

ORDINANCE NO. 1659

AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT ACROSS PRIVATE PROPERTY WITHIN THE CITY OF COLBY, KANSAS.

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

WHEREAS, the City of Colby, Kansas has received a request for the vacation of a permanent easement across private property located in a tract of land in the Southwest Quarter of Section 7, Township 8 South, Range 33 West of the 6th Principal Meridian, Thomas County, Kansas.

WHEREAS, the Permanent Easement was recorded on Book 127, Page 733 with the Thomas County Register of Deeds;

WHEREAS, the Governing Body having reviewed and weighed the evidence finds:

1. No private rights will be injured or endangered by this vacation; and
2. The public will suffer no loss or inconvenience by this vacation; and

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

SECTION 1. The following described real estate, previously dedicated as a permanent public utility easement should be and is hereby vacated, to wit:

A tract of land in the Southwest Quarter of Section 7, Township 8 South, Range 33 West of the 6th Principal Meridian, Thomas County, Kansas, described as follows by James Meis. PS 1533, on October 19, 2023:

Commencing at the Southwest corner of Section 7, Township 8 South, Range 33 West; Thence North 00 degrees 12 minutes 21 seconds East, along the West line of the Southwest Quarter, a distance of 553.98 feet; Thence South 89 degrees 47 minutes 39 seconds East, a distance of 474.82 feet to the Southwest corner of the 20' Utility Easement described in Book 127, Page 733; Thence South 89 degrees 48 minutes 25 seconds East, along the South line of the 20' Utility Easement described in Book 127, Page 733, a distance of 360.79 feet to the Point of Beginning; Thence continuing South 89 degrees 48 minutes 25 seconds East, along the South line of the 20' Utility Easement described in Book 127, Page 733, a distance of 150.00 feet to the West line of

Sewell Avenue; Thence North 00 degrees 11 minutes 35 seconds East, along the West line of Sewell Avenue, a distance of 20.00 feet; Thence North 89 degrees 48 minutes 25 seconds West, along the North line of the 20' Utility Easement described in Book 127, Page 733, a distance of 150.00 feet; Thence South 00 degrees 11 minutes 35 seconds West, parallel with the West line of Sewell Avenue, a distance of 20.00 feet to the Point of Beginning. Said tract contains 3,000 square feet or 0.069 acres.

(See attached Exhibit A)

SECTION 2. That said Ordinance shall take effect from and after its passage and publication as required by law.

SECTION 3. This Ordinance shall be filed in the office of the Thomas County Register of Deeds.

PASSED AND APPROVED BY THE GOVERNING BODY this 28th day of November, 2023.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

SEAL