

1 RESOLUTION NO. 7621

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3 A RESOLUTION introduced by Councilmember John Alcala granting an exemption from  
4 the annexation requirements of City of Topeka Code § 146-37, as  
5 amended, for the provision of water to certain specified property  
6 located in Shawnee County, Kansas.  
7

8 WHEREAS, City of Topeka Code § 146-37(A) states that the provision of City of  
9 Topeka water service to an owner of real property outside the city limits is conditioned on  
10 annexation of the area to be served; and

11 WHEREAS, City of Topeka Code § 146-37(B)(7) states that an owner of real  
12 property outside the city limits may be exempt from the above-referenced annexation  
13 requirement if the City Council by resolution approves the extension of water service after  
14 finding that the extension is needed to avoid unnecessary hardship in situations not  
15 created by the actions of the applicant; and

16 WHEREAS, Shirley Woodberry has provided sufficient evidence to support a finding  
17 that extension of water to her property is needed to avoid unnecessary hardship in a  
18 situation not created by their actions.

19 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka,  
20 Kansas, that:

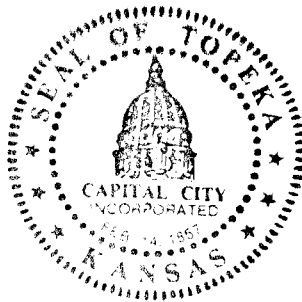
21 1. Pursuant to City of Topeka Code § 146-37(B)(7), the Council of the City of  
22 Topeka, Kansas finds that providing water to Shirley Woodberry at property located at or  
23 adjacent to 3540 NE Meriden would avoid an unnecessary hardship in a situation not  
24 created by the actions of this applicant.

25 2. The annexation requirement of City of Topeka Code § 146-37(A) is hereby  
26 waived for the above-referenced property.

27 3. All other appropriate building code, fees, charges, and the consent to  
28 annexation requirement for the provision of city water service to this property are  
29 specifically not waived.

30 4. Only one (1) residential service shall be permitted to Ms. Woodberry's property  
31 located at or adjacent to 3540 NE Meriden Road. Further, no additional connection shall  
32 be permitted nor shall the size of the service line be increased.

33 PASSED and APPROVED by City Council MAY 03 2005.



CITY OF TOPEKA, KANSAS

William W. Bunten  
William W. Bunten, Mayor

41 ATTEST:

42  
43  
44 Iris E. Walker  
45 Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE 5/4/05 BY BBC