

(Published in the Topeka Metro News July 25, 2011)

ORDINANCE NO. 19606

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of MacVicar Avenue from SW 6th Street to Interstate 70 with pavement, curb and gutter and all other contingencies needed to complete Trafficway Improvement Project No. 70196-02 as defined and described in Resolution No. 8026, adopted and approved January 8, 2008.

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

Section 1. For the purpose of paying the cost of pavement, curb and gutter and all other contingencies needed to complete the project, same being Trafficway Improvement Project No. 70196-02, in the City of Topeka, Shawnee County, Kansas, there is hereby levied and assessed a special assessment on all lots and pieces of ground liable therefore.

Said assessments are computed as follows:

A. GENERAL NATURE OF IMPROVEMENT:

This project provides for the construction of MacVicar Avenue from SW 6th Street to Interstate 70. The proposed improvement will include grading and surfacing for a 5-lane roadway with concrete curb and gutter, sidewalks, storm sewers, utility relocation and other appurtenances needed for a complete project.

B. IMPROVEMENT DISTRICT:

Begin at the intersection of the west right of way line of SW MacVicar Avenue and the north right of way line of SW Sixth Avenue; thence westerly on said north line of Sixth Avenue for a distance of 2635.14 feet to the east right of way line of Oakley Avenue; thence northerly on said east right of way of Oakley Avenue to the north right of way line of Third Street, when extended from the west; thence westerly on said north line of Third Street for a distance of 1330 feet to the west line of Arlington Heights Addition; thence northerly on said west line extended for a distance of 1616 feet to the south right of way line of Interstate Highway Route No. 70; thence easterly following said right of way line to the

east line of Section 26, Township 11 South, Range 15 East of the Sixth P.M.; thence easterly 40 feet, more or less, to the west right of way line of NW MacVicar Avenue, thence southerly following the west right of way line of NW MacVicar Avenue to the south line of First Street; thence south on the west line of SW MacVicar Avenue to the north right of way line of SW Sixth Avenue and the point of beginning.

C. METHOD OF ASSESSMENT:

On a square foot of area basis for all lots, parcels or tracts which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST TO BENEFIT DISTRICT = \$1,961,678.06

Section 2. The several amounts are apportioned, levied and assessed against each of said lots and pieces of ground according to the benefits to be derived by reason of the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

TRAFFICWAY IMPROVEMENT PROJECT NO. 70196-02

<u>Legal Description</u>	<u>Assessment</u>
ALLIANCE SUBDIVISION NO. 2 Block A, Lot 2	\$3,964.05
ALLIANCE SUBDIVISION NO. 2 Block A, Lot 1	\$5,398.60
ALLIANCE SUBDIVISION Block A, Lot 3	\$62,441.48
ALLIANCE SUBDIVISION Block A, Lot 1	\$10,095.68
A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence North 0°08'12" West, 776.62 feet along the East line of said Quarter for the point of beginning; thence North 0°08'12" West, 559 .88 feet to a	\$55,313.62

point on the South right of way of I-70 Highway; thence North 31°50'28" West, 88.1 feet; thence North 82°50'52" West, 466.4 feet; thence South 7°09'08" West, 581.83 feet; thence South 78°47'47" East, 594.37 feet to the point of beginning.

AND

The North Half of Lot 135 and all of Lot 137 on Story Street, in Sam Cross' Addition to the City of Topeka, Shawnee County, Kansas, LESS that part taken by the City of Topeka, by Condemnation No. 83886 and in Condemnation No. 122884.

Lots 139, 141, 143, 145, 147, 149 151, 153 and 155 on Story Street, in Sam Cross' Addition to the City of Topeka, Shawnee County, Kansas, EXCEPT that part of said lots condemned in District Court Case No. 83886 and in Condemnation No. 122884.

A part of Lots 147, 159, 161, 163, 165 and 167 described as follows: Beginning at the Northwest corner of Lot 167; thence easterly along the North line of Lot 167, a distance of 40 feet; thence southeasterly 157.08 feet, more or less to a point on the South line of Lot 157, point being 73.33 feet, more or less, westerly of the Southeast corner of said Lot 157; thence westerly 86.67 feet to the Southwest corner of Lot 157; thence northerly to the place of beginning, all lot being on Storey Street in Sam Cross' Addition to the City of Topeka, Shawnee County, Kansas, EXCEPT that part of said lots taken by Condemnation No. 83886.

A tract in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence on an assumed bearing of South 0°00'41" West on the East line of said Southeast Quarter, 35.47 feet; thence North 89°59'19" West, 23.50 feet; thence South 0°00'41" West, 266.48 feet to the point of beginning; thence North 89°59'19" West, 54.50 feet; thence North 84°36'04" West, 82.69 feet; thence North 72°07'54" West, 77.36 feet; thence South 80°29'15" West, 18.51 feet; thence North 74°35'25" West, 47.97 feet; thence westerly on a curve concave southerly, having a radius measure of 350.00 feet and an arc length of 179.94 feet, the chord of which bears North 89°19'08" West, 177.97 feet; thence South 75°57'09" West, 111.46 feet; thence South 0°00'41"

\$51,603.33

West, 328.50 feet to the Northwest corner of a tract recorded in Volume 4269 at page 203; thence North 89°50'35" East, 266.75 feet; thence South 0°03'17" West, 327.41 feet; thence South 12°50'49" East, 141.11 feet; thence South 76°45'17" West, 58.36 feet; thence North 82°07'58" West, 178.87 feet; thence South 13°12'10" West, 28.18 feet; thence easterly on a curve concave northerly, having a radius measure of 398.16 feet and an arc length of 124.56 feet, the chord of which bears South 77°03'00" East, 124.05 feet; thence South 85°25'36" East, 179.04 feet; thence South 89°23'06" East, 38.17 feet; thence South 85°26'36" East, 170.04 feet; thence South 89°59'19" East, 54.50 feet; thence North 0°00'41" East, 844.07 feet to the point of beginning.

A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows:

\$17,645.39

Beginning at a point which is South 00°00'22" West, 613.51 feet along the East line, and North 89°59'38" West, 317.78 feet from the Northeast corner of said Quarter section; thence South 0°03'17" West, 327.41 feet; thence South 12°50'49" East, 141.11 feet; thence South 76°45'17" West, 58.36 feet; thence North 82°07'58" West, 178.87 feet; thence North 77°25'03" West, 57.55 feet; thence North 13°12'10" East, 311.96 feet; thence North 29°57'25" West, 158.01 feet; thence North 89°50'35" East, 266.75 feet to the point of beginning. Contains 2.454 acres, more or less.

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence on an assumed bearing of North 0°08'34" West on the East line of said Northeast Quarter, 776.56 feet; thence North 78°48'28" West, 331.28 feet to the point of beginning; thence South 0°37'14" West, 402.91 feet; thence South 89°01'01" West, 489.45 feet; thence North 13°05'45" East, 497.87 feet; thence South 78°48'28" East, 379.42 feet to the point of beginning.

\$31,684.67

79	KANZA BUS&TECH PK SUBDIVISION NO. 3	
80	Block A, Lot 1	\$9,719.77
81	<p>A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commence at the Southeast corner of said Northeast Quarter; thence on an assumed North Azimuth of 359°51'46", 51.14 feet along the East line of said Northeast Quarter; thence on Azimuth 270°01'05", 77.86 feet to the Northeast corner of Kanza Business and Technology Park Subdivision No. 3, as recorded in Plat Book 40 page 91 in the public records of said county and the point of beginning; thence on Azimuth 270°01'05", 320.00 feet along the North line of said subdivision and its extension; thence Azimuth 359°51'46", 309.14 feet; thence on Azimuth 89°51'46", 41.90 feet to the beginning of a curve to the right having a radius of 462.50 feet; thence easterly 143.62 feet along said curve with a chord which bears on Azimuth 98°45'32", 143.04 feet to beginning of a curve to the left having a radius of 537.50 feet; thence easterly 136.59 feet along said curve with a curve which bears on Azimuth 100°22'29", 136.23 feet to a point on the West right of way line of MacVicar Avenue as recorded in Book 4389 page 172; thence on Azimuth 179°58'19", 27.53 feet along said right of way line; thence on Azimuth 89°51'51", 7.09 feet along said right of way line to a point on the West right of way line of SW MacVicar Avenue as recorded in Book 3614 page 757 said point being on the non-tangent curve to the left having a radius of 4642.50 feet; thence southerly 138.57 feet along said right of way line and curve with a chord which bears on Azimuth 180°52'22", 138.57 feet; thence on Azimuth 270°01'05", 1.50 feet along said right of way line; thence on Azimuth 180°01'05", 96.96 feet along said right of way line to the point of beginning.</p> <p>A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at a point which is North 00°08'53" West, along the East line, 1470.64 feet, and South 89°51'07" West, 508.95 feet from the Southeast corner of said Quarter section, said point being on the South right of</p>	<p>\$15,391.28</p> <p>\$68,754.74</p>

way line of Interstate Route 70; thence South 7°08'27" West, 581.83 feet; thence North 78°48'28" West, 889.16 feet; thence North 0°08'08" West, 213.32 feet to the South right of way line of said Interstate Route 70; thence along said South right of way line, on a 2720.37 foot radius curve to the right, with a 593.15 foot chord bearing North 68°24'35" East, an arc distance of 594.33 feet; thence South 89°21'03" East, along said South right of way line, 196.00 feet; thence South 82°51'33" East, along said South right of way line, 198.08 feet to the point of beginning.

82		
83	SHAWNEE COM MENTAL H/CEN	
84	Block A, Lot 1	\$29,003.12
85		

A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at a point on the West line, 30.00 feet north of the Southwest corner of said Quarter Section (said point being on the North right of way line of West Sixth Street); thence North 0°06'40" West, along said West line, 844.31 feet; thence North 89°34'09" East, 441.18 feet; thence North 00°25'19" West, 232.60 feet; thence North 47°08'16" West, 247.27 feet; thence North 42°56'08" East, 44.54 feet; thence North 1°24'28" West, 497.95 feet; thence North 88°48'04" East, 120.98 feet; thence on a 302.50 foot radius curve to the left, with a 170.62 foot chord bearing North 72°25'13" East, an arc distance of 172.97 feet; thence North 56°02'21" East, 399.91 feet; thence South 20°26'15" East, 750.52 feet; thence South 0°24'53" East, 1344.97 feet to the North right of way line of West Sixth Street; thence South 89°36'04" West, along said right of way line, 1181.82 feet to the point of beginning.

AND

A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at a point which is North 0°06'40" West, 30.00 feet along the west line, and North 89°36'04" East, 1161.82 feet from the Southwest corner of said Quarter Section (said point being on the North right of way line of SW 6th Street); thence North 0°24'53" West, 1344.97 feet; thence North 20°26'15" West, 750.52 feet; thence North 56°02'21" West, 73.61 feet;

thence on a 247.50 foot radius curve to the right, with an 84.78 foot chord bearing North 65°54'02" East, an arc distance of 85.20 feet; thence on a 222.50 foot radius curve to the left, with a 305.45 foot chord bearing South 55°20'33" East, an arc distance of 336.66 feet; thence South 0°24'53" East, 1949.38 feet to the North right of way line of SW 6th Street; thence South 89°36'04" West, along said North right of way line, 132.00 feet to the point of beginning.

AND

Tract "A"

A tract of land located in Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Section 26; thence on an assumed bearing of North 0°00'41" East along the East line of the Southeast Quarter of said Section 26, 707.37 feet; thence South 89°36'00" West, 23.50 feet to the Northeast corner of Alliance Subdivision, as recorded in Plat Book 42, page 13, Shawnee County Register of Deeds, and the point of beginning; thence continuing South 89°36'00" West along the North line of said Alliance Subdivision, 772.20 feet (measured), 772.14 feet (platted) to the Northwest corner of said Alliance Subdivision, and the West line of a tract of land as described in Book 3131, page 974; thence along that North and East lines of said tract, the following 24 courses, North 00°17'48" East, North 00°17'48" East, 179.35 feet; thence North 34°02'10" West, 118.96 feet; thence North 00°01'32" West, 78.63 feet; thence along a curve to the right having a radius of 75.00 feet, a chord which bears North 19°54'22" West, 97.22 feet, an arc distance of 105.76 feet; thence North 41°49'-7" East, 216.95 feet; thence North 00°10'00" West, 305.26 feet; thence North 44°53'24" West, 71.01 feet; thence North 35°51'21" West, 63.86 feet; thence North 28°30'22" West, 137.12 feet; thence North 26°43'42" West, 158.72 feet; thence North 31°53'52" West, 87.45 feet; thence North 53°28'29" West, 108.90 feet; thence North 60°52'23" West, 42.96 feet; thence along a curve to the left having a radius of 75.00 feet, a chord which bears North 74°02'34" West, 34.18 feet, and arc distance of 34.48 feet; thence North 87°12'34" West, 11.70 feet; thence North 80°45'55" West, 23.15 feet; thence North 54°24'53" West, 16.30 feet; thence North 37°05'06"

West, 14.75 feet; thence South $72^{\circ}14'19''$ West, 27.65 feet; thence South $34^{\circ}34'34''$ West, 25.22 feet; thence South $19^{\circ}56'39''$ West, 44.30 feet; thence North $63^{\circ}55'40''$ West, 18.56 feet; thence South $44^{\circ}28'03''$ West, 68.73 feet; thence South $00^{\circ}24'53''$ East, 94.12 feet to the Northeast corner of a tract of land as described in Book 3527, page 330; thence along the North line of said tract on a curve to the right having a radius of 222.50 feet, a chord which bears North $55^{\circ}19'39''$ West, 305.39 feet (measured), 305.45 feet (described), an arc distance of 336.58 feet (measured), 336.66 feet (described); thence along the North line of said tract on a curve to the left having a radius of 247.50 feet, a chord which bears South $65^{\circ}54'21''$ West, 84.78 feet, an arc distance of 85.20 feet; thence continuing along the North line of said tract and along the North line of a tract of land as described in Book 3517, page 311, South $56^{\circ}02'38''$ West, 473.52 feet; thence continuing along said North line, along a curve to the right having a radius of 302.50 feet, a chord which bears South $72^{\circ}25'30''$ West, 170.62 feet, an arc distance of 172.97 feet; thence continuing along said North line, South $88^{\circ}48'21''$ West, 120.98 feet to the Northeast corner of a tract of land described in Book 2664, page 927, now platted as Shawnee Community Mental Health Center Subdivision as recorded in Plat Book 33, page 34; thence South $88^{\circ}46'41''$ West along the North line of said tract, 278.01 feet to the Northwest corner of said tract; thence South $0^{\circ}06'23''$ East along the West line of said tract, 120.09 feet to the Northeast corner of Arlington Heights Subdivision as recorded in Plat Book 4, page 28; thence South $89^{\circ}36'06''$ West along the North line of said Arlington Heights Subdivision, 1309.30 feet to the Northwest corner of said Arlington Heights Subdivision, and the West line of the East Half of the Southwest Quarter of said Section 26; thence North $0^{\circ}11'35''$ East along said West line 956.73 feet to the Southwest corner of the East half of the Northwest Quarter of said Section 26; thence North $0^{\circ}17'51''$ East along said West line 667.99 feet to a point on the South right of way line of Interstate Highway 70; thence along said South right of way line North $88^{\circ}53'30''$ East, 883.63 feet; thence continuing along said right of way, on a curve to the left having a radius of 1579.22 feet, a chord which bears North $76^{\circ}29'04''$ East, 678.62 feet, an arc distance of 683.95 feet; thence continuing along said right of way,

North 64°04'38" East, 1046.28 feet to the Northwest corner of a tract of land as described in Book 2235, page 925; thence along the West line of said tract, South 0°08'08" West, 213.32 feet to the Southwest corner of said tract; Thence South 78°48'28" East along the South line of said tract, 773.14 feet; thence South 13°05'45" West, 497.87 feet; thence North 89°01'01" East, 489.45 feet; thence North 0°37'14" West, 402.91 feet to the South line of said tract described in Book 2235, page 925; thence South 78°48'28" East, along said South line, 331.28 feet to the east line of the Northeast Quarter of said Section 26; thence South 0°08'34" East along said East line 776.56 feet to the Northeast corner of the Southeast Quarter of said Section 26, thence South 0°00'41" West along the East line of said Southeast Quarter, 35.47 feet to the North line of a tract of land as described in Book 1061, page 473; thence along the North line of said tract, North 89°59'19" West, 23.50 feet to the Northwest corner of said tract; thence South 0°00'41" West, along the west line of said tract, 266.48 feet; thence North 89°59'19" West, 54.50 feet; thence North 84°36'04" West, 82.69 feet; thence North 72°07'54" West, 77.36 feet; thence South 80°29'15" West, 18.51 feet; thence North 74°35'25" West, 47.97 feet; thence along a on a curve to the left having a radius of 350.00 feet, a chord of which bears North 89°19'08" West, 177.97 feet an arc distance of 179.94 feet; thence South 75°57'09" West, 111.46 feet; thence South 0°00'41" West, 328.50 feet to the Northwest corner of a tract as described in Book 4269, page 203; thence South 29°57'25" East along the West line of said tract, 158.01 feet; thence continuing along said West line, and its extension South 13°12'10" West, 348.14 feet; thence easterly on a curve to the left having a radius of 398.16 feet, a chord which bears South 77°03'00" East, 124.05 feet, an arc distance of 124.56 feet; thence South 85°25'36" East, 179.04 feet; thence South 89°23'05" East, 38.17 feet; thence South 85°26'36" East, 170.04 feet; thence South 89°59'19" East, 54.50 feet to the West line of said tract of land described in Book 1061, page 473; thence South 0°00'41" West along said West line, 782.25 feet to the point of beginning.

LESS THE FOLOWING DESCRIBED TRACT:

A tract of land in Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee

County, Kansas, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 26; thence South 0°00'41" West along the East line of said Southeast Quarter, 207.85 feet; thence North 89°59'19" West, 78.00 feet to the Southeast corner of said tract of land described in Book 4191, page 781, now platted as Kanza Business and Technology Park Subdivision No. 3 as recorded in Plat Book 40, page 91, and the point of beginning; thence continuing North 89°59'19" West along the said South line of said tract, 69.92 feet; thence continuing along said South line, along a curve to the right having a radius of 132.50 feet, a chord which bears North 82°31'46" West, 34.40 feet, an arc distance of 34.50 feet; thence continuing along said South line, North 75°04'07" West, 105.27 feet; thence continuing along said South line, along a curve to the left having a radius of 425.00 feet, a chord which bears North 77°22'07" West, 34.11 feet, an arc distance of 34.12 feet to the Southwest corner of said tract; thence along the West line of said tract, North 0°08'34" West, 220.00 feet to the Northwest corner of said tract, and the South line of a tract of land as described in Book 4436, page 192; thence along the South line of said tract, North 89°59'17" West, 80.37 feet to the Southwest corner of said tract; thence along the West line of said tract, North 0°08'36" West, 309.14 feet to the Northwest corner of said tract; thence along the North line of said tract, North 89°51'24" East, 41.90 feet; thence continuing along said North line, along a curve to the right, having a radius of 462.50 feet, a chord which bears South 81°14'51" East, 143.04 feet, an arc distance of 143.62 feet; thence continuing along said North line, along a curve to the left having a radius of 537.50 feet, a chord which bears South 79°37'53" East, 136.22 feet, an arc distance of 136.59 feet to the Northeast corner of said tract and the West right of way line of MacVicar Avenue, as recorded in Book 4389, page 172.; thence South 0°02'03" East along said West right of way line, 27.53 feet; thence continuing along said right of way, North 89°51'29" East, 7.09 feet; thence continuing along said right of way, along a curve to the left, having a radius of 4642.50 feet, a chord which bears South 0°51'49" West, 138.57 feet, an arc distance of 138.58 feet; thence continuing along said right of way, North 89°59'17" West, 1.50 feet; thence continuing along said right of way, South 0°0'41" West, 355.98 feet to the point of

beginning.

Tract B

A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Commencing at the Southwest corner of the Southeast Quarter of said section; thence North 0°06'23" West, along the West line of said Southeast Quarter, 874.31 feet to the point of beginning; thence North 89°34'26" East, 441.19 feet; thence North 0°25'02" West, 232.60 feet; thence North 47°07'59" West, 247.27 feet; thence South 42°56'25" West, 188.74 feet; thence North 88°14'06" West, 130.46 feet to the West line of said Southeast Quarter; thence South 0°06'23" East, along said West line, 274.48 feet, to the point of beginning.

AND

A tract of land situated in the Southeast Quarter of Section 26, Township 11 South, Range 15 east of the 6th P.M., Shawnee County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of said Section 26; thence along the South line of said Quarter on an assumed bearing of South 89°35'38" West, a distance of 825.36 feet; thence on a bearing of North 0°24'22" West, a distance of 40.00 feet to the point of beginning; thence parallel with the South line of said Quarter on a bearing of South 89°35'38" West, a distance of 515.96 feet; thence on a bearing of North 0°25'19" West, a distance of 2033.61 feet; thence on a bearing of North 44°27'37" East, a distance of 68.73 feet; thence on a bearing of South 63°56'06" East, a distance of 18.56 feet; thence on a bearing of North 19°56'13" East, a distance of 44.30 feet; thence on a bearing of North 34°34'08" East, a distance of 25.22 feet; thence on a bearing of North 72°13'53" East, a distance of 27.65 feet; thence on a bearing of South 37°05'32" East, a distance of 14.75 feet; thence on a bearing of South 54°25'19" East, a distance of 16.30 feet; thence on a bearing of South 80°46'21" East, a distance of 23.15 feet; thence on a bearing of South 87°13'11" East, a distance of 11.70 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 75.00 feet, a chord bearing of South 74°03'00" East, and a chord distance of 34.18 feet) a distance of 34.48 feet; thence on a bearing of South 60°52'49" East, a distance of 42.96 feet; thence on a bearing of South 53°28'55"

East, a distance of 108.90 feet; thence on a bearing of South 31°54'18" East, a distance of 87.45 feet; thence on a bearing of South 26°44'08" East, a distance of 158.72 feet; thence on a bearing of South 28°30'48" East, a distance of 137.12 feet; thence on a bearing of South 35°51'47" East, a distance of 63.86 feet; thence on a bearing of South 44°53'50" East, a distance of 71.01 feet; thence on a bearing of South 0°10'25" East, a distance of 305.26 feet; thence on a bearing of South 41°48'53" West, a distance of 216.94 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 75.00 feet, a chord bearing of South 19°54'50" East. And a chord distance of 97.23 feet) a distance of 105.78 feet; thence on a bearing of South 0°01'58" East, a distance of 78.63 feet; thence on a bearing of South 34°02'36" East, a distance of 118.96 feet; thence on a bearing of South 0°17'22" West, a distance of 227.41 feet to a point on a curve to the right (said curve having a radius of 60.00 feet, a chord bearing of South 45°46'21" West and a chord distance of 77.15 feet) a distance of 83.79 feet; thence on a bearing of South 0°06'58" East, a distance of 142.97 feet; thence on a bearing of South 86°22'32" West, a distance of 30.69 feet; thence on a bearing of South 1°46'13" East, a distance of 80.18 feet; thence on a bearing of South 89°57'22" West, a distance of 20.82 feet; thence on a bearing of South 0°15'55" West, a distance of 130.86 feet; thence on a bearing of South 89°40'17" East, a distance of 21.15 feet; thence on a bearing of South 0°20'17" West, a distance of 28.30 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 118.49 feet, a chord bearing of South 21°22'45" East, a chord distance of 60.15 feet) a distance of 60.82 feet; thence on a bearing of South 32°29'33" East, a distance of 24.43 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 194.67 feet, a chord bearing of South 12°51'45" East, and a chord distance of 80.56 feet) a distance of 81.15 feet; thence on a bearing of 1°52'31" East, a distance of 26.20 feet to the point of beginning.

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Section 3. Such assessments with accrued interest are hereby levied concurrent with general property taxes and shall be payable in twenty (20) equal annual installments; the first installment to be payable at the time of the first payment of the general property taxes, following the publication of this Ordinance.

Section 4. All assessments shall bear interest in an amount not to exceed the legal rate established by law.

Section 5. The owner of any property so assessed may at any time prior to 30 days from the date of publication of this Ordinance, pay the whole of the assessment against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

Section 6. Assessments not paid prior to the date provided in Section 5 hereof, shall be certified, together with interest accrued, or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

Section 7. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body July 19, 2011.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk