

(Published in the Lincoln Sentinel Republican, June 18, 2025)

ORDINANCE NUMBER 759

AN ORDINANCE VACATING THAT PORTION OF W. BOWLAND AVENUE WEST OF SOUTH 5TH STREET, WHICH SUCH VACATION IS BOUNDED BY LOTS 9, 10, AND 11 IN BLOCK 1 OF BOWER ADDITION, AND THAT PORTION OF W. BOWLAND AVENUE WEST OF SOUTH 5TH STREET, BOUNDED BY PARTS OF LOTS 1, 2, 3, 4, 5, AND 6, LESS A PORTION OF LOTS 4, 5, AND 6, IN BLOCK 2 OF BOWER ADDITION, 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. Bowland Avenue, west of 5th Street, which portion is bounded by Lots 9, 10, and 11 in Block 1 of Bower Addition, being described by Plum Creek Surveys on October 18, 2018, more fully described as follows: Commencing at the northwest corner of the parcel described in Book 44, Page 213 in the Lincoln County Register of Deeds, being the mid-point of the west line of Lot 11 Block 1; thence east along the north line of the south half of Lot 11 47.4 feet to the northeast corner of said parcel, also being the Point of Beginning; thence S89°53'29''E for 183.67 feet along the north line of the south half of Lots 11, 10, and 9, also being the south line of Parcel 1 (above) to the southeast corner of Parcel 1; thence S0°12'14''W for 102.65 feet along the east side of said Lot 9 to the southeast corner of Lot 9; thence N89°54'35''W for 183.26 feet along the south line of Lot 9, 10, and 11 to the southeast corner of said parcel in said Book 44; thence N0°01'26''W for 102.71 feet along the east line of said previous parcel to the Point of Beginning, containing 18,838 square feet (0.432 acres) and is subject to all applicable rights of way and easements; and that portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Parts of Lots 1, 2, 3, 4, 5, and 6, in Block 2 of Bower Addition to Lincoln Center, Lincoln County, Kansas, more particularly described as follows: Beginning at the northeast corner of a parcel in Book 44, page 219 in the Lincoln County Register of Deeds, being on the north line of Lot 1, Block 2, 58.5 feet east of the northwest corner thereof; thence S89°54'35''E for 238.28 feet along the north line of Block 2, to

a point 5 feet west of the northeast corner Lot 4; thence S00°10'59''W, parallel to east line of said Lot 4, for 140.00 feet; thence S89°54'35''E, parallel to the north line of Block 2, for 110.00 feet; thence S00°08'55''W, parallel to the west line of Lot 6, for 50 feet; thence S 89°54'35''E parallel to the north line of Block 2, for 81.70 feet to the east line of Lot 6; thence S00°05'52''W along the east line of Lot 6 for 55.00 feet to the southeast corner of Lot 6; thence N 89°54'35''W along the south line of Block 2 for 409.75 feet to the southeast corner of said Book 44 parcel; thence N4°34'22''W, along the east line of said parcel, for 245.81 feet to the Point of Beginning, LESS the following described parcel: a portion of Lots 4, 5, and 6, Block 2, Bowers Addition to the City of Lincoln Center, Lincoln County, Kansas, described as follows by Nicholas D. Schmidt, PS#1492, this 19th day of December, 2023: Beginning at the Southeast corner of said Lot 6; thence on a NAD 83 Kansas North Zone bearing of South 89°58'40''W on the South line of said Block 2 a distance of 191.30 feet to the West line of the East 5.0 feet (Record) of said Lot 4; thence North 00°11'06''East on said East line a distance of 104.56 feet to the South line of the North 140.0 feet (Record) of said Lots 4, 5, and 6; thence South 89°54'11''East on the South line thereof a distance of 110.05 feet to the West line of the East 80.0 feet (Record) of said Lot 6; thence South 00°12'01''West on the East line thereof a distance of 49.95 feet to the South line of the North 190.0 feet (Record) of said Lot 6; thence South 89°55'50''East on the South line thereof a distance of 81.78 feet to the East line of said Lot 6; thence South 00°43'23''West on the East line thereof a distance of 54.26 feet to the point of beginning, all of which 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. Bowland Avenue, west of 5th Street, which portion is bounded by Lots 9, 10, and 11 in Block 1 of Bower Addition, being described by Plum Creek Surveys on October 18, 2018, more fully described as follows: Commencing at the northwest corner of the parcel described in Book 44, Page 213 in the Lincoln County Register of Deeds, being the mid-point of the west line of Lot 11 Block 1; thence east along the north line of the south half of Lot 11 47.4 feet to the northeast corner of said parcel, also being the Point of Beginning; thence S89°53'29''E for 183.67 feet along the north line of the south half of Lots 11, 10, and 9, also being the south line of Parcel 1 (above) to the southeast corner of Parcel 1; thence S0°12'14''W for 102.65 feet along the east side of said Lot 9 to the southeast corner of Lot 9; thence N89°54'35''W for 183.26 feet along the south line of Lot 9, 10, and 11 to the southeast corner of said parcel in said Book 44; thence N0°01'26''W for 102.71 feet along the east line of said previous parcel to the Point of Beginning, containing 18,838 square feet (0.432 acres) and is subject to all applicable rights of way and easements; and that portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Parts of Lots 1, 2, 3, 4, 5, and 6, in Block 2 of Bower Addition to Lincoln Center, Lincoln County, Kansas, more particularly described as follows: Beginning at the northeast corner of a parcel in Book 44, page 219 in the Lincoln County Register of Deeds, being on the north line of Lot 1, Block 2, 58.5 feet east of the northwest corner thereof; thence S89°54'35''E for 238.28 feet along the north line of Block 2, to a point 5 feet west of the northeast corner Lot 4; thence S00°10'59''W, parallel to east line of said Lot 4, for 140.00 feet; thence S89°54'35''E, parallel to the north line of Block 2, for 110.00 feet; thence S00°08'55''W, parallel to the west line of Lot 6, for 50 feet; thence S 89°54'35''E parallel to the north line of Block 2, for 81.70 feet to the east line of Lot 6; thence S00°05'52''W along the east line of Lot 6 for 55.00 feet to the southeast corner of Lot 6; thence N 89°54'35''W along the south line of Block 2 for 409.75 feet to the southeast corner of said Book 44 parcel; thence N4°34'22''W, along the east line of

said parcel, for 245.81 feet to the Point of Beginning, LESS the following described parcel: a portion of Lots 4, 5, and 6, Block 2, Bowers Addition to the City of Lincoln Center, Lincoln County, Kansas, described as follows by Nicholas D. Schmidt, PS#1492, this 19th day of December, 2023: Beginning at the Southeast corner of said Lot 6; thence on a NAD 83 Kansas North Zone bearing of South 89°58'40''W on the South line of said Block 2 a distance of 191.30 feet to the West line of the East 5.0 feet (Record) of said Lot 4; thence North 00°11'06''East on said East line a distance of 104.56 feet to the South line of the North 140.0 feet (Record) of said Lots 4, 5, and 6; thence South 89°54'11''East on the South line thereof a distance of 110.05 feet to the West line of the East 80.0 feet (Record) of said Lot 6; thence South 00°12'01''West on the East line thereof a distance of 49.95 feet to the South line of the North 190.0 feet (Record) of said Lot 6; thence South 89°55'50''East on the South line thereof a distance of 81.78 feet to the East line of said Lot 6; thence South 00°43'23''West on the East line thereof a distance of 54.26 feet to the point of beginning, all of which is subject to easements, reservations, and restrictions of record.

SECTION 4. That portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Lots 9, 10, and 11 in Block 1 of Bower Addition, being described by Plum Creek Surveys on October 18, 2018, more fully described as follows: Commencing at the northwest corner of the parcel described in Book 44, Page 213 in the Lincoln County Register of Deeds, being the mid-point of the west line of Lot 11 Block 1; thence east along the north line of the south half of Lot 11 47.4 feet to the northeast corner of said parcel, also being the Point of Beginning; thence S89°53'29''E for 183.67 feet along the north line of the south half of Lots 11, 10, and 9, also being the south line of Parcel 1 (above) to the southeast corner of Parcel 1; thence S0°12'14''W for 102.65 feet along the east side of said Lot 9 to the southeast corner of Lot 9; thence N89°54'35''W for 183.26 feet along the south line of Lot 9, 10, and 11 to the southeast corner of said parcel in said Book 44; thence N0°01'26''W for 102.71 feet along the east line of said previous parcel to the Point of Beginning, containing 18,838 square feet (0.432 acres) and is subject to all applicable rights of way and easements; and that portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Parts of Lots 1, 2, 3, 4, 5, and 6, in Block 2 of Bower Addition to Lincoln Center, Lincoln County, Kansas, more particularly described as follows: Beginning at the northeast corner of a parcel in Book 44, page 219 in the Lincoln County Register of Deeds, being on the north line of Lot 1, Block 2, 58.5 feet east of the northwest corner thereof; thence S89°54'35''E for 238.28 feet along the north line of Block 2, to a point 5 feet west of the northeast corner Lot 4; thence S00°10'59''W, parallel to east line of said Lot 4, for 140.00 feet; thence S89°54'35''E, parallel to the north line of Block 2, for 110.00 feet; thence S00°08'55''W, parallel to the west line of Lot 6, for 50 feet; thence S 89°54'35''E parallel to the north line of Block 2, for 81.70 feet to the east line of Lot 6; thence S00°05'52''W along the east line of Lot 6 for 55.00 feet to the southeast corner of Lot 6; thence N 89°54'35''W along the south line of Block 2 for 409.75 feet to the southeast corner of said Book 44 parcel; thence N4°34'22''W, along the east line of said parcel, for 245.81 feet to the Point of Beginning, LESS the following described parcel: a portion of Lots 4, 5, and 6, Block 2, Bowers Addition to the City of Lincoln Center, Lincoln County, Kansas, described as follows by Nicholas D. Schmidt, PS#1492, this 19th day of December, 2023: Beginning at the Southeast corner of said Lot 6; thence on a NAD 83 Kansas North Zone bearing of South 89°58'40''W on the South line of said Block 2 a distance of 191.30 feet to the West line of the East 5.0 feet (Record) of said Lot 4; thence North 00°11'06''East on said East line a distance of 104.56 feet to the South line of the North 140.0 feet (Record) of said Lots 4, 5, and 6; thence South 89°54'11''East on the South line

thereof a distance of 110.05 feet to the West line of the East 80.0 feet (Record) of said Lot 6; thence South 00°12'01''West on the East line thereof a distance of 49.95 feet to the South line of the North 190.0 feet (Record) of said Lot 6; thence South 89°55'50''East on the South line thereof a distance of 81.78 feet to the East line of said Lot 6; thence South 00°43'23''West on the East line thereof a distance of 54.26 feet to the point of beginning, all of which is subject to easements, reservations, and restrictions of record, are hereby vacated.

SECTION 5. That portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Lots 9, 10, and 11 in Block 1 of Bower Addition, being described by Plum Creek Surveys on October 18, 2018, more fully described as follows: Commencing at the northwest corner of the parcel described in Book 44, Page 213 in the Lincoln County Register of Deeds, being the mid-point of the west line of Lot 11 Block 1; thence east along the north line of the south half of Lot 11 47.4 feet to the northeast corner of said parcel, also being the Point of Beginning; thence S89°53'29''E for 183.67 feet along the north line of the south half of Lots 11, 10, and 9, also being the south line of Parcel 1 (above) to the southeast corner of Parcel 1; thence S0°12'14''W for 102.65 feet along the east side of said Lot 9 to the southeast corner of Lot 9; thence N89°54'35''W for 183.26 feet along the south line of Lot 9, 10, and 11 to the southeast corner of said parcel in said Book 44; thence N0°01'26''W for 102.71 feet along the east line of said previous parcel to the Point of Beginning, containing 18,838 square feet (0.432 acres) and is subject to all applicable rights of way and easements; and that portion of W. Bowland Avenue, west of 5th Street, which portion is bounded by Parts of Lots 1, 2, 3, 4, 5, and 6, in Block 2 of Bower Addition to Lincoln Center, Lincoln County, Kansas, more particularly described as follows: Beginning at the northeast corner of a parcel in Book 44, page 219 in the Lincoln County Register of Deeds, being on the north line of Lot 1, Block 2, 58.5 feet east of the northwest corner thereof; thence S89°54'35''E for 238.28 feet along the north line of Block 2, to a point 5 feet west of the northeast corner Lot 4; thence S00°10'59''W, parallel to east line of said Lot 4, for 140.00 feet; thence S89°54'35''E, parallel to the north line of Block 2, for 110.00 feet; thence S00°08'55''W, parallel to the west line of Lot 6, for 50 feet; thence S 89°54'35''E parallel to the north line of Block 2, for 81.70 feet to the east line of Lot 6; thence S00°05'52''W along the east line of Lot 6 for 55.00 feet to the southeast corner of Lot 6; thence N 89°54'35''W along the south line of Block 2 for 409.75 feet to the southeast corner of said Book 44 parcel; thence N4°34'22''W, along the east line of said parcel, for 245.81 feet to the Point of Beginning, LESS the following described parcel: a portion of Lots 4, 5, and 6, Block 2, Bowers Addition to the City of Lincoln Center, Lincoln County, Kansas, described as follows by Nicholas D. Schmidt, PS#1492, this 19th day of December, 2023: Beginning at the Southeast corner of said Lot 6; thence on a NAD 83 Kansas North Zone bearing of South 89°58'40''W on the South line of said Block 2 a distance of 191.30 feet to the West line of the East 5.0 feet (Record) of said Lot 4; thence North 00°11'06''East on said East line a distance of 104.56 feet to the South line of the North 140.0 feet (Record) of said Lots 4, 5, and 6; thence South 89°54'11''East on the South line thereof a distance of 110.05 feet to the West line of the East 80.0 feet (Record) of said Lot 6; thence South 00°12'01''West on the East line thereof a distance of 49.95 feet to the South line of the North 190.0 feet (Record) of said Lot 6; thence South 89°55'50''East on the South line thereof a distance of 81.78 feet to the East line of said Lot 6; thence South 00°43'23''West on the East line thereof a distance of 54.26 feet to the point of beginning, all of which 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 9th day of June, 2025.

APPROVED:

By: /s/ Travis Schwerdtfager
Mayor

Attest: (seal)

By: /s/ Heather N. Hillegeist
City Clerk