be ordered.

Section 2. Order. The governing body hereby orders that the following streets and public right-of-way adjoining thereto

191st Street: All of the property dedicated for 191st Street between Four Corners Road and US-56 highway; more particularly described as:

Part of the Southwest Quarter of Section 33, Township 14, Range 22

and

183rd Street: All of the property dedicated for 183rd Street between Waverly Road and US-56 Highway; more particularly described as:

Part of the Southeast Quarter of Section 27, Township 14, Range 22; part of the Southwest Quarter of Section 27, Township 14, Range 22; part of the Northwest Quarter of Section 34, Township 14, Range 22; and part of the Northeast Quarter of Section 34,

Township 14, Range 22; and part of the Northeast Quarter of Section 34, Township 14, Range 22

and

191st Street: All of the property dedicated for 191st Street between Four Corners Road to the intersection of the new 191st Street; more particularly described as:

Part of the Southeast quarter of Section 33, Township 14, Range 22 and part of the Northeast Quarter of Section 4, Township 15, Range 22

be vacated and returned to the tax rolls as though it had never been a part of the City of Edgerton, Kansas.

Section 3. Reservation of Easement for Public Utilities. In consideration of the governing body's vacation of the above described streets and public right-of-way, the adjoining properties are required to reserve for the City a 20-foot-wide utility easement within the area being vacated.

Section 4. Recording. The City of Edgerton is responsible for delivering a copy of this Ordinance, certified by the City Clerk, to the Johnson County Register of Deeds so that the vacation of streets and public right-of-way is properly recorded and the vacated public streets and right-of-way are designated as no longer being exempt from taxation.

Section 5. Repeal. Ordinance No. 901 of the City passed by the Governing Body on February 24, 2011, is hereby repealed.

Section 6. Effective Date. This Ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF EDGERTON, KANSAS this 25th day of January, 2018.

(SEAL)

ATTEST:




Janeice L. Rawles, City Clerk


Donald Roberts, Mayor

APPROVED AS TO FORM:


Lee Hendricks, City Attorney