

**ORDINANCE NO. 3006**

**AN ORDINANCE VACATING A PORTION OF THE RIGHT-OF-WAY OF SILVER STREET AT LOT 1, BLOCK 9, PERRY'S ADDITION TO THE CITY OF PAOLA, KANSAS**

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

**SECTION 1.** That in accordance with the provisions of K.S.A. 12-504 through 12-506 and 12-509, that portion of the right-of-way of Silver Street at Lot 1, Block 9, Perry's Addition to the City of Paola, Miami County, Kansas, more particularly described as follows:

All that part of the Northwest Quarter of Section 16, Township 17, Range 23, City of Paola, Miami County, Kansas described as follows: Beginning at the Southeast corner of Lot 1, Block 9, Perry's Addition to the City of Paola; thence North 11 degrees 26 minutes 51 seconds East, along the East line of said Lot 1, Block 9 and its extensions, a distance of 157.00 feet to the centerline of vacated Fourth Street as now established; thence South 78 degrees 41 minutes 36 seconds East along the centerline of vacated Fourth Street, a distance of 69.36 feet; thence Southwesterly on a curve to the left having an Initial Tangent Bearing of South 39 degrees 02 minutes 59 seconds West, a radius of 825.00 feet, a central angle of 11 degrees 46 minutes 08 seconds, a distance of 169.46 feet; thence North 78 degrees 41 minutes 36 seconds West, a distance of 6.76 feet to the point of beginning, containing 5,485 square feet or 0.13 acres more or less;

be and the same is hereby vacated and said portion of the right-of-way shall revert to the owners of the real estate thereto adjacent and immediately abutting thereon in proportion to the frontage of such real estate upon said vacated right-of-way; PROVIDED HOWEVER, that the City of Paola, reserves for itself, and its assigns, the right to erect, install, operate, replace, repair and maintain any and all water lines, sewer lines, gas lines, telephone lines, electrical utility lines, and cable TV lines presently located, if any under, through, over, along and across the described right-of-way so vacated.

**SECTION 2.** Immediately after this Ordinance becomes effective, the City Clerk shall file a copy thereof that has been certified by the Clerk as a true and correct copy to the office of the County Clerk and in the office of the Register of Deeds.

**SECTION 3.** That this ordinance shall become effective upon passage and publication in the Official City Newspaper.

**PASSED** by the City Council of the City of Paola this 26th day of January, 2010.

**APPROVED** by the Mayor of the City of Paola this 26th day of January, 2010.

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Artie Stuteville, Mayor

ATTEST: [Seal]

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Daniel G. Droste, City Clerk