

## **Vacating Lots in the City of Americus; Vacation of City Streets; HB 2178**

**HB 2178** vacates lots in the City of Americus from a dedication and amends law regarding the vacation of streets.

### ***City of Americus***

The bill vacates lots dedicated for a college and a park in the original town plat of the City of Americus from that dedication. The bill also confers fee simple title to the lots to the City of Americus, which the city's governing body can dispose of at its discretion.

### ***Vacation of City Streets***

#### *Time Limit for Challenge of an Ordinance Vacating Property*

The bill allows any landowner aggrieved by the decision of a city governing body to vacate certain property to bring action in a district court challenging the reasonableness of such decision within 30 days following publication of the vacation ordinance.

#### *Authorization*

The bill amends a statute to remove redundancy with continuing law and makes conforming changes. Continuing laws (KSA 13-334, 14-423, and 15-427) provide processes for local governments to request street vacations based on a city's classification.

The bill authorizes cities to utilize the process of the bill by following the notice and public hearing requirements established in the bill.

#### *Public Hearing*

The bill clarifies that, when a resident petitions a city to vacate a street, the governing body must give public notice of the request and, in the notice, specify whether the hearing on the petition will be conducted by the governing body or the planning commission. The bill requires all interested persons to be given an opportunity to be heard on the petition.

If a city chooses to use the same process to deannex land or vacate any public reservation, the bill requires the hearing to be held before the city governing body.

The bill requires the city governing body to enact an ordinance containing an order to vacate if, at the hearing, it is determined the request of the petitioner should be granted.