ORDINANCE NO. 18470

AN ORDINANCE introduced by City Manager, Neil Dobler, relating to the vacation of a six-foot wide north/south utility easement located at 3305 SW Huntoon Street, City of Topeka, Shawnee County, Kansas. (V05E/6) (Council District No. 6)

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 Gerrad and Jamie Simecka, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described utility easement located within the City of Topeka, Shawnee County, Kansas:

The East 3 feet of Lot 17 and the West 3 feet of Lot A, in Block A, Westboro Addition to the City of Topeka, Shawnee County, Kansas; EXCEPT: Those portions of the afore-described right of way which lie south of a line which is 3 feet north of the South line of Lot 17 and its extension.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on June 28, 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 easement located within the City of Topeka, Kansas:
The East 3 feet of Lot 17 and the West 3 feet of Lot A, in Block A, Westboro Addition to the City of Topeka, Shawnee County, Kansas; EXCEPT: Those portions of the afore-described right of way which lie south of a line which is 3 feet north of the South line of Lot 17 and its extension.

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 June 28, 2005.

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified __

Not To Be Codified ___ X