

(Published in the Topeka Metro News April 18, 2016)

ORDINANCE NO. 19987

AN ORDINANCE introduced by Jim Colson City Manager, relating to the vacation of a north-south 14' wide utility easement located at 1221 SW Gage Blvd in the City of Topeka, Shawnee County, Kansas (V16/2) (Council District No. 9)

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 D.L. Rogers Corporation as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described utility easement located within the City of Topeka, Shawnee County, Kansas:

Beginning at the southwest corner of Lot 77 on Gage Boulevard in Boynton's Addition to the City of Topeka, Shawnee County, Kansas; thence North along the east line of the alley to the Northwest corner of Lot 53 on Gage Boulevard in said subdivision; thence West to the Northeast corner of Lot 54 on Mission Avenue in said subdivision; thence South along the West line of said alley to the Southeast corner of Lot 78 on Mission Avenue in said subdivision; thence East to point of beginning.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on April 5, 2016, 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 utility easement located within the City of Topeka, Kansas:

Beginning at the southwest corner of Lot 77 on Gage Boulevard in Boynton's Addition to the City of Topeka, Shawnee County, Kansas; thence North along the east line of the alley to the Northwest corner of Lot 53 on Gage Boulevard in said subdivision; thence West to the Northeast corner of Lot 54 on Mission Avenue in said subdivision; thence South along the West line of said alley to the Southeast corner of Lot 78 on Mission Avenue in said subdivision; thence East to point of beginning.

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 April 5, 2016.

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk