(Published in the Topeka Metro News June 6, 2003)

ORDINANCE NO. 18024

AN ORDINANCE introduced by Mayor Harry Felker relating to the vacation of a portion of a 40-foot wide platted building setback along SW 29th Street as dedicated by Mission Center Subdivision for property located at 2900 SW Lincolnshire Road, City of Topeka, Shawnee County, Kansas. (V03SB/5) (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 Dennis and Virginia Ary, as property owners, 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:

The east 1-foot of the west 40-feet of the south 21-feet of the north 81-feet of Lot 1, Block "E", Mission Center Subdivision, City of Topeka, Shawnee County, Kansas.

ALSO: The south 10-feet of the north 40-feet of the east 29-feet of the west 74-feet of said Lot 1.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on June 3, 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 platted building setback located within the City of Topeka, Kansas:
The east 1-foot of the west 40-feet of the south 21-feet of the north 81-feet of Lot 1, Block "E", Mission Center Subdivision, City of Topeka, Shawnee County, Kansas. ALSO: The south 10-feet of the north 40-feet of the east 29-feet of the west 74-feet of said Lot 1.

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 __June 3__, 2003.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified _____
Not To Be Codified _____