

(Published in the Topeka Metro News December 14, 2020)

**ORDINANCE NO. 20270**

**ORDINANCE** introduced by City Manager Brent Trout relating to the vacation of a 70 foot wide section of public right-of-way for SW Harrison Street that is adjacent with 2000 SW Topeka Blvd in the City of Topeka, Shawnee County, Kansas (V20S/3) (Council District No. 3)

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:**

**Section 1.** That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Rick Wendlend. as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described public rights-of-way located within the City of Topeka, Shawnee County, Kansas:

*All that part of SW Harrison Street lying South of SW 20th Street as platted in Walnut Grove Subdivision, City of Topeka, Shawnee County, Kansas being described as follows: BEGINNING at the Northeast corner of Lot 723 on SW Harrison Street in said Walnut Grove Subdivision; thence on an assumed bearing of N88°23'41"E, 70.00 feet to the Northwest corner of Lot C, Walnut Grove Subdivision; thence S01°31'22"E along the West line of said Lot C, 86.84 feet; thence S27°36'11"W, 143.82 feet to a point on the West line of said SW Harrison Street; thence N01°31'22"W, 212.37 feet to the POINT OF BEGINNING. Containing 0.24 acres more or less.*

**Section 2.** That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on **December 8, 2020**, the petition is ready for determination by the Governing Body of the City of Topeka, Kansas.

**Section 3.** That the Governing Body 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 Governing Body 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 public rights-of-

way located within the City of Topeka, Kansas:

*All that part of SW Harrison Street lying South of SW 20th Street as platted in Walnut Grove Subdivision, City of Topeka, Shawnee County, Kansas being described as follows: BEGINNING at the Northeast corner of Lot 723 on SW Harrison Street in said Walnut Grove Subdivision; thence on an assumed bearing of N88°23'41"E, 70.00 feet to the Northwest corner of Lot C, Walnut Grove Subdivision; thence S01°31'22"E along the West line of said Lot C, 86.84 feet; thence S27°36'11"W, 143.82 feet to a point on the West line of said SW Harrison Street; thence N01°31'22"W, 212.37 feet to the POINT OF BEGINNING. Containing 0.24 acres more or less.*

**Section 5.** That the Council of the City of Topeka does hereby find that justice further requires the provision for a “public 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 public utility easement:

*A part of SW Harrison Street lying South of SW 20th Street as platted in Walnut Grove Subdivision, City of Topeka, Shawnee County, Kansas being described as follows: Commencing at the Northeast corner of Lot 723 in said Walnut Grove Subdivision; thence on an assumed bearing N88°23'41"E along the South right of way line of said SW 20th Street, a distance of 23.04 feet to the POINT OF BEGINNING; thence continuing along said right of way line N88°23'41"E, a distance of 25.15 feet; thence S04°39'03"W, 31.61 feet; thence S00°08'06"E, a distance of 105.24 feet; thence S27°36'11"W, a distance of 53.71 feet; thence N00°08'06"W, a distance of 153.82 feet; thence N04°39'03"E, a distance of 29.91 feet to the POINT OF BEGINNING. Containing 4007 square feet more or less.*

**Section 6.** That the Council of the City of Topeka does hereby find that justice further requires the provision for a “public drainage and public access 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 public utility easement:

*A part of vacated SW Harrison Street lying South of SW 20th Street as platted in Walnut Grove Subdivision, City of Topeka, Shawnee County, Kansas being described as follows: BEGINNING at the Northwest corner of Lot C in said Walnut Grove Subdivision; thence S01°31'22"E along the West line of said Lot C, 25.00 feet; thence S88°23'41"W parallel to the South right of way line of said SW 20th Street, 35.00 feet to the centerline of said SW Harrison Street; thence N01°31'22"W along the centerline of said SW Harrison Street, 25.00 feet to a point on the South right of way line of SW 20th Street; thence N88°23'41"E, 35.00, feet to the POINT OF BEGINNING. Containing 874.1 square feet more or less.*

**Section 7.** 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 8.** 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 Governing Body of the City of Topeka December 8, 2020

---

Michelle De La Isla, Mayor

ATTEST:

---

Brenda Younger, City Clerk