

**ORDINANCE NO. 2011-01**

An ordinance vacating all of Hovey Avenue North of Lacey Road and West of Chambers Street. All of Summers Street North of Lacey Road. All of 7<sup>th</sup> and 8<sup>th</sup> Streets lying North of Lacey Road including the portion lying West of Lot 10, Block 33 in the original City of Gem, Kansas. And all of Roosevelt Street lying between Elm Street and Cottonwood Street in Block 40 of Eaton's Third Addition.

**Be it ordained by the governing body of the City of Gem, Kansas.**

**Section 1.** The following described streets are hereby vacated.

All of Hovey Avenue North of Lacey Road and West of Chambers Street. All of Summers Street North of Lacey Road. All of 7<sup>th</sup> and 8<sup>th</sup> Streets lying North of Lacey Road including the portion lying West of Lot 10, Block 33 in the original City of Gem, Kansas. And all of Roosevelt Street lying between Elm Street and Cottonwood Street in Block 40 of Eaton's Third Addition.

**Section 2.** The streets here in vacated shall revert to the owners of real estate there to adjacent on each side in proportion to the frontage of such real estate as provided by Kansas law.

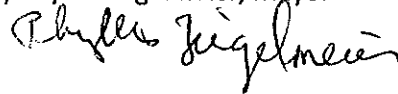
**Section 3.** Notice is hereby given that a public hearing was held in the 21<sup>st</sup> day of July 2011 at 8:00 P.M. in the Gem Community Building, at which time the council approved the ordinance for vacating of said streets.

**Section 4.** Immediately when this ordinance becomes effective, the City Clerk shall file a certified copy of the ordinance in the office of the Register of Deeds.

**Section 5.** This ordinance shall take effect and be in force from and after its passage and approval and publication in the official paper.

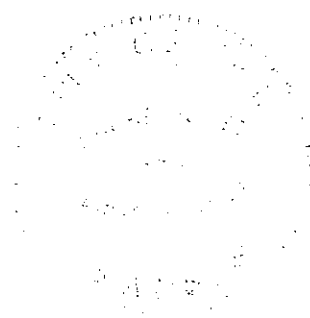
**This ordinance passed and approved by the governing body this 21<sup>st</sup> day of July, 2011.**

(S) Phyllis Ziegelmeier, Mayor



ATTEST:

(S) Pete Ziegelmeier II. City Clerk



AFFIDAVIT OF PUBLICATION  
State of Kansas, Thomas County, ss:

..... Kylee Hunter ....., being first duly sworn, deposes and says:  
that he/she is the Production Coordinator of

THE COLBY FREE PRESS

a daily newspaper printed in the state of Kansas, and published in and of general circulation in Thomas County, Kansas, with a general paid circulation on a yearly basis in Thomas County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

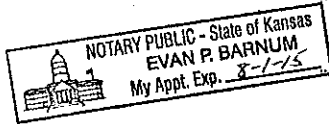
Said newspaper is published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Colby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ..... 1 ..... consecutive week(s)/days(s), the first publication thereof being made as aforesaid on the ..... 3<sup>rd</sup> ..... day of ..... AUGUST ..... 20 11, with subsequent publications being made on the following dates:

..... 1 ..... 20 ..... 20 .....  
..... 20 ..... 20 .....  
..... 20 ..... 20 .....

..... Kylee Hunter .....

Subscribed and sworn to before me this 4TH day of August, 20 11



..... [Signature] .....  
Notary Public

My commission expires August 1, 20 15  
Publication Fee \$.....  
Additional copies \$.....

Public Notice

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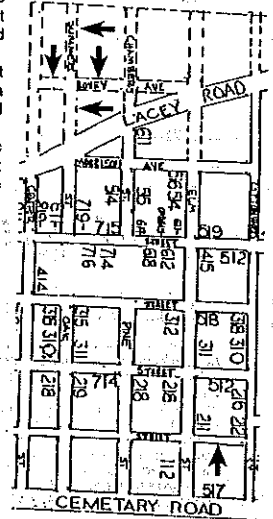
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/s/ Phyllis Ziegelmeier, Mayor

ATTEST:  
/s/ Pete Ziegelmeier II, City Clerk

(Streets vacated →)



(Published in the Colby Free Press on Wednesday, August 3, 2011)