ORDINANCE NO. 17634

AN ORDINANCE introduced by Mayor Joan Wagonn relating to the vacation of S.E. Winner’s Circle Drive, an unimproved public street right-of-way as dedicated by Heartland Park Topeka Subdivision in the City of Topeka, Shawnee County, Kansas. (V01S/1) (Council District No. 5)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. Pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Heartland Park Topeka, as property owner, has been filed with the office of the City Clerk, requesting the vacation of a public street right-of-way located within the City of Topeka, Shawnee County, Kansas:

Portion of Winner’s Circle Drive from the South right-of-way line of Finish Line Drive Southerly and Easterly to the end of the cul-de-sac.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on January 09, 2001, the petition is ready for determination by the Council of the City of Topeka, Kansas.

Section 3. That the Council of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

a. Legal notice was given as required by K.S.A. 12-504 as amended.
b. No private rights will be injured or endangered by such vacation.
c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Council of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described street and associated platted building setback line located within the City of Topeka, Kansas:
Portion of Winner's Circle Drive from the South right-of-way line of Finish Line Drive Southerly and Easterly to the end of the cul-de-sac.

Section 5. This vacation shall not effect any other underlying easements, or restrictions whether platted or by instrument.

Section 6. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka ___JAN 09 2001_____.


Joan Wagonn, Mayor

ATTEST:

Iris E. Walker, City Clerk

To be codified ___

Not to be codified X
CERTIFICATE

I, IRIS E. WALKER, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the attached is a true and correct copy of Ordinance No. 17634, duly adopted by the City Council on January 9, 2001.

Iris E. Walker
City Clerk