ORDINANCE NO. 18139

AN ORDINANCE introduced by Deputy Mayor Duane F. Pomeroy relating to the vacation of a portion of a street right-of-way along NE Laurent Street, as dedicated by the plat of Garden Park Addition, City of Topeka, Shawnee County, Kansas. (V03S/4) (Council District No. 1)

BE IT ORDERED 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 Robert R. and Barbara J. McDowell, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described public street right-of-way located within the City of Topeka, Shawnee County, Kansas:

Lot 1 on Michigan Avenue, formerly “A” Street, in Garden Park Addition to the City of Topeka, Shawnee County, Kansas. And a tract of land described as follows: Commencing at the northwest corner of Lot 1 on Michigan Avenue, formerly “A” Street in Garden Park Addition to the City of Topeka, Shawnee County, Kansas; thence south 57 degrees 18 minutes 11 seconds east (assumed bearing) along the northeasterly line of said Lot 1, 47.27 feet to the point of beginning; thence south 89 degrees 29 minutes 39 seconds east, 12.48 feet; thence south 0 degree 57 minutes 39 seconds west, 7.82 feet to the northeasterly line of Lot 1; thence north 57 degrees 18 minutes 11 seconds west along the northeasterly line of said Lot 1, 14.67 feet to the point of beginning.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on December 9, 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 street right-of-way located within the City of Topeka, Kansas:

Lot 1 on Michigan Avenue, formerly “A” Street, in Garden Park Addition to the City of Topeka, Shawnee County, Kansas. And a tract of land described as follows: Commencing at the northwest corner of Lot 1 on Michigan Avenue, formerly “A” Street in Garden Park Addition to the City of Topeka, Shawnee County, Kansas; thence south 57 degrees 18 minutes 11 seconds east (assumed bearing) along the northeasterly line of said Lot 1, 47.27 feet to the point of beginning; thence south 89 degrees 29 minutes 39 seconds east, 12.48 feet; thence south 0 degree 57 minutes 39 seconds west, 7.82 feet to the northeasterly line of Lot 1; thence north 57 degrees 18 minutes 11 seconds west along the northeasterly line of said Lot 1, 14.67 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. 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 December 9, 2003.

Duane F. Pomeroy, Deputy Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified X

CITY ATTORNEY’S OFFICE

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