ORDINANCE NO. 17745

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of the north 6-feet of a platted 20 foot wide public utility easement located along the south lot line of property located at 5209 SW 40th Terrace as dedicated by Clarion Woods Subdivision No. 3, City of Topeka, Shawnee County, Kansas. (V01E/8) (Council District No. 7)

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 Gary D. and Myrna K. Atkinson, as property owners, 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:

The north 6-feet of the south 20-feet of Lot 8, Block "C", Clarion Woods Subdivision No. 3, 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 November 13, 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 be granted and does hereby order the vacation of the below described public utility easement located within the City of Topeka, Kansas:

The north 6-feet of the south 20-feet of Lot 8, Block "C", Clarion Woods Subdivision No. 3, City of Topeka, Shawnee County, Kansas.
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 Nov. 13, 2001.

[Signature]
Mayor Folker, Mayor

ATTEST:

[Signature]
Iris E. Walker, City Clerk

To Be Codified ___

Not To Be Codified X

RECEIVED

Oct. 12, 2001

Topeka Shawnee County Metropolitan Planning Department

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