

(Published in the Topeka Metro News February 21, 2007)

ORDINANCE NO. 18810

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a tract of land in the SW 16th Street public right-of-way beginning at a point 22.85 feet east of the NW Corner of Lot 1, Block "D" College Hill Redevelopment Subdivision, City of Topeka, Shawnee County, Kansas. (V06S/3) (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 Washburn Lane Parkway Renovations, L.L.C., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted street right-of-way located within the City of Topeka, Shawnee County, Kansas:

A tract of land in SW 16th Street right-of-way in the City of Topeka, Shawnee County, Kansas described as such;

Commencing at the NW Corner of Lot 1, Block "D", College Hill Redevelopment Subdivision; thence on an azimuth of 90 degrees 24 minutes 23 seconds, a distance of 22.85 feet, coincident with said north line of said Lot 1, to the point of beginning; thence on an azimuth of 330 degrees 24 minutes 23 seconds, a distance of 13.28 feet; thence on an azimuth of 90 degrees 24 minutes 23 seconds, a distance of 22.52 feet; thence on an azimuth of 150 degrees 24 minutes 23 seconds, a distance of 13.28 feet to the north line of said Lot 1; thence on an azimuth of 270 degrees 24 minutes 23 seconds, a distance of 22.52 feet, coincident with said north line of said Lot 1, to the point of beginning, and including 258.94 S.F.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on February 6, 2007, 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 street right-of-way located within the City of Topeka, Kansas:

A tract of land in SW 16th Street right-of-way in the City of Topeka, Shawnee County, Kansas described as such;
Commencing at the NW Corner of Lot 1, Block "D", College Hill Redevelopment Subdivision; thence on an azimuth of 90 degrees 24 minutes 23 seconds, a distance of 22.85 feet, coincident with said north line of said Lot 1, to the point of beginning; thence on an azimuth of 330 degrees 24 minutes 23 seconds, a distance of 13.28 feet; thence on an azimuth of 90 degrees 24 minutes 23 seconds, a distance of 22.52 feet; thence on an azimuth of 150 degrees 24 minutes 23 seconds, a distance of 13.28 feet to the north line of said Lot 1; thence on an azimuth of 270 degrees 24 minutes 23 seconds, a distance of 22.52 feet, coincident with said north line of said Lot 1, to the point of beginning, and including 258.94 S.F.

Section 5. This vacation shall not effect any other underlying easements or restrictions whether platted or by instrument.

Section 6. The 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 February 13, 2007.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, Interim City Clerk

To Be Codified ____
Not To Be Codified X