

**ORDINANCE NO. 797**

**AN ORDINANCE VACATING A PLATTED UTILITY EASEMENT IN LOT 6 OF THE INDUSTRIAL PARK, WASHINGTON, KANSAS.**

**WHEREAS**, a Petition was filed with the City Clerk of the City of Washington, Kansas, requesting that the easement described as follows:

A platted easement starting at the north edge of an existing easement across the South 30 feet of Lot Six (6) in the Industrial Park of the City of Washington, Kansas, said easement being approximately 20 feet in width running north and south through Lot Six (6); thence being approximately 40 feet in width running east and west through Lot Six (6) to the west edge of an existing easement across the East 30 feet of Lot (6) in the Industrial Park of the City of Washington, Washington County, Kansas; said easement being outlined in the attached **Exhibit A**;

be vacated pursuant to K.S.A. 12-504 et seq.; and

**WHEREAS**, the City has provided notice to public utilities and has determined that the easement is no longer needed for any public use and, therefore, can be vacated without any loss or inconvenience to the public; and

**WHEREAS**, in accordance with K.S.A. 12-504, the City has published the required statutory notice preceding the public hearing regarding the requested vacation of public easement; 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 easements.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, 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 the utility easement 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 property owners adjoining the easement and to the City requires that vacation of the public easement be ordered.

**Section 2. Order.** The governing body hereby orders that the public easement legally described as:

A platted easement starting at the north edge of an existing easement across the South 30 feet of Lot Six (6) in the Industrial Park of the City of Washington, Kansas, said easement being approximately 20 feet in width running north and south through Lot Six (6); thence being approximately 40 feet in width running east and west through Lot Six (6) to the west edge of an existing easement across the East 30 feet of Lot (6) in the

Industrial Park of the City of Washington, Washington County, Kansas; said easement being outlined in the attached **Exhibit A**;

be and the same is hereby vacated.

**Section 3. Recording.** The City Clerk is directed to deliver a certified copy of this Ordinance to the Washington County Register of Deeds so that the vacation of easement is properly recorded.

**Section 4. 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 WASHINGTON, KANSAS this 5th day of November, 2018.

CITY OF WASHINGTON, KANSAS



  
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Ryan W. Kern, Mayor

ATTEST:

  
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Denise M. Powell, City Clerk