

ORDINANCE NO. 2106

AN ORDINANCE VACATING STREETS AND ALLEYS IN THE VICINITY OF CHASE AVENUE AND DELAWARE STREET, WITHIN THE CITY OF BURLINGAME, OSAGE COUNTY KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME:

SECTION 1. The Governing Body of the City of Burlingame, Kansas for good cause and by its own application does hereby vacate the following streets and alleys to-wit:

All of Chase Avenue lying South and East of the center line of the abandoned right-of-way of the Atchison, Topeka and Santa Fe Railway Company, formerly the Burlingame and Northwest Railway Company, formerly the Manhattan, Alma and Burlingame Railway Company to the western beginning of the southern portion of Lot 1, Block 12, in the Original Town of Burlingame, according to the recorded Plat thereof and the western beginning of the northern portion of Lot 22, Block 1, in the Original Town of Burlingame, according to the recorded Plat thereof.

All of Delaware Street lying South and East of the center line of the abandoned right-of-way of the Atchison, Topeka and Santa Fe Railway Company, formerly the Burlingame and Northwest Railway Company, formerly the Manhattan, Alma and Burlingame Railway Company to the northern line of Banks Avenue.

All of the alley in Block 12 lying South and East of the center line of the abandoned right-of-way of the Atchison, Topeka and Santa Fe Railway Company, formerly the Burlingame and Northwest Railway Company, formerly the Manhattan, Alma and Burlingame Railway Company to the western beginning of the southern portion of Lot 22, Block 12, in the Original Town of Burlingame Plat and the western beginning of the southern portion of Lot 1, Block 12, in the Original Town of Burlingame, according to the recorded Plat thereof.

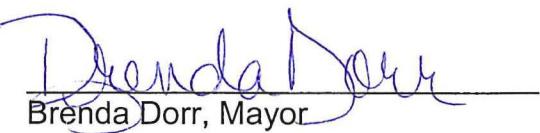
All of the alley in Block 1, in the Original Town of Burlingame according to the recorded Plat thereof.

SECTION 2. This vacation is subject to the existing rights of all present, public, or private utilities or uses located under, on, upon, or over said described real estate.

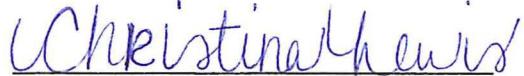
SECTION 3. The City Clerk of the City of Burlingame shall file a certified copy of this ordinance in the office of the County Clerk and of the Register of Deeds of Osage County, Kansas

SECTION 4. This vacation is made pursuant to the provisions of K.S.A. 15-427, and shall become effective from and after its adoption and publication in the official City newspaper.

PASSED AND APPROVED this 4<sup>th</sup> day of September, 2007

  
Brenda Dorr, Mayor

ATTEST:



Christina Lewis, City Clerk

AFFIDAVIT OF PUBLICATION — The Osage County Herald-Chronicle, Osage City, Kansas. STATE OF KANSAS, OSAGE COUNTY, ss.

(As first published in *The Osage County Herald-Chronicle* on Thursday, Sept. 13, 2007)

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PASSED AND APPROVED this 4th day of September, 2007

/S/Brenda Dorr, Mayor

ATTEST:  
/S/Christina Lewis, City Clerk

Catherine R. Faimon

of lawful age, being first duly sworn, deposeth and says that she is the                    publisher

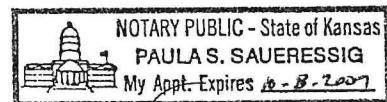
of the Osage County Herald-Chronicle, a biweekly newspaper published in the city of Osage City, County of Osage, State of Kansas, and of general circulation in said county, and that said newspaper has been continuously and uninterruptedly published in said county, at least 50 times each year during the period of more than five years immediately prior to the first publication of the notice hereinafter mentioned, and has been duly admitted to the mails as Second Class matter in Osage County, Kansas, and that notice of which a true copy is hereto attached, was published in the regular and entire issue of the

Osage County Herald-Chronicle  
number of said paper for                   1  
consecutive weeks; the first publication being made as aforesaid on                   9-13-2007

and affiant further says she has personal knowledge of the statements have set forth and that they are true.

*Catherine R. Faimon*

Subscribed and sworn to before me this  
20th day of September 2007



*Paula S. Saueressig*  
Notary Public

Printers fees ..... \$ 72.00  
Affidavit ..... \$ \_\_\_\_\_  
Total ..... \$ \_\_\_\_\_

AFFIDAVIT OF PUBLICATION — The Osage County Herald-Chronicle, Osage City, Kansas

Filed \_\_\_\_\_, 20\_\_\_\_\_

Examined and approved \_\_\_\_\_, 20\_\_\_\_\_

Recorded in \_\_\_\_\_

Judge - Clerk of the District Court