

ORDINANCE NO. 2566

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 14 SOUTH, RANGE 22 EAST IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Under the provisions of K.S.A. 15-427 and for good cause shown, the Governing Body of the City of Gardner, Kansas, deems it advisable and does hereby vacate a portion of a public street as follows:

All that portion of West Kane Street lying within BIGELOW'S SUBDIVISION, a subdivision in the City of Gardner, Johnson County, Kansas being more particularly described as follows:
Commencing at the Southwest corner of the Northwest Quarter of said Section 25; thence North 01°59'13" West, along the West line thereof, a distance of 1224.98 feet to the intersection of said West line with the Westerly prolongation of the South line of said Lot 2; thence North 88°17'58" East, along said Westerly prolongation, a distance of 33.00 feet to the Southwesterly corner of said Lot 2 and Southerly line of West Kane Street; thence North 44°35'11" East, along the Southerly line of said West Kane Street a distance of 57.83 feet to intersection of said Southerly line with the Southerly prolongation of the Westerly line of Lot 1, said Bigelow's Subdivision, thence North 01°59'13" West, along said Southerly prolongation, a distance of 25.80 feet to the POINT OF BEGINNING; thence North 01°59'13" West, continuing along said Southerly prolongation, a distance of 56.82 feet to the Southernmost corner of said Lot 1; thence North 44°35'11" East, along said Southerly line a distance of 146.00 feet; thence Southwesterly and Southerly along a curve to the left, said curve having an Initial Tangent Bearing of South 44°35'11" West, Radius of 130.00 feet, Delta of 45°58'22" for an Arc Length of 104.31 feet; thence South 43°34'30" West, a distance of 91.60 feet to the POINT OF BEGINNING and containing 4,048.1 square feet, more or less.

SECTION TWO: The City of Gardner, Kansas, hereby reserves to the City and all public utilities the remainder of the aforementioned right-of-way which is not specifically vacated within Section One above.

SECTION THREE: Upon vacation of a portion of the public right of way as set out in Section One hereof, ownership of the vacated rights-of-way shall revert to the owners with vested property rights and their successors in interest.

SECTION FOUR: The City Clerk of the City of Gardner, Kansas, shall cause this Ordinance to be published in the official city paper and to file a certified copy with the Records and Tax Administration, Johnson County, Kansas.

SECTION FIVE: This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED and APPROVED by the Governing Body of the City of Gardner,
Kansas, this 16th day of January, 2018.

_____/s/_____
Steve Shute, Mayor

ATTEST:_____/s/_____
Amy Waller, City Clerk