

Ordinance No. 911 Summary

On April 8th, 2020, the City of Wellsville, Kansas, adopted Ordinance No. 911, confirming acceptance of land in connection with Olive Street, and declaring its use for public purposes. A complete copy of this ordinance is available at www.cityofwellsvilleks.org or at City Hall, 411 Main Street, Wellsville, Kansas 66092. This summary is certified by Patrick G. Reavey, City Attorney.

ORDINANCE NO. 911

AN ORDINANCE CONFIRMING THE ACCEPTANCE OF LAND, AND DECLARING ITS USE AS AND FOR PUBLIC RIGHT OF WAY AND/OR PLACEMENT OF CITY UTILITIES

WHEREAS, in 1998 the City of Wellsville received a quitclaim deed, and it was recorded, as part of establishing Olive Street within the City; and

WHEREAS, Olive Street has been used as a public street for several years, and has been maintained by the City; and

WHEREAS, City staff recently learned that the land comprising and adjoining Olive Street is not on record with the County as public right of way and/or land for placement of public utilities; and

WHEREAS, although the public's use and City's maintenance of Olive Street constitutes a prescriptive easement, City staff recommends that the governing body formally confirm the acceptance of the dedicated property and indicate its authorized use.

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

Section 1. That the City hereby confirms its acceptance of the Quitclaim Deed (attached hereto as **Exhibit A**) and approves the Boundary Survey (attached hereto as **Exhibit B**) and declares that said described land is authorized to be used as public right of way for Olive Street and for the placement and maintenance of public utilities as determined by the City.

Section 2. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

PASSED by the Governing Body of the City of Wellsville, Kansas, and approved by the Mayor on the 8th day of April 2020.

(Seal)

Bill Lytle, Mayor

ATTEST:

Tammy Jones, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney