ORDINANCE NO. 17913

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 1 foot wide right-of-way and a 1.5 foot wide right-of-way located along S. Kansas Avenue as dedicated by Original Town Subdivision, City of Topeka, Shawnee County, Kansas, on property located on the west side of S. Kansas Avenue between SE 7th Street and SE 8th Avenue in the City of Topeka, Kansas. (V01S/8) (Council District No. 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 Robert Scrinopiskie et al., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described rights-of-way located within the City of Topeka, Shawnee County, Kansas:

Four (4) portions of Kansas Avenue, all in the Original Town, City of Topeka, Shawnee County, Kansas, described as: 1) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 234 on Kansas Avenue, extending from extensions of the north and south lines of Lot 234; 2) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 238 on Kansas Avenue, extending from extensions of the north and south lines of Lot 238; 3) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 242 on Kansas Avenue, extending from extensions of the north and south lines of Lot 242; and 4) A 1.5 foot wide strip, the east line of which is coincident with the west lines of Lots 244 and 246 on Kansas Avenue, extending from an extension of the north line of Lot 244 to an extension of the south line of Lot 246.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on August 28, 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 street rights-of-way located within the City of Topeka, Kansas:
Four (4) portions of Kansas Avenue, all in the Original Town, City of Topeka, Shawnee County, Kansas, described as: 1) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 234 on Kansas Avenue, extending from extensions of the north and south lines of Lot 234; 2) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 238 on Kansas Avenue, extending from extensions of the north and south lines of Lot 238; 3) A 1 foot wide strip, the east line of which is coincident with the west line of Lot 242 on Kansas Avenue, extending from extensions of the north and south lines of Lot 242; and 4) A 1.5 foot wide strip, the east line of which is coincident with the west lines of Lots 244 and 246 on Kansas Avenue, extending from an extension of the north line of Lot 244 to an extension of the south line of Lot 246.

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 August 28, 2001.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified X