ORDINANCE NO. 18117

AN ORDINANCE introduced by Deputy Mayor Duane Pomeroy relating to the vacation of a 60-foot wide unimproved street right-of-way on property located west of SW Chatham Place approximately 470-feet south of SW 10th Avenue, as dedicated by the plat of Area Vocational-Technical School Subdivision No. 2, City of Topeka, Shawnee County, Kansas. (V03S/3) (Council District No. 9)

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 Lenore Smith, Trustee, has been filed with the office of the City Clerk, requesting the vacation of the following described unimproved street right-of-way located within the City of Topeka, Shawnee County, Kansas:

Beginning at the northeast corner of Lot 1, Block “A”, Area Vocational-Technical School Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas; thence west on AZ 269 degrees 38 minutes 18 seconds, 368.22 feet; thence north on AZ 0 degree 01 minute 39 seconds, 60.00 feet; thence east on AZ 89 degrees 38 minutes 18 seconds, 368.31 feet, said point being the southeast corner of Lot 1, Block “B”, Area Vocational-Technical School Subdivision No. 2; thence south on AZ 180 degrees 07 minutes 06 seconds, 60.00 feet to the point of beginning. Tract contains 0.5-acres, 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 November 18, 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 unimproved street right-of-way located within the City of Topeka, Kansas:
Beginning at the northeast corner of Lot 1, Block “A”, Area Vocational-Technical School Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas; thence west on AZ 269 degrees 38 minutes 18 seconds, 368.22 feet; thence north on AZ 0 degree 01 minute 39 seconds, 60.00 feet; thence east on AZ 89 degrees 38 minutes 18 seconds, 368.31 feet, said point being the southeast corner of Lot 1, Block “B”, Area Vocational-Technical School Subdivision No. 2; thence south on AZ 180 degrees 07 minutes 06 seconds, 60.00 feet to the point of beginning. Tract contains 0.5-acres, 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 Nov. 18, 2003.

ATTEST:

Iris E. Walker, City Clerk

Duane F. Pomeroy, Deputy Mayor

To Be Codified __

Not To Be Codified X