ORDINANCE NO. 18402

AN ORDINANCE introduced by Mayor James A. McClinton relating to the vacation of a portion of a north/south easement and building setback and an east/west utility easement located at 4317 SW Drury Lane, City of Topeka, Shawnee County, Kansas. (V05E/2) (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 Laubach Properties, L.L.C., as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described utility easements and building setback located within the City of Topeka, Shawnee County, Kansas:

The North five feet of the West 9 ½ feet of Lot 6; the North 5 feet of the East 56 feet of Lot 7; the East five feet of Lot 7, except the South five feet thereof; the West 5 feet of Lot 6, except the South 5 feet thereof; all in Block “3”, McAlister Heights, a subdivision in the 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 March 15, 2005, 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 utility easements and building setback located within the City of Topeka, Kansas:

The North five feet of the West 9 ½ feet of Lot 6; the North 5 feet of the East 56 feet of Lot 7; the East five feet of Lot 7, except the South five feet thereof; the West 5 feet of Lot 6, except the South 5 feet thereof; all in Block “3”, McAlister Heights, a subdivision in the City of Topeka, Shawnee County, Kansas.
Section 5. 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 6. 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 March 15, 2005.

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified ___
Not To Be Codified ___X