ORDINANCE NO. 12545

AN ORDINANCE introduced by Mayor Joan Wagnon 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 within the Historic North Topeka neighborhoods of the City of Topeka, Kansas amending the District Zoning Classification from "I-2" Heavy Industrial District, "I-1" Light Industrial District, "C-4" Commercial District, "M-2" Multiple Family District, "M-1" Two Family District, and "R-1" Single Family District ALL TO "OS" Open Space District. (Z00/17)

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, by making the following changes in zoning classification:

One district in Kaw Half Breed Reserve Number 3, five districts in Kaw Half Breed Reserve Number 4, and one district in Kaw Half Breed Reserve Number 5, said districts are composed of lots and tracts, all of which are in the City of Topeka, Shawnee County, Kansas, and described as follows:

District I (Buchanan Pits)
In said Reserve Number 3 is described as: Parcels B12, B12A, D35 and D36 of Condemnation Case Number 55467, and Parcels B13, B13A, B14, B14A, B14B, B15, D37A, D37B, D37C, D37D and D37E, of Condemnation Case Number 56538; EXCEPT: a tract recorded in Volume 3351, at page 86; AND ALSO EXCEPT: a tract recorded in Volume 3310 at page 666; AND ALSO EXCEPT: Lot 1, Block “A” in Allis Chalmers Subdivision No. 2.

District II (Laurent/Quincy)
In said Reserve Number 4 are described as: Lot 90 on Quincy Street, in the former Town of Eugene; the East 30 feet of the Center 25 feet of Lot 91 On Quincy Street, in Eugene; the South 30 feet of the East 100 feet, and the East 30 feet of the North 45 feet of Lot 89 on Quincy Street, in Eugene; the East 30 feet of the South 25 feet of Lot 89 on Quincy Street, in Eugene;

District III (Charles Curtis Greenway)
In said Reserve Number 4 are described as those portions of Lots 14, 1,2 and the West 7 ½ feet of Lot 3, in Block (B) of Ellinwood’s Addition, which are east of the East line of Topeka Boulevard; those portions of Lots 385 through 419 odd, on Harrison Street, in
Wm. Curtis Addition, which are east of the East line of Topeka Boulevard; those portions of Lots 385 through 419 odd, on Harrison Street, in Wm. Curtis Addition, which are west of the West line of Topeka Boulevard; those portions of Lots 12 through 36 even, and an un-numbered lot north of and adjacent to Lot 36, in Block C in Park’s Addition, which are west of the West line of Topeka Boulevard; those portions of Lots 1 through 11 odd, less the East 95 feet thereof, in Block D in Park’s Addition, which are east of the East line of Topeka Boulevard; those portions of Lots 13 through 23 odd, in Block D in Park’s Addition, which are east of the East line of Topeka Boulevard; a tract bounded on the North by the South line of Paramore Street, on the West by the East line of Topeka Boulevard, on the South by the North line of Lot 23 in Block D in Park’s Addition and on the East by the West line of Van Buren Street; those portions of Lots 1 through 23 odd, in Block D in Park’s Addition, which are west of the West line of Topeka Boulevard; a tract bounded on the North by the South line of Paramore Street, on the West by the East line of an alley between Harrison Street and Van Buren Street, on the South by the North line of Lot 23 in Block D in Park’s Addition and on the East by the East line of Topeka Boulevard; those portions of Lots 20 through 42, and an un-numbered lot north of and adjacent to Lot 42 and south of and adjacent to the Centerline of Old Soldier Creek, all on Van Buren Street in Firey’s Addition, which are east of the East line of Topeka Boulevard; those portions of Lots 30 through 42, and an un-numbered lot north of and adjacent to Lot 42 and south of and adjacent to the Centerline of Old Soldier Creek, all on Van Buren Street in Firey’s Addition, which are west of the West line of Topeka Boulevard; that part of the following described tract which is west of the West line of Topeka Boulevard: Beginning at the intersection of the West line of Van Buren Street with the North line of Paramore Street, formerly Garfield Street; thence westerly, on the North line of Paramore Street, 160 feet; thence northerly, parallel with the West line of Van Buren Street, to the Centerline of Old Soldier Creek; thence southeasterly, down the Centerline of said creek, to an intersection with the West line of Van Buren Street; thence southerly, on the West line of Van Buren Street, to the point of beginning;

**District IV (Curtis Cemetery)**

In said Reserve Number 4 a tract described as: Beginning at the East corner of Lot 1 in Wheatland Subdivision; thence easterly, on an extension of the South line of said Lot 1, to a point which is 160 feet west of the West line of Van Buren Street; thence northerly, parallel with the West line of Van Buren Street, to an intersection with the Centerline of Old Soldier Creek; thence northwesterly, up the Centerline of said Creek, to an intersection with an extension of the South line of Curtis Cemetery; thence westerly, on the South line of Curtis Cemetery, and its extension, to the Southwest corner of said cemetery; thence northerly on the West line of said cemetery, to the Northwest corner thereof; thence westerly, on the North line of said Reserve Number 4, to an intersection with the East line of Tyler Street; thence southerly, on the East line of Tyler Street, to the most northerly Northwest corner of Lot 1, Block “A” in Cueva Subdivision No. 2; thence easterly, on the North lines of the last said Lot 1, to an intersection with the North line of Lot 2 in Wheatland Subdivision; thence easterly, southerly and southeasterly, on the Northeast boundary of Wheatland Subdivision, to the point of beginning;

**District V (Old Soldier Creek)**

In said Reserve Number 4 Beginning at the Southwest corner of Lot 20 on Van Buren Street, in Firey’s Addition; thence easterly, on the North line of Paramore Street, and its extension, to the Southwest corner of Lot 62 on Jackson Street, in Firey’s Addition; thence northerly, on the East line of an alley, to the Northwest corner of Lot 74 on Jackson Street,
in Firey’s Addition; thence easterly, on the North line of Lot 74, to a point which is 125 feet west of the Northeast corner of said lot; thence east-southeasterly, 100.2 feet, to a point which is 8 feet north of the South line of Lot 72 on Jackson Street, in Firey’s Addition; thence east-southeasterly, to a point on the South line of Lot 72 which is 8 feet west of the Southeast corner of said lot; thence easterly, to the Southeast corner of Lot 72; thence easterly, to the Northwest corner of Lot 112 on Jackson Street, in Firey’s Addition; thence southerly, to the Northwest corner of Lot 111 on Jackson Street; thence easterly, on the North line of Lot 111, to a point which is 110 feet west of the Southeast corner of said lot; thence east-southeasterly, 45.4 feet, to a point which is 6 feet south of the North line of Lot 111; thence east-southeasterly, 68.3 feet, to a point on the East line of Lot 111 which is 21 feet south of the Northeast corner of said lot; thence northerly, to the Northeast corner of Lot 111; thence easterly, to the Northwest corner of Lot 151 on Central Avenue, in Firey’s Addition; thence easterly, to the Northeast corner of Lot 151; thence easterly, on an extension of the North line of Lot 151, to an intersection with the East line of Central Avenue; thence northerly, on the East line of Central Avenue, to the Northwest corner of Lot 2, Block “A” in Schoolhouse Subdivision; thence westerly, to the Southwest corner of Lot 504 on Central Avenue, in Wilder’s Addition; thence northeasterly, to the Southwest corner of Lot 59 on Evelyn Street, in Wilder’s Addition; thence east-southeasterly, to the Southeast corner of said Lot 59; thence northeasterly, to the Northeast corner of Lot 53 on Evelyn Street, in Wilder’s Addition; thence northerly, to the Southwest corner of Lot 40 on Evelyn Street in Holman’s Subdivision; thence northerly, to the most northerly Southwest corner of Lot 40; thence northerly, westerly and north-northeasterly, on the West lines of Lot 38 in Holman’s Addition, to the Northwest corner of Lot 38; thence north-northeasterly, to the Southwest corner of Lot 37 on Holman Street, in Holman’s Subdivision; thence north-northeasterly, on the West line of Lot 37, and its extension, to an intersection with the North line of Holman Street; thence west-northwesterly, on the North line of Holman Street, and its extension, to the Southwest corner of a tract recorded in Volume 3136, at page 597; thence northwesterly, to the most westerly Southwest corner of the last said tract; thence north-northeasterly, on the West line of said tract, and its extension, to an intersection with the North line of an alley; thence east-southeasterly, on the North line of said alley, to the Southwest corner of Lot 2 in Thurber Subdivision No.2; thence northerly, northeasterly, southeasterly and northeasterly, on the Northerly Boundary of Thurber Subdivision No.2, to the Northeast corner of Lot 3 in said subdivision; thence north-northeasterly, on an extension of the East line of Thurber Subdivision No. 2, to an intersection with the Centerline of Old Soldier Creek; thence up the Centerline of Old Soldier Creek, to an intersection with an extension of the West line of Lot 83 on Jackson Street, in Firey’s Addition; thence southerly, on the East line of an alley, to the point of beginning; EXCEPT: All public street and alley rights of way; the lots and tracts included within this district are: in Firey’s Addition: portions of Lots 73 and 74 on Jackson Street; all of Lots 75 through 83 and an un-numbered lot north of and adjoining Lot 83, all on Jackson Street; a portion of Lot 111 on Jackson Street; all of Lots 112 through 122 and an un-numbered lot north of and adjoining Lot 122, all on Jackson Street; all of Lots 152 through 161 and an un-numbered lot north of and adjoining Lot 122, all on Central Avenue; in Wilder’s Addition: portions of Lots 504 through 514 on Central Avenue; all of Lot 516 on Central Avenue; that part of Old Soldier Creek which is right of the Centerline of said creek, and which is northwest of and adjoins Lot 516; portions of Lots 53, 55 and 57, and all of Lot 59, all on Evelyn Street; that part of Old Soldier Creek which is right of the Centerline of said creek, and which is northwest of and adjoins Lot 59; a tract described as: beginning at the Southwest corner of Lot 40 on Evelyn Street, in Holman’s Subdivision; thence northerly, to the most northerly Southwest corner of Lot 40;
thence northerly, westerly and north-northeasterly, on the West lines of Lot 38 in Holman’s Addition, to the Northwest corner of Lot 38; thence north-northeasterly, to the Southwest corner of Lot 37 on Holman Street, in Holman’s Subdivision; thence north-northeasterly, on the West line of Lot 37, and its extension, to an intersection with the North line of Holman Street; thence west-northwesterly, on the North line of Holman Street, and its extension, to the Southwest corner of a tract recorded in Volume 3136, at page 597; thence northwesterly, to the most westerly Southwest corner of the last said tract; thence northerly, northeasterly, on the West line of said tract, and its extension, to an intersection with the North line of an alley; thence east-southeasterly, on the North line of said alley, to the Southwest corner of Lot 2 in Thurber Subdivision No.2; thence northerly, northeasterly, southeasterly and northeasterly, on the Northerly Boundary of Thurber Subdivision No.2, to the Northeast corner of Lot 3 in said subdivision; thence north-northeasterly, on an extension of the East line of Thurber Subdivision No. 2, to an intersection with the Centerline of Old Soldier Creek; thence up the Centerline of Old Soldier Creek, to an intersection with an extension of the North line of Evelyn Street; thence easterly, on the North line of Evelyn Street, and its extension, to the point of beginning.

District VI (Garfield Park)
In said Reserve Number 4 described Lots 510 through 516 even, on Quincy Street, in Paramore’s Subdivision; Lots 309 through 315 odd, on Monroe Street, in Paramore’s 2nd Addition; Lots 310 through 316 even, on Monroe Street, in Paramore’s 2nd Addition; Lots 309 through 315 odd, on Madison Street, in Paramore’s 2nd Addition; vacated Soldier Street, formerly Garfield Street, from the East line of Quincy Street to the West line of Madison Street; a tract described as: beginning at the Northeast corner of Kansas Avenue and Soldier Street; thence east-southeasterly, on the North line of Soldier Street, to the East line of said Reserve Number 4; thence northerly, on the East line of said Reserve Number 4, to an intersection with the Centerline of Old Soldier Creek, thence up the Centerline of said creek, to an intersection with the East line of Kansas Avenue; thence southeasterly, on the East line of Kansas Avenue, to the point of beginning.

District VII (Kansas River)
In said Reserves Number 4 and 5 beginning at the intersection of the East line of Topeka Avenue in Curtis’ Addition with the Left high bank of the Kansas River; thence easterly and northerly, on the Left high bank of the Kansas River to an intersection with the Centerline of the Old Channel of Soldier Creek; thence westerly, up the Centerline of the Old Channel of Soldier Creek to an intersection with the East right of way line of the Union Pacific Railroad; to an intersection with the North line of Hamilton and Smith’s Addition; thence easterly, to the Northeast corner of Lot 44 on Fairchild Street, in Hamilton and Smith’s Addition; thence southerly, on the East line of said Reserve Number 4, to the Southeast corner of Addition “A” to Garden Place; thence westerly, on the South line of an alley, 125 feet, more or less, to an intersection with the East line of property of the Union Pacific Railroad; thence southerly, on the East line of property of said railroad, 106 feet, more or less, to an intersection with an extension of the North line of Tract D 13, recorded in Volume 789 at page 29, acquired by eminent domain for flood control; thence southwesterly, on an extension of the most Easterly North line of Tract D 13, and on the North lines of said tract, to an intersection with a line which is 30 feet east of the Centerline of the Original Main Line Track of the former Atchison, Topeka and Santa Fe Railroad; thence southerly, on a line which is 30 feet east of the Centerline of the Original Main Line Track of said railroad, to an intersection with a line which is 55 feet Left of, and concentric with, the Centerline of the North Topeka Unit, Section II Levee; thence westerly, on a
curve concave northerly and having a radius measure of 1377.40 feet, to a point which is 55 feet Left of the Centerline of said levee at P.C. Station 340+47.05; thence westerly, to a point which is 55 feet Left of the Centerline of said levee at P.T. Station 332+11.49; thence westerly, on a curve concave northerly and having a radius measure of 1090.92 feet, to an intersection with a line which is 200 feet east of and parallel with the East line of Monroe Street in the former Town of Eugene; thence northerly, on a line which is 200 feet east of and parallel with the East line of Monroe Street, to an intersection with the South right of way line of the former Atchison, Topeka and Santa Fe Railroad; thence westerly, on the South right of way line of said railroad, to an intersection with the East line of Monroe Street; thence south-southwesterly, on the East line of Monroe Street, to an intersection with an extension of the South line of the North 59.17 feet of Lot 67 on Monroe Street, in Eugene; thence west-northwesterly, to a point on the West line of Monroe Street which is 59.17 feet south-southwest of Northeast corner of said Lot 67, said point being on a curve which is 55 feet Left of , and concentric with, the Centerline of the North Topeka Unit, Section II Levee; thence westerly on a curve concave northerly and having a radius measure of 1090.92 feet, to an intersection with the West line of Lot 65 on Monroe Street, in Eugene, at a point which is 91.32 feet south-southwesterly from the South line of Curtis Street, in Eugene; thence westerly, to a point on the East line of Lot 66 on Quincy Street, in Eugene, which is 93.23 feet south-southwest from the Northeast corner of Lot 68 on Quincy Street; thence westerly, to a point on the West line of the East 50 feet of Lot 66 on Quincy Street, in Eugene, which is 96.8 feet south-southwest from the South line of Curtis Street; thence westerly, to a point on the West line of the East 37.5 feet of the West 120 feet of Lot 66 on Quincy Street, in Eugene, which is 99.7 feet south-southwest from the South line of Curtis Street; thence south-southwesterly, to a point on the West line of the East 37.5 feet of the West 120 feet of Lot 66 on Quincy Street, in Eugene, which is 130 feet south-southwest from the South line of Curtis Street; thence west-northwesterly, to a point on the East line of Lot 65 on Quincy Street, in Eugene, which is 130 feet south-southwest from the South line of Curtis Street; thence north-northeasterly, on the East line of said Lot 65, to an intersection with an extension of the North line of the South 50 feet of Lot 66 on Kansas Avenue, in Eugene; thence west-northwesterly, on the North line of the South 50 feet of said Lot 66, and its extensions, to an intersection with the East line of Lot 65 on Kansas Avenue, in Eugene; thence south-southwesterly, to the Southeast corner of said Lot 65; thence west-northwesterly, on the South line of Lot 65, to the Southeast corner of the West 71.25 feet of the South 14.5 feet of said Lot 65; thence north-northeasterly, to the Northeast corner of the West 71.25 feet of the South 14.5 feet of said Lot 65; thence west-northwesterly, on the North line of the South 14.5 feet of said Lot 65, and its extension, to an intersection with the East line of Lot 66 on Jackson Street, in Eugene; thence south-southwesterly, to the Northeast corner of the South 12 ½ feet of said Lot 66; thence west-northwesterly, on the North line of the South 12 ½ feet of said Lot 66, and its extension, to an intersection with the Centerline of Jackson Street; thence south-southwesterly, on the Centerline of Jackson Street, to an intersection with an extension of the South line of Lot 65 on Jackson Street, in Eugene; thence west-northwesterly, on the South line of the last said Lot 65, and its extensions, to the Northeast corner of Lot 64 on Van Buren Street, in Eugene; thence south-southwesterly, on the East line of said Lot 64, 16.15 feet; thence west-northwesterly, to a point on the West line of said Lot 64 which is 22.82 feet south-southwesterly of the Northwest corner of said lot; thence west-northwesterly, to a point on the East line of Lot 63 on Van Buren Street, in Eugene, which is 30.49 feet south-southwesterly from the Northeast corner of said lot; thence west-northwesterly, to a point on the West line of said Lot 63 which is 40.68 feet south-southwesterly from the Northwest corner of said lot; thence west-northwesterly, to a point on the East line of Lot 64 on
Harrison Street, in Eugene, which is 8.16 feet north-northeast from the South line of the North 50 feet of said Lot 64; thence west-northwesterly, to a point on the South line of the North 50 feet of said Lot 64 which is 140.16 feet west-northwest of the Southeast corner of the North 50 feet of said lot; thence west-northwesterly, to the Southwest corner of the North 50 feet of said Lot 64; thence west-northwesterly, to the Southeast corner of Lot 129 on Harrison Street, in Curtis' Addition; thence west-northwesterly, to the Southwest corner of said Lot 129; thence southerly, to a point on the East line of Lot 128 on Topeka Boulevard which is 8.42 feet north-northeasterly from the Southeast corner of said lot; thence west-northwesterly, to a point on the South line of said Lot 128 which is 73.40 feet west-northwesterly from the Southeast corner of said lot; thence west-northwesterly, to the Southwest corner of said Lot 128; thence south-southwesterly, on the East line of Topeka Avenue, to the point of beginning; EXCEPT: All public street and alley rights of way; ALSO EXCEPT: A strip 30 feet wide on both sides of the Centerline of the Original Main Line Track of the former Atchison, Topeka and Santa Fe Railroad; the lots and tracts included within this district are: in Curtis' Addition: Lots 112 through 126 even on Topeka Avenue; part of Lot 128 on Topeka Avenue; Lots 111 through 127 odd on Harrison Street; in Eugene: all of Lots 60 and 62 on Harrison Street; a tract which is bounded on the North by said Lot 60, on the West by Harrison Street, on the South by the Left High Bank of the Kansas River, and on the East by an extension of the East line of said Lot 60; part of Lot 64 on Harrison Street; all of Lots 59 and 61 on Van Buren Street; a tract which is bounded on the North by said Lot 59, on the West by an extension of the West line of said Lot 59, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the West line of Van Buren Street; part of Lot 63 on Van Buren Street; all of Lot 62 on Van Buren Street; a tract which is bounded on the North by said Lot 62, on the West by an extension of the East line of Van Buren Street, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the East line of said Lot 62; part of Lot 64 on Van Buren Street; all of Lots 61 and 63 on Jackson Street; a tract bounded on the North by said Lot 61, on the West by an extension of the West line of said Lot 61, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the West line of Jackson Street; all of Lots 62 and 64 on Jackson Street; a tract bounded on the North by said Lot 62, on the West by an extension of the East line of Jackson Street, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the East line of said Lot 62; part of Lot 66 on Jackson Street; all of Lots 61 and 63 on Kansas Avenue; a tract bounded on the North by said Lot 61, on the West by an extension of the West line of said Lot 61, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the West line of Kansas Avenue; part of Lot 65 on Kansas Avenue; Lot 64 on Kansas Avenue; a tract bounded on the North by said Lot 64, on the West by an extension of the East line of Kansas Avenue, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the East line of said Lot 64; part of Lot 66 on Kansas Avenue; all of Lot 63 on Quincy Street: a tract bounded on the North by said Lot 63, on the West by an extension of the West line of said Lot 63, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the Centerline of Quincy Street; part of Lot 65 on Quincy Street; all of Lots 62 and 64 on Quincy Street; a tract bounded on the North by said Lot 62, on the West by an extension of the Centerline of Quincy Street, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the East line of said Lot 62; part of Lot 66 on Quincy Street; that part of vacated Quincy Street which is south of a line which is 130 feet south of and parallel with an extension of the South line of Curtis Street; all of Lots 61 and 63 on Monroe Street, in Eugene; a tract bounded on the North by said Lot 61, on the East by an extension of the West line of said Lot 61, on the South by the Left high Bank of the Kansas
River, and on the East by an extension of the West line of Monroe Street; parts of Lots 65 and 67 on Monroe Street; all of Lots 62, 64 and 66 on Monroe Street, in Eugene; a tract bounded on the North by said Lot 62, on the West by an extension of the East line of Monroe Street, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the Centerline of an alley between Monroe Street and Madison Street; part of Lot 68 on Monroe Street; all of Lots 63, 65 and 67 on Madison Street, in Eugene; a tract bounded on the North by said Lot 63, on the West by an extension of the Centerline of an alley between Monroe Street and Madison Street, on the South by the Left high Bank of the Kansas River, and on the East by an extension of the West line of Madison Street; part of Lot 69 on Madison Street; the vacated alley south from Curtis Street, between Monroe Street and Madison Street; that part of vacated Curtis Street which is west of a line which is 200 feet east of the East line of Monroe Street and is south of the South right of way line of the former Atchison, Topeka and Santa Fe Railroad; that part of vacated Madison Street which is east of a line which is 200 feet east of the East line of Monroe Street and is south of a line which is 55 feet Left of the Centerline of the North Topeka Unit, Section II Levee; a tract which is bounded on the North by a line which is 55 feet Left of the Centerline of the North Topeka Unit, Section II Levee, on the West by the East line of Madison Street, being the East line of Eugene, on the on the South by the Left high Bank of the Kansas River, and on the East by a line which is 30 feet west of the Centerline of the Original Main Line Track of the former Atchison, Topeka and Santa Fe Railroad; a tract described as: Beginning at the Southeast corner of Addition “A” to Garden Place; thence westerly, on the South line of an alley, 125 feet, more or less, to an intersection with the East line of property of the Union Pacific Railroad; thence southerly, on the East line of property of said railroad, 106 feet, more or less, to an intersection with an extension of the North line of Tract D 13, recorded in Volume 789 at page 29, acquired by eminent domain for flood control; thence southwesterly, on an extension of the most Easterly North line of Tract D 13, and on the North lines of said tract, to an intersection with a line which is 30 feet east of the Centerline of the Original Main Line Track of the former Atchison, Topeka and Santa Fe Railroad; thence southerly, on a line which is 30 feet east of the Centerline of the Original Main Line Track of said railroad, to the Left high Bank of the Kansas River; thence easterly on the Left High Bank of the Kansas River, to an intersection with the East line of Kaw Half Breed Reserve Number 4; thence northerly, on the East line of Kaw Half Breed Reserve Number 4, to the point of beginning; a tract described as: Beginning at the intersection of the West line of Kaw Half Breed Reserve Number 5 with the Left High Bank of the Kansas River; thence easterly and northerly, on the Left high bank of the Kansas River to an intersection with the Centerline of the Old Channel of Soldier Creek; thence westerly, up the Centerline of the Old Channel of Soldier Creek to an intersection with the East right of way line of the Union Pacific Railroad; thence southwesterly, on the East right of way line of said railroad, to an intersection with a non-tangential curve which is 50 feet Left of, and concentric with, the Centerline of the North Topeka Unit, Section II Levee; thence on a curve to the left which is concave northeasterly, and having a radius measure of 120.02 feet, to a point which is 50 feet Left of the Centerline of said levee at P.C. Station 390+78.71; thence southeasterly, to a point which is 50 feet Left of the Centerline of said levee at P.T. Station 389+30.77; thence on a curve to the right, which is concave westerly, having a radius measure of 145.33 feet and a central angle of 68°37'57'', to a point which is 50 feet Left of the Centerline of said levee at P.C. Station 387+03.61; thence southwesterly, to a point which is 50 feet Left of the Centerline of said levee at P.T. Station 373+88.53; thence southwesterly, on a curve to the right which is 50 feet Left of and concentric with, the Centerline of the North Topeka Unit, Section II
Levee, and having a radius measure of 3324.05 feet, to an intersection with a line which is 450 feet northeast of the Centerline of pavement of the West approach to the Sardou Bridge; thence northwesterly, parallel with the Centerline of said pavement, to an intersection with the East right of way line of the Union Pacific Railroad; thence southwesterly, on the East right of way line of said railroad; to an intersection with the North line of Hamilton and Smith's Addition; thence easterly, to the Northeast corner of Lot 44 on Fairchild Street, in Hamilton and Smith's Addition; thence southerly, on the West line of said Reserve Number 5, to the point of beginning.

be, and the same is hereby rezoned from "I-2" Heavy Industrial District, "I-1" Light Industrial District, "C-4" Commercial District, "M-2" Multiple Family District, "M-1" Two Family District, and "R-1" Single Family District ALL TO "OS" Open Space District.

Section 2. That the "District Map" (Identification No. B-9, B-10, B-11, B-12, C-10, C-11, C-12, D-10, D-11, and D-12) shall reflect the boundaries of this amendment as incorporated by this Ordinance. This Ordinance Number shall be fixed upon the "District Map".

Section 3. The prospective use and development of real property located within the boundaries of the above described district shall be governed by City of Topeka Code Section 48-1.03 as may be amended; provided said real property was in conformity with zoning regulations in existence prior to the adoption of this ordinance.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.


ATTEST:
Iris E. Walker, City Clerk

Joan Wagoner, Mayor

APPROVED AS TO FORM & LEGALITY
EDS.
JUL - 6
CITY ATTORNEY SIGNED