ORDINANCE NO. 18750

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the initiation of condemnation proceedings to acquire property by eminent domain for the City of Topeka Improvement Project No. 606270, for the Second Phase of the Betty Phillips Park formerly known as Hi-Crest Park project.

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 Improvement Project No. 606270, and for other public purposes, said lands being described as follows:

Parcel No. 1

Owner of Record: Earnest E. Emerson
14715 T Road
Mayetta, KS 66509

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: Ricky Romar
3311 SE Irvingham
Topeka, KS 66606

PROPERTY TO BE ACQUIRED:

Fee Simple:
Lot 28, Block 3, Highland Crest No. 2 Subdivision in the City of Topeka, Shawnee County, Kansas.

Commonly known as 3311 SE Irvingham Street, Topeka, Kansas 66606.
Parcel No. 2

Owner of Record: Tom Lemon
Topeka City Homes, Inc.
1638 SW Clay
Topeka, KS 66604

Contract Purchaser: NONE

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

Party in Possession: VACANT

PROPERTY TO BE ACQUIRED:

Fee Simple:
Lot 19, Block 3, Highland Crest No. 2 Subdivision, an addition to the City of Topeka, Shawnee County, Kansas. Commonly known as 3331 SE Girard Street, Topeka, Kansas 66606.

Parcel No. 3

Owner of Record: Blanche Bales
725 SW Westchester
Topeka, KS 66606

Contract Purchaser: NONE

Lienholder of Record: NONE

Party in Possession: VACANT

PROPERTY TO BE ACQUIRED:

Fee Simple:
Lot 16, Block 3, Highland Crest No. 2 Subdivision in the City of Topeka, Shawnee County, Kansas. Commonly known as 3337 SE Girard Street, Topeka, Kansas 66606.
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 November 14, 2006.

William W. Bunten, Mayor

ATTEST:

Iris Walker, City Clerk