

(Published in the Lincoln Sentinel Republican, April 23, 2025)

ORDINANCE NUMBER 757

AN ORDINANCE VACATING THAT PORTION OF W. LINCOLN AVENUE WEST OF 8TH STREET, WHICH SUCH VACATION IS BOUNDED BY LOTS 1, 2, 8, 9, 10, 11, 12, 13, AND 14 ALONG WITH ALL OF VACATED ELM STREET ADJOINING THE NORTH LINE LOTS 1 AND 2, THE SOUTH HALF OF THE VACATED ALLEY ADJOINING THE NORTH LINE OF LOTS 8, 9, 10, 11, AND 12 AND THE EAST HALF OF VACATED NINTH STREET ADJOINING SAID SOUTH HALF OF THE VACATED ALLEY ADJOINING BLOCK 16 OF THE VALLEY PARK ADDITION TO LINCOLN CENTER, KANSAS; AND VACATING THAT PORTION OF W. LINCOLN AVENUE WEST OF 8TH STREET, WHICH SUCH VACATION IS BOUNDED BY LOTS 1, 2, AND 3 IN BLOCK 19 OF THE VALLEY PARK ADDITION TO LINCOLN CENTER, KANSAS, ALL OF WHICH IS IN THE CITY OF LINCOLN CENTER, LINCOLN COUNTY, KANSAS:

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

SECTION 1. K.S.A. 14-423 provides that the governing body of any city of the second class shall have the power to vacate or discontinue any street and alley whenever deemed necessary or expedient.

SECTION 2. That portion of W. Lincoln Avenue west of 8th Street, which portion is bounded by Lots 1, 2, 8, 9, 10, 11, 12, 13, and 14 along with all of vacated Elm Street adjoining the North line of Lots 1 and 2; all of the vacated alley adjoining the North line of Lots 8, 9, 10, 11, and 12, and the East Half of vacated ninth Street adjoining the West line of Lot 8 and East Half of said Ninth Street adjoining said South Half of the vacated alley adjoining in Block 16 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Southeast corner of said Block 16, thence on an assumed bearing of S 89°39'18''W along with South line of said Block 16 a distance of 379.92 feet to a point on the centerline of vacated Ninth Street; thence N 00°44'22''W along said centerline a distance of 130.17 feet to the point of intersection of said centerline of vacated Ninth Street and the centerline of the vacated alley in said Block 16; thence N 89°40'48''E along said vacated alley centerline a distance of 280.00 feet; thence N 89°40'48''E along said North right of way line a distance of 101,36 feet; thence S

00°28'27''E along the West right of way line of Eighth Street right of way a distance of 340.00 feet to the Point of Beginning; said tract contains 1.62 acres, more or less and is subject to easements, reservations, and restrictions of recorded; and that portion of W. Lincoln Avenue west of 8th Street, which is bounded by Lots 1 and 2 and 3 in Block 19 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Northeast corner of said Block 19, thence on an assumed bearing of S 00°21'18''E along the East line of said Lot 1, a distance of 120.00 feet to the Southeast corner of said Lot 1; thence S 89°40'48'' W a distance of 148.35 feet to the Southwest corner of said Lot 3; thence N 00°45'30''W a distance of 120 feet to the Northwest corner of said Lot 3; thence N 89°40'48''E a distance of 149.20 feet to the Point of Beginning; said tract contains 0.41 acres, more or less and is subject to easements, reservations, and restrictions of record. The public will suffer no loss or inconvenience by vacating thereof.

SECTION 3. The governing body deems it to be necessary and expedient to vacate that portion of W. Lincoln Avenue west of 8th Street, which portion is bounded by Lots 1, 2, 8, 9, 10, 11, 12, 13, and 14 along with all of vacated Elm Street adjoining the North line of Lots 1 and 2; all of the vacated alley adjoining the North line of Lots 8, 9, 10, 11, and 12, and the East Half of vacated ninth Street adjoining the West line of Lot 8 and East Half of said Ninth Street adjoining said South Half of the vacated alley adjoining in Block 16 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Southeast corner of said Block 16, thence on an assumed bearing of S 89°39'18''W along with South line of said Block 16 a distance of 379.92 feet to a point on the centerline of vacated Ninth Street; thence N 00°44'22''W along said centerline a distance of 130.17 feet to the point of intersection of said centerline of vacated Ninth Street and the centerline of the vacated alley in said Block 16; thence N 89°40'48''E along said vacated alley centerline a distance of 280.00 feet; thence N 89°40'48''E along said North right of way line a distance of 101,36 feet; thence S 00°28'27''E along the West right of way line of Eighth Street right of way a distance of 340.00 feet to the Point of Beginning; said tract contains 1.62 acres, more or less and is subject to easements, reservations, and restrictions of recorded; and that portion of W. Lincoln Avenue west of 8th Street, which is bounded by Lots 1 and 2 and 3 in Block 19 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Northeast corner of said Block 19, thence on an assumed bearing of S 00°21'18''E along the East line of said Lot 1, a distance of 120.00 feet to the Southeast corner of said Lot 1; thence S 89°40'48'' W a distance of 148.35 feet to the Southwest corner of said Lot 3; thence N 00°45'30''W a distance of 120 feet to the Northwest corner of said Lot 3; thence N 89°40'48''E a distance of 149.20 feet to the Point of Beginning; said tract contains 0.41 acres, more or less and is subject to easements, reservations, and restrictions of record.

SECTION 4. That portion of W. Lincoln Avenue west of 8th Street, which portion is bounded by Lots 1, 2, 8, 9, 10, 11, 12, 13, and 14 along with all of vacated Elm Street adjoining the North line of Lots 1 and 2; all of the vacated alley adjoining the North line of Lots 8, 9, 10, 11, and 12, and the East Half of vacated ninth Street adjoining the West line of Lot 8 and East Half of said Ninth Street adjoining said South Half of the vacated alley adjoining in Block 16 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional

Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Southeast corner of said Block 16, thence on an assumed bearing of S 89°39'18''W along with South line of said Block 16 a distance of 379.92 feet to a point on the centerline of vacated Ninth Street; thence N 00°44'22''W along said centerline a distance of 130.17 feet to the point of intersection of said centerline of vacated Ninth Street and the centerline of the vacated alley in said Block 16; thence N 89°40'48''E along said vacated alley centerline a distance of 280.00 feet; thence N 89°40'48''E along said North right of way line a distance of 101.36 feet; thence S 00°28'27''E along the West right of way line of Eighth Street right of way a distance of 340.00 feet to the Point of Beginning; said tract contains 1.62 acres, more or less and is subject to easements, reservations, and restrictions of recorded; and that portion of W. Lincoln Avenue west of 8th Street, which is bounded by Lots 1 and 2 and 3 in Block 19 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Northeast corner of said Block 19, thence on an assumed bearing of S 00°21'18''E along the East line of said Lot 1, a distance of 120.00 feet to the Southeast corner of said Lot 1; thence S 89°40'48'' W a distance of 148.35 feet to the Southwest corner of said Lot 3; thence N 00°45'30''W a distance of 120 feet to the Northwest corner of said Lot 3; thence N 89°40'48''E a distance of 149.20 feet to the Point of Beginning; said tract contains 0.41 acres, more or less and is subject to easements, reservations, and restrictions of record, are hereby vacated.

SECTION 5. That portion of W. Lincoln Avenue west of 8th Street, which portion is bounded by Lots 1, 2, 8, 9, 10, 11, 12, 13, and 14 along with all of vacated Elm Street adjoining the North line of Lots 1 and 2; all of the vacated alley adjoining the North line of Lots 8, 9, 10, 11, and 12, and the East Half of vacated ninth Street adjoining the West line of Lot 8 and East Half of said Ninth Street adjoining said South Half of the vacated alley adjoining in Block 16 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Southeast corner of said Block 16, thence on an assumed bearing of S 89°39'18''W along with South line of said Block 16 a distance of 379.92 feet to a point on the centerline of vacated Ninth Street; thence N 00°44'22''W along said centerline a distance of 130.17 feet to the point of intersection of said centerline of vacated Ninth Street and the centerline of the vacated alley in said Block 16; thence N 89°40'48''E along said vacated alley centerline a distance of 280.00 feet; thence N 89°40'48''E along said North right of way line a distance of 101.36 feet; thence S 00°28'27''E along the West right of way line of Eighth Street right of way a distance of 340.00 feet to the Point of Beginning; said tract contains 1.62 acres, more or less and is subject to easements, reservations, and restrictions of recorded; and that portion of W. Lincoln Avenue west of 8th Street, which is bounded by Lots 1 and 2 and 3 in Block 19 of the Valley Park Addition to Lincoln Center, Kansas, being described by Jason P. Johnson, Professional Surveyor #1410 on November 27, 2024, and is more fully described as follows: Beginning at the Northeast corner of said Block 19, thence on an assumed bearing of S 00°21'18''E along the East line of said Lot 1, a distance of 120.00 feet to the Southeast corner of said Lot 1; thence S 89°40'48'' W a distance of 148.35 feet to the Southwest corner of said Lot 3; thence N 00°45'30''W a distance of 120 feet to the Northwest corner of said Lot 3; thence N 89°40'48''E a distance of 149.20 feet to the Point of Beginning; said tract contains 0.41 acres, more or less and is subject to easements, reservations, and restrictions of record shall revert to the adjacent lots of real estate in the same proportion as when taken from them.

SECTION 6. This ordinance shall be in full force and effect from and after its adoption and thirty (30) days after the publication in the official city newspaper.

INTRODUCED, PASSED, and APPROVED by the City Council of the City of Lincoln Center, Kansas, on this 14th day of April, 2025.

APPROVED:

By: /s/ Travis Schwerdtfager
Mayor

Attest: (seal)

By: /s/ Heather N. Hillegeist
City Clerk