ORDINANCE NO. 12651

AN ORDINANCE introduced by Mayor Joan Wagonon relating to the vacation of a portion of a 50-foot wide public utility and drainage easement as dedicated by Woodbridge Subdivision No. 2, City of Topeka, Shawnee County, Kansas, on property located between I-70 and SW Woodbridge Drive, the centerline of which is approximately 1,750-feet east of SW Wanamaker Road in the City of Topeka, Kansas. (V01E/1) (Council District No. 9)

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

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Woodbridge Development Company, Inc., as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described utility and drainage easement located within the City of Topeka, Shawnee County, Kansas:

A portion of a 50 foot wide utility and drainage easement on Lots 14 through 17, Block "B", Woodbridge Subdivision No. 2 further described as: Beginning at a point 15 feet southerly from the northeasterly corner of Lot 14, Block "B", Woodbridge Subdivision No. 2; thence southerly on the easterly line of said Lot 14 for a distance of 35 feet to the south line of the 50 foot platted easement; thence westerly along the southerly side of said 50 foot easement to the west line of Lot 17, Block "B" of said subdivision; thence northeasterly parallel with and 25 feet southerly of the north line of said Lot 17 to the westerly line of Lot 16, Block "B", Woodbridge Subdivision No. 2; thence northerly on the west line of said Lot 16 to a point 15 feet south of the northwest corner of Lot 16; thence easterly parallel with and 15 feet southerly of the north line of Lot 16, 15 and 14 to the point of beginning. Less the east 8 feet of Lot 14, Block "B", Woodbridge Subdivision No. 2 which is to be retained as part of the north-south 16 foot wide utility easement between Lots 14 and 13.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on February 20, 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 to be granted and does hereby order the vacation of the below described utility and drainage easement located within the City of Topeka, Kansas:

A portion of a 50 foot wide utility and drainage easement on Lots 14 through 17, Block "B", Woodbridge Subdivision No. 2 further described as: Beginning at a point 15 feet southerly from the northeasterly corner of Lot 14, Block "B", Woodbridge Subdivision No. 2; thence southerly on the easterly line of said Lot 14 for a distance of 35 feet to the south line of the 50 foot platted easement; thence westerly along the southerly side of said 50 foot easement to the west line of Lot 17, Block "B" of said subdivision; thence northeasterly parallel with and 25 feet southerly of the north line of said Lot 17 to the westerly line of Lot 16, Block "B", Woodbridge Subdivision No. 2; thence northerly on the west line of said Lot 16 to a point 15 feet south of the northwest corner of Lot 16; thence easterly parallel with and 15 feet southerly of the north line of Lot 16, 15 and 14 to the point of beginning. Less the east 8 feet of Lot 14, Block "B", Woodbridge Subdivision No. 2 which is to be retained as part of the north-south 16 foot wide utility easement between Lots 14 and 13.

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, February 20, 2001

Joan Wagnon, Mayor

ATTEST:

To Be Codified ___
Not To Be Codified X