

(Published in the Topeka Metro News September 30, 2013)

**ORDINANCE NO. 19852**

**AN ORDINANCE** introduced by City Manager Jim Colson, relating to the vacation of platted access restriction on the East line of property at 3167 SE 10<sup>th</sup> Avenue, City of Topeka, Shawnee County, Kansas. **(V13RA/1) (Council District No. 3)**

**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 Reser's Fine Foods, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted access restriction located within the City of Topeka, Shawnee County, Kansas:

**Access restriction on the East line of Lot 3, Block A, I-70 Industrial Park Subdivision #6 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 **September 24, 2013**, 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 access restriction located within the City of Topeka, Kansas:

**Access restriction on the East line of Lot 3, Block A, I-70 Industrial Park Subdivision #6 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 September 24, 2013.

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Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk

To Be Codified

Not To Be Codified   X