

(Published in the Topeka Metro News December 13, 2010)

ORDINANCE NO. 19493

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. relating to the vacation of a platted wastewater lateral field easement on property located at 4613 and 4617 SW Mulligan Drive, City of Topeka, Shawnee County, Kansas. **(V10E/2) (Council District No. 2)**

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 Donald D. & Georgia A. Miller and Jeffrey A. Aldridge & Molly Aldridge, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted wastewater lateral field easement located within the City of Topeka, Shawnee County, Kansas:

All of that part of a platted Waste Water Lateral Field Easement on Lots 20 and 21, Block A, Colly Creek Subdivision No. 6 in the City of Topeka, Shawnee County, Kansas, shown on the recorded plat of said subdivision in Plat Book 34, page 3 of the Shawnee County Register of Deeds.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on **December 7, 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 wastewater lateral field easement located within the City of Topeka, Kansas:

All of that part of a platted Waste Water Lateral Field Easement on Lots 20 and

21, Block A, Colly Creek Subdivision No. 6 in the City of Topeka, Shawnee County, Kansas, shown on the recorded plat of said subdivision in Plat Book 34, page 3 of the Shawnee County Register of Deeds.

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 December 7, 2010.

William Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified X