ORDINANCE NO. 12687

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 6-foot wide public utility easement located at the southwest corner of Lot 3, Block "A", Leander Subdivision, City of Topeka, Shawnee County, Kansas, on property located at 1911 NW Lower Silver Lake Road in the City of Topeka, Kansas. (V01E/4) (Council District No. 1)

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 Lee Schmidt, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described public utility easement located within the City of Topeka, Shawnee County, Kansas:

A portion of a platted utility easement located on Lot 3, Block "A", Leander Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the southwest corner of said Lot 3; thence easterly on the south line of Lot 3, 50.0 feet; thence northerly parallel with the west line of Lot 3, 6 feet; thence westerly on the north line of a platted utility easement, 44 feet; thence northerly on the east line of a platted utility easement, 58.67 feet; thence westerly parallel with the south line of Lot 3, 6 feet; thence southerly on the west line of Lot 3, 64.67 feet 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 June 12, 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 portion of a platted utility easement located on Lot 3, Block "A", Leander Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the southwest corner of said Lot 3; thence easterly on the south line of Lot 3, 50.0 feet; thence northerly parallel with the west line of Lot 3, 6 feet; thence westerly on the north line of a platted utility easement, 44 feet; thence northerly on the east line of a platted utility easement, 58.67 feet; thence westerly parallel with the south line of Lot 3, 6 feet; thence southerly on the west line of Lot 3, 64.67 feet to the point of beginning.

**Section 5.** This vacation shall not affect 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 **June 12**, 2001.

![Seal of Topeka]

[Signed]
Harry Felker, Mayor

**ATTEST:**

[Signed]
Iris E. Walker, City Clerk

To Be Codified ____

Not To Be Codified **X**