

(Published in the Topeka Metro News June 20, 2007)

**ORDINANCE NO. 18897**

**AN ORDINANCE** introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted 20-foot wide utility easement and a platted 20-foot wide ingress/egress easement located at the northeast corner of SW 10<sup>th</sup> Avenue and SW Lane Street in Westlawn Addition, City of Topeka, Shawnee County, Kansas. **(V07E/5) (Council District No. 1)**

**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 Stormont Vail Healthcare, Inc., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted utility and ingress/egress easements located within the City of Topeka, Shawnee County, Kansas:

**Utility Easement: A 20-foot wide utility easement adjacent to Lots 208, 210, 212, 214, 216 and 218 on Tenth Avenue, and Lot 312 on Lane Street in Westlawn Addition to the City of Topeka, Shawnee County, Kansas.**

**Ingress/Egress Easement: The North 20.00 feet of Lot 308 on Lane Street in Westlawn Addition to 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 May 22, 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 utility and ingress/egress easements located within the City of Topeka, Kansas:

**Utility Easement: A 20-foot wide utility easement adjacent to Lots 208, 210, 212, 214, 216 and 218 on Tenth Avenue, and Lot 312 on Lane Street in Westlawn Addition to the City of Topeka, Shawnee County, Kansas.**

**Ingress/Egress Easement: The North 20.00 feet of Lot 308 on Lane Street in Westlawn Addition to the City of Topeka, Shawnee County, Kansas.**

**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 June 12, 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