1	(Published in the T	opeka Metro	News February 8, 2010)
2 3 4			ORDINANCE NO. 19377
5 6 7 8 9 10 11 12 13	AN ORDINANCE	initiation of utility ease line, storm right-of-way simple intel Wanamake roundabout	by City Manager Norton N. Bonaparte, Jr., authorizing the condemnation proceedings to acquire permanent public ments for the following public purposes: drainage, water sewer and sanitary sewer; as well as permanent public y easement; temporary construction easements; and fee rest to widen SW 29 <sup>th</sup> Street to five (5) lanes between SW er Road and SW Urish Road and construct a new at SW Urish Road intersection and the relocation of the Project No. 70204-01.
14 15	BE IT ORDA	AINED BY TH	HE COUNCIL OF THE CITY OF TOPEKA, KANSAS:
16	Section 1.	That it is he	ereby declared necessary to condemn and appropriate for
17	the use of the City	of Topeka c	ertain lands within and outside the corporate limits of the
18	City of Topeka to w	viden SW 29	th Street to five (5) lanes between SW Wanamaker Road
19	and SW Urish Roa	d and constr	uct a new roundabout at SW Urish Road intersection and
20	the relocation of the	e waterline a	nd for other public purposes, said land being described as
21	follows:		
22 23	Parcel No. 4	4	
24 25 26 27 28	Owner of Re	cord:	St. Charles, a Limited Liability Company c/o Charles Pomeroy 935 SW Western Topeka, Kansas 66606
29 30	Contract Pur	chaser:	NONE
31 32	Lienholder o	f Record:	NONE
33 34	Party in Pos	session:	vacant land
35 36 37 38 39	Party of Inter	rest:	Shawnee County District Court Clerk Case No. 05-C-987
	\(\(\COND\(\O\)\)	4	

PROPERTY TO BE ACQUIRED:

## **Temporary Construction Easement:**

Two tracts in the Southeast Quarter of Section 7, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as:

### Tract I:

Commencing at the Southeast corner of said Southeast Quarter; thence on an assumed bearing of South 86°55'41" West on the South line of said Southeast Quarter, 130.07 feet; thence North 3°04'19" West, 40.00 feet to the point of beginning; thence South 86°55'41" West, 30.00 feet; thence North 16°23'21" East, 60.03 feet; thence North 86°55'41" East, 60.00 feet; thence North 43°48'43" East, 4300 feet; thence South 1°19'30" West, 20.08 feet; thence South 56°07'16" West, 47.47; thence South 40°48'17" West, 57.71 to the point of beginning;

### Tract II:

Beginning at the Southeast corner of Lot 1, Blk 'A' in Mission Heights Subdivision; thence on an assumed bearing of South 1°19'30" East parallel with the East line of said Southeast Quarter, 22.27 feet; thence North 76°55'19" West, 80.01 feet; thence North 86°55'41" East on the South line of said Lot 1, 77.54 feet to the point of beginning.

The above-described property to be acquired contains 3,992 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

# **Permanent Public Right-of-Way Easement:**

A tract in the Southeast Quarter of Section 7, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as: Commencing at the Southeast corner of said Southeast Quarter; thence on an assumed bearing of South 86°55'41" West on the South line of said Southeast Quarter, 52.52 feet; thence North 3°04'19" West, 40.00 feet to the point of beginning; thence South 86°55'41" West on a line which is 40.00 feet north of the South line of said Southeast Quarter, 78.76 feet; thence North 40°48'17" East, 57.71 feet; thence North 56°07'16" East, 47.47 feet; thence South 1°19'30" East on a line which is 52.50 feet west of the East line of said Southeast Quarter, 65.94 feet to the point of beginning.

85 86 87 88 89	•	operty to be acquired contains 2,958 square feet, more or lights-of-way, easements, restrictions, and covenants of			
91 92 93 94 95 96	Owner of Record:	St. Charles, a Limited Liability Company c/o Charles Pomeroy 935 SW Western Topeka, Kansas 66606			
96 97 98	Contract Purchaser:	NONE			
99 100 101 102	Lienholder of Record:	Commerce Bank & Trust n/k/a Corefirst Bank 3035 South Topeka Boulevard Topeka, Kansas 66611			
102 103 104 105 106 107 108	Party in Possession:	KMB, Inc. d/b/a Kevin Brennan Family Funeral Home Kevin M. Brennan and Mary H. Brennan 2801 S.W. Urish Road Topeka, KS 66614			
109 110 111 112 113	Easement Interest:	Mission Center Cemetery Association c/o Rusty Vollintine 2200 S.W. Hoch Road Topeka, Kansas 66614			
114 115	Party of Interest:	Shawnee County District Court Clerk Case No. 05-C-987			
116 117 118	PROPERTY TO BE ACQUIRED:				
119 120	Temporary Construction Easement:	n Easement:			
121 122 123 124 125	Shawnee County, Kansa Lot 1; thence on an assu 1, 77.73 feet; thence Sou	'A' in Mission Heights Subdivision in the City of Topeka, is, described as: Beginning at the Southeast corner of said med bearing of North 1°19'30" West on the East line of Lot th 70°47'47" West, 81.43 feet; thence North 86°55'41" East Lot 1, 77.54 feet to the point of beginning.			
126 127 128 129		operty to be acquired contains 5,147 square feet, more or lights-of-way, easements, restrictions, and covenants of			

131 132 133 This easement expires one (1) year after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

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## **Temporary Ingress-Egress Easement:**

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A portion of Lot 1, Block 'A' in Mission Heights Subdivision in the City of Topeka. Shawnee County, Kansas, described as: Commencing at the Southeast corner of said Lot 1; thence on an assumed bearing of South 86°55'41" West on the South line of Lot 1, 77.54 feet to the point of beginning; thence continuing on South 86°55'41" West on the South line of Lot 1, 94.94 feet; thence North 42°06'14" West, 172.53 feet; thence North 25°26'08" East, 121.56 feet; thence North 2°13'34" West, 283.16 feet; thence South 86°44'48" West, 20.66 feet; thence North 35°48'10" West, 149.49 feet to a point on the North line of Lot 1; thence North 86°55'48" East on the North line of Lot 1, 89.78 feet; thence South 25°10'14" East, 135.72 feet; thence South 86°55'48" West, 15.34 feet; thence South 2°13'34" East, 56.43 feet; thence South 86°55'48" West, 17.25 feet; thence South 3°04'12" East, 227.60 feet; thence North 86°55'48" East, 13.89 feet; thence South 13°15'45" West, 114.10 feet; thence South 49°33'41" East, 110.78 feet; thence North 86°55'41" East, 75.00 feet; thence South 1°19'30" East, 55.10 feet to the point of beginning.

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The above-described property to be acquired contains 27,652 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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This easement expires one (1) year after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

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#### Parcel No. 7

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Owner of Record: Sisters of Charity of Leavenworth Health System, Inc.

c/o Jim Christian, Facilities Manager

St. Francis Hospital 1700 West 7th Street Topeka, Kansas 66606

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NONE Contract Purchaser:

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Lienholder of Record: NONE

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Party in Possession: 1. Vacant parking lot

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176		2.	Mission Woods Owners Association, Inc.
177 178 179			2238 SW Village Hall Road Topeka, KS 66614
180		3.	Mission Woods Owners Association, Inc.
181			2238 SW Village Hall Road
182			Topeka, KS 66614
183 184	PROPERTY TO BE ACQU	IDED:	
185	PROPERTITIO BE ACQU	IKED.	
186	Temporary Construction	Fasam	ent.
187	remporary construction	Lasciii	iciit.
188	A portion of Lot 1. Block	"A" in <b>[</b>	Mission Woods Subdivision No. 2 in the City of
189	•		s, described as: Commencing at the most westerly
190	•		nence on an assumed bearing of North 88°07'32"
191			8.30 feet to the point of beginning; thence North
192	1°52'48" West, 53.00 feet;	thence	North 88°07'32" East, 42.22 feet; thence South
193	•		point on the South line of Lot 1; thence South
194	88°07'32" West on the Sou	uth line	of Lot 1, 41.70 feet to the point of beginning.
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196		•	be acquired contains 2,224 square feet, more or
197		ights-of	f-way, easements, restrictions, and covenants of
198	record, if any.		
199	This accomment assistant true	(0)	
200			ars after legal possession through condemnation
201 202		•	on of the construction for which this easement is
202	acquired or whichever con	162 1112	t.
204	Parcel No. 12		
205	1 01001110. 12		
206	Owner of Record:	Vision	Bank
207	e		outh Kansas Avenue
208			a, Kansas 66603
209		•	
210		and	
211			
212			Bank Board of Directors
213			hn Hamilton
214			ton, Laughlin, Barker, Johnson & Watson
215			S.W. Burlingame Road
216 217		горек	a, Kansas 66611
218	Contract Purchaser:	NONE	<u> </u>
219	Contract i dichaser.	INCINE	-
220	Lienholder of Record:	NONE	
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Party in Possession: vacant land

PROPERTY TO BE ACQUIRED:

## **Temporary Construction Easement:**

Two tracts in the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as:

#### Tract I:

Commencing at the Southwest corner of said Southwest Quarter; thence on an assumed bearing of North 88°07'32" East on the South line of said Southwest Quarter, 784.27 feet; thence North 2°01'28" West on a West line of Lot 1, Block "A" in Mission Woods Subdivision No. 2, 41.10 feet to the point of beginning; thence continuing on North 2°01'28" West on a West line of said Lot 1, 30.50 feet; thence North 70°46'17" East, 83.82 feet; thence North 0°55'13" West, 77.10 feet; thence South 23°56'35" East, 131.75 feet; thence North 88°07'32" East, 183.00 feet; thence South 1°52'28" East, 10.50 feet; thence South 88°07'32" West, 314.06 feet to the point of beginning.

#### Tract II:

Commencing at the Southwest corner of said Southwest Quarter; thence on an assumed bearing of North 88°07'32" East on the South line of said Southwest Quarter, 1284.27 feet; thence North 2°01'28" West on a West line of Lot 1, Block "A" in Mission Woods Subdivision No. 2, 51.60 feet to the point of beginning; thence continuing on North 2°01'28" West on a West line of said Lot 1, 5.00 feet; thence South 88°07'32" West, 185.90 feet; thence South 1°52'28" East, 5.00 feet; thence North 88°07'32" East, 185.94 feet to the point of beginning.

The above-described property to be acquired contains 9,958 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

### **Permanent Waterline Easement:**

 A tract in the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of said Southwest Quarter; thence on an assumed bearing of North 88°07'32" East on the South line of said Southwest Quarter, 1284.27 feet; thence North 2°01'28" West on a West line of Lot 1, Block "A" in Mission Woods Subdivision No. 2, 41.10 feet to the point of beginning; thence continuing on North 2°01'28" West on a West line of said Lot 1, 10.50 feet; thence South 88°07'32" West, 185.91 feet; thence South 1°52'28" East, 10.50 feet; thence North 88°07'32" East, 185.94 feet to the point of beginning.

The above-described property to be acquired contains 1,952 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

## **Permanent Drainage Easement:**

A tract in the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of said Southwest Quarter; thence on an assumed bearing of North 88°07'32" East on the South line of said Southwest Quarter, 784.27 feet; thence North 2°01'28" West on an East line of Lot 1, Block "A" in Mission Woods Subdivision No. 2, 71.60 feet to the point of beginning; thence North 70°46'17" East, 83.82 feet; thence North 0°55'13" West, 77.10 feet; thence South 88°01'32" West, on a South line of said Lot 1, 81.91 feet; thence South 2°01'28" East on an East line of said Lot 1, 102.10 feet to the point of beginning.

The above-described property to be acquired contains 7,249 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

#### 308 Permanent Public Right-of-Way Easement: 309 310 All of those parts of the two following described tracts in the Southwest Quarter of 311 Section 8, Township 12 South, Range 15 east of the 6th P.M., in Shawnee County, 312 Kansas which are south of a line which is 41.1 feet north of the South line of said 313 Southwest Quarter: 314 315 Tract 1: 316 317 Beginning at a point on the South line of said Southwest Quarter which is 784.27 318 feet east of the Southwest corner of said Southwest Quarter; thence north at right 319 angles 174.24 feet; thence east at right angles 250.0 feet; thence south at right 320 angles 174.24 feet to the South line of said Southwest Quarter: thence west 250.0 321 feet to the place of beginning; Less existing right of way; 322 323 Tract 2: 324 325 Beginning at a point on the South line of said Southwest Quarter which is 1034.27 326 feet east of the Southwest corner of said Southwest Quarter; thence north at right 327 angles 174.24 feet; thence east at right angles 250.0 feet; thence south at right 328 angles 174.24 feet to the South line of said Southwest Quarter; thence west 250.0 329 feet to the place of beginning; Less existing right of way. 330 331 The above-described property to be acquired contains 5,550 square feet, more or 332 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 333 record, if any. 334 335 Parcel No. 14 336 337 Owner of Record: Darren A. Fuller 338 2839 SW Tutbury Town Court 339 Topeka, Kansas 66614 340 341 Contract Purchaser: NONE 342 343 Lienholder of Record: Mortgage Electronic Registration Systems Inc. 344 P.O. Box 2026 345 Flint, MI 48501-2026 346 Party in Possession: 347 Owner of Record 348 349

#### 351 PROPERTY TO BE ACQUIRED: 352 353 **Temporary Construction Easement:** 354 355 A portion of Lot 9, Block G in Southwest Meadows Subdivision in the City of Topeka, 356 Shawnee County, Kansas, described as: Beginning at the Southwest corner of said 357 Lot 9; thence on an assumed bearing of North 1°06'58" West on the West line of Lot 358 9, 41.61 feet; thence South 68°19'40" East, 31.88 feet to a point on the Southeast 359 line of Lot 9; thence South 44°00'35" West, on the Southeast line of Lot 9, 41.47 feet 360 to the point of beginning. 361 362 The above-described property to be acquired contains 611 square feet, more or 363 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 364 record, if any. 365 366 This easement expires two (2) years after legal possession through condemnation 367 or ninety (90) days after completion of the construction for which this easement is 368 acquired or whichever comes first. 369 370 Parcel No. 17 371 372 Owner of Record: Angela D. Hagen 373 2840 S.W. Tutbury Town Court 374 Topeka, Kansas 66614 375 376 Contract Purchaser: NONE 377 378 Lienholder of Record: Mortgage Electronic Registration Systems, Inc., (MERS) 379 acting solely as nominee for Taylor, Bean & 380 Whitaker Mortgage Corp. 381 P.O. Box 2026 382 Flint, MI 48501-2026 383 384 and 385 386 Taylor, Bean & Whitaker Mortgage Corp. 387 1417 North Magnolia Ave. 388 Ocala, FL 34475 389 390 Party in Possession: Owner of Record 391 392

#### 394 PROPERTY TO BE ACQUIRED: 395 396 **Permanent Utility Easement:** 397 A portion of Lot 1, Block G in Southwest Meadows Subdivision in the City of Topeka, 398 399 Shawnee County, Kansas, described as: Commencing at the South corner of said 400 Lot 1; thence on an assumed bearing of North 43°29'28" West on the Southwest line 401 of Lot 1, 17.70 feet; thence continuing on North 43°29'28" West on the Southwest 402 line of Lot 1, 7.39 feet; thence North 88°07'32" East, parallel with the South line of 403 the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> 404 P.M., 4.98 feet to a point on the West line of a platted utility easement; thence South 405 1°06'58" East on the West line of said platted utility easement, 5.53 feet to the point 406 of beginning. 407 408 The above-described property to be acquired contains 14 square feet, more or less, 409 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 410 if any. 411 412 **Permanent Public Right-of-Way Easement:** 413 414 A portion of Lot 1, Block G in Southwest Meadows Subdivision in the City of Topeka, 415 Shawnee County, Kansas, described as: Beginning at the South corner of said Lot 416 1; thence on an assumed bearing of North 43°29'28" West on the Southwest line of 417 Lot 1, 9.05 feet; thence North 88°07'32" East, parallel with the South line of the 418 Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 419 6.10 feet; thence South 1°06'58" East on the East line of Lot 1, 6.76 feet to the point 420 of beginning. 421 422 The above-described property to be acquired contains 21 square feet, more or less, 423 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 424 if any. 425 426 Parcel No. 18 427 428 Owner of Record: Tyler L. & Melissa Libby 6522 S.W. 29<sup>TH</sup> Street 429 430 Topeka, Kansas 66614 431

Contract Purchaser: NONE

Lienholder of Record: Mortgage Electronic Registration Systems, Inc., (MERS)

acting solely as nominee for Countrywide Bank, FSB.

P.O. Box 2026

Flint, MI 48501-2026

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441 Countrywide Bank, FSB 442 1199 North Fairfax St., Ste 500 443 Alexandria, VA 22314  444 445 Party in Possession: Owner of Record 446 447 Party of Interest: Shawnee County District Court 448 Case No. 07-C-1602  450 PROPERTY TO BE ACQUIRED: 451 PROPERTY TO BE ACQUIRED: 452 Temporary Construction Easement: 454 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows 456 Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas. 457 The above-described property to be acquired contains 40 square feet, more or less, 459 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 460 if any. 461 This easement expires two (2) years after legal possession through condemnation 463 or ninety (90) days after completion of the construction for which this easement is 464 acquired or whichever comes first. 465  466 Permanent Waterline Easement: 467 The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the 469 City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is 470 platted as utility easement. 472 The above-described property to be acquired contains 1,344 square feet, more or
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Alexandria, VA 22314  444  445  Party in Possession: Owner of Record  446  447  Party of Interest: Shawnee County District Court  448  Case No. 07-C-1602  450  451  PROPERTY TO BE ACQUIRED:  452  453  Temporary Construction Easement:  454  455  The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows  456  Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas.  457  458  The above-described property to be acquired contains 40 square feet, more or less,  459  and is subject to all rights-of-way, easements, restrictions, and covenants of record,  460  461  462  This easement expires two (2) years after legal possession through condemnation  463  464  465  466  Permanent Waterline Easement:  467  468  The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the  469  City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is  470  platted as utility easement.  The above-described property to be acquired contains 1,344 square feet, more or
444 445 Party in Possession: Owner of Record 446 447 Party of Interest: Shawnee County District Court 448 Case No. 07-C-1602 449 450 451 PROPERTY TO BE ACQUIRED: 452 453 Temporary Construction Easement: 454 455 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows 456 Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas. 457 458 The above-described property to be acquired contains 40 square feet, more or less, 459 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 460 if any. 461 462 This easement expires two (2) years after legal possession through condemnation 463 or ninety (90) days after completion of the construction for which this easement is 464 acquired or whichever comes first. 465 466 Permanent Waterline Easement: 467 468 The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the 469 City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is 470 platted as utility easement. 472 472 The above-described property to be acquired contains 1,344 square feet, more or
Party in Possession: Owner of Record  446  447 Party of Interest: Shawnee County District Court  448 Case No. 07-C-1602  450  451 PROPERTY TO BE ACQUIRED:  452  453 Temporary Construction Easement:  454  455 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows  456 Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas.  457  458 The above-described property to be acquired contains 40 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.  461  462 This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.  468 Permanent Waterline Easement:  469  469  The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is platted as utility easement.  470  471  472 The above-described property to be acquired contains 1,344 square feet, more or
Party of Interest: Shawnee County District Court Case No. 07-C-1602  PROPERTY TO BE ACQUIRED:  Temporary Construction Easement:  The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas.  The above-described property to be acquired contains 40 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.  This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.  Permanent Waterline Easement:  The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is platted as utility easement.  The above-described property to be acquired contains 1,344 square feet, more or
447 Party of Interest: Shawnee County District Court 448 Case No. 07-C-1602 450 451 PROPERTY TO BE ACQUIRED: 452 453 Temporary Construction Easement: 454 455 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows 456 Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas. 457 458 The above-described property to be acquired contains 40 square feet, more or less, 459 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 460 if any. 461 462 This easement expires two (2) years after legal possession through condemnation 463 or ninety (90) days after completion of the construction for which this easement is 464 acquired or whichever comes first. 465 466 Permanent Waterline Easement: 467 468 The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the 469 City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is 470 platted as utility easement. 471 472 The above-described property to be acquired contains 1,344 square feet, more or
Case No. 07-C-1602  449  450  451  PROPERTY TO BE ACQUIRED:  452  453  Temporary Construction Easement:  454  455  The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas.  457  458  The above-described property to be acquired contains 40 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.  461  462  This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.  465  466  Permanent Waterline Easement:  The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is platted as utility easement.  The above-described property to be acquired contains 1,344 square feet, more or
449 450 451 PROPERTY TO BE ACQUIRED: 452 453 <b>Temporary Construction Easement:</b> 454 455 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas. 457 458 The above-described property to be acquired contains 40 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any. 461 462 This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first. 465 466 <b>Permanent Waterline Easement:</b> 467 468 The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is platted as utility easement. 471 472 The above-described property to be acquired contains 1,344 square feet, more or
450 451 PROPERTY TO BE ACQUIRED: 452 453 <b>Temporary Construction Easement:</b> 454 455 The South 5 feet of the West 8 feet of Lot 1, Block A in Southwest Meadows 456 Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas. 457 458 The above-described property to be acquired contains 40 square feet, more or less, 459 and is subject to all rights-of-way, easements, restrictions, and covenants of record, 460 if any. 461 462 This easement expires two (2) years after legal possession through condemnation 463 or ninety (90) days after completion of the construction for which this easement is 464 acquired or whichever comes first. 465 466 <b>Permanent Waterline Easement:</b> 467 468 The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the 469 City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is 470 platted as utility easement. 471 472 The above-described property to be acquired contains 1,344 square feet, more or
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<ul> <li>Permanent Waterline Easement:</li> <li>The South 12 feet of Lot 1, Block A in Southwest Meadows Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas; LESS: The west 8 feet thereof which is platted as utility easement.</li> <li>The above-described property to be acquired contains 1,344 square feet, more or</li> </ul>
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<ul> <li>470 platted as utility easement.</li> <li>471</li> <li>472 The above-described property to be acquired contains 1,344 square feet, more or</li> </ul>
The above-described property to be acquired contains 1,344 square feet, more or
Tro 1000, and 10 oublook to all Hullio-Ul-Way, GaogiliGillo, IGolliGillo, allu GUVGilalilo Ul
474 record, if any.
475
476 Parcel No. 24
477
478 Owner of Record: Lawrence C. & Helen L. Brunker
479 2854 S. W. Arvonia Place
480 Topeka, Kansas, 66614
481
482 Contract Purchaser: NONE
483

484 Lienholder of Record: NONE

 Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

## **Temporary Construction Easement:**

A portion of Lot 21, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of said Lot 21; thence on an assumed bearing of North 1°52'42" West on the West line of Lot 21, 15.00 feet to the point of beginning; thence continuing on North 1° 52'42" West on the West line of Lot 21, 64.96 feet; thence South 23°41'04" East, 26.88 feet; thence North 88°07'18" East, 19.00 feet; thence South 1°52'42" East, 25.00 feet; thence South 71°13'58" West, 17.23 feet; thence South 1°52'42" East, 13.00 feet; thence North 88°07'18" East, 162.50 feet; thence South 1°52'42" East on the East line of Lot 21, 7.50 feet; thence South 88°07'18"West on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 172.50 feet; thence North 15°17'20" West, 10.79 feet to the point of beginning.

The above-described property to be acquired contains 2,415 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

## **Permanent Public Right-of-Way Easement:**

A portion of Lot 21, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southwest corner of said Lot 21; thence on an assumed bearing of North 1°52'42" West on the West line of Lot 21, 15.00 feet; thence South 15°17'20" East, 10.79 feet; thence North 88°07'18" East on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 172.50 feet; thence South 1°52'42" East on the East line of Lot 21, 4.50 feet to the Southeast corner of said lot; thence South 88°07'18" West on the South line of Lot 21, 175.00 feet to the point of beginning.

The above-described property to be acquired contains 801 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

528 Parcel No. 25
529
530 Owner of Record:
531

Amanda Lopez-Arreola

2853 S.W. Lincolnshire Court

Topeka, Kansas 66614

Contract Purchaser:

NONE

Lienholder of Record:

Bank of America, N.A. 275 S. Valencia Ave.

Brea, CA 92823

Party in Possession:

Owner of Record

PROPERTY TO BE ACQUIRED:

## **Temporary Construction Easement:**

A portion of Lot 22, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of said Lot 22; thence on an assumed bearing of North 1°52'42" West on the East line of Lot 22, 15.00 feet to the point of beginning; thence continuing on North 1° 52'42" West on the East line of Lot 22, 54.99 feet; thence South 61°33'07" West, 11.16 feet; thence South 1°52'42" East, 25.00 feet; thence South 28°26'53" East, 11.18 feet; thence South 1°52'42" East, 17.98 feet; thence South 88°07'18" West, 170.03 feet; thence South 1°52'42" East on the West line of Lot 22, 7.50 feet; thence North 88°07'18" East on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 172.50 feet; thence North 11°29'50" East, 10.79 feet to the point of beginning.

The above-described property to be acquired contains 1,740 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

# **Permanent Public Right-of-Way Easement:**

A portion of Lot 22, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of said Lot 21; thence on an assumed bearing of North 1°52'42" West on the West line of Lot 22, 15.00 feet; thence South 11°29'50" West, 10.79 feet; thence South 88°07'18" West on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 172.50 feet; thence South 1°52'42" East on the West line of Lot 22, 4.50 feet to the Southwest corner of

said lot; thence North 88°07'18" East on the South line of Lot 22, 175.00 feet to the 573 574 point of beginning. 575 576 The above-described property to be acquired contains 801 square feet, more or 577 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 578 record, if any. 579 580 Parcel No. 26 581 582 Owner of Record: Jane Hollis 583 2852 S.W. Lincolnshire Court 584 Topeka, Kansas 66614 585 586 Contract Purchaser: NONE 587 588 Lienholder of Record: Chase Manhattan Mortgage Company 1500 N. 19<sup>th</sup> St., 3rd Flr. 589 590 Monroe, LA 71201 591 592 Party in Possession: Owner of Record 593 594 PROPERTY TO BE ACQUIRED: 595 596 **Temporary Construction Easement:** 597 598 A portion of Lot 38, Block "B" in Westbrook Subdivision in the City of Topeka, 599 Shawnee County, Kansas, described as: Commencing at the Southwest corner of 600 said Lot 38; thence on an assumed bearing of North 1°52'42" West on the West line 601 of Lot 38, 20.00 feet to the point of beginning; thence continuing on North 1°52'42" 602 West on the West line of Lot 38, 55.00 feet; thence South 9°00'24" East, 60.47 feet; thence North 88°07'18" East, 80.00 feet; thence North 69°41'12" East, 31.62 feet; 603 thence South 1°52'42" East, 20.50 feet; thence South 88°07'18" West on a line 604 which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, 605 Township 12 South, Range 15 east of the 6th P.M., 100.00 feet; thence North 606 607 50°21'12" West, 23.38 feet to the point of beginning. 608 609 The above-described property to be acquired contains 1,473 square feet, more or 610 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 611 record, if any. 612 613 This easement expires June 30, 2012. 614

## **Permanent Drainage Easement:**

 A portion of Lot 38, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the most easterly Southeast corner of said Lot 38; thence on an assumed bearing of North 0°55'39" West on the East line of Lot 38, 19.94 feet; thence South 83°30'15" West, 62.10 feet; thence South 1°52'42" East, 20.50 feet; thence North 88°07'18" East on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 24.46 feet; thence North 79°35'27" East on the South line of Lot 38, 37.52 feet to the point of beginning.

The above-described property to be acquired contains 1,315 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

## **Permanent Public Right-of-Way Easement:**

A portion of Lot 38, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southwest corner of said Lot 38; thence on an assumed bearing of North 1°52'42" West on the West line of Lot 38, 20.00 feet; thence South 50°21'12" East, 23.38 feet; thence North 88°07'18" East on a line which is 44.50 feet north of the South line of the Southeast Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 124.46 feet to a point on the South line of Lot 38; thence South 79°35'27" West on the South line of Lot 38, 30.34 feet to the most southerly Southeast corner of said lot; thence South 88°07'18" West on the South line of Lot 38, 111.96 feet to the point of beginning.

The above-described property to be acquired contains 707 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

660	Parcel No. 27		
661			
662 663 664	Owner of Record:	c/o M	roperties, a North Dakota Limited Partnership lichael A. Bosh Box 1988
665		Minot	t, ND 58702
666	Contract Purchaser:	NIONII	F
667 668	Contract Purchaser.	NON	<b>E</b>
669	Lienholder of Record:	1.	NorthMarq Capital, LLC
670	Liefffolder of Necord.	١.	3500 American Blvd. West, Ste 500
671			Bloomington, Minnesota 55431-4435
672			Bloomington, willinesota 55451-4455
673		2.	Federal Home Loan Mortgage Corporation
674		۷.	8200 Jones Branch Dr.
675			McLean, VA 22102
676			Wolden, V/C 22102
677	Party in Possession:	Owne	er of Record
678	rang in radecesion.	O Wille	31 31 1100014
679	PROPERTY TO BE ACQU	JIRED:	
680			
681	<b>Temporary Construction</b>	Easen	nent:
682	,		
683	A portion of Lot 1, Block "	B" in V	illa West Subdivision No. 4 in the City of Topeka,
684	•		ribed as: Commencing at the Southeast corner of
685			d bearing of North 0°55'39" West on the East line of
686			ginning; thence continuing on North 0°55'39" West
687	•		feet; thence South 88°07'18" West, 108.31 feet;
688			33 feet; thence South 83°20'51" East on the South
689	line of Lot 1, 78.66 feet; thence North 88°07'18" East on the South line of Lot 1,		
690	27.22 feet; thence North 1	4°41'3	5" East, 10.43 feet to the point of beginning.
691			
692	The above-described prop	erty to	be acquired contains 2,774 square feet, more or
693	less, and is subject to all r	rights-c	of-way, easements, restrictions, and covenants of
694	record, if any.		
695			
696	This easement expires Ju-	ne 30,	2012.
697			
698	Permanent Drainage Eas	ement	:
699			
700			illa West Subdivision No. 4 in the City of Topeka,
701			ribed as: Commencing at the Southeast corner of
702			/est on the South line of Lot 1, 30.03 feet; thence
700	North 02020/E4"\//cat an 11	~~ ~~	the line of Lot 1, 70 CC foot to the point of heading in a

North 83°20'51" West on the South line of Lot 1, 78.66 feet to the point of beginning; thence continuing on North 83°20'51" West on the South line of Lot 1, 22.46 feet;

thence South 88°07'18" West on the South line of Lot 1, 30.00 feet to an intersection with the East line of a platted drainage easement; thence North 19°17'28" West on the East line of said platted drainage easement, 57.64 feet; thence South 61°56'37" East, 80.16 feet; thence South 1°52'42" East, 18.33 feet to the point of beginning.

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The above-described property to be acquired contains 1,994 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

713 714

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

723 724

## **Permanent Public Right-of-Way Easement:**

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A portion of Lot 1, Block "B" in Villa West Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of said Lot 38; thence on an assumed bearing of North 0°55'39" West on the East line of Lot 1, 10.00 feet; thence South 14°41'35" West, 10.43 feet to a point on the South line of Lot 1; thence North 88°07'18" East on the South line of Lot 1, 2.81 feet to the point of beginning.

732 733 734

The above-described property to be acquired contains 14 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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735

### Parcel No. 28

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Owner of Record: Kansas Associates, L.L.C.

c/o Debbie Davis

2858 S.W. Villa West Drive Topeka, Kansas 66614

743 744 745

Contract Purchaser: NONE

746

748	Lienholder of Record:	Capita	al City Bank
749		3710	S.W. Topeka Boulevard
750		Topek	ka, Kansas 66609
751			
752	Party in Possession:	1.	Prudential First Realtors
753			2858 SW Villa West Dr.
754			Topeka, KS 66614
755			
756		2.	First American Title
757			2858 SW Villa West Dr.
758			Topeka, KS 66614
759			
760	PROPERTY TO BE ACQU	JIRED:	
761			
762	Temporary Construction	Easem	nent:
763			
764	A portion of Lot 1, Block "A	A" in Vi	Ila West Subdivision No. 4

A portion of Lot 1, Block "A" in Villa West Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southwest corner of said Lot 1; thence on an assumed bearing of North 88°07'18" East on the South line of Lot 1, 2.25 feet to the point of beginning; thence continuing on North 88°07'18" East on the South line of Lot 1, 117.76 feet to the Southeast corner of said lot; thence North 0°55'39" West on the East line of Lot 1, 5.00 feet; thence South 88°07'18" West, 97.91 feet; thence North 42°49'30" West, 33.09 feet; thence South 0°55'39" East, 20.00 feet; thence South 13°39'08" East, 10.21 feet to the point of beginning.

The above-described property to be acquired contains 865 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

## Permanent Public Right-of-Way Easement:

A portion of Lot 1, Block "A" in Villa West Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southwest corner of said Lot 38; thence on an assumed bearing of North 0°55'39" West on the West line of Lot 1, 10.00 feet; thence South 13°39'08" East, 10.21 feet to a point on the South line of Lot 1; thence South 88°07'18" West on the South line of Lot 1, 2.25 feet to the point of beginning.

The above-described property to be acquired contains 11 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

793 Parcel No. 30 794 795 Owner of Record: United States Postal Service, Washington, D.C. 796 c/o Karen Delamore 797 160 Inverness Dr. W., Ste. 400 798 Englewood, CO 80112 799 800 Contract Purchaser: **NONE** 801 802 Lienholder of Record: NONE 803 804 Party in Possession: Owner of Record 805 806 PROPERTY TO BE ACQUIRED: 807 808 **Temporary Construction Easement:** 809 810 A portion of Lot 1, Block "A" in Villa West Subdivision No 15 in the City of Topeka, 811 Shawnee County, Kansas, described as: Beginning at the Southwest corner of said 812 Lot 1; thence on an assumed bearing of North 88°07'18" East on the South line of 813 Lot 1, 383.99 feet to the Southeast corner of said lot; thence North 1°12'25" West on 814 the East line of Lot 1, 25.00 feet; thence South 88°07'18" West, 11.67 feet; thence 815 South 1°52'42" East, 15.00 feet; thence South 88°07'18" West, 210.00 feet; thence 816 North 1°52'42" West, 20.00 feet; thence South 88°07'18" West, 50.00 feet; thence 817 South 1°52'42" East, 20.00 feet; thence South 85°34'38" West, 112.64 feet to a 818 point on the West line of Lot 1; thence South 0°55'39" East on the West line of Lot 1, 819 5.00 feet to the point of beginning. 820 821 The above-described property to be acquired contains 4,732 square feet, more or 822 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 823 record, if any. 824 This easement expires June 30, 2012. 825 826 827 Parcel No. 31 828 829 Owner of Record: Lindemuth, Inc. 830 4350 NW Green Hills Pl. 831 Topeka, Ks 66618 832

Contract Purchaser:

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834 835 NONE

836 837 838 839	Lienholder of Recor	rd:	Colla P.O.	Bank N.A. Iteral Dept. Box 3487 Iosh, WI 54903-3487
840 841 842	Party in Possession	ı:	Own	er of record
843 844 845 846	Easement Interest:		1.	Capitol Federal Savings & Loan Association 700 S. Kansas Avenue Topeka, KS 66603
847 848 849			2.	Lindemuth, Inc. 125 S.W. Gage Blvd. Topeka, KS 66606-2029
850 851 852 853 854			3.	United States Postal Service c/o Karen Delamore 160 Inverness Dr. W., Ste 400 Englewood, CO 80112
855 856 857	Party of Interest:			ounty District Court Clerk 9-C-1167
858 859 860	PROPERTY TO BE	ACQU	IRED:	
861 862	Temporary Constr	uction l	Easer	nent:
863 864 865 866 867 868 869 870 871 872 873 874 875 876 877	Shawnee County, ke Block "A" in Villa W 88°07'18" East on the feet; thence North feet; thence North feet; thence South feet; thence South Block "A" in Villa We the point of beginning The above-describeless, and is subject record, if any.	(ansas, est Sub- he Sout 0°55'39" 1°52'42' 1°52'42' 39°40'33 88°07'1 est Subc ing.	descr division h line ' Wes ' Wes ' East 3' We 8'' Wo division erty to ghts-o	n Villa West Subdivision in the City of Topeka, ibed as: Beginning at the Southeast corner of Lot 1, on No. 15; thence on an assumed bearing of North of Lot 1, Bock "A" in Villa West Subdivision, 502.01 t, 5.00 feet; thence South 88°07'18" West, 173.47 tt, 15.00 feet; thence South 88°07'18" West, 45.00 tt, 15.00 feet; thence South 88°07'18" West, 115.00 st, 130.10 feet; thence North 1°52'42" West, 15.00 est, 38.33 feet to a point on the East line of Lot 1, on No. 15; thence South 1°12'25" East, 25.00 feet to be acquired contains 4,279 square feet, more or of-way, easements, restrictions, and covenants of
879	This easement exp	ires Jun	ne 30,	2012.

882 Parcel No. 33 883 884 Owner of Record: Maja Company, Inc. 885 3710 SW Topeka Blvd. 886 Topeka, KS 66609 887 888 NONE Contract Purchaser: 889 890 Lienholder of Record: NONE 891 892 Party in Possession: 1. Owner of Record 893 894 2. Hy-Vee, Inc. 895 5820 Westown Pkwy 896 West Des Moines IA 50266-8223 897 898 PROPERTY TO BE ACQUIRED: 899 900 **Temporary Construction Easement:** 901 902 A portion of Lot 4, Block "A" in Wanamaker West Subdivision in the City of Topeka, 903 Shawnee County, Kansas, described as: Commencing at the Northwest corner of said Lot 4; thence on an assumed bearing of South 1°29'24" East on the West line 904 905 of Lot 4, 15.00 feet to the point of beginning; thence continuing on South 1°29'24" 906 East on the West line of Lot 4, 5.00 feet; thence North 88°07'18" East, 147.95 feet; 907 thence South 46°41'03" East, 45.18 feet to a point on the East line of Lot 4; thence 908 North 1°29'24" West on the East line of Lot 4, 7.05 feet; thence North 46°41'03" 909 West on the Northwest line of Lot 4, 41.71 feet; thence South 88°30'36" West on a 910 North line of Lot 4, 60.00 feet; thence South 88°07'18" West, 90.41 feet to the point 911 of beginning. 912 913

The above-described property to be acquired contains 951 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

### **Permanent Water Line Easement:**

A portion of Lot 4, Block "A" in Wanamaker West Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northwest corner of said Lot 4; thence on an assumed bearing of South 1°29'24" East on the West line of Lot 4, 15.00 feet; thence North 88°07'18" East, parallel with the North line of Lot 4, 8.00 feet to an intersection with the East line of a platted utility easement, being the point of beginning; thence continuing on North 88°07'18" East, 82.41 feet to a

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corner of Lot 4; thence North 80°33'43" West on the North line of Lot 4, 25.53 feet; thence South 88°07'18" West on the South line of a platted water, sewer, sidewalk and street easement, 57.35 feet; thence South 1°29'24" East on the East line of said utility easement, 5.00 feet to the point of beginning.

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The above-described property to be acquired contains 350 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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### Parcel No. 34

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Owner of Record: Hy-Vee, Inc.

5820 Westown Pkwy

West Des Moines, IA 50266

940 941

> Contract Purchaser: NONE

942 943 944

**NONE** Lienholder of Record:

945

1. Owner of Record Party in Possession:

946 947 948

2. Maia Company, Inc. 3710 S.W. Topeka Blvd.

949 950

Topeka, KS 66609-1230

951 952 953

3. Wanamaker South LLC 3501 S.W. Fairlawn Road, Ste 200

954

Topeka, KS 66614-3975

955 956

#### PROPERTY TO BE ACQUIRED:

957 958 959

# **Temporary Construction Easement:**

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A portion of Lot 1, Block A in Wanamaker West Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 1°29'24" East on the East line of Lot 1, 15.00 feet to the point of beginning; thence continuing on South 1°29'24" East on the East line of Lot 1, 5.00 feet; thence South 88°07'18" West, 8.00 feet to the West line of a platted utility easement; thence North 1°29'24" West on the East line of Lot 1, 5.00 feet; thence North 88°07'18" East, 8.00 feet to the point of beginning.

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The above-described property to be acquired contains 40 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

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Party in Possession:

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**Permanent Water Line Easement:** 

A portion of Lot 1, Block A in Wanamaker West Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 88°07'18" West on the North line of Lot 1, 8.00 feet to the West line of a platted utility easement; thence South 1°29'24" East on the West line of said utility easement, 10.00 feet to the point of beginning; thence continuing on South 1°29'24" East on the West line of said utility easement, 10.00 feet; thence South 88°07'18" West, 159.68 feet to the East line of a water line easement recorded in Book 2865, page 16; thence North 1°30'56" West on the East line of said water line easement, 10.00 feet; thence North 88°07'18" East on the South line of a platted sidewalk and utility easement 159.69 feet to the point of beginning; EXCEPT an area containing an existing commercial monument sign described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 88°07'18" West on the North line of Lot 1. 8.00 feet to the West line of a platted utility easement; thence South 1°29'24" East on the West line of said utility easement, 20.00 feet; thence South 88°07'18" West, 144.68 feet to the point of beginning; thence continuing on South 88°07'18" West, 4.00 feet; thence North 1°30'56" West, 10.00 feet; thence North 88°07'18" East on the South line of a platted sidewalk and utility easement 4.00 feet; thence South 1° 30'56" East, 10.00 feet to the point of beginning;

The above-described property to be acquired contains 1,557 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

### Parcel No. 36

Owner of Record: Nellis Family Investments, LLC

c/o James Nellis 2909 SW Maupin Ln. Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: Capital City Bank

3710 S. Topeka Blvd. Topeka, KS 66609

Batteries Plus

6021 SW 29<sup>th</sup> St., Ste D Topeka, KS 66614

1017				
1018		2.	The UPS Store	
1019			6021 SW 29 <sup>th</sup> St., Ste A	
1020			Topeka, KS 66614	
1021				
1022	Easement Interest:	Wanaı	maker South, L.C.	
1023			S.W. Fairlawn Rd., Ste 200	
1024			a, KS 66614-3975	
1025				
1026	PROPERTY TO BE ACQU	IRFD.		
1027				
1028	<b>Temporary Construction</b>	Facom	ont:	
1028	remporary construction	Lastiii	CIII.	
	The Court 10 feet of the	North (	OF fact of Lat 2 Plack "A" in Wanamakar Wast	
1030		10 feet of the North 25 feet of Lot 2, Block "A" in Wanamaker West		
1031	-		Shawnee County, Kansas; Less the West 16 feet	
1032	thereof which is platted as a utility easement.			
1033				
1034	·	•	be acquired contains 1,588 square feet, more or	
1035	•	s, and is subject to all rights-of-way, easements, restrictions, and covenants of		
1036	record, if any.			
1037				
1038	This easement expires Jur	ne 30, 2	2012.	
1039				
1040	Permanent Water Line Ea	semen	t:	
1041				
1042	The South 5 feet of the N	North 1	5 feet of Lot 2, Block "A" in Wanamaker West	
1043			Shawnee County, Kansas; Less the West 16 feet	
1044	thereof which is platted as a utility easement.			
1045				
1046	The above-described pror	ertv to	be acquired contains 794 square feet, more or	
1047		-	f-way, easements, restrictions, and covenants of	
1048	record, if any.	.9	may, bacomente, rocaronone, and coveriante or	
1049	rootia, ii arry.			
1050	Parcel No. 37			
1050	i aicei No. 37			
	Owner of Record:	N / a N / i i i	lin Construction Custom Homes, Inc	
1052	Owner of Record.		lin Construction Custom Homes, Inc.	
1053			oyd McMillin	
1054			SE California Ave.	
1055		горек	a, KS 66609	
1056	0 / 10 1	NONE		
1057	Contract Purchaser:	NONE		
1058		0	D   IT	
1059	Lienholder of Record:		nerce Bank and Trust n/k/a CoreFirst Bank	
1060			S. Topeka Blvd.	
1061		Lopek	a, KS 66611	

1062 1063 1064 Party in Possession: Owner of Record 1065 1066

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PROPERTY TO BE ACQUIRED:

### **Temporary Construction Easement:**

The South 5 feet of the North 20 feet of the West 60 feet of the East 133.25 feet of Lot 1, Block "A" in Wanamaker West Subdivision in the City of Topeka, Shawnee County, Kansas; Also: A portion of said Lot 1 described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 1°2924" East on the East line of Lot 1, 15.00 feet to the point of beginning; thence continuing on South 1°29'24" East on the East line of Lot 1, 2.10 feet; thence South 88°30'13" West, 15.00 feet; thence northerly parallel with the East line of Lot 1, 2.00 feet; thence North 88°07'18" East parallel with the North line of Lot 1, 15.00 feet to the point of beginning.

The above-described property to be acquired contains 334 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

#### **Permanent Water Line Easement:**

The South 5 feet of the North 15 feet of Lot 1, Block "A" in Wanamaker West Subdivision in the City of Topeka, Shawnee County, Kansas; Less the West 6 feet thereof which is platted as a utility easement.

The above-described property to be acquired contains 770 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

#### Parcel No. 38

Owner of Record: Crestridge 2004, L.L.C.

c/o Rich Bassett

2858 SW Villa West Dr., Ste. 102

Topeka, KS 66614

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1103 Contract Purchaser: NONE 1104

1106 1107 1108 1109	Lienholder of Record:	609 N	National Bank of Missouri North M-291 Highway Summit, MO 64063
1110 1111 1112	Party in Possession:	1.	FHWA 6111 SW 29 <sup>th</sup> St., Ste 100 Topeka, KS 66614
1113 1114 1115 1116 1117		2.	Joy & Company 6111 SW 29 <sup>th</sup> St., Ste 200 Topeka, KS 66614

#### PROPERTY TO BE ACQUIRED:

### **Temporary Construction Easement:**

A portion of Lot 7, Block "A" in Crestridge Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northeast corner of said Lot 7; thence on an assumed bearing of South 88°07'18" West on the North line of Lot 7, 163.30 feet; thence South 22°30'34" West, 5.49 feet; thence North 88°07'18" East, 165.53 feet to a point on the East line of Lot 7; thence North 1°29'24" West on the East line of Lot 7, 5.00 feet to the point of beginning. Also: The West 10 feet of the South 120 feet of the North 135 feet of said Lot 7.

The above-described property to be acquired contains 1,522 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

#### **Permanent Water Line Easement:**

A portion of Lot 7, Block "A" in Crestridge Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 7; thence on an assumed bearing of South 88°07'18" West on the North line of Lot 7, 6.00 feet to the West line of a platted utility easement; thence South 1°29'24" East on the West line of said easement, 5.00 feet to the point of beginning; thence continuing on South 1°29'24" East on the West line of said easement, 10.00 feet; thence South 88°07'18" West parallel with the North line of Lot 7, 164.00 feet; thence North 22°30'34" East, 10.98 feet; thence North 88°07'18" East, 159.53 feet to the point of beginning.

The above-described property to be acquired contains 1,618 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

1152	Permanent Public Right-	of-Way	y Easement:		
1153 1154 1155 1156 1157 1158 1159 1160	Shawnee County, Kansas Lot 7; thence on an assur Lot 7, 6.70 feet; thence So	s, desci med be outh 22	crestridge Subdivision No. 2 in the City of Topeka, ribed as: Beginning at the Northwest corner of said earing of North 88°07'18" East on the North line of °30'34" West, 16.47 feet to a point on the West line West on the West line of Lot 7, 15.00 feet to the		
1161 1162 1163 1164	and is subject to all rights-of-way, easements, restrictions, and covenants of record if any.				
1164 1165 <b>Parcel No. 39</b> 1166					
1167 1168 1169 1170	Owner of Record:	2235	ka Retirement Residence Limited Liability Company Faraday Ave., Ste. O bad, CA 92008		
1170 1171 1172	Contract Purchaser:	NON	E		
1173 1174 1175	Lienholder of Record:	1.	CitiGroup Global Markets Realty Corp. 388 Greenwich St., 11 <sup>th</sup> Flr. New York, NY 10013		
1176 1177 1178 1179		2.	Goldman, Sachs Commercial Mortgage Capital, L.P. 85 Broad Street New York, NY 10004		
1180 1181 1182 1183		3.	Fannie Mae 3900 Wisconsin Ave., NW Washington, D.C. 20016		
1184 1185	Party in Possession:	Owne	er of Record		
1186 1187 1188	PROPERTY TO BE ACQUIRED:				
1189 1190	Temporary Construction	struction Easement:			
1191 1192 1193 1194			.50 feet of the North 127.50 feet of Lot 1, Block "A" n the City of Topeka, Shawnee County, Kansas.		

1195 The above-described property to be acquired contains 588 square feet, more or 1196 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1197 record, if any. 1198 1199 This easement expires June 30, 2012. 1200 **Permanent Water Line Easement:** 1201 1202 1203 The North 10 feet of Lot 1, Block "A" in Crestridge Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas; Except: The West 8 feet thereof which is a 1204 1205 platted utility easement; Also Except: That part which is included in a public 1206 improvement easement for waterlines, recorded in Book 3141, page 287. 1207 1208 The above-described property to be acquired contains 2,760 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1209 1210 record, if any. 1211 Parcel No. 41 1212 1213 1214 Owner of Record: Stuart B. and Cheryl L. Hamilton 1215 2900 SW Lincolnshire Rd. 1216 Topeka, KS 66614 1217 1218 Contract Purchaser: NONE 1219 1220 Lienholder of Record: 1. Mortgage Electronic Registration Systems, Inc., 1221 (MERS) Acting solely as nominee for Countrywide 1222 Home Loans, Inc. 1223 P.O. Box 2026 1224 Flint, MI 48501-2026 1225 1226 2. Countrywide Home Loans, Inc. 1227 4500 Park Granda 1228 Calabasas, CA 91302-1613 1229 1230 Owner of Record Party in Possession: 1231 1232 PROPERTY TO BE ACQUIRED: 1233 1234 **Temporary Construction Easement:** 1235 1236 Two portions of Lot 1, Block "E" in Mission Center Subdivision No. 1 in the City of 1237 Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of said Lot 1; thence on an assumed bearing of North 88°07'18" East on the North 1238

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line of Lot 1, 64.59 feet; thence South 1°52'42" East, 5.00 feet to the South line of a

public improvement easement for waterline recorded in Book 1520 at page 620; thence South 88°07'18" West on the South line of said public improvement easement, 64.62 feet to the West line of Lot 1; thence North 1°29'04" West, 5.00 feet to the point of beginning; ALSO: Commencing at the Northwest corner of said Lot 1; thence on an assumed bearing of South 1°29'04" East on the West line of Lot 1, 15.00 feet to the point of beginning; thence North 88°07'18" East parallel with the North line of the Northeast Quarter of Section 17, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 64.69 feet; thence South 1°52'42" East, 3.00 feet; thence South 88°07'18" West, 64.71 feet to the West line of Lot 1; thence North 1°29'04" West on the West line of Lot 1, 3.00 feet to the point of beginning.

The above-described property to be acquired contains 517 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires June 30, 2012.

### **Permanent Water Line Easement:**

A strip which is 10 feet in width over Lot 1, Block "E" in Mission Center Subdivision No. 1 in the City of Topeka, Shawnee County, Kansas, the North line of said strip is coincident with the South line of a public improvement easement for waterlines recorded in Book 1520, page 620, said North line also being 50 feet south of the North line of the Northeast Quarter of Section 17, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., said strip extending from the West line of Lot 1 to the West line of a patted 12 feet wide utility easement.

The above-described property to be acquired contains 1,630 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

## **Permanent Drainage Easement:**

A portion of Lot 1, Block "E" in Mission Center Subdivision No. 1 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northwest corner of said Lot 1; thence on an assumed bearing of North 88°07'18" East on the North line of Lot 1, 64.59 feet; thence South 1°52'42" East, 18.00 feet; thence South 80°35'01" East, 112.32 feet to the East line of Lot 1; thence North 1°29'04" West on the East line of Lot 1, 35.38 feet; thence North 83°53'55" West on the North line of Lot 1, 33.26 feet; thence South 88°07'18" West on the North line of Lot 1, 77.45 feet to the point of beginning

The above-described property to be acquired contains 3,124 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

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### Parcel No. 44

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1299 Owner of Record:

Daniel C. and Joyce A. Thompson 2901 S.W. Arvonia Place

Topeka, Kansas 66614

1301 1302 1303

Contract Purchaser:

NONE

1304 1305

Lienholder of Record:

U.S. Bank N.A.

4801 Frederica Street

P.O. Box 20005

1307 1308

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Owensboro, KY 42304

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Party in Possession: 1311

Owner of Record

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## PROPERTY TO BE ACQUIRED:

**Permanent Water Line Easement:** 

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A strip 10 feet in width over a part of Lot 1, Block "A" in Mission Center Subdivision No. 1 in the City of Topeka, Shawnee County, Kansas, the North line of said strip is coincident with the South line of a public improvement easement for waterlines recorded in Book 1520, page 620, said South line being 50 feet south of the North line of the Northeast Quarter of Section 17, Township 12 South, Range 15 east of the 6th P.M.; said strip extends from the East line of Lot 1 to the East line of a platted utility easement.

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The above-described property to be acquired contains 1,688 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

## **Permanent Drainage Easement:**

A portion of Lot 1, Block "A" in Mission Center Subdivision No. 1 in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of said Lot 1; thence on an assumed bearing of North 88°07'18" East on the North line of Lot 1, 178.76 feet to the Northeast corner of said lot; thence South 1°29'04" East on the East line of Lot 1, 25.00 feet; thence North 83°09'57" West, 66.02 feet; thence South 88°07'18" West, 113.43 feet to a point on the West line of Lot 1; thence North 1°29'04" West on the West line of Lot 1, 15.00 feet to the point of beginning.

The above-described property to be acquired contains 3,008 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

### Parcel No. 45

Owner of Record: Dolores E. Sillin

503 Market

Overbrook, KS 66524

1361 Contract Purchaser: NONE

Lienholder of Record: NONE

1365 Party in Possession: vacant land

1367 PROPERTY TO BE ACQUIRED:

Fee Simple:

Lots 42 and 43, Block 1, Sherwood Estates Subdivision, Shawnee County, Kansas.

1374 The above-described property to be acquired contains 19,500 square feet, more or 1375 less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any. 1376 1377 1378 Parcel No. 47 1379 Galen C. Hawk Trust 1380 Owner of Record: 1381 3345 SW Friar Rd. 1382 Topeka, KS 66614 1383 1384 Contract Purchaser: NONE 1385 1386 Lienholder of Record: NONE 1387 1388 Party in Possession: vacant land 1389 PROPERTY TO BE ACQUIRED: 1390 1391 1392 **Permanent Drainage Easement:** 1393 1394 That part of Lot "A" in Block 1, Sherwood Estates in Shawnee County, Kansas, 1395 which is north of an extension of the South line of Lot 41 in said Block 1. 1396 1397 The above-described property to be acquired contains 16,254 square feet, more or 1398 less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1399 record, if any. 1400 1401 This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any 1402 1403 improvements for the drainage of said water. The property owner(s) shall not place 1404 any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage 1405 of water, shall be the responsibility of the property owner(s). If maintenance by the 1406 1407 property owner(s) is neglected or subject to other unusual circumstances, and is 1408 determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing 1409 1410 jurisdiction with costs assessed to said property owner(s). 1411 1412 Parcel No. 48 1413 1414 Owner of Record: Celeste R. Ehrenberg 1415 2900 SW Tutbury Town Rd. 1416 Topeka, KS 66614 1417 1418 NONE Contract Purchaser:

1419 1420 Lienholder of Record: Bank of America, N.A. 1421 2380 Performance Dr., Bldg. C 1422 Mail Stop: TX 984-04-08 1423 Richardson, TX 75082 1424 1425 Party in Possession: Owner of Record 1426 1427 PROPERTY TO BE ACQUIRED: 1428 1429 **Temporary Construction Easement:** 1430 1431 A portion of Lot 40 in Block 1, Sherwood Estates in Shawnee County, Kansas, 1432 described as: Commencing at the Northeast corner of said Lot 40; thence on an 1433 assumed bearing of South 1°52'28" East on the East line of Lot 40, 43.40 feet to the 1434 point of beginning; thence continuing on South 1°52'28" East on the East line of Lot 1435 40, 7.35 feet; thence southerly on the East line of Lot 40 being a curve concave 1436 easterly, having a radius measure of 193.12 feet and an arc length of 38.27 feet, the chord of which bears South 7°33'06" East, 38.21 feet to the Southeast corner of said 1437 1438 lot: thence South 76°46'18" West on the South line of Lot 40, 15,00 feet; thence 1439 northerly on a curve concentric with the East line of Lot 40, having a radius measure of 208.12 feet and an arc length of 41.24 feet, the chord of which bears North 1440 7°33'06" West, 41.18 feet; thence North 1°52'28" West, 12.22 feet to a point on the 1441 North line of Lot 40; thence South 73°51'07" East, 15.77 feet to the point of

> The above-described property to be acquired contains 743 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

> This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

## **Permanent Sanitary Sewer Easement:**

A portion of Lot 40 in Block 1, Sherwood Estates in Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 40; thence on an assumed bearing of South 88°07'32" West on the North line of Lot 40, 16.00 feet to the West line of a platted utility easement and the point of beginning; thence continuing on South 88°07'32" West on the North line of Lot 40, 35.70 feet; thence South 48°46'39" East, 48.89 feet; thence North 1°52'28" West on the West line of said utility easement, 33.40 feet to the point of beginning.

beginning.

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The above-described property to be acquired contains 596 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

## **Permanent Drainage Easement:**

 A portion of Lot 40 in Block 1, Sherwood Estates in Shawnee County, Kansas, described as: Beginning at the Northwest corner of said Lot 40; thence on an assumed bearing of North 88°07'32" East on the North line of Lot 40, 150.00 feet to the Northeast corner of said lot; thence South 1°52'28" East on the East line of Lot 40, 43.40 feet; thence North 73°51'07" West, 80.81 feet; thence North 87°57'59" West, 73.32 feet to a point on the West line of Lot 40; thence North 1°52'28" West on the West line of Lot 40, 13.40 feet to the point of beginning.

The above-described property to be acquired contains 3,538 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

#### Parcel No. 55

OWNER OF NECOLA. IN AND E EITHIGHT ALTHERST	Owner of Record:	K and E Limited Partnershi
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c/o Keith Hoogland 1022 E Adams Street Springfield, Illinois, 62703

Contract Purchaser: NONE

Lienholder of Record: US Bank National Association

425 Walnut St

Cincinnati, OH 45202-3923

1506 Party in Possession: 1. Family Video

6749 S.W. 29<sup>th</sup> Street, Suite A

Topeka, Kansas, 66614

VYCOND/Ord70204-01 1/19/10 BBC 1510 2. Sun Resorts 1511 6749 S.W. 29<sup>th</sup> Street, Suite B 1512 Topeka, Kansas, 66614 

### PROPERTY TO BE ACQUIRED:

### **Temporary Construction Easement:**

A portion of Lot 1, Block A in Sherwood Estates Subdivision No. 64, in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northeast corner of Lot 1; thence on an assumed bearing of South 88°07'32" West on the North line of said lot, 159.09 feet; thence South 63°47'56" West, 63.69 feet; thence South 48°07'49" West, 27.99 feet to a point on the West line of Lot 1; thence South 1°47'25" East on the West line of Lot 1, 126.21 feet to the South line of a platted 10 feet wide access easement; thence South 82°31'13" East on the South line of said access easement, 40.54 feet; thence North 3°29'19" East, 10.02 feet to the North line of said access easement; thence North 82°31'13" West on the North line of said access easement, 16.15 feet; thence North 1°49'45" West, 56.71 feet; thence South 88°04'30" West, 9.82 feet; thence North 1°55'30" West, 60.24 feet; thence North 48°22'22" East, 58.61 feet; thence North 88°07'32" East, 115.17 feet; thence South 1°52'28" East, 15.00 feet; thence North 88°07'32" East, 50.00 feet; thence North 1°52'28" West, 20.00 feet; thence North 88°07'32" East, 13.35 feet to a point on the East line of Lot 1; thence North 1°52'28" West on the East line of Lot 1, 5.00 feet to the point of beginning.

The above-described property to be acquired contains 5,641 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

#### **Permanent Waterline Easement:**

A portion of Lot 1, Block A in Sherwood Estates Subdivision No. 64, in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northwest corner of Lot 1; thence on an assumed bearing of North 88°07'32" East on the North line of said lot, 60.00 feet to the point of beginning; thence South 63°47'56" West, 47.09 feet; thence South 48°07'49" West, 22.36 feet to a point on the West line of Lot 1; thence South 1°47'25" East on the West line of Lot 1, 10.46 feet; thence North 48°07'49" East, 27.99 feet; thence North 63°47'56" East, 63.69 feet to a pint on the North line of Lot 1; thence South 88°07'32" West on the North line of Lot 1, 19.42 feet to the point of beginning.

1555 1556 The above-described property to be acquired contains 645 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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## **Permanent Public Right-of-Way Easement:**

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1564 1565 A portion of Lot 1, Block A in Sherwood Estates Subdivision No. 64, in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 1; thence on an assumed bearing of North 88°07'32" East on the North line of said lot, 60.00 feet; thence South 63°47'56" West, 47.09 feet; thence South 48°07'49" West, 22.36 feet to a point on the West line of Lot 1; thence North 1°47'25" West, 33.77 feet to the point of beginning.

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The above-described property to be acquired contains 871 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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### Parcel No. 57

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Owner of Record:

Southwestern Bell Telephone Company

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220 S.E. 6<sup>th</sup> Avenue, Room 540

Topeka, Kansas 66603

and

Southwestern Bell Telephone Company c/o Alex Mercer, C.B. Richard Ellis 20614 Stone Oak Parkway, Suite 1925

San Antonio, Texas 78258

Contract Purchaser: NONE

Lienholder of Record: NONE

Owner of Record Party in Possession:

# PROPERTY TO BE ACQUIRED:

# **Temporary Construction Easement:**

Two portions of Lot 2, Block 9 in Sherwood Estates in Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 2; thence on an assumed bearing of South 1°47'25" East on the West line of Lot 2, 19.30 feet; thence North 25°35'18" East, 21.75 feet to a point on the North line of Lot 2; thence South

1599 1600 1601 1602 1603 1604 1605	88°09'18" West on the North line of Lot 2, 10.00 feet to the point of beginning; ALSO: Commencing at the Northwest corner of Lot 2; thence on an assumed bearing of South 1°47'25" East on the West line of Lot 2, 19.30 feet to the point of beginning; thence continuing on South 1°47'25" East on the West line of Lot 2, 80.00 feet; thence North 24°46'29" East 22.36 feet; thence North 1°47'25" West, 20.00 feet; thence North 15°49'36" West, 41.23 feet to the point of beginning.				
1606 1607 1608 1609	The above-described property to be acquired contains 597 square feet, more less, and is subject to all rights-of-way, easements, restrictions, and covenants record, if any.				
1610 1611 1612 1613	This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.				
1614 1615	Parcel No. 58				
1615 1616 1617 1618 1619 1620	Owner of Record:	c/o C 2700	n Real Estate Company, Inc. lay Brasher East 4 <sup>th</sup> Avenue ninson, Kansas 67501		
1621 1622	Contract Purchaser:	NON	E		
1623 1624	Lienholder of Record:	NONE			
1625 1626	Party in Possession:	1.	Owner of Record		
1627 1628 1629		2.	The Kroger Co. Foundation 1014 Vine St. Cincinnati, OH 45202		
1630 1631 1632 1633		3.	WTN Topeka Properties, L.P. 3501 S.W. Fairlawn Rd., Ste 200 Topeka, KS 66614-3975		
1634 1635 1636	Party of Interest:	Shawnee County District Court Case No. 08-C-1090			
1637 1638 1639	PROPERTY TO BE ACQUIRED:				
1640	Temporary Construction Easement:				
1641 1642 1643	Three portions of Lot 1, Block "A" in Sherwood Estates Subdivision No. 53 in Shawnee County, Kansas, described as:				

Commencing at the Northeast corner of Lot 1; thence on an assumed bearing of South 1°47'25" East on the East line of Lot 1, 203.04 feet to the South line of a platted drainage easement and the point of beginning; thence South 86°55'41" West on the South line of said platted easement, 37.57 feet; thence South 1°47'25" East, 45.42 feet; thence North 8°12'35" East, 20.06 feet; thence South 36°46'56" East, 30.52 feet to the East line of Lot 1; thence North 1°47'25" West on the East line of Lot 1, 71.26 feet to the point of beginning;

ALSO: Commencing at the Northeast corner of Lot 1; thence on an assumed bearing of South 1°47′25″ East on the East line of Lot 1, 58.58 feet to the point of beginning; thence continuing on South 1°47′25″ East on the East line of Lot 1, 99.48 feet; thence South 86°55′41″ West, 20.00 feet; thence South 1°47′25″ East, 25.00 feet; thence South 86°55′41″ West, 10.00 feet; thence North 1°47′25″ West, 87.32 feet; thence North 69°21′23″ West, 10.62 feet; thence North 23°11′32″ West, 85.77 feet; thence North 83°33′09″ West, 65.91 feet to the North line of Lot 1; thence North 86°55′41″ East on the North line of Lot 1, 55.00 feet; thence South 56°53′21″ East, 99.20 feet to the point of beginning;

AND ALSO: Commencing at the Northeast corner of Lot 1; thence on an assumed bearing of South 86°55'41" West on the North line of Lot 1, 196.38 feet to the point of beginning; thence continuing on South 86°55'41" West on the North line of Lot 1, 526.94 feet; thence South 3°04'19" East, 27.50 feet; thence North 86°55'41" East, 51.97 feet; thence North 3°04'19" West, 17.50 feet; thence North 86°55'41" East, 369.97 feet; thence South 3°04'19" East, 10.90 feet; thence North 86°55'41" East, 50.00 feet; thence North 3°04'19" West, 10.00 feet; thence North 75°43'05" East, 56.07 feet to the point of beginning.

The above-described property to be acquired contains 13,900 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This easement expires two (2) years after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first.

## **Permanent Drainage Easement:**

A portion of Lot 1, Block "A" in Sherwood Estates Subdivision No. 53 in Shawnee County, Kansas, described as: Commencing at the Northeast corner of Lot 1; thence on an assumed bearing of South 1°47'25" East on the East line of Lot 1, 183.05 feet to the North line of a platted drainage easement and the point of beginning; thence South 86°55'41" West on the North line of said platted easement, 20.00 feet; thence North 1°47'25" West, 25.00 feet; thence North 86°55'41" East, 20.00 feet to the East line of Lot 1; thence South 1°47'25" East on the East line of

Lot 1, 25.00 feet to the point of beginning.

 The above-described property to be acquired contains 500 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

This drainage easement provides for the unobstructed overland flow of surface water and/or the construction and maintenance of pipe, flume, ditch or any improvements for the drainage of said water. The property owner(s) shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the drainage easement, other than to improvements constructed for drainage of water, shall be the responsibility of the property owner(s). If maintenance by the property owner(s) is neglected or subject to other unusual circumstances, and is determined to be a hazard or threat to public safety by the Director of Public Works of the City of Topeka, corrective maintenance may be performed by the governing jurisdiction with costs assessed to said property owner(s).

## **Permanent Public Right-of-Way Easement:**

A portion of Lot 1, Block "A" in Sherwood Estates Subdivision No. 53, in Shawnee County, Kansas, described as: Beginning at the Northeast corner of Lot 1; thence on an assumed bearing of South 86°55'41" West on the North line of said lot, 81.38 feet; thence South 56°53'21" East, 99.20 feet; thence North 1°47'25" Weston the East line of Lot 1, 58.58 feet to the point of beginning.

The above-described property to be acquired contains 2,383 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

#### Parcel No. 60

Owner of Record: St. Charles, a Limited Liability Company

c/o Charles Pomeroy 935 SW Western Topeka, KS 66606

Contract Purchaser: NONE

Lienholder of Record: 1. Commerce Bank and Trust n/k/a CoreFirst Bank

3035 S. Topeka Blvd. Topeka, KS 66611

Lee O. Kinney
 3401 S.W. 53<sup>rd</sup> St.
 Topeka, KS 66610

VYCOND/Ord70204-01 1/19/10 BBC

1734 1735 3. Charles K. Pomeroy P.O. Box 1734 1736 Topeka, KS 66601 1737 1738 1739 Party in Possession: KMB, Inc., a Kansas corporation d/b/a Kevin Brennan Family Funeral Home 1740 1741 Kevin M. Brennan and Mary H. Brennan 1742 2801 S.W. Urish Road 1743 Topeka, KS 66614 1744 1745 PROPERTY TO BE ACQUIRED: 1746 1747 **Temporary Ingress-Egress Easement:** 1748 1749 A portion of Lot 1, Block 'A' in Mission Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southeast corner of 1750 1751 said Lot 1; thence on an assumed bearing of North 1°19'30" West on the East line of Lot 1, 84.71 feet; thence North 9°45'33" West on the East line of Lot 1, 157.23 feet; 1752 1753 thence South 86°55'48" West, 183.38 feet to the point of beginning; thence North 1754 2°13'34" East, 226.72 feet; thence South 86°55'48" West, 17.25 feet; thence South 1755 3°04'12" East, 227.60 feet; thence North 86°55'48" East, 13.89 feet to the point of beginning. 1756 1757 1758 The above-described property to be acquired contains 3,537 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1759 1760 record, if any. 1761 1762 This easement expires one (1) year after legal possession through condemnation or 1763 ninety (90) days after completion of the construction for which this easement is acquired or whichever comes first. 1764 1765 1766 Parcel No. 61 1767 1768 Owner of Record: Redbud Properties, L.L.C. 4321 S.W. Marlboro Road 1769 1770 Topeka, KS 66614 1771 1772 Contract Purchaser: NONE 1773 1774 Lienholder of Record: Alliance Bank 1775 3001 S.W. Wanamaker Road

Party in Possession:

1776

1777 1778

vacant land

Topeka, KS 66614

1779 1780 Easement Interest: Tallgrass Homeowners Association, Inc. 2850 SW Tallgrass Dr 1781 1782 Topeka, KS 66614 1783 1784 PROPERTY TO BE ACQUIRED: 1785 1786 **Temporary Ingress-Egress Easement:** 1787 1788 A portion of Lot 1, Block A in Tallgrass Subdivision No. 2 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Northeast corner of 1789 1790 said Lot 1; thence on an assumed bearing of South 1°04'34" West on the East line of Lot 1, 372.24 feet to the point of beginning; thence continuing on South 1°04'34" 1791 1792 West, 32.08 feet to a corner of Lot 1; thence South 86°55'48" West on a South line of Lot 1, 124.30 feet; thence North 1°12'16" West, 31.23 feet; thence North 1793 86°34'11" East, 125.61 feet to the point of beginning. 1794 1795 1796 The above-described property to be acquired contains 3,948 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1797 record, if any. 1798 1799 1800 This easement expires one (1) year after legal possession through condemnation or 1801 ninety (90) days after completion of the construction for which this easement is 1802 acquired or whichever comes first. 1803 Parcel No. 62 1804 1805 1806 Owner of Record: Redbud Properties, L.L.C. 1807 4321 S.W. Marlboro Road 1808 Topeka, KS 66614 1809 1810 Contract Purchaser: NONE 1811 1812 Lienholder of Record: Alliance Bank 1813 3001 S.W. Wanamaker Road 1814 Topeka, KS 66614 1815 1816 Party in Possession: vacant land 1817 1818 Easement Interest: Tallgrass Homeowners Association, Inc. 2850 SW Tallgrass Dr 1819 1820 Topeka, KS 66614 1821 1822

1824 PROPERTY TO BE ACQUIRED: 1825 1826 **Temporary Ingress-Egress Easement:** 1827 1828 A portion of Lot 1, Block A in Tallgrass Subdivision No. 2 in the City of Topeka, 1829 Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 1°04'34" West on the East line 1830 1831 of Lot 1, 372.24 feet; thence South 86°34'11" West, 125.61 feet to the point of beginning; thence South 1°12'16" East, 31.23 feet to a point on a South line of Lot 1; 1832 thence South 86°55'48" West on a South line of Lot 1, 143.31 feet; thence North 1833 1834 1°12'16" West, 30.33 feet; thence North 86°34'11" East, 143.34 feet to the point of 1835 beginning. 1836 1837 The above-described property to be acquired contains 4,408 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1838 record, if any. 1839 1840 1841 This easement expires one (1) year after legal possession through condemnation or ninety (90) days after completion of the construction for which this easement is 1842 1843 acquired or whichever comes first. 1844 1845 Parcel No. 63 1846 1. 1847 Owner of Record: Ramsey Custom Homes, LLC 6040 S.W. 37<sup>th</sup> St. 1848 Topeka, KS 66614 1849 1850 2. 1851 Chrysler Group, Inc. 2919 S.W. Indian Hills Road 1852 1853 Topeka, KS 66614 1854 1855 Contract Purchaser: NONE 1856 1857 Lienholder of Record: **NONE** 1858 1859 Party in Possession: vacant land 1860 1861 Easement Interest: Tallgrass Homeowners Association, Inc. 2850 SW Tallgrass Dr 1862 1863 Topeka, KS 66614

#### 1866 PROPERTY TO BE ACQUIRED: 1867 1868 **Temporary Ingress-Egress Easement:** 1869 1870 A portion of Lot 1, Block A in Tallgrass Subdivision No. 2 in the City of Topeka, 1871 Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Lot 1; thence on an assumed bearing of South 1°04'34" West on the East line 1872 1873 of Lot 1, 372.24 feet; thence South 86°34'11" West, 268.95 feet to the point of 1874 beginning; thence South 1°12'16" East, 30.33 feet to a point on a South line of Lot 1; thence South 86°55'48" West on a South line of Lot 1, 48.18 feet; thence North 1875 1876 3°04'12" West, 30.00 feet; thence North 86°34'11" East, 49.17 feet to the point of 1877 beginning. 1878 1879 The above-described property to be acquired contains 1,468 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of 1880 1881 record, if any. 1882 1883 This easement expires one (1) year after legal possession through condemnation or 1884 ninety (90) days after completion of the construction for which this easement is 1885 acquired or whichever comes first. 1886 1887 Parcel No. 64 1888 1889 Owner of Record: St. Charles, a Limited Liability Company c/o Charles Pomeroy 1890 935 SW Western 1891 1892 Topeka, KS 66606 1893 1894 Contract Purchaser: NONE 1895 1896 Lienholder of Record: 1. Boardwalk, a Limited Liability Company 1897 P. O. Box 1734 1898 Topeka, KS 66601 1899 1900 2. St. Charles, a Limited Liability Company 1901 P. O. Box 1734 1902 Topeka, KS 66601 1903 1904 3. Charles K. Pomeroy 1905 935 SW Western 1906 Topeka, KS 66606 1907 1908 Party in Possession: vacant land 1909 1910 1911

1912	Party of Interest:	1.	Shawnee County District Court		
1913			Case No. 05-C-987		
1914		0	Observed a County District Count		
1915 1916		2.	Shawnee County District Court Case 08-U-235		
1917			Case 00-0-233		
1918	PROPERTY TO BE AC	COLURED			
1919	THOI ENTITIO BE A	JQUINED	•		
1920	Temporary Construct	ion Easeı	ment:		
1921	, , , , , , , , , , , , , , , , , , , ,				
1922	All of Lot 1, Block 'A' in Mission Heights Subdivision in the City of Topeka, Shawned				
1923	County, Kansas, which is south of a line which is 82.5 feet north of the South line of				
1924	the Southeast Quarter of Section 7, Township 12 South, Range 15 east of the 6				
1925	P.M.				
1926					
1927	The above-described property to be acquired contains 3,314 square feet, more of				
1928	less, and is subject to all rights-of-way, easements, restrictions, and covenants of				
1929	record, if any.				
1930 1931	This assement expires	two (2) v	oars after logal possession through condemnation		
1932	This easement expires two (2) years after legal possession through condemnatio or ninety (90) days after completion of the construction for which this easement is				
1933	acquired or whichever comes first.				
1934	adquired of Willeriover	0011100 111	<b></b>		
1935	Section 2. That the	City Attor	ney of the City of Topeka, Kansas, on behalf of the		
1936	Council of the City of Topeka, Kansas shall present a written application to the Distric				
1937	Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisa				
1938	and assessment required by law when land is taken for public purposes, and said Cit				
1939	Attorney shall do all things necessary for the condemnation of said land completing the				
1940	appropriation of the same for public purposes.				
1941	Section 3. This Ord	linance sh	nall take effect and be in force from and after its		
1942	passage, approval and public	ation in th	ne official city newspaper.		

1944	PASSED and APPROVED by the Governing Body February 2, 2010.		
1945 1946 1947		CITY OF TOPEKA, KANSAS	
1948 1949		William W. Bunten, Mayor	
1950 1951	ATTEST:	William W. Burton, Mayor	
1952 1953			
1954	Brenda Younger, City Clerk	_	