

ORDINANCE NUMBER 449a

AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, VACATING A PORTION OF IOWA STREET BETWEEN BLOCKS 7 AND 8, IN THE ORIGINAL TOWN, NOW CITY OF HIGHLAND, DONIPHAN COUNTY, KANSAS:

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

SECTION 1: That following petition, notice and hearing, and in accordance with Resolution No. 01-08, the governing body, on December 1, 2004, granted the requested vacation and determined that no loss or convenience to the general public, or injury or damage to private landowners, results from such vacation. The original record of such hearing cannot be located and an ordinance documenting such vacation decision was, inadvertently, either not prepared or filed in the records of the City, and published, and that such omission must be corrected.

SECTION 2. That such determination was correct and the hereinafter described portion of Iowa Street located and situated in the Original Town, now City of Highland, Doniphan County, Kansas, be and the same is hereby vacated, to wit:

That portion of Iowa Street within the City of Highland, Kansas, bounded on the south by the north line or boundary of Missouri Street in said City and bounded on the north beginning at the northeast corner of Lot 12, in Block 7, and proceeding in a straight line to the northwest corner of Lot 1, in Block 8, commonly referred to as the North 500 block of Iowa Street.

Said vacation does not vacate any portion of the right-of-way located immediately contiguous to the north of said described vacated street. The City hereby reserves and retains an easement and right-of-way to install, repair, maintain, alter, operate and replace, by it or any licensee or holder of a franchise from the City, any utility now or then located in said vacated right of way, as necessitated by the public interest (as determined solely by the City), together with the right of ingress and egress for the purpose of exercising the same.


SECTION 3: That this ordinance be in full force and effect upon publication, in summary format, in the official city newspaper.

PASSED BY THE GOVERNING BODY and approved by the Mayor of the City of Highland, Kansas, this 8th day of June, 2022.



Charles N. Batchelder, Mayor

ATTEST:


Joann Karn, City Clerk