AN ORDINANCE

introduced by City Manager Norton N. Bonaparte, Jr. 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 at 518 and 522 SW 39th Street and property located at the southwest corner of SW Topeka Boulevard and SW 39th Street from “R-1” Single Family Dwelling District TO “C-4” Commercial District. (Z07/26) (Council District No. 5)

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 classifying the following described property:

A TRACT OF LAND IN THE NORTHEAST QUARTER, SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., CITY OF TOPEKA, SHAWNEE COUNTY KANSAS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE NORTHEAST CORNER OF FOSTORIA SUBDIVISION; THENCE ON AZIMUTH 179 DEGREES 59 MINUTES 39 SECONDS (WGS84), COINCIDENT WITH THE EAST LINE OF SAID FOSTORIA SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID POINT BEING 645.00 FEET ON AZIMUTH 00 DEGREES 01 MINUTES 05 SECONDS AND 662.57 FEET ON AZIMUTH 269 DEGREES 49 MINUTES 07 SECONDS FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION; FIRST COURSE, THENCE ON AZIMUTH 89 DEGREES 49 MINUTES 07 SECONDS, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 544.34 FEET; SECOND COURSE, THENCE ON AZIMUTH 192 DEGREES 06 MINUTES 36 SECONDS, A DISTANCE OF 168.20 FEET; THIRD COURSE, THENCE ON AZIMUTH 265 DEGREES 55 MINUTES 28 SECONDS, A DISTANCE OF 510.33 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK ‘A’ OF SAID FOSTORIA SUBDIVISION; FOURTH COURSE, THENCE ON AZIMUTH 359 DEGREES 59 MINUTES 39 SECONDS COINCIDENT WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 198.99 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2.19 ACRES MORE OR LESS.
THE GRANTOR HEREBY RETAINS ANY AND ALL ABUTTER’S RIGHTS OF ACCESS TO TOPEKA BOULEVARD (SECOND COURSE), AND KANSAS TURNPIKE/I-470, (THIRD COURSE).

AND

NORTHEAST QUARTER, THENCE EAST 124 FEET TO THE POINT OF BEGINNING,
AND
BEGINNING AT A POINT 20 FEET NORTH AND 503.8 FEET WEST OF THE
SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE
NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 15 EAST
OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS; THENCE NORTH PARALLEL TO
THE EAST LINE OF SAID QUARTER SECTION, 116 FEET; THENCE WEST 124
FEET; THENCE SOUTH 116 FEET TO A POINT 20 FEET NORTH OF THE SOUTH
LINE OF THE NORTH HALF OF THE SOUTH HALF, OF THE NORTHEAST
QUARTER; THENCE EAST 124 FEET TO THE POINT OF BEGINNING.
AND
ALL OF THE RIGHT-OF-WAY FOR SOUTHWEST 39TH STREET DESCRIBED AS
FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK A,
FOSTORIA SUBDIVISION EXTENDED; THENCE EASTERLY TO THE WEST RIGHT-
OF-WAY LINE OF SOUTHWEST TOPEKA BOULEVARD.

from “R-1” Single Family Dwelling District TO “C-4” Commercial District.

Section 2. 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, December 18, 2007.

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk

To Be Codified _______
Not To Be Codified ___X___