

Published in Great Bend Tribune, November 27, 2016) 1t

ORDINANCE NO. 337

AN ORDINANCE VACATING the unopened thirty (30) foot right of way between lots 13 and 14, and lots 1, 2 and 3, in Block 18 of the city of Pawnee Rock, with the City retaining all easements and Rights of Way for utility and public service purposes.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAWNEE ROCK, KANSAS:

WHEREAS, the city council of Pawnee Rock, Kansas, recommended at a meeting properly called of the City Council and noticed by publication on November 11, 2016, in the Great Bend Tribune, that a certain portion of the alley in Block 18 is petitioned to be vacated; and,

WHEREAS, the east and west platted alley to be vacated is described as follows:

The entire thirty (30) foot alley right of way between lots 13 and 14 and lots 1, 2 and 3 of Block 18, in original town of Pawnee Rock, in Section Thirty-Three (33), Township Twenty (20) South, Range Fifteen (15) West of the 6th P.M. in Barton County, Kansas, according to the recorded plat thereof;

WHEREAS, at said called meeting, the City Council adopted the following ordinance approving the vacating of this property per the submitted petition;

NOW THEREFORE:

Section 1: That the entire alley right of way as set forth in the legal description above, is vacated.

SECTION 2: The property shall revert back to ownership by the property owners (or their successors in interest) in proportion to the use made of the property when this alley was originally platted.

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Numerical SW  
Cross \_\_\_\_\_  
DC Book \_\_\_\_\_  
Plat Book \_\_\_\_\_  
Military Book \_\_\_\_\_  
Art of Inc Book \_\_\_\_\_  
Scanned SW

REGISTER OF DEEDS PAM WORNKEY  
BARTON COUNTY, KS

**Book: 619 Page: 6602**

Receipt #: 139185

Total Fees: No Charge

Pages Recorded: 4

Date Recorded: 1/19/2017 4:02:41 PM

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SECTION 3: The City Council finds as follows:

- (a) Due and legal notice has been given by publication as required by law, said publication being made on November 11, 2016, in the *Great Bend Tribune*.
- (b) The city council finds that no private rights will be injured or endangered by this proposed vacating of the alley.
- (c) The public will suffer no loss or inconvenience by this vacating of the alley.
- (d) The petition by the property owners for vacation of said east-west alley as set forth in this Ordinance should be granted. The Council orders said vacation as set forth above.

SECTION 4: Pursuant to K.S.A. 14-423, and amendments thereto, the Council specifically orders this vacation of this portion of Block 18 is subject to the existing rights of all present, public or private utilities easements or uses located under, on, upon or over said described real estate being vacated as all such easements or uses are, in the judgment of the governing body, necessary and desirable for public service.


SECTION 5: This Ordinance vacating the above-described alley shall become effective thirty (30) days from and after enactment of the ordinance and the publication hereof, unless one or more interested parties files a written protest before the expiration of such period.

SECTION 6: In the event such a protest is filed in the office of the City Clerk within the time prescribed, the Governing Body of said City shall set the same for a hearing as provided by K.S.A. 14-423.

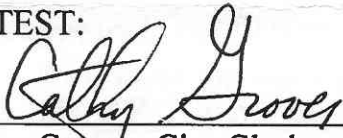
SECTION 7. At the conclusion of any Section 6 hearing, or the expiration of the thirty (30) days in section 5 without a protest, the City Clerk of the City of Pawnee Rock shall file a certified copy of this ordinance in the office of the

County Clerk and of the Register of Deeds of Barton County, Kansas. Costs of entering the vacated property on the records at the ROD is, by law, at the expense of the Petitioners.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this  
14 day of November, 2016.

  
Linda McCowan, Mayor

ATTEST:

  
Cathy Grover, City Clerk

