

## **ORDINANCE NO. 2520**

AN ORDINANCE TERMINATING AND RELEASING OF RECORD THE UTILITY EASEMENT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: The Governing Body of the City of Gardner, Kansas, deems it advisable and does hereby terminate and release of record: the utility easement recorded in the Johnson County Register of Deeds office, Johnson County, Kansas, in Plat Book 115 at page 37, said description reads as follows:

A 20 foot wide utility easement as shown on the New Gardner High School, a subdivision in the City of Gardner, as filed in Book 115 at Page 37 in the Register of Deeds office, said easement lying 10 feet either side of the following described centerline and being located in Lot 1, said "New Gardner High School", all in Johnson County, Kansas, more particularly described by Kenneth J. Dedrick on this 13th day of April, 2016 as follows:

Commencing at the northeast corner of said "New Gardner High School" (said point being the northeast corner of the southwest quarter of Section 23, Township 14 South, Range 22 East); thence S 02°13'42" E (this and all following bearings are based on the Kansas State Plane System, North Zone) along the east line of said section, a distance of 117.17 feet to the south right-of-way line of Madison Street 60 feet wide as shown on said "New Gardner High School"; thence N 69°04'59" W along said south right-of-way line, a distance of 18.32 feet; thence continuing along said right-of-way line along a curve to the left, tangent with the last described course, having a radius of 655.00 feet and an arc length of 257.95 feet; thence S 88°21'15" W continuing along said right-of-way line, a distance of 67.80 feet; thence S 01°38'44" E, a distance of 10.00 feet to a point on the south line of an existing 10 foot wide utility easement as shown on said "New Gardner High School" said point being the Point of Beginning; thence S 01°38'44" E, a distance of 482.14 feet; thence S 88°21'16" W, a distance of 91.36 feet; thence N 00°38'04" E, a distance of 30.04 feet to the Point of Terminus. The exterior lines of this vacation being extended or truncated as necessary to intersect said south line of said utility easement and to form a closed figure. Contains 12,071 square feet or 0.277 acres, more or less.

SECTION TWO: The City Clerk of the City of Gardner, Kansas, shall cause this Ordinance to be published in the official city paper and to file a certified copy with the Records and Tax Administration, Johnson County, Kansas.

PASSED and APPROVED by the Governing Body of the City of Gardner, Kansas, this 5<sup>th</sup> day of July, 2016.

(SEAL)

CITY OF GARDNER, KANSAS

/s/ Chris Morrow  
Chris Morrow, Mayor

Attest:

/s/ Jeanne Koontz  
Jeanne Koontz, City Clerk

Approved as to form:

/s/ Ryan B. Denk  
Ryan B. Denk, City Attorney