

(First Published in the Lincoln-Sentinel-Republican, December 18, 2014)

Ordinance No. 708

AN ORDINANCE VACATING THE ALLEY THAT EXTENDS FROM ORANGE AVENUE ON THE WEST TO CITY OF LINCOLN CENTER CITY LIMITS ON THE EAST WHICH IS SITUATED BETWEEN LOTS 1, 3, 5, 7, 9, 11, 13 AND 15 ON THE NORTH AND LOTS 2, 4, 6, 8, 10, 12, 14 AND 16 ON THE SOUTH IN BLOCK TWO (2), ORANGE ADDITION TO THE CITY OF LINCOLN CENTER, LINCOLN COUNTY, KANSAS.

Be it Ordained by the Governing body of the City of Lincoln Center, Lincoln County, Kansas:

SECTION 1. K.S.A. 14-423 provides that the governing body of any city of the second class shall have the power to vacate or discontinue any alley whenever deemed necessary or expedient.

SECTION 2. The alley which extends from Orange Avenue on the West to City of Lincoln Center City Limits on the East which is situated between Lots 1, 3, 5, 7, 9, 11, 13 and 15 on the North and Lots 2, 4, 6, 8, 10, 12, 14 and 16 on the South in Block Two (2), Orange Addition to the City of Lincoln Center, Lincoln County, Kansas, is not in use as a public alley. The public will suffer neither loss nor inconvenience by the vacating thereof. The governing body deems it to be necessary and expedient to vacate the alley which extends from Orange Avenue on the West to City of Lincoln Center City Limits on the East which is situated between Lots 1, 3, 5, 7, 9, 11, 13 and 15 on the North and Lots 2, 4, 6, 8, 10, 12, 14 and 16 on the South in Block Two (2), Orange Addition to the City of Lincoln Center, Lincoln County, Kansas, at this time.

SECTION 3. The alley which extends from Orange Avenue on the West to City of Lincoln Center City Limits on the East which is situated between Lots 1, 3, 5, 7, 9, 11, 13 and 15 on the North and Lots 2, 4, 6, 8, 10, 12, 14 and 16 on the South in Block Two (2), Orange Addition to the City of Lincoln Center, Lincoln County, Kansas, is hereby vacated.

SECTION 4. The alley which extends from Orange Avenue on the West to City of Lincoln Center City Limits on the East which is situated between Lots 1, 3, 5, 7, 9, 11, 13 and 15 on the North and Lots 2, 4, 6, 8, 10, 12, 14 and 16 on the South in Block Two (2), Orange Addition to the City of Lincoln Center, Lincoln County, Kansas, vacated under the terms of this ordinance shall revert to the adjacent lots of real estate in the same proportion as when taken from them.

SECTION 5. This ordinance shall become effective 30 days after the publication hereof in the official city newspaper unless one or more interested parties files a written protest before the expiration of such time. Any such protest shall be filed in the office of the city clerk of the City of Lincoln Center, Kansas. If no such protest is filed then the city clerk shall file a copy, certified to be a true and correct copy, with the office of the county clerk and the office of the register of deeds of Lincoln County, Kansas. The county clerk shall enter the same in the

transfer records of the county clerk's office. The register of deeds shall record the same in the deed records of the county. If a protest is filed, same shall be set for hearing 10 days after the end of the 30 day period stated above. If, at the conclusion of said hearing, the governing body adopts a resolution confirming this vacation ordinance then copies certified by the city clerk to be true copies shall be filed in the office of the county clerk and the office of the register of deeds of Lincoln County, Kansas, to be entered on the transfer records by the clerk and recorded by the register of deeds as provided above. If a resolution by the governing body confirming the vacation is not adopted by the governing body, then the vacation ordinance shall be void and of no effect.

Passed by the governing body of the City of Lincoln Center, Kansas, this 8th day of December, 2014.

APPROVED:

/s/ Travis Schwerdtfager
Mayor

ATTEST: (seal)

/s/ Rose M. Gourley
City Clerk