

(Published in the *Washington County News* on September 17, 2009)

ORDINANCE NO. 733

AN ORDINANCE VACATING A PORTION OF RAILWAY AVENUE BETWEEN C STREET AND D STREET, IN THE CITY OF WASHINGTON, KANSAS.

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

Section 1. That a portion of the street right of way along Railway Avenue between C Street and D Street, in the City of Washington, Kansas, more particularly described as:

A tract of land in Railway Avenue, adjacent to and South of Lots 13-17 in Block 4 of Railroad Addition to the City of Washington, Washington County Kansas. Beginning at the Southeast corner of Lot 13 in said Block 4, said point being marked with a ½" x 30" rebar with red plastic cap (PESCHEL #1385) (w/pc); Thence North 90°00'00" West along the South line of Lots 13-17 in said Block 4 for 150.00 feet to the Southwest corner of said Lot 17, said point being marked with a ½" x 30" rebar w/pc; Thence South 00°27'03" East for 3.08 feet to a ½" x 30" rebar w/pc; Thence South 64°28'07" East for 166.86 feet to a ½" x 30" rebar w/pc; Thence North 00°27'03" West for 75.00 feet to the Point of Beginning. Containing 0.134 acres more or less.

Be and the same is hereby vacated.

Section 2. That the title to the real estate included in said right of way shall revert to the property owners of the real estate immediately abutting thereon, according to the frontage of such real estate.

Section 3. The City reserves and shall have the right to ingress, egress, and regress to the above described right of way for the purpose of maintenance, replacement, or installation of any utility including but not limited to sewer, water, electric, cable and telephone.

Section 4. The Landowners shall not interfere with or restrict access to the existing utilities located thereon.

Section 5. That this ordinance shall take effect and be in full force after publication in the official city newspaper.

Section 6. Immediately after this ordinance becomes effective, the City Clerk shall file a copy thereof, which has been certified by her as a true and correct copy, in the office of the County Clerk and in the office of the Register of Deeds of Washington County, Kansas.

PASSED by the City Council this 8th day of September, 2009.

THE CITY OF WASHINGTON, KANSAS

(Seal)

Harold H. Jones, Jr., Mayor

ATTEST:

Denise M. Powell, City Clerk