

(Published in the Topeka Metro News May 5, 2006)

ORDINANCE NO. 18630

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted water line easement and a platted drainage and utility easement located at 5841 SW 21st Street, City of Topeka, Shawnee County, Kansas. (V06E/3) (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 Mini-Warehouse LTD, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described platted water line easement and a platted drainage and utility easement located within the City of Topeka, Shawnee County, Kansas:

Water Line Easement: All of a platted water line easement on Lot 1, Block A in Valley Industrial Subdivision in the City of Topeka, Shawnee County, Kansas, more particularly described as: The West 116-feet of the East 128-feet of the North 15-feet of the South 27-feet of said Lot 1.

Drainage and Utility Easement: The South 12-feet of Lot 1, Block A in Valley Industrial Subdivision in the City of Topeka, Shawnee County, Kansas; EXCEPT: The East 12-feet of said South 12-feet; ALSO EXCEPT: A portion of said Lot 1 described as: Beginning at the Northwest corner of the South 12-feet of said Lot 1; thence southerly on the West line of Lot 1 to the Southwest corner of said lot; thence easterly on the South line of Lot 1, 25.5-feet; thence northwesterly 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 May 2, 2006, 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 water line easement and platted drainage and utility easement located within the City of Topeka, Kansas:

Water Line Easement: All of a platted water line easement on Lot 1, Block A in Valley Industrial Subdivision in the City of Topeka, Shawnee County, Kansas, more particularly described as: The West 116-feet of the East 128-feet of the North 15-feet of the South 27-feet of said Lot 1.

Drainage and Utility Easement: The South 12-feet of Lot 1, Block A in Valley Industrial Subdivision in the City of Topeka, Shawnee County, Kansas; EXCEPT: The East 12-feet of said South 12-feet; ALSO EXCEPT: A portion of said Lot 1 described as: Beginning at the Northwest corner of the South 12-feet of said Lot 1; thence southerly on the West line of Lot 1 to the Southwest corner of said lot; thence easterly on the South line of Lot 1, 25.5-feet; thence northwesterly to the point of beginning.

Section 5. That the Council of the City of Topeka does hereby find that justice further requires the provision for a utility easement to be established over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a drainage and utility easement:

A portion of Lot 1, Block A in Valley Industrial Subdivision in the City of Topeka, Shawnee County, Kansas described as: Beginning at the Northwest corner of the South 12-feet of said Lot 1; thence southerly on the West line of Lot 1 to the Southwest corner of said lot; thence easterly

on the South line of Lot 1, 25.5-feet; thence northwesterly to the point of beginning.

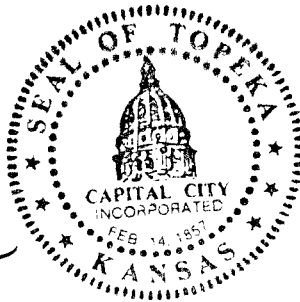
Section 6. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

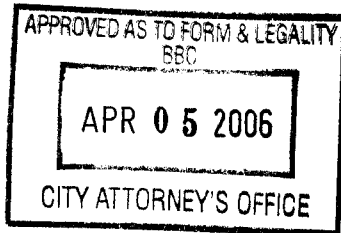
PASSED AND APPROVED by the Council of the City of Topeka May 2, 2006.

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk



William W. Bunten
William W. Bunten, Mayor



To Be Codified
Not To Be Codified X