ORDINANCE NO. 18003

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 5-foot wide public utility easement on property located at 1906 SW Belle Avenue, as dedicated by the plat of The Village Subdivision ‘A’, City of Topeka, Shawnee County, Kansas. (V03E/1) (Council District No. 8)

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 James F. Bryan, as property owner, 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:

All of a portion of a 5-foot platted utility easement located along the south line of Lot 10, Block “B”, The Village Subdivision ‘A’, 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 May 13, 2003, 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:

All of a portion of a 5-foot platted utility easement located along the south line of Lot 10, Block “B”, The Village Subdivision ‘A’, City of Topeka, Shawnee County, Kansas.

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 **May 13**, 2003.

![Seal of Topeka]

Harry Feltner, Mayor

ATTEST:

![Seal of Topeka]

Iris E. Walker, City Clerk

![Stamp: Approved as to form & legality]

**MAY 02 2003**

CITY ATTORNEY'S OFFICE

To Be Codified

Not To Be Codified **X**