

ORDINANCE NO. 5147-24

**AN ORDINANCE VACATING A UTILITY EASEMENT IN THE
SUDERMAN ADDITION OF NEWTON, KANSAS.**

WHEREAS the City Commission received a petition for the vacation of a utility easement and has conducted a public hearing on the same; and

WHEREAS the City Commission of the City of Newton, Harvey County, Kansas, has determined that, pursuant to K.S.A. 12-504, *et seq.*, no private rights will be injured or endangered by vacation of a utility easement generally located southwest of the intersection of the East 1st Street and North Hillside Road in Newton, and that the public will suffer no loss or inconvenience thereby; and

WHEREAS no petitions of protest have been submitted to or received by the City Clerk since the publication on April 27, 2024 of the Notice of Public Hearing.

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

SECTION 1. That all of that portion of the following-described easement should be and is hereby vacated, to wit:

That part of the 20 foot utility easement centered on the lot line common to Lots 1 and 2, Block 1, Suderman Addition, Newton, Harvey County, Kansas EXCEPT the north 20.00 feet of said Lots 1 and 2, AND EXCEPT the south 30.00 feet of said Lots 1 and 2.

SECTION 2. This Ordinance shall take effect and be in force from and after its publication in THE NEWTON KANSAN, the official newspaper of said City.

PASSED AND ADOPTED this 28th day of May, 2024.



Rod Kreie, Mayor

ATTEST:



Denise R. Duerksen, City Clerk