ORDINANCE NO. 17453

AN ORDINANCE introduced by Mayor Joan Wagonen amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 3802 SW Topeka Boulevard in the City of Topeka, Kansas from “C-4” Commercial District to “PUD” Planned Unit Development (commercial usage). (Z99/29) (Council District No. 5)

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

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinances by Section 48-1.04 of the Code of the City of Topeka, be, and the same is hereby amended, making the following changes in zoning classification:

All of that tract of land described as “Parcel 1” in deed dated May 12, 1999, recorded in Book 3325, Page 039 in the Office of the Register of Deeds in and for Shawnee County, Kansas, to wit: “Parcel 1”: All that portion of the Northwest Quarter of Section 19, Township 12 South, Range 16 East of the 6th PM, Shawnee County, Kansas, and Lot 1, Block A, Workingman’s Friend Subdivision, Shawnee County, Kansas, described as follows: Beginning at a point on the East right-of-way line of US Highway 75, which point is 1409.2 feet South and 70.32 feet East of the Northwest corner of said Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East, along said East right-of-way line, 300.00 feet; thence North 89 degrees 09 minutes 36 seconds East (formerly described as East at right angles to said East right-of-way line), along the South line of land described in Deed to Robert D. Robison et al. recorded in Book 1267, Page 161, 125.00 feet; thence North 00 degrees 00 minutes 00 seconds East (formerly described as at right angles to the line last described), along the East line of said Robison Land, 150.00 feet to the South line of the North 50 acres of said Northwest Quarter; thence North 89 degrees 09 minutes 36 seconds East along said South line, 712.76 feet (formerly described as 713.2 feet, more or less) to the Westerly right-of-way of the Atchison, Topeka and Santa Fe Railroad; thence South 14 degrees 22 minutes 00 seconds West along said Westerly line, 631.82 feet (formerly described as 629.82 feet); thence South 89 degrees 58 minutes 47 seconds West (formerly described as at right angles with said East right-of-way line of US Highway 75), 555.90 feet formerly described as 557.82 feet); thence North 00 degrees 00 minutes 00 seconds East (formerly described as at right angles to the line last described), 124.90 feet; thence North 59 degrees 54 minutes 00 seconds West (formerly described as North 59 degrees 50 minutes 32 seconds West, 50.05 feet to a point on the North line of said Lot 1, Block A; thence South 90 degrees 00 minutes 00 seconds West (formerly described as North 89 degrees 56 minutes 32 seconds West), 81.70 feet to the point of beginning.
be, and the same is hereby rezoned from “C-4” Commercial District to “PUD” Planned Unit Development District (commercial usage), subject to:

1. Use and development of the site in compliance with the recorded Master Planned Unit Development Plan for Shamir and Hiral Subdivision.
2. Use Group Category: “C-4” Commercial District

Section 2. That the “District Map” (Identification No. M-9) shall reflect the boundaries of this amendment as incorporated by this Ordinance. This Ordinance Number shall be fixed upon the “District Map”.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 Council of the City of Topeka, [Date]

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

To Be Codified

NOV 2 2 1999

Not To Be Codified X