

(Published in the Topeka Metro News February 8, 2010)

**ORDINANCE NO. 19377**

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire permanent public utility easements for the following public purposes: drainage, water line, storm sewer and sanitary sewer; as well as permanent public right-of-way easement; temporary construction easements; and fee simple interest to widen SW 29<sup>th</sup> Street to five (5) lanes between SW Wanamaker Road and SW Urish Road and construct a new roundabout at SW Urish Road intersection and the relocation of the waterline, Project No. 70204-01.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That it is hereby declared necessary to condemn and appropriate for the use of the City of Topeka certain lands within and outside the corporate limits of the City of Topeka to widen SW 29<sup>th</sup> Street to five (5) lanes between SW Wanamaker Road and SW Urish Road and construct a new roundabout at SW Urish Road intersection and the relocation of the waterline and for other public purposes, said land being described as follows:

**Parcel No. 4**

Owner of Record: St. Charles, a Limited Liability Company  
c/o Charles Pomeroy  
935 SW Western  
Topeka, Kansas 66606

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: vacant land

Party of Interest: Shawnee County District Court Clerk  
Case No. 05-C-987

40 PROPERTY TO BE ACQUIRED:

41  
42 **Temporary Construction Easement:**

43  
44 Two tracts in the Southeast Quarter of Section 7, Township 12 South, Range 15  
45 east of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as:

46  
47 Tract I:

48  
49 Commencing at the Southeast corner of said Southeast Quarter; thence on an  
50 assumed bearing of South 86°55'41" West on the South line of said Southeast  
51 Quarter, 130.07 feet; thence North 3°04'19" West, 40.00 feet to the point of  
52 beginning; thence South 86°55'41" West, 30.00 feet; thence North 16°23'21" East,  
53 60.03 feet; thence North 86°55'41" East, 60.00 feet; thence North 43°48'43" East,  
54 4300 feet; thence South 1°19'30" West, 20.08 feet; thence South 56°07'16" West,  
55 47.47; thence South 40°48'17" West, 57.71 to the point of beginning;

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57 Tract II:

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

64  
65 The above-described property to be acquired contains 3,992 square feet, more or  
66 less, and is subject to all rights-of-way, easements, restrictions, and covenants of  
67 record, if any.

68  
69 This easement expires two (2) years after legal possession through condemnation  
70 or ninety (90) days after completion of the construction for which this easement is  
71 acquired or whichever comes first.

72  
73 **Permanent Public Right-of-Way Easement:**

74  
75 A tract in the Southeast Quarter of Section 7, Township 12 South, Range 15 east of  
76 the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as: Commencing at the  
77 Southeast corner of said Southeast Quarter; thence on an assumed bearing of  
78 South 86°55'41" West on the South line of said Southeast Quarter, 52.52 feet;  
79 thence North 3°04'19" West, 40.00 feet to the point of beginning; thence South  
80 86°55'41" West on a line which is 40.00 feet north of the South line of said  
81 Southeast Quarter, 78.76 feet; thence North 40°48'17" East, 57.71 feet; thence  
82 North 56°07'16" East, 47.47 feet; thence South 1°19'30" East on a line which is  
83 52.50 feet west of the East line of said Southeast Quarter, 65.94 feet to the point of  
84 beginning.

The above-described property to be acquired contains 2,958 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 5**

Owner of Record: St. Charles, a Limited Liability Company  
c/o Charles Pomeroy  
935 SW Western  
Topeka, Kansas 66606

Contract Purchaser: NONE

Lienholder of Record: Commerce Bank & Trust n/k/a Corefirst Bank  
3035 South Topeka Boulevard  
Topeka, Kansas 66611

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

Easement Interest: Mission Center Cemetery Association  
c/o Rusty Vollintine  
2200 S.W. Hoch Road  
Topeka, Kansas 66614

Party of Interest: Shawnee County District Court Clerk  
Case No. 05-C-987

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction Easement:**

A portion of Lot 1, Block 'A' in Mission Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of said Lot 1; thence on an assumed bearing of North 1°19'30" West on the East line of Lot 1, 77.73 feet; thence South 70°47'47" West, 81.43 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 5,147 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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.

**Temporary Ingress-Egress Easement:**

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.

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.

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.

**Parcel No. 7**

Owner of Record: Sisters of Charity of Leavenworth Health System, Inc.  
c/o Jim Christian, Facilities Manager  
St. Francis Hospital  
1700 West 7<sup>th</sup> Street  
Topeka, Kansas 66606

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: 1. Vacant parking lot

- 176 2. Mission Woods Owners Association, Inc.  
177 2238 SW Village Hall Road  
178 Topeka, KS 66614  
179  
180 3. Mission Woods Owners Association, Inc.  
181 2238 SW Village Hall Road  
182 Topeka, KS 66614  
183

184 **PROPERTY TO BE ACQUIRED:**  
185

186 **Temporary Construction Easement:**  
187

188 A portion of Lot 1, Block "A" in Mission Woods Subdivision No. 2 in the City of  
189 Topeka, Shawnee County, Kansas, described as: Commencing at the most westerly  
190 Southwest corner of said Lot 1; thence on an assumed bearing of North 88°07'32"  
191 East on the South line of Lot 1, 68.30 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 1°52'48" East, 53.00 feet to a point on the South line of Lot 1; thence South  
194 88°07'32" West on the South line of Lot 1, 41.70 feet to the point of beginning.  
195

196 The above-described property to be acquired contains 2,224 square feet, more or  
197 less, and is subject to all rights-of-way, easements, restrictions, and covenants of  
198 record, if any.  
199

200 This easement expires two (2) years after legal possession through condemnation  
201 or ninety (90) days after completion of the construction for which this easement is  
202 acquired or whichever comes first.  
203

204 **Parcel No. 12**  
205

206 Owner of Record: Vision Bank  
207 712 South Kansas Avenue  
208 Topeka, Kansas 66603  
209

210 and  
211

212 Vision Bank Board of Directors  
213 c/o John Hamilton  
214 Hamilton, Laughlin, Barker, Johnson & Watson  
215 3649 S.W. Burlingame Road  
216 Topeka, Kansas 66611  
217

218 Contract Purchaser: NONE  
219

220 Lienholder of Record: NONE

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).

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

All of those parts of the two following described tracts in the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6th P.M., in Shawnee County, Kansas which are south of a line which is 41.1 feet north of the South line of said Southwest Quarter:

Tract 1;

Beginning at a point on the South line of said Southwest Quarter which is 784.27 feet east of the Southwest corner of said Southwest Quarter; thence north at right angles 174.24 feet; thence east at right angles 250.0 feet; thence south at right angles 174.24 feet to the South line of said Southwest Quarter; thence west 250.0 feet to the place of beginning; Less existing right of way;

Tract 2;

Beginning at a point on the South line of said Southwest Quarter which is 1034.27 feet east of the Southwest corner of said Southwest Quarter; thence north at right angles 174.24 feet; thence east at right angles 250.0 feet; thence south at right angles 174.24 feet to the South line of said Southwest Quarter; thence west 250.0 feet to the place of beginning; Less existing right of way.

The above-described property to be acquired contains 5,550 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 14**

Owner of Record: Darren A. Fuller  
2839 SW Tutbury Town Court  
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: Mortgage Electronic Registration Systems Inc.  
P.O. Box 2026  
Flint, MI 48501-2026

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

A portion of Lot 9, Block G in Southwest Meadows Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southwest corner of said Lot 9; thence on an assumed bearing of North 1°06'58" West on the West line of Lot 9, 41.61 feet; thence South 68°19'40" East, 31.88 feet to a point on the Southeast line of Lot 9; thence South 44°00'35" West, on the Southeast line of Lot 9, 41.47 feet to the point of beginning.

The above-described property to be acquired contains 611 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.

**Parcel No. 17**

Owner of Record: Angela D. Hagen  
2840 S.W. Tutbury Town Court  
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: Mortgage Electronic Registration Systems, Inc., (MERS)  
acting solely as nominee for Taylor, Bean &  
Whitaker Mortgage Corp.  
P.O. Box 2026  
Flint, MI 48501-2026

and

Taylor, Bean & Whitaker Mortgage Corp.  
1417 North Magnolia Ave.  
Ocala, FL 34475

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Permanent Utility Easement:**

A portion of Lot 1, Block G in Southwest Meadows Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the South corner of said Lot 1; thence on an assumed bearing of North 43°29'28" West on the Southwest line of Lot 1, 17.70 feet; thence continuing on North 43°29'28" West on the Southwest line of Lot 1, 7.39 feet; thence North 88°07'32" East, parallel with the South line of the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 4.98 feet to a point on the West line of a platted utility easement; thence South 1°06'58" East on the West line of said platted utility easement, 5.53 feet to the point of beginning.

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.

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

A portion of Lot 1, Block G in Southwest Meadows Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the South corner of said Lot 1; thence on an assumed bearing of North 43°29'28" West on the Southwest line of Lot 1, 9.05 feet; thence North 88°07'32" East, parallel with the South line of the Southwest Quarter of Section 8, Township 12 South, Range 15 east of the 6<sup>th</sup> P.M., 6.10 feet; thence South 1°06'58" East on the East line of Lot 1, 6.76 feet to the point of beginning.

The above-described property to be acquired contains 21 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 18**

Owner of Record: Tyler L. & Melissa Libby  
6522 S.W. 29<sup>TH</sup> Street  
Topeka, Kansas 66614

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

439 and  
440  
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  
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.  
471

472 The above-described property to be acquired contains 1,344 square feet, more or  
473 less, and is subject to all rights-of-way, easements, restrictions, and covenants of  
474 record, if any.  
475

476 **Parcel No. 24**  
477

478 Owner of Record: Lawrence C. & Helen L. Bruner  
479 2854 S. W. Arvon Place  
480 Topeka, Kansas, 66614  
481

482 Contract Purchaser: NONE  
483

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.

**Parcel No. 25**

Owner of Record: 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 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.

**Parcel No. 26**

Owner of Record: Jane Hollis  
2852 S.W. Lincolnshire Court  
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: Chase Manhattan Mortgage Company  
1500 N. 19<sup>th</sup> St., 3rd Flr.  
Monroe, LA 71201

Party in Possession: Owner of Record

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction Easement:**

A portion of Lot 38, Block "B" in Westbrook Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing 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 to the point of beginning; thence continuing on North 1°52'42" 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; thence South 1°52'42" East, 20.50 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., 100.00 feet; thence North 50°21'12" West, 23.38 feet to the point of beginning.

The above-described property to be acquired contains 1,473 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 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.

**Parcel No. 27**

Owner of Record: Iret Properties, a North Dakota Limited Partnership  
c/o Michael A. Bosh  
P.O. Box 1988  
Minot, ND 58702

Contract Purchaser: NONE

Lienholder of Record: 1. NorthMarq Capital, LLC  
3500 American Blvd. West, Ste 500  
Bloomington, Minnesota 55431-4435  
2. Federal Home Loan Mortgage Corporation  
8200 Jones Branch Dr.  
McLean, VA 22102

Party in Possession: Owner of Record

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction Easement:**

A portion of Lot 1, Block "B" in Villa West Subdivision No. 4 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 North 0°55'39" West on the East line of Lot 1, 10.00 feet to the point of beginning; thence continuing on North 0°55'39" West on the East line of Lot 1, 20.00 feet; thence South 88°07'18" West, 108.31 feet; thence South 1°52'42" East, 18.33 feet; thence South 83°20'51" East on the South line of Lot 1, 78.66 feet; thence North 88°07'18" East on the South line of Lot 1, 27.22 feet; thence North 14°41'35" East, 10.43 feet to the point of beginning.

The above-described property to be acquired contains 2,774 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 Drainage Easement:**

A portion of Lot 1, Block "B" in Villa West Subdivision No. 4 in the City of Topeka, Shawnee County, Kansas, described as: Commencing at the Southeast corner of Lot 1; thence South 88°07'18" West on the South line of Lot 1, 30.03 feet; thence 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.

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.

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 "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.

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.

#### **Parcel No. 28**

Owner of Record: Kansas Associates, L.L.C.  
c/o Debbie Davis  
2858 S.W. Villa West Drive  
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: Capital City Bank  
3710 S.W. Topeka Boulevard  
Topeka, Kansas 66609

Party in Possession: 1. Prudential First Realtors  
2858 SW Villa West Dr.  
Topeka, KS 66614

2. First American Title  
2858 SW Villa West Dr.  
Topeka, KS 66614

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction Easement:**

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.

**Parcel No. 30**

Owner of Record: United States Postal Service, Washington, D.C.  
c/o Karen Delamore  
160 Inverness Dr. W., Ste. 400  
Englewood, CO 80112

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

A portion of Lot 1, Block "A" in Villa West Subdivision No 15 in the City of Topeka, Shawnee County, Kansas, described as: Beginning 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, 383.99 feet to the Southeast corner of said lot; thence North 1°12'25" West on the East line of Lot 1, 25.00 feet; thence South 88°07'18" West, 11.67 feet; thence South 1°52'42" East, 15.00 feet; thence South 88°07'18" West, 210.00 feet; thence North 1°52'42" West, 20.00 feet; thence South 88°07'18" West, 50.00 feet; thence South 1°52'42" East, 20.00 feet; thence South 85°34'38" West, 112.64 feet to a point on the West line of Lot 1; thence South 0°55'39" East on the West line of Lot 1, 5.00 feet to the point of beginning.

The above-described property to be acquired contains 4,732 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.

**Parcel No. 31**

Owner of Record: Lindemuth, Inc.  
4350 NW Green Hills Pl.  
Topeka, Ks 66618

Contract Purchaser: NONE

Lienholder of Record: U.S. Bank N.A.  
Collateral Dept.  
P.O. Box 3487  
Oshkosh, WI 54903-3487

Party in Possession: Owner of record

Easement Interest:

1. Capitol Federal Savings & Loan Association  
700 S. Kansas Avenue  
Topeka, KS 66603
2. Lindemuth, Inc.  
125 S.W. Gage Blvd.  
Topeka, KS 66606-2029
3. United States Postal Service  
c/o Karen Delamore  
160 Inverness Dr. W., Ste 400  
Englewood, CO 80112

Party of Interest: Shawnee County District Court Clerk  
Case No. 09-C-1167

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

A portion of Lot 1, Block "A" in Villa West Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of Lot 1, Block "A" in Villa West Subdivision No. 15; thence on an assumed bearing of North 88°07'18" East on the South line of Lot 1, Block "A" in Villa West Subdivision, 502.01 feet; thence North 0°55'39" West, 5.00 feet; thence South 88°07'18" West, 173.47 feet; thence North 1°52'42" West, 15.00 feet; thence South 88°07'18" West, 45.00 feet; thence South 1°52'42" East, 15.00 feet; thence South 88°07'18" West, 115.00 feet; thence North 89°40'33" West, 130.10 feet; thence North 1°52'42" West, 15.00 feet; thence South 88°07'18" West, 38.33 feet to a point on the East line of Lot 1, Block "A" in Villa West Subdivision No. 15; thence South 1°12'25" East, 25.00 feet to the point of beginning.

The above-described property to be acquired contains 4,279 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.

**Parcel No. 33**

Owner of Record: Maja Company, Inc.  
3710 SW Topeka Blvd.  
Topeka, KS 66609

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: 1. Owner of Record  
2. Hy-Vee, Inc.  
5820 Westown Pkwy  
West Des Moines IA 50266-8223

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction 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 to the point of beginning; thence continuing on South 1°29'24" East on the West line of Lot 4, 5.00 feet; thence North 88°07'18" East, 147.95 feet; thence South 46°41'03" East, 45.18 feet to a point on the East line of Lot 4; thence North 1°29'24" West on the East line of Lot 4, 7.05 feet; thence North 46°41'03" West on the Northwest line of Lot 4, 41.71 feet; thence South 88°30'36" West on a North line of Lot 4, 60.00 feet; thence South 88°07'18" West, 90.41 feet to the point of beginning.

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

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.

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.

**Parcel No. 34**

Owner of Record: Hy-Vee, Inc.  
5820 Westtown Pkwy  
West Des Moines, IA 50266

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession:

1. Owner of Record
2. Maja Company, Inc.  
3710 S.W. Topeka Blvd.  
Topeka, KS 66609-1230
3. Wanamaker South LLC  
3501 S.W. Fairlawn Road, Ste 200  
Topeka, KS 66614-3975

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction 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 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.

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.

**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

Party in Possession: 1. Batteries Plus  
6021 SW 29<sup>th</sup> St., Ste D  
Topeka, KS 66614

2. The UPS Store  
6021 SW 29<sup>th</sup> St., Ste A  
Topeka, KS 66614

Easement Interest: Wanamaker South, L.C.  
3501 S.W. Fairlawn Rd., Ste 200  
Topeka, KS 66614-3975

**PROPERTY TO BE ACQUIRED:**

**Temporary Construction Easement:**

The South 10 feet of the North 25 feet of Lot 2, Block "A" in Wanamaker West Subdivision in the City of Topeka, Shawnee County, Kansas; Less the West 16 feet thereof which is platted as a utility easement.

The above-described property to be acquired contains 1,588 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 2, Block "A" in Wanamaker West Subdivision in the City of Topeka, Shawnee County, Kansas; Less the West 16 feet thereof which is platted as a utility easement.

The above-described property to be acquired contains 794 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 37**

Owner of Record: McMillin Construction Custom Homes, Inc.  
c/o Floyd McMillin  
4431 SE California Ave.  
Topeka, KS 66609

Contract Purchaser: NONE

Lienholder of Record: Commerce Bank and Trust n/k/a CoreFirst Bank  
3035 S. Topeka Blvd.  
Topeka, KS 66611

Party in Possession: Owner of Record

**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°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, 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

Contract Purchaser: NONE

Lienholder of Record: First National Bank of Missouri  
609 North M-291 Highway  
Lee's Summit, MO 64063

Party in Possession: 1. FHWA  
6111 SW 29<sup>th</sup> St., Ste 100  
Topeka, KS 66614  
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.

**Permanent Public Right-of-Way 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 Northwest corner of said Lot 7; thence on an assumed bearing of North 88°07'18" East on the North line of Lot 7, 6.70 feet; thence South 22°30'34" West, 16.47 feet to a point on the West line of Lot 7; thence North 1°29'24" West on the West line of Lot 7, 15.00 feet to the point of beginning.

The above-described property to be acquired contains 50 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 39**

Owner of Record: Topeka Retirement Residence Limited Liability Company  
2235 Faraday Ave., Ste. O  
Carlsbad, CA 92008

Contract Purchaser: NONE

Lienholder of Record:

1. CitiGroup Global Markets Realty Corp.  
388 Greenwich St., 11<sup>th</sup> Flr.  
New York, NY 10013
2. Goldman, Sachs Commercial Mortgage Capital, L.P.  
85 Broad Street  
New York, NY 10004
3. Fannie Mae  
3900 Wisconsin Ave., NW  
Washington, D.C. 20016

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

The East 5 feet of the South 117.50 feet of the North 127.50 feet of Lot 1, Block "A" in Crestridge Subdivision No. 3 in the City of Topeka, Shawnee County, Kansas.

The above-described property to be acquired contains 588 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 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 platted utility easement; Also Except: That part which is included in a public improvement easement for waterlines, recorded in Book 3141, page 287.

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 record, if any.

**Parcel No. 41**

Owner of Record: Stuart B. and Cheryl L. Hamilton  
2900 SW Lincolnshire Rd.  
Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: 1. Mortgage Electronic Registration Systems, Inc.,  
(MERS) Acting solely as nominee for Countrywide  
Home Loans, Inc.  
P.O. Box 2026  
Flint, MI 48501-2026

2. Countrywide Home Loans, Inc.  
4500 Park Granda  
Calabasas, CA 91302-1613

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

Two portions of Lot 1, Block "E" 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, 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).

**Parcel No. 44**

Owner of Record: Daniel C. and Joyce A. Thompson  
2901 S.W. Arvonja Place  
Topeka, Kansas 66614

Contract Purchaser: NONE

Lienholder of Record: U.S. Bank N.A.  
4801 Frederica Street  
P.O. Box 20005  
Owensboro, KY 42304

Party in Possession: Owner of Record

**PROPERTY TO BE ACQUIRED:**

**Permanent Water Line Easement:**

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 6<sup>th</sup> P.M.; said strip extends from the East line of Lot 1 to the East line of a platted utility easement.

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

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: vacant land

PROPERTY TO BE ACQUIRED:

**Fee Simple:**

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

The above-described property to be acquired contains 19,500 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

**Parcel No. 47**

Owner of Record: Galen C. Hawk Trust  
3345 SW Friar Rd.  
Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: vacant land

PROPERTY TO BE ACQUIRED:

**Permanent Drainage Easement:**

That part of Lot "A" in Block 1, Sherwood Estates in Shawnee County, Kansas, which is north of an extension of the South line of Lot 41 in said Block 1.

The above-described property to be acquired contains 16,254 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. 48**

Owner of Record: Celeste R. Ehrenberg  
2900 SW Tutbury Town Rd.  
Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: Bank of America, N.A.  
2380 Performance Dr., Bldg. C  
Mail Stop: TX 984-04-08  
Richardson, TX 75082

Party in Possession: Owner of Record

PROPERTY TO BE ACQUIRED:

**Temporary Construction 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 1°52'28" East on the East line of Lot 40, 43.40 feet to the point of beginning; thence continuing on South 1°52'28" East on the East line of Lot 40, 7.35 feet; thence southerly on the East line of Lot 40 being a curve concave 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 lot; thence South 76°46'18" West on the South line of Lot 40, 15.00 feet; thence 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 7°33'06" West, 41.18 feet; thence North 1°52'28" West, 12.22 feet to a point on the North line of Lot 40; thence South 73°51'07" East, 15.77 feet to the point of beginning.

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.

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 Record: K and E Limited Partnership  
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

Party in Possession: 1. Family Video  
6749 S.W. 29<sup>th</sup> Street, Suite A  
Topeka, Kansas, 66614

2. Sun Resorts  
6749 S.W. 29<sup>th</sup> Street, Suite B  
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 point 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.

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.

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

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.

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.

**Parcel No. 57**

Owner of Record: Southwestern Bell Telephone Company  
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

Party in Possession: Owner of Record

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

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.

The above-described property to be acquired contains 597 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.

**Parcel No. 58**

Owner of Record: Dillon Real Estate Company, Inc.  
c/o Clay Brasher  
2700 East 4<sup>th</sup> Avenue  
Hutchinson, Kansas 67501

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession:

1. Owner of Record
2. The Kroger Co. Foundation  
1014 Vine St.  
Cincinnati, OH 45202
3. WTN Topeka Properties, L.P.  
3501 S.W. Fairlawn Rd., Ste 200  
Topeka, KS 66614-3975

Party of Interest: Shawnee County District Court  
Case No. 08-C-1090

PROPERTY TO BE ACQUIRED:

**Temporary Construction Easement:**

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" West on 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

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

3. Charles K. Pomeroy  
P.O. Box 1734  
Topeka, KS 66601

Party in Possession: KMB, Inc., a Kansas corporation  
d/b/a Kevin Brennan Family Funeral Home  
Kevin M. Brennan and Mary H. Brennan  
2801 S.W. Urish Road  
Topeka, KS 66614

**PROPERTY TO BE ACQUIRED:**

**Temporary Ingress-Egress Easement:**

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 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; thence South 86°55'48" West, 183.38 feet to the point of beginning; thence North 2°13'34" East, 226.72 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 to the point of beginning.

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 record, if any.

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.

**Parcel No. 61**

Owner of Record: Redbud Properties, L.L.C.  
4321 S.W. Marlboro Road  
Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: Alliance Bank  
3001 S.W. Wanamaker Road  
Topeka, KS 66614

Party in Possession: vacant land

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Easement Interest: Tallgrass Homeowners Association, Inc.  
2850 SW Tallgrass Dr  
Topeka, KS 66614

PROPERTY TO BE ACQUIRED:

**Temporary Ingress-Egress Easement:**

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 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" 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 86°34'11" East, 125.61 feet to the point of beginning.

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 record, if any.

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.

**Parcel No. 62**

Owner of Record: Redbud Properties, L.L.C.  
4321 S.W. Marlboro Road  
Topeka, KS 66614

Contract Purchaser: NONE

Lienholder of Record: Alliance Bank  
3001 S.W. Wanamaker Road  
Topeka, KS 66614

Party in Possession: vacant land

Easement Interest: Tallgrass Homeowners Association, Inc.  
2850 SW Tallgrass Dr  
Topeka, KS 66614

PROPERTY TO BE ACQUIRED:

**Temporary Ingress-Egress Easement:**

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 said Lot 1; thence on an assumed bearing of South 1°04'34" West on the East line 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; thence South 86°55'48" West on a South line of Lot 1, 143.31 feet; thence North 1°12'16" West, 30.33 feet; thence North 86°34'11" East, 143.34 feet to the point of beginning.

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 record, if any.

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.

**Parcel No. 63**

Owner of Record:	1. Ramsey Custom Homes, LLC 6040 S.W. 37 <sup>th</sup> St. Topeka, KS 66614
	2. Chrysler Group, Inc. 2919 S.W. Indian Hills Road Topeka, KS 66614
Contract Purchaser:	NONE
Lienholder of Record:	NONE
Party in Possession:	vacant land
Easement Interest:	Tallgrass Homeowners Association, Inc. 2850 SW Tallgrass Dr Topeka, KS 66614

PROPERTY TO BE ACQUIRED:

**Temporary Ingress-Egress Easement:**

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 said Lot 1; thence on an assumed bearing of South 1°04'34" West on the East line of Lot 1, 372.24 feet; thence South 86°34'11" West, 268.95 feet to the point of 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 3°04'12" West, 30.00 feet; thence North 86°34'11" East, 49.17 feet to the point of beginning.

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 record, if any.

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.

**Parcel No. 64**

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. Boardwalk, a Limited Liability Company  
P. O. Box 1734  
Topeka, KS 66601
2. St. Charles, a Limited Liability Company  
P. O. Box 1734  
Topeka, KS 66601
3. Charles K. Pomeroy  
935 SW Western  
Topeka, KS 66606

Party in Possession: vacant land

- 1912 Party of Interest: 1. Shawnee County District Court  
1913 Case No. 05-C-987  
1914  
1915 2. Shawnee County District Court  
1916 Case 08-U-235  
1917

1918 PROPERTY TO BE ACQUIRED:  
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1920 **Temporary Construction Easement:**  
1921

1922 All of Lot 1, Block 'A' in Mission Heights Subdivision in the City of Topeka, Shawnee  
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<sup>th</sup>  
1925 P.M.  
1926

1927 The above-described property to be acquired contains 3,314 square feet, more or  
1928 less, and is subject to all rights-of-way, easements, restrictions, and covenants of  
1929 record, if any.  
1930

1931 This easement expires two (2) years after legal possession through condemnation  
1932 or ninety (90) days after completion of the construction for which this easement is  
1933 acquired or whichever comes first.  
1934

1935 Section 2. That the City Attorney 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 District  
1937 Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisal  
1938 and assessment required by law when land is taken for public purposes, and said City  
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 Ordinance shall take effect and be in force from and after its  
1942 passage, approval and publication in the official city newspaper.  
1943

1944 PASSED and APPROVED by the Governing Body February 2, 2010.

1945 CITY OF TOPEKA, KANSAS

1946

1947

1948

1949

\_\_\_\_\_  
William W. Bunten, Mayor

1950 ATTEST:

1951

1952

1953

1954 \_\_\_\_\_  
Brenda Younger, City Clerk