

(First published in the Times Sentinel February // \_\_\_\_\_, 2021)

THE CITY OF GARDEN PLAIN, KANSAS

ORDINANCE NO. 744

AN ORDINANCE ORDERING THE VACATION  
OF CERTAIN STREETS

WHEREAS, the City Clerk identified that a public street, Commerce Street, from Sedgwick St. to Eastern St. is no longer needed for any public use and, therefore can be vacated without any loss or inconvenience to the public; and

WHEREAS, the City Clerk identified that a public street, Eastern St., from Northern St. to Commerce St. is no longer needed for any public use and, therefore can be vacated without any loss or inconvenience to the public; and

WHEREAS, the City Clerk has filed a Petition with requesting that the streets described above be vacated pursuant to K.S.A. 12-504 et seq.; and

WHEREAS, in accordance with K.S.A. 12-504, the City has published the required statutory notice preceding the public hearing regarding the requested vacation of the streets; and

WHEREAS, in accordance with K.S.A. 12-505, the governing body heard evidence concerning the true nature and propriety of vacating the streets.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE  
CITY OF GARDEN PLAIN, KANSAS, AS FOLLOWS:**

- Section 1.** **Findings.** In accordance with K.S.A. 12-505, the governing body finds and concludes that no private rights will be injured or endangered by such vacation of public easement and that the public will not suffer loss or inconvenience because of such vacation. The governing body also finds and concludes that justice to the property owners adjoining the street and to the City requires that vacation of the street be ordered.
- Section 2.** **Order.** The governing body hereby orders that the streets described above be vacated.
- Section 3.** **Recording.** The City Clerk is directed to deliver a certified copy of this Ordinance to the Sedgwick County Register of Deeds so that the vacation of the streets is properly recorded.
- Section 4.** **Effective Date.** This Ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

Passed and approved by the Governing Body of the City of Garden Plain, Kansas, this  
3<sup>rd</sup> day of February, 2021.

Approved by the Mayor 3rd day of February, 2021

Kevin Hammond  
Kevin Hammond, Mayor

ATTEST:

Kimberly McCormick  
Kimberly McCormick, City Clerk