

(Published in the Topeka Metro News January 24, 2011)

ORDINANCE NO. 19508

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire fee simple interest for the following public purposes: obtain a site for a water tower to provide improved water service to South Topeka, as well as, water service for further growth south of Topeka including the new Kanza Fire Commerce Park, Project No. T-861003.00 (HTE #862620).

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 private property interests including a fee simple interest for the following public purposes: obtain a site for a water tower to provide improved water service to South Topeka, as well as, water service for further growth south of Topeka including the new Kanza Fire Commerce Park and for other public purposes, said land being described as follows:

Parcel No. 4

Owner of Record: Leo L. Isaacs and Margaret N. Isaacs
PO Box 1
Burlingame, Kansas 66413

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: vacant land

Party of Interest: Shawnee County Treasurer
2010 Real Estate Taxes

36 PROPERTY TO BE ACQUIRED:

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38 **Fee Simple:**

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40 A tract of land in the Northwest Quarter and the Southwest Quarter of Section 1,
41 Township 13 South, Range 15 East, East of the 6th P.M., in Shawnee County,
42 Kansas, described as follows: Commencing at the Northwest corner of the
43 Southwest Quarter of said Section 1; thence North 1 degree 12 minutes 26 seconds
44 West, 26 feet to a point in center line of public road; thence North 87 degrees 22
45 minutes 32 seconds East along center line of said road 1225 feet to point of
46 beginning; thence South 1 degree 23 minutes 01 second East, 572.90 feet to a line
47 805 feet North of the South line of the North half of the said Southwest Quarter
48 Section; thence North 88 degrees 42 minutes 12 seconds East, 708.12 feet; thence
49 North 1 degree 23 minutes 01 second West, 589.35 feet; thence South 87 degrees
50 22 minutes 32 seconds West, 708.68 feet to the place of beginning, LESS the South
51 55 feet, ALSO EXCEPT the West 100 feet thereof.

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53 The above-described property to be acquired contains 7.14 acres, more or less, and
54 is subject to all rights-of-way, easements, restrictions, and covenants of record, if
55 any.

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57 Section 2. That the City Attorney of the City of Topeka, Kansas, on behalf of the
58 Council of the City of Topeka, Kansas shall present a written application to the District
59 Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisal
60 and assessment required by law when land is taken for public purposes, and said City
61 Attorney shall do all things necessary for the condemnation of said land completing the
62 appropriation of the same for public purposes.

63 Section 3. This Ordinance shall take effect and be in force from and after its
64 passage, approval and publication in the official city newspaper.

66 PASSED and APPROVED by the Governing Body January 18, 2011.

67 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

72 ATTEST:

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Brenda Younger, City Clerk