

ORDINANCE NO. 19449

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. relating to the vacation of a platted sewer and storm sewer easement on property located at 3801 SW 12th Street, City of Topeka, Shawnee County, Kansas. **(V10E/1) (Council District No. 6)**

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 Stephen R. and Luci R. Drain, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted sewer and storm sewer easements located within the City of Topeka, Shawnee County, Kansas:

All of the platted sewer easement, except the West 11 feet thereof, and all of the platted storm sewer easement on Lot 56 in Devonshire Heights Subdivision No. 2 in 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 July 27, 2010, 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 platted vehicular traffic restriction located within the City of Topeka, Kansas:

All of the platted sewer easement, except the West 11 feet thereof, and all of the platted storm sewer easement on Lot 56 in Devonshire Heights Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas

Section 5. This vacation shall not effect 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 Governing Body of the City of Topeka July 27, 2010.

William Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified

Not To Be Codified X