ORDINANCE NO. 20147

AN ORDINANCE introduced by City Manager Brent Trout authorizing initiation of condemnation proceedings to acquire fee title and a permanent easement for construction of the Soldier Creek Booster Pump Station – Project No. T-281091.00.

BE IT ORDAINED BY THE GOVERNING BODY 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 property within the corporate limits of the City of Topeka for construction of a pump station, said property being described as follows:

Parcel 1

Owner of Record: Greg T. DeBacker, Trustee of the Greg T. DeBacker Trust
2907 NW Topeka Blvd
Topeka, KS 66617

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Owner

Party of Interest: NONE

PROPERTY TO BE ACQUIRED:

Permanent Easement:

A 50 feet wide strip in the South Half of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 17, Township 11 South, Range 16 east of the 6th P.M. in the City of Topeka, Shawnee County, Kansas, the North line of which is described as: Beginning at a point 302 feet south and 47 feet west of the Northeast corner of said East Half; thence west at right angles, 128.00 feet to the point of termination; said strip extends from the West line of Topeka Boulevard to a line which is 175 feet west of the East line of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 17.

The above-described property to be acquired contains 6,400 square feet, more or less, and is
subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

Subject to an easement for ingress and egress eight feet in width over the North side of the 
North Half of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of 
Section 17, Township 11 South, Range 16 east of the 6th P.M., recorded in Volume 1664, page 
478, Shawnee County Register of Deeds.

Fee Simple:

Beginning at a point 152 feet South and 25 feet West of the Northeast Corner of the South Half 
of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 17, 
Township 11 South, Range 16 East of the 16th P.M., in Shawnee County, Kansas; thence South 
parallel to the East line of the said Southwest Quarter of the Northwest Quarter of the 
Northwest Quarter, a distance of 150 feet; thence West at right angles to the preceding line a 
distance of 150 feet; thence North parallel to the East line of the said Southeast Quarter of the 
Northwest Quarter of the Northwest Quarter described above, a distance of 150 feet; thence 
East 150 feet to the place of beginning.

Section 2. That the City Attorney of the City of Topeka, Kansas, on behalf of the 
governing body 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 October 23, 2018.

CITY OF TOPEKA, KANSAS

ATTEST: ____________________________
Michelle De La Isla, Mayor

Brenda Younger, City Clerk