(Published in the Seneca Courier on the _____ day of November, 2018)

ORDINANCE NO. <u>1390</u>

AN ORDINANCE VACATING A PORTION OF SATURN DRIVE AND EAST ELK STREET AS PLATTED IN STARLITE VALLEY SUBDIVISION – REPLAT 1976, IN THE CITY OF SENECA, NEMAHA COUNTY, KANSAS

WHEREAS, the Governing Body of the City of Seneca, Kansas has received a Petition from a majority of the resident owners of the real estate adjoining the street described below requesting the vacation of said street pursuant to the provisions of K.S.A. 12-504; and,

WHEREAS, the Governing Body published notice of hearing on said petition pursuant to K.S.A. 12-504 and conducted a hearing on November 7, 2018, at 7:30 o'clock p.m; and,

WHEREAS, after hearing all interested parties at such time, the Governing Body has determined that it is in the best interests of the City of Seneca to vacate said street; and,

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the City of Seneca, Nemaha County, Kansas:

Section 1. That that portion of Saturn Drive lying east of the following described line: Commencing at the Northwest Corner of Block D, Starlite Valley Subdivision - Replat 1976, in the City of Seneca, Nemaha County, Kansas, thence S 00°00'00" W (Assumed) along the west line of said Block D, a distance of 170.63 to a Point of Intersection on said west line; thence S 45°08'49" E along the southwesterly line of said Block D, a distance of 308.63 feet (platted) 308.71 feet (measured) to a point at the intersection of the northerly right-of-way line of Neptune Drive and the northerly right-of-way line of Saturn Drive, said point being the Point of Beginning; thence S 00°00'23" W a distance of 207.33 feet to a point at the intersection of the southerly right-of-way line of Apollo Drive and the southerly right-of-way line of Saturn Drive, said point being the Point of Termination; and,

That portion of East Elk Street, Starlite Valley Subdivision - Replat 1976, in the City of Seneca, Nemaha County, Kansas described as follows: Commencing at the Southwest Corner of Block D, in said subdivision, thence S 89°59'30" E (Assumed) along the south line of said Block D, a distance of 160.24 feet; thence N 00°00'00" E, a distance of 109.81 feet to a point on the south right-of-way line of East Elk Street, said point being the Point of Beginning; thence continuing N 00°00'00" E, a distance of 72.45 feet; thence N 45°06'55" E, along the extended southerly right-of-way line of Apollo Drive, a distance of 8.57 feet; thence S 45°00'00" E, a distance of 26.15 feet, along the northerly right-of-way line of East Elk Street; thence N 90°00'00" E along said northerly line, a distance of 115.20 feet; thence S 90°00'00" E along the east right-of-way line of said East Elk Street, a distance of 60.00 feet; thence S 90°00'00" W along the south right-of-way line of East Elk Street, a distance of 139.76 feet to the Point of Beginning,

are hereby vacated.

Section 2. That the land in said streets so vacated shall revert to the owners of the land thereto adjacent on either side, being Starlite Valley Subdivision – Replat 1976, in the City of Seneca, Nemaha County, Kansas, subject to an easement and right of way in favor of the City of Seneca and public utilities for existing utilities and such other public services as the governing body deems necessary, said easement being 30 feet wide, as laid.

<u>Section 3.</u> That this ordinance shall become effective after publication once in the official public newspaper and the City Clerk shall immediately file a certified copy in the office of the Register of Deeds of Nemaha County, Kansas.

PASSED BY THE GOVERNING BODY and signed by the Mayor of the City of Seneca, Kansas, this 7th day of November, 2018.

	/s/Joe Mitchell
	Joe Mitchell, Mayor
Attest: /s/ Jane Strathman Jane Strathman, City Clerk	<u> </u>