AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of 3.29-feet of a 25-foot wide platted building setback along SW Maupin Lane dedicated by Foxcroft Four Subdivision for property located at 2929 SW Cedar Cove Court, City of Topeka, Shawnee County, Kansas. (V02SB/5) (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 LaWanda Andrews, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described platted building setback located within the City of Topeka, Shawnee County, Kansas:

Part of Lot 1, Block "A", Foxcroft Four Subdivision, City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the northwest corner of said Lot 1; thence east on Az 87 degrees 55 minutes 59 seconds, 20.01 feet coincident with the north line of said Lot 1; thence on Az 177 degrees 55 minutes 59 seconds, 218.71 feet; thence on Az 272 degrees 17 minutes 34 seconds, 47.00 feet; thence on Az 182 degrees 17 minutes 34 seconds, 14.35 feet to the point of beginning; thence continuing on Az 182 degrees 17 minutes 34 seconds, 41.65 feet; thence on Az 92 degrees 17 minutes 34 seconds, 3.29 feet; thence on Az 357 degrees 46 minutes 35 seconds, 41.78 feet to the point of beginning. Said tract containing 68.5 square feet, more or less.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on June 25, 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 platted building setback located within the City of Topeka, Kansas:
Part of Lot 1, Block "A", Foxcroft Four Subdivision, City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the northwest corner of said Lot 1; thence east on Az 87 degrees 55 minutes 59 seconds, 20.01 feet coincident with the north line of said Lot 1; thence on Az 177 degrees 55 minutes 59 seconds, 218.71 feet; thence on Az 272 degrees 17 minutes 34 seconds, 47.00 feet; thence on Az 182 degrees 17 minutes 34 seconds, 14.35 feet to the point of beginning; thence continuing on Az 182 degrees 17 minutes 34 seconds, 41.65 feet; thence on Az 92 degrees 17 minutes 34 seconds, 3.29 feet; thence on Az 357 degrees 46 minutes 35 seconds, 41.78 feet to the point of beginning. Said tract containing 68.5 square feet, more or less.

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 __________, 2002.

[Signature]

Harry Folker, Mayor

ATTEST:

[Signature]

Iris E. Walker, City Clerk

To Be Codified ______

Not To Be Codified __X__