ORDINANCE NO. 17609

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 20-foot wide drainage easement which crosses a portion of Lot 1, Block "A", Menninger Subdivision No. 3, City of Topeka, Shawnee County, Kansas, on property located at the southwest corner of SW 6th Avenue and SW Commerce Place in the City of Topeka, Kansas. (V01E/2) (Council District No. 8)

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 Shawnee County Board of Commissioners, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described drainage easement located within the City of Topeka, Shawnee County, Kansas:

A drainage easement located in Lot 1, Block "A", Menninger Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the northwest corner of said Lot 1; thence east on an AZ 87 degrees 45 minutes 30 seconds 192.65 feet coincident with the north line of said Lot 1 to the point of beginning; thence on an AZ 177 degrees 45 minutes 30 seconds 75.00 feet; thence on an AZ 87 degrees 45 minutes 30 seconds 10.00 feet; thence on an AZ 214 degrees 36 minutes 00 seconds 343.60 feet to the southwest corner of said Lot 1; thence on an AZ 87 degrees 45 minutes 37 seconds 25.00 feet coincident with the south line of said Lot 1; thence on an AZ 34 degrees 36 minutes 05 seconds 343.61 feet; thence on an AZ 87 degrees 45 minutes 30 seconds 35.00 feet; thence on an AZ 357 degrees 45 minutes 30 seconds 75.00 feet to the north line of said Lot 1; thence on an AZ 267 degrees 45 minutes 30 seconds 70.00 feet coincident with the north line of said Lot 1 to the point of beginning. The above contains 12,123 square feet, more or less.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on April 17, 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 drainage easement located within the City of Topeka, Kansas:

A drainage easement located in Lot 1, Block "A", Menninger Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the northwest corner of said Lot 1; thence east on an AZ 87 degrees 45 minutes 30 seconds 192.65 feet coincident with the north line of said Lot 1 to the point of beginning; thence on an AZ 177 degrees 45 minutes 30 seconds 75.00 feet; thence on an AZ 87 degrees 45 minutes 30 seconds 10.00 feet; thence on an AZ 214 degrees 36 minutes 00 seconds 343.60 feet to the southwest corner of said Lot 1; thence on an AZ 87 degrees 45 minutes 37 seconds 25.00 feet coincident with the south line of said Lot 1; thence on an AZ 34 degrees 36 minutes 05 seconds 343.61 feet; thence on an AZ 87 degrees 45 minutes 30 seconds 35.00 feet; thence on an AZ 357 degrees 45 minutes 30 seconds 75.00 feet to the north line of said Lot 1; thence on an AZ 267 degrees 45 minutes 30 seconds 70.00 feet coincident with the north line of said Lot 1 to the point of beginning. The above contains 12,123 square feet, more or less.

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 April 17, 2001.

ATTEST:

Iris E. Walker, City Clerk

Harry Felker, Mayor

To Be Codified 

Not To Be Codified X

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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. 17669, duly adopted by the City Council on April 17, 2001.

Iris E. Walker, City Clerk