



## ORDINANCE NO. 734

**AN ORDINANCE VACATING RIGHTS-OF-WAY AND ALLEYS ADJACENT TO BLOCKS 36, 37, 44, 45 AND 47 OF THE ORIGINAL TOWNSITE IN THE CITY OF OGDEN, KANSAS, AND RESERVING CERTAIN PARTS THEREOF.**

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

**COMES NOW** a petition before the City Council of Ogden, KS for consideration to vacate certain tracts of land dedicated as a streets or alleyways.

The City Council, after public hearing and consideration of the evidence and testimony presented on the issue herein, **FINDS:**

- 1) That notice of this hearing was given at least Twenty (20) day prior to a hearing before the Ogden Planning Commission as required by statute;
- 2) That the Ogden Planning Commission approved vacation of the streets and alleys;
- 3) That the proofs and evidence presented indicate that no private rights will be injured or endangered by the vacation; and,
- 4) That the public will not suffer any loss or inconvenience and justice dictates that the street or alley should be vacated, except as otherwise set forth herein.

**IT IS THEREFORE ORDERED** that the following described streets and alleys be vacated and said property shall revert to the owners of the real estate pursuant to statute, except as set forth in the Reservation section of this Ordinance:

**Vacation of Right-of-Way of Streets and Alleys** adjacent to Blocks 36, 37, 44, 45, and 47 of the Original Townsite of Ogden, Riley County, Kansas, more particularly described as follows:

- 1) The Northerly 20 feet of Eighth Street from the Westerly line of said Block 47 Easterly to the Easterly line of said Block 47.
- 2) The North One-Half of Ninth Street from the East line of the Fort Riley Military Reservation Line Easterly to the Westerly line of said Block 44 extended.
- 3) All of Ninth Street from the Westerly line of said Block 44 extended to the Easterly line extended of the Westerly 60 feet of Lots 33 thru 36 in said Block 44.
- 4) The South One-Half of Ninth Street from the Easterly line extended of the Westerly 60 feet of Lots 33 thru 36 in said Block 44 to the Easterly Line extended of said Block 47.
- 5) All of Tenth Street from the East line of the Fort Riley Military Reservation Line East to the Easterly line of said Blocks 37 and 44 extended.

**Book: 876 Page: 6314**



Riley County Scanning Label

- 6) The Westerly One-Half of South Oak Street from the South Right-of-Way line of the Union Pacific Railroad South to the South line of the alley extended in said Block 36.
- 7) All of South Oak Street from the South line of the alley extended in said Blocks 36 and 37 South to the Centerline of Ninth Street.
- 8) The Westerly 45.00 feet of South Park Street from the South line of the alley extended in said Block 37 South to the Centerline of the alley extended in said Block 44.
- 9) Part of the Westerly Right-of-Way of South Park Street described as follows: Beginning at the Southeast corner of Lot 1 of said Block 47; Thence North  $33^{\circ}30'28''$  West (assumed bearing), 160.04 feet along the Easterly line of said Block 47 extended to a point on the centerline of Ninth Street; Thence North  $56^{\circ}39'01''$  East, 45.00 feet along said centerline of Ninth Street; Thence South  $25^{\circ}58'03''$  East, 161.38 feet to a point on the North alley line extended of said Block 47; Thence South  $56^{\circ}39'36''$  West, 23.82 feet along the North alley line extended of said Block 47 to the POINT AND PLACE OF BEGINNING.
- 10) Part of the Westerly Right-of-Way of South Park Street described as follows: Beginning at the Southeast corner of Lot 33 of said Block 47; Thence North  $33^{\circ}30'28''$  West (assumed bearing), 100.04 feet along the Easterly line of said Block 47; Thence North  $56^{\circ}39'36''$  East, 18.53 feet along a line parallel with and 20 feet Southeasterly of the South alley line in said Block 47 extended; Thence South  $25^{\circ}58'03''$  East, 121.04 feet to a point on a line parallel with and 20 feet Southeasterly of the Southerly line of said Block 47 extended; Thence South  $56^{\circ}40'11''$  West, 2.65 feet along a line parallel with the Southerly line of said Block 47 extended to a point on the Easterly line of said Block 47 extended; Thence North  $33^{\circ}30'28''$  West, 20.00 feet along the Easterly line of said Block 47 extended to the POINT AND PLACE OF BEGINNING.
- 11) All of the alley in said Blocks 36 and 45.
- 12) All of the alley in said Block 44, except the Southerly One-Half of the alley from the Easterly line extended of the Westerly 60 feet of Lots 33 thru 36 of said Block 44 to the Easterly line of said Block 44.

**RESERVATION.** The City of Ogden, Kansas, reserves to the City that portion of the street right-of-way described following, for the sole purpose of installing, maintaining and using a waterline, and all associated structures, including, but not limited to: travel over the property for such purposes:

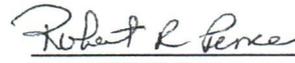
- 1) Commencing at the Southeast Corner of said Block 47; Thence North  $33^{\circ}30'28''$  West (assumed bearing), 11.54 feet along the Westerly line of said Block 47 to the TRUE POINT OF BEGINNING; Thence North  $64^{\circ}01'57''$  East, 6.76 feet to the West Right-of-Way (R/W) line of S. Park Street; Thence South  $25^{\circ}58'03''$  East, 30.93 feet along the West Right-of-Way (R/W) line of S. Park Street to a point on the Northerly R/W line of Eighth Street; Thence South  $56^{\circ}40'11''$  West, 204.26 feet along the Northerly R/W line of Eighth Street; Thence North  $52^{\circ}04'55''$  East, 93.78 feet; Thence North  $48^{\circ}37'50''$

East, 46.86 feet; Thence North 54°55'54" East, 53.82 feet; Thence North 25°58'03" West, 16.73 feet; Thence North 64°01'57" East, 5.74 feet the POINT AND PLACE OF BEGINNING. Said tract contains 0.05 acres, more or less.

- 2) A permanent and perpetual 15 feet wide tract located in the vacated S. Oak and Ninth Streets, in the Original Town of Ogden, Riley County, Kansas, 7.5 feet on each side of the following described centerline: Commencing at the Northwest Corner of Block 47 in said Original Town of Ogden; Thence North 33°33'20" West (assumed bearing), 40.00 feet along the Westerly line of said Block 47 extended to a point on the centerline of Ninth Street; Thence South 56°39'01" West, 17.96 feet to the TRUE POINT OF BEGINNING; Thence North 35°50'40" West, 310.48 feet to the POINT OF TERMINATION. Said tract contains 0.11 acres, more or less.

**EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND ADOPTED THIS 20th DAY OF MARCH 2019, BY THE GOVERNING BODY OF THE CITY OF OGDEN, KANSAS.**

  
\_\_\_\_\_  
**ROBERT PENCE**  
Mayor

ATTEST:

  
\_\_\_\_\_  
**DAVID WARD, City Clerk**

