ORDINANCE NO. 17915

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 1-foot wide strip of right-of-way along S. Kansas Avenue as dedicated by Original Town, on property located on the east side of S. Kansas Avenue between SE 7th Street and SE 8th Avenue in the City of Topeka, Shawnee County, Kansas. (V02S/4) (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 Penelope Lumpkin, Polly Brunkhardt, and Gray Horse Farms, L.L.C., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described street right-of-way located within the City of Topeka, Shawnee County, Kansas:

A one (1) foot wide strip of Kansas Avenue, in Original Town of Topeka, Shawnee County, Kansas, the east line of which is coincident with the west line of Lot 236 and extending from an extension of the south line of Lot 236 to an extension of the north line of Lot 236.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on November 12, 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 street right-of-way located within the City of Topeka, Kansas:
A one (1) foot wide strip of Kansas Avenue, in Original Town of Topeka, Shawnee County, Kansas, the east line of which is coincident with the west line of Lot 236 and extending from an extension of the south line of Lot 236 to an extension of the north line of Lot 236.

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, November 12, 2002.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

Not To Be Codified x