

ORDINANCE NUMBER 572

AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, CLARIFYING THE PUBLIC REAL ESTATE RECORDS BY VACATING ANY STREET AND ALLEY RIGHTS OF WAY WITHIN THE TRACT ON THE PLAT OF THE ORIGINAL TOWN, NOW CITY OF HIGHLAND, DONIPHAN COUNTY, KANSAS, DESIGNATED HIGHLAND FEMALE COLLEGE GROUNDS

WHEREAS, the original plat of the Original Town, now City of Highland, Doniphan County, Kansas, had a four block area designated as Highland Female College Grounds, consisting of what would have, otherwise, been designated as Blocks 53, 54, 75 and 76 on said plat; and

WHEREAS, said blocks that would have been so designated would have been divided into numbered lots, and would have included interior alleys, fourteen feet (14') in width within said blocks;

WHEREAS, the area so designated would have had sixty foot (60') wide street rights of way otherwise designated as Canada Street (north-south) and Illinois Street (east-west) separating said blocks.

WHEREAS, no such platting was ever conducted and said city did not ever dedicate, establish or utilize any of such alleys or street rights of way;

WHEREAS, confusion was created on the public real estate records and said lot and block references have been utilized in the chain of title to various tracts of real estate in the area so designated, in some cases without reference to said rights of way, and structures and improvements have been constructed upon what would have otherwise been areas of public rights of way, including public school buildings;

WHEREAS, the City believes it to be in the public interest to clarify the failure to dedicate said rights of way on the public record, and the non-existence of streets and alleys within said 4 block area, by passage of this ordinance and by vacating the same.

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

SECTION 1: The area designated as Highland Female College Grounds on the original plat of said City was never formally platted and divided into lots, with interior alleys and streets, within what would have, otherwise, been platted as lots 53, 54, 75 and 76, and that such alley and street rights of way have never existed and are not currently in effect.

SECTION 2: To clarify the public real estate records, the City hereby vacates any such rights of way within that area designated as Highland Female College Grounds on the original plat of said City, and which would have otherwise been describes as follows:

- Any north-south 14' alley in block 53, located between the south boundary line of Ohio Street and the north boundary line of Illinois Street.
- Any north-south 14' alley in block 54, located between the south boundary line of Ohio Street and the north boundary line of Illinois Street.
- Any north-south or east-west 14' alley located in block 75.
- Any north-south 14' alley in block 76, located between the south boundary line of Illinois Street and the north boundary line of Spring Street.
- That portion of Canada Street between the points where it intersects with the south boundary line of Ohio Street and the north boundary line of Spring Street, and what would have otherwise been referred to as the 100 block and 200 block of North Canada Street.
- That portion of Illinois Street between the points where it intersects with the east boundary line of Vermillion Street and the west boundary line of Carolina Street, and what would have otherwise been referred to as the 300 block and 400 block of East Illinois Street.


SECTION 3: 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 poles, wires, pipes, conduits, sewer mains, water mains, or any facility or equipment for the installation, maintenance or operation of any utility including, but not limited to, sewer, water, gas, electricity, telephone and internet, that is now located within said area designated as Highland Female College Grounds and which right of way, if in existence, would be otherwise vacated by this ordinance.

SECTION 4: This ordinance shall take effect upon publication in the official city newspaper.

PASSED BY THE GOVERNING BODY and approved by the Mayor of the City of Highland, Kansas, this 14th day of July, 2021.


CHARLES N. BATCHELDER
Mayor

ATTEST:


Joann Karn, City Clerk