AN ORDINANCE introduced by Mayor James A. McClinton 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 in the neighborhood commonly known as Oakland, in the City of Topeka, Kansas from “R-1” Single Family Dwelling District, “R-2” Single Family Dwelling District, “M-1” Two Family Dwelling District and “M-2” Multiple Family Dwelling District ALL TO “OS-1” Open Space District. (Z04/16) (Council District No. 2)

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 reclassifying the following described property:

A district composed of lots and tracts in the City of Topeka, Shawnee County, Kansas, described as follows:

In the Southeast Quarter of Section 29, Township 11 South, Range 16 east of the 6th P.M.: Tracts recorded in Volume 1443 at page 85; In the Northwest Quarter of Section 28 and in the Southeast Quarter of the Northeast Quarter of Section 29, all in Township 11 South, Range 16 east of the 6th P.M.: A tract recorded in Volume 1301 at page 238, and tracts acquired by the City of Topeka by eminent domain in Condemnation Case No. 83202, Parcel 1, recorded in Volume 1352 at page 306, LESS that part recorded in Volume 1591 at page 357; In the Northeast Quarter of Section 28, Township 11 South, Range 16 east of the 6th P.M.: Lots 329 through 351 odd, on Wabash Avenue and Lots 330 through 352 even, on Chester Avenue, all in Jenkin W. Morris’ Addition; In the Southeast Quarter of Section 28, Township 11 South, Range 16 east of the 6th P.M.: Lots 1 through 20 on Doran Avenue, in Garden Park Addition; Also: Begin at the Northeast corner of Lot 506 (now vacated) on N. Michigan Avenue in Walnut Park Subdivision; thence south along the East line (extended) of said Lot 506 to the centerline of Old Shunganunga Creek; thence northwesterly along the centerline of Old Shunganunga Creek to the West line (extended) of said Lot 506; thence north along said West line to the Northwest corner of Lot 506; thence east along the North line of Lot 506 to the place of beginning; And Also: Begin at the Northeast corner of Lot 507 on Oakland Avenue in Walnut Park Addition; thence south along the East line (extended) of Lot 507 to the centerline of Old Shunganunga Creek; thence northwesterly along the centerline of Old Shunganunga Creek to the North line (extended) of Lot 507; thence east along the North line to the place of beginning; In the Northwest and Southwest Quarters of Section 21, Township 11 South, Range 16 east of the 6th P.M.: Beginning at the intersection of the Right Normal High Bank of the Kansas River with the East line of Lot 3, Northeast Quarter of said Section 21; thence southwesterly and southerly on the Right Normal High Bank of the Kansas River, to
an intersection with the South line of Lot 5, Southwest Quarter of said Section 21; thence easterly, on the South line of said Lot 5, to an intersection with a line which is 100 feet left of the Levee Centerline for the Kansas River Oakland Unit, Section I; thence northerly and northeasterly, on a line which is 100 feet left of said levee centerline, to an intersection with the East line of said Southwest Quarter; thence northerly, to the Southeast corner of said Lot 3; thence northerly, to the point of beginning.

from "R-1" Single Family Dwelling District, "R-2" Single Family Dwelling District, "M-1" Two Family Dwelling District and "M-2" Multiple Family Dwelling District ALL TO "OS-1" Open Space District.

**Section 2.** That the "District Map" (Identification No. A-13, B-13, C-13, C-14, D-12 and D-14) 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, March 9, 2004.

[Signature]
James A. McClinton, Mayor

ATTEST:

[Signature]
Iris E. Walker, City Clerk

To Be Codified [X]
Not To Be Codified

APPROVED AS TO FORM & LEGALITY

FEB 20 2004
CITY ATTORNEY'S OFFICE