

BILL NO. _____

ORDINANCE NO. 710

AN ORDINANCE TO AMEND ORDINANCE NO. 709 TO CORRECT THE LEGAL DESCRIPTION OF THAT PORTION OF KANE AND CASS STREETS TO BE VACATED

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KING CITY, MISSOURI, AS FOLLOWS:

Section 1: That Ordinance 709 is hereby amended as follows:

WHEREAS, the City has been petitioned by certain landowners to vacate Kane Street lying West of the Western right-of-way of Cass Street and all that portion of Cass Street lying South of the Southern right-of-way of Kane Street, being legally described as follows:

All that portion of Cass Street lying South of the Southern right-of-way of Kane Street, specifically, beginning at the Northwest corner of Lot One (1), Block Four (4) of Trotter's Addition, thence South along the Western boundary of said Block Four (4) to the Southwest corner of Lot Five (5), thence West to the Western right-of-way of Cass Street, thence North along the Western right-of-way of Cass Street to the Southern right-of-way of Kane Street, thence East to the place of beginning and all that portion of Kane Street lying West of the Western right-of-way of Cass Street.

WHEREAS, upon due investigation, it is apparent that Petitioners constitute all of the adjoining landowners to said street, and that though platted, no portion of either street sought to be vacated has ever been constructed or used for street purposes; and

WHEREAS, said Petitioners have waived all notice of public hearing, claim for damages and procedure for assessment of damages, all as provided by Section 88.673, RSMo; and

WHEREAS, Petitioners have agreed to execute an easement for utility purposes in favor of the City of King City, Missouri, if same is desired by the City, over and across those portions of Second Street to be vacated; and

NOW, THEREFORE, UPON DUE CONSIDERATION, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KING CITY, MISSOURI, AS FOLLOWS:

Section 2: That it is deemed necessary and expedient to vacate those portions of Kane and Cass Streets as described above.

Section 3: That the land shall revert proportionately to the adjacent land owners as provided by statute.

Section 4: That the portions of Kane Street and Cass Street as described above are hereby vacated, and the Mayor and City Clerk are hereby authorized to execute such deeds and instruments as may be necessary to effect the vacation of the same, with proportionate reversion to adjacent land owners. In the event there are public utilities situated in or under those portions

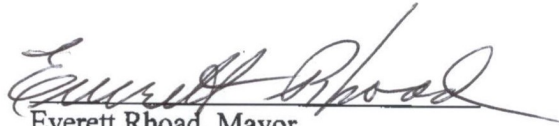
of Second Street to be vacated, the City hereby retains an easement therefore.

Section 5: The petition filed by the private landowners to the City of King City, Gentry County, Missouri is ordered attached to the original of this Ordinance, to be kept on file in City Hall.

Section 6: A certified copy of this Ordinance with attachments, is ordered recorded in the real estate records of Gentry County, Missouri.

Section 7: This Ordinance shall be in full force and effect from and after its passage and approval.

This Ordinance was passed by the Board of Aldermen of the City of King City, Missouri, this 9th day of November, 2015.


Everett Rhoad, Mayor

ATTEST:


Janet Smith, City Clerk