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## Document(1)

1. [K.S.A. § 58-2613](#)

**Client/Matter:** -None-

## [K.S.A. § 58-2613](#)

This document is current through chapters 1-53, 58-65, 67-69, 72-73, 77, 79-81 of the 2016 Regular Session

[LexisNexis® Kansas Annotated Statutes](#) > [Chapter 58. Personal and Real Property](#) > [Article 26. Townsites, Lots and Platted Lands](#) > [Vacation of Platted Lands](#)

### **58-2613. Vacation of certain plats, streets, easements or reservations; petition; hearing.**

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Whenever the owners of any tract or part of a tract of land which has been platted as an addition or subdivision or adjoins on both sides of any street, alley, public easement, or public reservation, or part thereof, and which lies wholly outside the limits of any incorporated city or within the limits of an incorporated city which has had no governing body for 10 years or more desire to have the same vacated, shall file a petition with the board of county commissioners of the county in which the land is located or with the planning commission of such county, describing the plat, street, alley, public easement or reservation, including dedicated building setback lines or access control proposed to be vacated and praying for the vacation described. Upon the filing of the petition, the board of county commissioners or the planning commission shall fix a time for the hearing of the petition and shall give notice of the hearing by publication in the official county paper. Such notice shall be published at least one time at least 20 days prior to the date of the hearing.

If the land is located within an area which is subject to the subdivision regulations of any city, notice of the hearing shall also be given to the governing body and planning commission of such city.

### **History**

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L. 1949, ch. 223, § 1; L. 1967, ch. 306, § 1; L. 1981, ch. 173, § 66; [L. 1997, ch. 147, § 6](#); May 1.

### **Annotations**

### **LexisNexis® Notes**

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### **Opinion Notes**

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#### **OPINIONS OF ATTORNEY GENERAL**

1. Personal and Real Property—Townsites, Lots and Platted Lands—Effect of Vacating Certain Plats, ATTORNEY GENERAL OPINION No. 81-29, [1981 Kan. AG LEXIS 259](#).
2. Cities and Municipalities — Plats of Cities and Townsites; Title to Lands Platted as Public Squares; Responsibility of County Concerning Such Lands, ATTORNEY GENERAL OPINION No. 83-179, [1983 Kan. AG LEXIS 6](#).
3. Roads and Bridges; Roads — General Provisions — Petition for Vacating Roads; Vacation in Certain Counties Without Petition, ATTORNEY GENERAL OPINION No. 94-145, [1994 Kan. AG LEXIS 145](#).

### **Research References & Practice Aids**

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#### **Hierarchy Notes:**

[K.S.A. Ch. 58, Art. 26](#)

[K.S.A. Ch. 58, Art. 26, \[Undesignated\]](#)

## State Notes

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## Research References & Practice Aids

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### Research and Practice Aids:

Municipal Corporations § 41.

C.J.S. Municipal Corporations §§ 83, 84.

### Law Review and Bar Journal References:

Survey of Kansas law on real and personal property (1965-1969), 18 K.L.R. 427, 430 (1970).

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