ORDINANCE NO. 18016

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a 10-foot wide public utility easement segment as dedicated by Country Club Place Addition to the City of Topeka, Shawnee County, Kansas; and is a centrally located north/south easement at 807 SW Terrace Avenue and specifically repealing City of Topeka Ordinance 17307. (V98E/5) (Council District No. 3)

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 David and Margaret Patton, 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:

A part of Lots 7 and 8, Block “13”, Country Club Place Addition to the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at the northwesterly corner of said Lot 7; thence along the northerly line of said Lot 7 on a 657.89 foot radius curve right an arc distance of 5.00 feet, said curve having a long chord bearing north 57 degrees 39 minutes 34 seconds east, 5.00 feet; thence parallel to and 5.00 feet east of the westerly line of said Lot 7, south 32 degrees 46 minutes 25 seconds east, 119.26 feet; thence south 77 degrees 01 minutes 07 seconds west, 5.31 feet to a point on the westerly line of said Lot 7, said point being 117.50 feet south of the northwest corner of said Lot 7; thence continuing south 77 degrees 01 minutes 07 seconds west, 5.31 feet; thence north 32 degrees 46 minutes 25 seconds west, 115.70 feet parallel to the east line of said Lot 8 to a point on the northerly line of said Lot 8; thence on a 657.89 foot radius curve right an arc distance of 5.00 feet, said curve having a long chord bearing north 57 degrees 13 minutes 26 seconds east, 5.00 feet to the point of beginning.

Section 2. City of Topeka Ordinance No. 17307 is hereby specifically repealed.

Section 3. 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:

A part of Lots 7 and 8, Block “13”, Country Club Place Addition to the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at the northwesterly corner of said Lot 7; thence along the northerly line of said Lot 7 on a 657.89 foot radius curve right an arc distance of 5.00 feet, said curve having a long chord bearing north 57 degrees 39 minutes 34 seconds east, 5.00 feet; thence parallel to and 5.00 feet east of the westerly line of said Lot 7, south 32
degrees 46 minutes 25 seconds east, 119.26 feet; thence south 77 degrees 01 minutes 07 seconds west, 5.31 feet to a point on the westerly line of said Lot 7, said point being 117.50 feet south of the northwest corner of said Lot 7; thence continuing south 77 degrees 01 minutes 07 seconds west, 5.31 feet; thence north 32 degrees 46 minutes 25 seconds west, 115.70 feet parallel to the east line of said Lot 8 to a point on the northerly line of said Lot 8; thence on a 657.89 foot radius curve right an arc distance of 5.00 feet, said curve having a long chord bearing north 57 degrees 13 minutes 26 seconds east, 5.00 feet to the point of beginning.

Section 5. This vacation shall not effect any other underlying easements or restrictions whether platted or by instrument.

Section 6. 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 20__, 2003.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified __X__

Not To Be Codified ___