

(Published in the Topeka Metro News July 16, 2008)

ORDINANCE NO. 19119

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a portion of a platted utility easement in Lauren's Bay Estates located on the west side of SW Stonybrook Drive at SW 46th Street, extended, City of Topeka, Shawnee County, Kansas. **(V08E/2) (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 Philip and Lisa Vostrejs, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted utility easement located within the City of Topeka, Shawnee County, Kansas:

A platted utility easement described as the North 12 feet of Lot 18, Block F in Lauren's Bay Estates in the City of Topeka, Shawnee County, Kansas, EXCEPT, the West 6 feet of Lot 18 which is platted as a utility easement; AND ALSO EXCEPT the East 10 feet of Lot 18 which is platted as a utility easement.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on July 8, 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 utility easement located within the City of Topeka, Kansas:

A platted utility easement described as the North 12 feet of Lot 18, Block F in Lauren's Bay Estates in the City of Topeka, Shawnee County, Kansas, EXCEPT, the West 6 feet of Lot 18 which is platted as a utility easement; AND ALSO EXCEPT the East 10 feet of Lot 18 which is platted as a 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 July 8, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____
Not To Be Codified **X**