

(Published in the Topeka Metro News June 10, 2009)

ORDINANCE NO. 19264

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at the northeast corner of SW Urish Road and SW Huntoon Street, the centerline of which is approximately 680' east of SW Urish Road and 340' north of SW Huntoon Street from "RR-1" Residential Reserve District **TO** "PUD" Planned Unit Development District (R-3 use group). **(PUD06/4A) (Council District No. 9)**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, by classifying the following described property:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M. IN SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; THENCE NORTH ON AZ. 00 DEGREES 40 MINUTES 18 SECONDS, 552.48 FEET COINCIDENT WITH THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE EAST ON AZ. 90 DEGREES 24 MINUTES 33 SECONDS, 645.85 FEET; THENCE AROUND A CURVE TO THE RIGHT 236.76 FEET, HAVING A RADIUS 285.50 FEET, AND A CENTRAL ANGLE OF 47 DEGREES 30 MINUTES 49 SECONDS AND A CHORD LENGTH OF 230.03 FEET AND CHORD AZ. OF 24 DEGREES 56 MINUTES 09 SECONDS; THENCE AROUND A CURVE TO THE LEFT 74.03 FEET, HAVING A RADIUS 245.00 FEET, AND A CENTRAL ANGLE OF 17 DEGREES 18 MINUTES 48 SECONDS AND A CHORD LENGTH OF 73.75 FEET AND A CHORD AZ. OF 40 DEGREES 02 MINUTES 09 SECONDS; THENCE EAST ON AZ. 90 DEGREES 24 MINUTES 33 SECONDS 67.65 FEET; THENCE AROUND A CURVE TO THE RIGHT 127.05 FEET, HAVING A RADIUS 305.00 FEET, AND A CENTRAL ANGLE OF 23 DEGREES 52 MINUTES 02 SECONDS AND A CHORD LENGTH OF 126.13 FEET AND A CHORD AZ. OF 216 DEGREES 45 MINUTES 32 SECONDS; THENCE AROUND A CURVE TO THE LEFT 188.71 FEET, HAVING A RADIUS 225.50 FEET, AND A CENTRAL ANGLE OF 47 DEGREES 56 MINUTES 57 SECONDS AND A CHORD LENGTH OF 183.25 FEET AND A CHORD AZ. OF 204 DEGREES 43 MINUTES 05 SECONDS; THENCE SOUTH ON AZ. 180 DEGREES 44 MINUTES 36 SECONDS, 4.67 FEET; THENCE EAST ON AZ. 90 DEGREES 24 MINUTES 33 SECONDS, 610.18 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH ON AZ. 180 DEGREES 44 MINUTES 36 SECONDS COINCIDENT WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 545.29 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE WEST ON AZ. 270 DEGREES 24 MINUTES 33 SECONDS, 1315.33

FEET TO THE POINT OF BEGINNING. CONTAINING 17.01 ACRES MORE OR LESS.

TRACT IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, ROAD RIGHT-OF-WAYS AND COVENANTS IF ANY OF RECORD.

AND ALSO

A TRACT OF LAND 60.00 FEET WIDE LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS, THE CENTER LINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; THENCE EAST ON AZ 90 DEGREES 24 MINUTES 33 SECONDS 675.15 FEET, COINCIDENT WITH THE SOUTH LINE AT SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTH ON AZ 0 DEGREES 44 MINUTES 36 SECONDS 545.29 FEET; THENCE AROUND A CURVE TO THE RIGHT, 219.10 FEET, HAVING A RADIUS OF 260.00 FEET AND A CENTRAL ANGLE OF 48 DEGREES 16 MINUTES 58 SECONDS, AND HAVING A CHORD LENGTH OF 212.67 FEET AND A CHORD AZ OF 24 DEGREES 33 MINUTES 02 SECONDS; THENCE AROUND A CURVE TO THE LEFT 230.14 FEET, HAVING A RADIUS OF 275.00 FEET, AND A CENTRAL ANGLE OF 47 DEGREES 56 MINUTES 55 SECONDS, AND A CHORD LENGTH OF 223.48 FEET AND A CHORD AZ OF 24 DEGREES 43 MINUTES 03 SECONDS; THE TO THE POINT OF TERMINATION.

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; THENCE EAST ON AZ 90 DEGREES 24 MINUTES 33 SECONDS 1315.33 FEET, COINCIDENT WITH THE SOUTH LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION; THENCE NORTH ON AZ 0 DEGREES 44 MINUTES 36 SECONDS 545.29 FEET, COINCIDENT WITH THE EAST LINE OF LAST SAID QUARTER, TO THE POINT OF BEGINNING; THENCE WEST ON AZ 270 DEGREES 24 MINUTES 32 SECONDS 610.18 FEET; THENCE AROUND A CURVE TO THE RIGHT 193.82 FEET, HAVING A RADIUS OF 230.00 FEET, AND A CENTRAL ANGLE OF 48 DEGREES 16 MINUTES 58 SECONDS, AND A CHORD LENGTH OF 186.14 FEET, AND A CHORD AZ OF 24 DEGREES 33 MINUTES 02 SECONDS; THENCE AROUND A CURVE TO THE LEFT 127.05 FEET, HAVING A RADIUS OF 305.00 FEET, AND A CENTRAL ANGLE OF 23 DEGREES 52 MINUTES 0 SECONDS, AND A CHORD LENGTH OF 126.13 FEET, AND A CHORD AZ OF 36 DEGREES 45 MINUTES 31 SECONDS; THENCE ON AZ 120 DEGREES 53 MINUTES 18 SECONDS 93.15 FEET; THENCE ON AZ 89 DEGREES 48 MINUTES 32 SECONDS 379.57 FEET; TO THE EAST LINE OF SAID LAST QUARTER; THENCE SOUTH ON AZ 180 DEGREES 44 MINUTES 36 SECONDS 230.00 FEET TO THE POINT OF BEGINNING; CONTAINING 3.02 ACRES MORE OR LESS.

AND ALSO

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; THENCE EAST ON AZ 90 DEGREES 24 MINUTES 33 SECONDS, 1315.33 FEET, COINCIDENT WITH THE SOUTH LINE OF SAID QUARTER SECTION, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER SECTION; THENCE NORTH ON AZ 00 DEGREES 44 MINUTES 36 SECONDS, 622.09 FEET, COINCIDENT WITH THE EAST LINE OF LAST SAID QUARTER TO THE POINT OF BEGINNING; THENCE WEST ON AZ 282 DEGREES 50 MINUTES 24 SECONDS, 469.71 FEET; THENCE ON AZ 18 DEGREES 14 MINUTES 15 SECOND, 31.44 FEET, THENCE ON AZ 329 DEGREES 34 MINUTES 18 SECONDS, 13.62 FEET; THENCE ON AZ 318 DEGREES 58 MINUTES 59 SECONDS, 16.54 FEET, THENCE AROUND A CURVE TO THE LEFT 39.75 FEET, HAVING A RADIUS OF 310.00 FEET, AND A CHORD AZ OF 28 DEGREES 54 MINUTES 33 SECONDS, 39.72 FEET, THENCE ON AZ 120 DEGREES 53 MINUTES 18 SECONDS, 79.81 FEET, THENCE ON AZ 89 DEGREES 48 MINUTES 33 SECONDS, 397.57 FEET TO THE EAST LINE OF LAST SAID QUARTER; THENCE SOUTH ON AZ 180 DEGREES 44 MINUTES 36 SECONDS, 153.20 FEET TO THE POINT OF BEGINNING. CONTAINING 1.09 ACRES, MORE OR LESS.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15 EAST; THENCE NORTH COINCIDENT WITH THE WEST LINE OF SAID SOUTHWEST QUARTER ON AZIMUTH 357 DEGREES 33 MINUTES 48 SECONDS, A DISTANCE OF 552.48 FEET; THENCE ON AZIMUTH 87 DEGREES 18 MINUTES 24 SECONDS, A DISTANCE OF 645.91 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE COINCIDENT WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 285.49 FEET, AN ARC LENGTH OF 236.75 FEET, A CENTRAL ANGLE OF 47 DEGREES 30 MINUTES 53 SECONDS, A CHORD AZIMUTH OF 201 DEGREES 50 MINUTES 00 SECONDS AND A CHORD LENGTH OF 230.03 FEET; THENCE ON AZIMUTH 36 DEGREES 56 MINUTES 00 SECONDS, A DISTANCE OF 73.75 FEET; THENCE ON AZIMUTH 87 DEGREES 18 MINUTES 24 SECONDS, A DISTANCE OF 67.65 FEET; THENCE ON AZIMUTH 117 DEGREES 47 MINUTES 09 SECONDS, A DISTANCE OF 93.15 FEET; THENCE ON AZIMUTH 86 DEGREES 42 MINUTES 33 SECONDS, A DISTANCE OF 380.96 FEET TO A POINT ON THE EAST LINE FOR THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE COINCIDENT WITH SAID EAST LINE ON AZIMUTH 177 DEGREES 38 MINUTES 13 SECONDS, A DISTANCE OF 111.67 FEET TO THE NORTHWEST CORNER OF JULES RIDGE SUBDIVISION RECORD IN BOOK 42, PAGE 40 AT THE REGISTER OF DEEDS OFFICE FOR SHAWNEE COUNTY, KANSAS; THENCE COINCIDENT WITH THE WEST LINE OF SAID JULES RIGHT SUBDIVISION ON AZIMUTH 177 DEGREES 38 MINUTES 13 SECONDS, A DISTANCE OF 663.60 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE COINCIDENT WITH SAID SOUTH LINE ON AZIMUTH 267 DEGREES 18 MINUTES 21 SECONDS, A DISTANCE OF 1315.31 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT CONTAINS 20.04 ACRES, MORE OR LESS.

from "RR-1" Residential Reserve District **TO** "PUD" Planned Unit Development District (R-3 use group). **Subject to:**

- 1. Use and compliance of the site in accordance with the recorded Master PUD Plan for Bear Lake.**

Section 2. This Ordinance Number shall be fixed upon the "District Map".

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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, June 2, 2009.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X