(Published in the Topeka Metro News May 22, 2002)

ORDINANCE NO. 17822

AN ORDINANCE introduced by Mayor Harry Selker relating to the vacation of a 12-foot wide utility easement and an adjoining 12-foot wide temporary construction easement located along the north lot line of property located at 3721 SW Topeka Boulevard, as dedicated by White Lakes Plaza Subdivision, City of Topeka, Shawnee County, Kansas. (V02E/3) (Council District No. 5)

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 D. L. Rogers, Corp., 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 12-foot wide utility easement and an adjoining 12-foot wide temporary construction easement as platted on Lots 1 and 2, Block "A", White Lakes Plaza Subdivision, City of Topeka, Shawnee County, Kansas, extending from the northwest curved line of Lot 2, easterly, to a line which is 12-feet west of the east line of Lot 1.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on May 14, 2002, 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 utility easement located within the City of Topeka, Kansas:
A 12-foot wide utility easement and an adjoining 12-foot wide temporary construction easement as platted on Lots 1 and 2, Block "A", White Lakes Plaza Subdivision, City of Topeka, Shawnee County, Kansas, extending from the northwest curved line of Lot 2, easterly, to a line which is 12-feet west of the east line of Lot 1.

Section 5. This vacation shall not effect any other underlying easement, 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 14, 2002.

Harry S. Nelka
Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified 

Not To Be Codified X