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on the 16th day of August, 2012.)

THE CITY OF CHENEY, KANSAS

ORDINANCE NO. 852

AN ORDINANCE DECLARING IT TO BE IN THE INTEREST
OF THE PUBLIC WELFARE AND SAFETY TO VACATE AND
DISCONTINUE UNOPENED PORTIONS OF PREVIOUSLY
DEDICATED PUBLIC STREET RIGHT-OF-WAY IN THE CITY
OF CHENEY, KANSAS

WHEREAS, in the interest of the City of Cheney, Kansas, it is desirable to vacate and discontinue unopened portions of the previously dedicated public street right-of-way to promote the public welfare and safety of the citizens of Cheney, Kansas;

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

Section 1. It is hereby declared, pursuant to the provisions of K.S.A. 15-427, to be in the interest of public welfare and safety to annul, vacate and discontinue unopened portions of the previously dedicated public street right-of-way as herein after more fully described.

Section 2. The following described unopened portions of previously dedicated public street right-of-way are hereby annulled, vacated and discontinued, pursuant to the provisions of K.S.A. 15-427, to-wit:

Fourth Avenue commencing at the East right-of-way line of Roosevelt Street and running Easterly for 140 feet; and Fourth Avenue between the East right-of-way line of 391st Street West and the West right-of-way line of Roosevelt Street in Cheney, Sedgwick County, Kansas.

Section 3. Upon its annulment, vacation and discontinuance as a public street right-of-way, the North half of that portion of Fourth Avenue commencing at the East right-of-way line of Roosevelt Street and running Easterly for 140 feet shall attach to and become part of Lot 5 of the Replat of Palmer Subdivision Lots 1-10, Cheney, Sedgwick County, Kansas and the South half of that portion of Fourth Avenue commencing at the East right-of-way line of Roosevelt Street and running Easterly for 140 feet shall attach to

and become part of Lot 1 of Prather Subdivision, Cheney, Sedgwick County, Kansas.

Section 4. Upon its annulment, vacation and discontinuance as a public street right-of-way, the North half of that portion of Fourth Avenue between the East right-of-way line of 391st Street West and the West right-of-way line of Roosevelt Street shall attach to and become part of Lot 4 of the Replat of Palmer Subdivision Lots 1-10, Cheney, Sedgwick County, Kansas and the South half of that portion of Fourth Avenue between the East right-of-way line of 391st Street West and the West right-of-way line of Roosevelt Street shall attach to and become part of Lot 24 of Prather Subdivision, Cheney, Sedgwick County, Kansas.

Section 5. Effective Date

This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 9th day of August, 2012.

Approved by the Mayor this 9th day of August, 2012.

MAYOR, LINDA BALL

SEAL

ATTEST:

CITY CLERK, DANIELLE YOUNG