ORDINANCE NO. 176716

AN ORDINANCE introduced by Mayor Harry Felker for the condemnation and appropriation of lands in the City of Topeka for City of Topeka Improvement Project No. 86241, reestablishment of a public alleyway between 3rd and 4th Streets and Watson and Saline Streets.

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 City of Topeka Improvement Project No. 86241, which reestablishes a public alleyway, said lands being described as follows:

Parcel No. 1

Owner of Record: David L. Holzmeister and Debra K. Holzmeister
2420 SW Tenth Street
Topeka, KS 66604

Contract Purchaser: None

Lienholder of Record: None

Party in Possession: Vacant land

Permanent Ingress-Egress Easement

A portion of a vacated alley in Arlington Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 73 on Watson Avenue, formerly Bellevue Avenue; thence southerly, to the Southwest corner of Lot 83 on Watson Avenue; thence westerly, on an extension of the South line of Lot 83, to the Centerline of a vacated alley; thence northerly, on the Centerline of said alley, to an intersection with an extension of the North line of Lot 73; thence easterly, on an extension of the North line of Lot 73, to the point of beginning.
Parcel No. 2

Owner of Record: David L. Holzmeister and Debra K. Holzmeister
2420 SW Tenth Street
Topeka, KS 66604

Contract Purchaser: None

Lienholder of Record: The Kaw Valley State Bank and Trust Company

Party in Possession: Vacant

Permanent Ingress-Egress Easement

A portion of a vacated alley in Arlington Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northeast corner of Lot 100 on Saline Avenue, formerly Watson Avenue; thence southerly, to the Southeast corner of Lot 108 on Saline Avenue; thence easterly, on an extension of the South line of Lot 108, to the Centerline of a vacated alley; thence northerly, on the Centerline of said alley, to an intersection with an extension of the North line of Lot 100; thence westerly, on an extension of the North line of Lot 100, to the point of beginning.

Parcel No. 3

Owner of Record: David L. Holzmeister and Debra K. Holzmeister
2420 SW Tenth Street
Topeka, KS 66604

Contract Purchaser: None

Lienholder of Record: The Kaw Valley State Bank and Trust Company

Party in Possession: Owner of Record

Permanent Ingress-Egress Easement

A portion of a vacated alley in Arlington Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 105 on Watson Avenue, formerly Bellevue Avenue; thence southerly, to the Southwest corner of Lot 107 on Watson Avenue; thence westerly, on an extension of the South line of Lot 107, to the Centerline of a vacated alley; thence northerly, on the Centerline of said alley, to an intersection with an extension of the North line of Lot 105; thence easterly, on an extension of the North line of Lot 105, to the point of beginning.
Parcel No. 4

Owner of Record:  David L. Holzmeister and Debra K. Holzmeister
2420 SW Tenth Street
Topeka, KS 66604

Contract Purchaser:  None

Lienholder of Record:  The Kaw Valley State Bank and Trust Company

Party in Possession:  Tenant

Permanent Ingress-Egress Easement

A portion of a vacated alley in Arlington Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 97 on Watson Avenue, formerly Bellevue Avenue; thence southerly, to the Southwest corner of Lot 99 on Watson Avenue; thence westerly, on an extension of the South line of Lot 99, to the Centerline of a vacated alley; thence northerly, on the Centerline of said alley, to an intersection with an extension of the North line of Lot 97; thence easterly, on an extension of the North line of Lot 97, to the point of beginning.

Parcel No. 5

Owner of Record:  David L. Holzmeister and Debra K. Holzmeister
2420 SW Tenth Street
Topeka, KS 66604

Contract Purchaser:  None

Lienholder of Record:  The Kaw Valley State Bank and Trust Company

Party in Possession:  Tenant

Permanent Ingress-Egress Easement

A portion of a vacated alley in Arlington Heights Subdivision in the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Northwest corner of Lot 85 on Watson Avenue, formerly Bellevue Avenue; thence southerly, to the Southwest corner of Lot 95 on Watson Avenue; thence westerly, on an extension of the South line of Lot 95, to the Centerline of a vacated alley; thence northerly, on the Centerline of said alley, to an intersection with an extension of the North line of Lot 85; thence easterly, on an extension of the North line of Lot 85, to the point of beginning.
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 appraisement 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 City Council May 8, 2001.

Harry Felker, Mayor

ATTEST:

Iris Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 12/27/00 BY
TO BE CODIFIED
NOT TO BE CODIFIED

KWCOND/CONDEMHOLZMEISTER 04/26/01 4