

(Published in the Topeka Metro News May 9, 2007)

**ORDINANCE NO. 18864**

**AN ORDINANCE** introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted southwesterly sanitary sewer easement located about 270-feet west of SW Misty Harbor Drive on SW 47<sup>th</sup> Court in Alexander Place Subdivision, City of Topeka, Shawnee County, Kansas. **(V07E/6) (Council District No. 7)**

**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 Charles Dultmeier et al., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted sanitary sewer easement located within the City of Topeka, Shawnee County, Kansas:

**A platted sanitary sewer easement which is described as the Southwest 16 feet of Lot 15, Block "F" in Alexander Place Subdivision in the City of Topeka, Shawnee County, Kansas, EXCEPT: The Northwest 8 feet of said Southwest 16 feet, which is platted as an 8 foot wide utility easement.**

**Section 2.** That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on April 24, 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 sanitary sewer easement located within the City of Topeka, Kansas:

**A platted sanitary sewer easement which is described as the Southwest 16 feet of Lot 15, Block "F" in Alexander Place Subdivision in the City of Topeka, Shawnee County, Kansas, EXCEPT: The Northwest 8 feet of said Southwest 16 feet, which is platted as an 8 foot wide utility easement.**

**Section 5.** This vacation shall not affect 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 May 1, 2007.

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk

To Be Codified \_\_\_  
Not To Be Codified X