

(Published in the Topeka Metro News October 15, 2012)

**ORDINANCE NO. 19767**

**AN ORDINANCE** introduced by City Manager Jim Colson relating to the partial vacation of a platted green space easement running along the southerly 40 feet of property located at 4422 SW Lakeside Drive, City of Topeka, Shawnee County, Kansas. **(V12E/3) (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 Robert and Suzan Youse, as property owners, has been filed with the office of the City Clerk, requesting the partial vacation of the following described platted green space easement located within the City of Topeka, Shawnee County, Kansas:

**The north 36 feet of a green space easement running along the southerly 40 feet of Lot 1, Block “C”, Misty Harbor Estates No. 4.**

**Section 2.** That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation on September 17, 2012 and again on September 23, 2012, 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 partial vacation of the below described platted green space easement located within the City of Topeka, Kansas:

**The north 36 feet of a green space easement running along the southerly 40 feet of Lot 1, Block “C”, Misty Harbor Estates No. 4.**

**Section 5.** 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 6.** 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 October 9, 2012.

\_\_\_\_\_  
William Bunten, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

To Be Codified \_\_\_\_

Not To Be Codified **X**