

Summary of Ordinance No. 3243

On October 15, 2013, the City of Abilene, Kansas, adopted Ordinance No. 3243, An Ordinance ordering the vacation of certain utility easement within the City of Abilene Kansas. A complete copy of this ordinance is available online at www.abilenecityhall.com or during normal business hours at City Hall, located at 419 N. Broadway Street in Abilene, Kansas. The ordinance is not subject to a protest petition. Questions pertaining to this ordinance may be directed to City Attorney Mark Guilfoyle at (785) 263-3070 or City Manager David Dillner at (785) 263-2550. This summary has been reviewed and certified by Mark Guilfoyle, P.A., City Attorney.



Mark Guilfoyle, City Attorney

ORDINANCE NO. 3243

AN ORDINANCE ORDERING THE VACATION OF A CERTAIN UTILITY EASEMENT WITHIN THE CITY OF ABILENE, KANSAS

WHEREAS, the City has initiated proceedings to vacate a certain utility easement as described herein and in an Order Vacating Utility Easement, attached hereto as **Exhibit A**;

WHEREAS, the Governing Body conducted a public hearing on October 15, 2013, and reviewed the petition and other papers filed herein, finds that due and legal notice has been given by publication as required by law, that no private rights will be injured or endangered by the requested vacation, that the public will suffer no loss or inconvenience hereby, and that in justice to the petitioner, the request ought to be granted pursuant to K.S.A. 12-504 et seq.

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

SECTION 1. Vacation: Utility Easement. That the a utility easement legally described as follows is hereby vacated:

A 10' wide strip of land centered on the lot line between Lots 1 and 2, Cruse Addition, to the City of Abilene, Dickinson County, Kansas.

SECTION 2. Order Vacating Utility Easement. That the Mayor and City Clerk are hereby authorized to execute an Order Vacating Utility Easement, and that a certified copy of such Order shall be filed with the Dickinson County Register of Deeds for appropriate action pursuant to K.S.A. 12-505.

SECTION 3. Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption and publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 15th day of October, 2013.



CITY OF ABILENE, KANSAS

By: John F. Ray
John F. Ray, Mayor

ATTEST:

Penny Soukup, CMC
Penny Soukup, CMC
City Clerk

EXHIBIT A

Order Vacating Utility Easement

City of Abilene, Kansas

October 15, 2012

BEFORE THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS

In the Matter of the Application for the Vacation of a certain Easement in the City of Abilene, Kansas.

ORDER VACATING UTILITY EASEMENT

On this 15th day of October, 2013, the above-entitled matter comes before the Governing Body of the City of Abilene, Kansas, on the petition for vacation of a certain utility easement.

WHEREUPON, evidence is presented on the petition.

WHEREUPON, the Governing Body, having heard the testimony and reviewed the petition and other papers filed herein, finds that due and legal notice has been given by publication as required by law, that no private rights will be injured or endangered by the requested vacation, that the public will suffer no loss or inconvenience hereby, and that in justice to the petitioner, the request ought to be granted pursuant to K.S.A. 12-504 et seq.

IT IS THEREFORE ORDERED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, that the following described utility easement within the City of Abilene, Kansas, be vacated, to-wit:

A 10' wide strip of land centered on the lot line between Lots 1 and 2, Cruse Addition, to the City of Abilene, Dickinson County, Kansas.

That the City Clerk certify a copy of this order to the Dickinson County Register of Deeds for appropriate action pursuant to K.S.A. 12-505.



JOHN RAY
MAYOR

ATTEST:



PENNY SOUKUP
CITY CLERK, CMC

