

(Published in the Topeka Metro News February 25, 2013)

ORDINANCE NO. 19798

AN ORDINANCE introduced by City Manager Jim Colson, authorizing the initiation of condemnation proceedings to acquire temporary right-of-way easement interests for the following public purposes: to construct and widen SW 21st Street to 5 lanes with curb and gutter, sidewalks and storm drainage between SW Wanamaker and SW Urish Road, Project No. 70198-02, Part B.

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 the corporate limits of the City of Topeka to construct and widen SW 21st Street to 5 lanes with curb and gutter, sidewalks and storm drainage between SW Wanamaker and SW Urish Road, and for other public purposes, said land being described as follows:

Parcel No. 9

Owner of Record: Kathleen Loretta O'Brien Dodson
Trustee under the Kathleen Loretta O'Brien
Dodson Revocable Trust, dated December 30, 1991
6520 SW 21st Street
Topeka, Kansas, 66615

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Owner of record.

PROPERTY TO BE ACQUIRED:

Temporary Easement:

A portion of Lot 1, Block "A" in Lee Dodson Subdivision in Shawnee County, Kansas, described as: Beginning at the Southeast corner of said Lot 1; thence on an assumed bearing of South 87°54'29" West on the South line of Lot 1, 156.70 feet; thence North 2°05'31"

West, 5.00 feet; thence North 87°54'29" East, 156.93 feet; thence South 0°31'29" West on the East line of Lot 1, 5.01 feet to the point of beginning.

This easement expires two (2) years after legal possession through condemnation.

The above-described property to be acquired contains 784 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Parcel No. 20

Owner of Record: Kelly L. George
6420 SW 21st Street
Topeka, Kansas, 66614

Contract Purchaser: NONE

Lienholder of Record: Capitol Federal Savings and Loan Association
700 S. Kansas Ave.
Topeka, KS 66603-3894

Party in Possession: Owner of record.

PROPERTY TO BE ACQUIRED:

Temporary Easement:

A portion of Lot 5, Block 'A' in Brookfield Pondview Estates Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Commencing att the Northwest corner of said Lot 5, thence on an assumed bearing of North 87°54'29" East on the North line of Lot 5, 15.12 feet to the Northeast corner of a platted drainage easement on Lot 5, being the point of beginning; thence continuing on North 87°54'29" East, 84.88 feet to the Northeast corner of said lot ; thence South 3°10'29" East on the East line of Lot 5, 20.00 feet; thence South 57°39'56" West, 89.35 feet to a point on the East line of said drainage easement; thence North 9°10'30" West, 65.50 feet to the point of beginning.

This easement expires two (2) years after legal possession through condemnation.

The above-described property to be acquired contains 3,539 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Parcel No. 22

Owner of Record: Raul Garcia
6436 SW 21st Street
Topeka, Kansas, 66614

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Owner of record.

PROPERTY TO BE ACQUIRED:

Temporary Easement:

The North 12 feet of Lot 2, Block 'A' in Brookfield Pondview Estates Subdivision in the City of Topeka, Shawnee County, Kansas.

This easement expires two (2) years after legal possession through condemnation.

The above-described property to be acquired contains 1,870 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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

Section 3. 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 February 19, 2013.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk