

(Published in the Topeka Metro News August 27, 2008)

ORDINANCE NO. 19141

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to a portion of a public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street in the Original Town of Topeka, Shawnee County, Kansas (V08A/1) (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 Kansas Medical Mutual Insurance Company and Blue Cross and Blue Shield of Kansas as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described public alley located within the City of Topeka, Shawnee County, Kansas:

**A portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as:
Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.**

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on **August 19, 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 public alley located within the City of Topeka, Kansas:

A portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as: Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.

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 portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as: Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.

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 August 19, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____
Not To Be Codified X