

(Published in the Topeka Metro News September 27, 2010)

ORDINANCE NO. 19472

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a 40' wide portion of a platted access control easement located along the north line of Lot 1, Block "A", Brookwood Subdivision fronting on SW 29th Street, in the City of Topeka, Shawnee County, Kansas. **(V10RA/1) (Council District No. 5)**

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 The Robb Company, 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 north line of Lot 1, Block "A", Brookwood Subdivision fronting on SW 29th Street within the City of Topeka, Shawnee County, Kansas:

**Lot 1, Block "A", Brookwood Subdivision in the City of Topeka, Shawnee County, Kansas:
Beginning at a point on said north line 522.2 feet west of the northeast corner of said Lot; thence,
west along said north line 40 feet.**

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on September 21, 2010 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:

**Lot 1, Block "A", Brookwood Subdivision in the City of Topeka, Shawnee County, Kansas:
Beginning at a point on said north line 522.2 feet west of the northeast corner of said Lot;
thence, west along said north line 40 feet.**

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, Kansas September 21, 2010.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified __X__