ORDINANCE NO. 17672

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 10-foot wide utility easement as dedicated by Lakeview Subdivision Plat, City of Topeka, Shawnee County, Kansas, extending across property located at 3211 SE Westedge Road. (V01E/3) (Council District No. 4)

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 Mr. and Mrs. Terry Runyon, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described utility easement located within the City of Topeka, Shawnee County, Kansas:

A utility easement located between Lots 15 and 14, Lakeview Subdivision in the City of Topeka, Shawnee County, Kansas, described as follows: The north 5 feet of Lot 15 and the south 5 feet of Lot 14, Lakeview Subdivision in the City of Topeka, Shawnee County, Kansas.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on May 15, 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 easement located within the City of Topeka, Kansas:

A utility easement located in Lots 15 and 14, Lakeview Subdivision in the City of Topeka, Shawnee County, Kansas, described as follows: The north 5 feet of Lot 15 and the south 5 feet of Lot 14, Lakeview Subdivision in the City of Topeka, Shawnee County, Kansas.
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 May 15, 2001.

Harry Felker, 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. 17677, duly adopted by the City Council on May 15, 2001.

Iris E. Walker, City Clerk