ORDINANCE NO. 18-211

AN ORDINANCE introduced by Mayor James A. McClinton authorizing the initiation of condemnation proceedings to acquire property by eminent domain for the City of Topeka Hi-Crest Park Project No. 302480, in the area of Hi-Crest.

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 for Hi-Crest Park Project No. 302480, and for other public purposes, said lands being described as follows:

Parcel No. 1

Owner of Record: A & M Investment L.C.
Joe Donald
PO Box 19202
Topeka, KS 66619

Contract Purchaser: NONE

Lienholder of Record: Silver Lake Bank
PO Box 8330
Topeka, KS 66608-0330

Party in Possession: Lee Faulkner
3325 SE Girard
Topeka, KS 66605

PROPERTY TO BE ACQUIRED:

Fee Simple:

Lot 22, Block 3, Highland Crest No. 2 Subdivision, in the City of Topeka, Shawnee County, Kansas.

The above-described property to be acquired contains 8,710 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.
Parcel No. 2

Owner of Record: Topeka Redevelopment 1995 Limited Partnership &
Topeka City Homes, Inc.
David Perkins
Topeka City Homes
1638 SW Clay
Topeka, KS 66604

Contract Purchaser: NONE

Lienholder of Record: Commerce Bank and Trust
3035 S Topeka Ave
Topeka, KS 66611

Party in Possession: Melissa Woods
3315 SE Irvingham
Topeka, KS 66605

PROPERTY TO BE ACQUIRED:

Fee Simple:
Lot 26, Block 3, Highland Crest No. 2 Subdivision, in the City of Topeka, Shawnee
County, Kansas.

The above-described property to be acquired contains 7,800 square feet, more or
less, and is subject to all rights-of-way, easements, restrictions, and covenants of
record, if any.

Parcel No. 3

Owner of Record: Heartland 2003 L.L.C.
Keith Smith
2850 SE Adams
Topeka, KS 66605

Contract Purchaser: NONE

Lienholder of Record: Community National Bank
PO Box 4876
Topeka, KS 66604

Party in Possession: Vacant
PROPERTY TO BE ACQUIRED:

Fee Simple:

Lot 25, Block 3, Highland Crest No. 2 Subdivision, in the City of Topeka, Shawnee County, Kansas.

The above-described property to be acquired contains 7,800 square feet, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

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 APR 06 2004.

ATTEST:

Iris Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE 3/15/04 BY
NOT TO BE CODIFIED

James A. McClinton, Mayor

VYCOND/ORDINANCE30248
03/15/04