

(Published in the Topeka Metro News February 20, 2008)

ORDINANCE NO. 19035

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a 60' wide portion of a platted access control easement located along the east line of Lot 1, Block "D", Rockfire at the Lake Subdivision on SE Croco Road, City of Topeka, Shawnee County, Kansas. **(V07RA/1) (Council District No. 4)**

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 Rockfire Capital LC, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described platted access control easement located along the east line of Lot 1, Block "D", Rockfire at the Lake Subdivision on SE Croco Road within the City of Topeka, Shawnee County, Kansas:

In Lot 1, Block "D", Rockfire at the Lake Subdivision. The south 60' of the north 370' of access control along the east line of said Lot 1.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on February 12, 2008 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 access control easement located within the City of Topeka, Kansas:

In Lot 1, Block "D", Rockfire at the Lake Subdivision. The south 60' of the north 370' of access control along the east line of said Lot 1.

Section 5. That the Council of the City of Topeka does hereby find that justice further requires the

described property as set forth in Section 4 be replatted to record the change in access control and does hereby order the replat of the below described area:

Lot 1, Block "D", Rockfire at the Lake Subdivision.

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 February 12, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X