AN ORDINANCE introduced by Mayor Joan Wagoner relating to the vacation of a 2-foot portion of a public right-of-way as dedicated by Ritchie's Addition, City of Topeka, Shawnee County, Kansas, on property located at the northwest corner of SE Monroe and SE 13th Streets in the City of Topeka, Kansas. (V01S/2)

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 C.D.J. Enterprises, P.A., as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described public right-of-way located within the City of Topeka, Shawnee County, Kansas:

Commencing at the northwest corner of SE 13th and SE Monroe Streets, said point being the southeasterly corner of Lot 431 on Monroe Street in Ritchie's Addition; thence westerly on the south line of said Lot 431 for a distance of 22.8 feet to the point of beginning of parcel being vacated; thence southerly at right angles to the southerly line of Lot 431 for a distance of 2 feet; thence westerly parallel with the southerly line of Lot 431 to a point 2 feet south and 24.73 feet easterly of the southwesterly corner of Lot 431 on Monroe Street in Ritchie's Addition; thence northerly 2 feet to the southerly line of said Lot 431; thence easterly on the southerly line of Lot 431 to the point of beginning.

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 public right-of-way located within the City of Topeka, Kansas:

Commencing at the northwest corner of SE 13th and SE Monroe Streets, said point being the southeasterly corner of Lot 431 on Monroe Street in Ritchie's Addition; thence westerly on the south line of said Lot 431 for a distance of 22.8 feet to the point of beginning of parcel being vacated; thence southerly at right angles to the southerly line of Lot 431 for a distance of 2 feet; thence westerly parallel with the southerly line of Lot 431 to a point 2 feet south and 24.73 feet easterly of the southwesterly corner of Lot 431 on Monroe Street in Ritchie's Addition; thence northerly 2 feet to the southerly line of said Lot 431; thence easterly on the southerly line of Lot 431 to the point of beginning.

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

Section 7. 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 8. 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 [January 20], 2001.

[Signature]
Joan Wagon, Mayor

[Signature]
DEPUTY, City Clerk

ATTEST:

[Signature]
Marilyn Nichols

REGISTRAR OF DEEDS

To Be Codified ___

Not To Be Codified X