

CITY OF WATHENA, KANSAS

ORDINANCE NUMBER 632

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS, VACATING A PORTION OF THE ALLEY IN BLOCK EIGHT (8) IN THE ORIGINAL TOWN, NOW CITY OF WATHENA, DONIPHAN COUNTY, KANSAS, ON THE CONDITION CASEY'S GENERAL RETAIL COMPANY HAS ACQUIRED LEGAL TITLE TO THE REAL ESTATE ABUTTING BOTH THE NORTH AND SOUTH SIDES OF THAT PORTION OF THE ALLEY TO BE VACATED PURSUANT TO THIS ORDINANCE, SUBJECT TO EASEMENTS OF RECORD AND SUBJECT TO THE CITY'S RESERVATION OF THE RIGHT TO MAINTAIN AND OPERATE ANY UTILITIES LOCATED IN THAT PORTION OF THE ALLEY VACATED BY THAT ORDINANCE, AND ESTABLISHING THE ZONING CLASSIFICATION OF THE VACATED PROPERTY AS "BG".

WHEREAS, the Governing Body of the City of Wathena, Kansas, after due consideration, has determined that it is in the best interest of the City of Wathena to vacate that portion of the alley in Block Eight (8) in the Original Town, now City of Wathena, Doniphan County, Kansas, hereinafter described.

IT IS THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS that a portion of the ally in block eight (8) in the original town, now city of Wathena, Doniphan County, Kansas, lying between third street and fourth street, and more particularly described as follows:

Beginning at the Southwest Corner of Lot 7 in Block 8 in the Original Town, now City of Wathena, thence East to the Southwest corner of Lot 11 in said Block 8, thence South 20 feet to Northwest Corner of Lot 2, thence West to the Northwest Corner of Lot 6, thence North to the point of beginning.


Be vacated on the condition Casey's Retail Company has acquired legal title to the real estate abutting both the north and south sides of that portion of the alley to be vacated pursuant to this ordinance. SUBJECT HOWEVER to easements of record and SUBJECT ALSO to the City of Wathena's reservation of the right to maintain, operate, repair and replace any wires, pipes, conduits, sewer mains/lines, water mains/lines, or any other facility or equipment for the maintenance or operation of any utility located in that portion of the alley vacated by this ordinance.

Ownership of the vacated public right of way above described shall inure to the benefit of the property abutting the same on the North and the South.

IT IS BY THE GOVERNING BODY FURTHER ORDAINED that the zoning classification of the vacated property shall be BG.


This Ordinance shall be in full force and effect from and after its publication in the Kansas Chief, the official newspaper of the City of Wathena, Kansas.

Passed by the Council and approved by the Mayor on the 3rd of September, 2013.



Brian Walker, Mayor

Attest:
(City Seal)



James Richardson, City Clerk