RESOLUTION NO. 7607

A RESOLUTION introduced by City Manager Neil Dobler authorizing the application to the National Parks Service for assignment and receipt of surplus property for use as public park and recreation purposes.

WHEREAS, certain real property owned by the United States of America, located in the City of Topeka, County of Shawnee, State of Kansas, has been declared surplus and, at the discretion of the National Park Service, may be assigned to the Secretary of Interior for disposal for public park or recreational purposes under the provisions of 40 U.S.C. § 550(e), and any regulations and policies promulgated pursuant thereto, more particularly described as follows:

The East 112 feet of Lots 441 and 443, and the South 20 feet of the West 50 feet of lot 443; all of Lots 445, 447, 449, 451, 453, 455, 457; the North 5 feet of Lot 459 and the East 102 feet of the South 5 feet of the North 10 feet of Lot 459, all on Van Buren Street, in Huntoon's Addition to the City of Topeka, Shawnee County, Kansas; and

WHEREAS, City needs and will use said property in perpetuity for public park or recreational purposes as set forth in its application and in accordance with the requirements of said Act and any regulations and policies promulgated thereunder.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka, Kansas, that: City shall make application to the National Park Service for, and secure the transfer to, the above-mentioned property for said use and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the National Park Service and the federal disposal agency may require in connection with the disposal of said property under said Act and the regulations and policies issued pursuant thereto.
BE IT FURTHER RESOLVED that City has legal authority and is willing and able to properly develop, maintain, operate and assume liability of the property, and that the City Manager is hereby authorized, for and on behalf of the City to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, including the filing of copies of the application and the conveyance documents in the records of the governing body, and the payment of any and all sums necessary on account of the purchase price thereof or fees or costs incurred in connection with the transfer of said property for survey, title searches, recordation or instruments, or other costs identified with the acquisition of said property.

PASSED and APPROVED by City Council _______ JUL 19 2005 _______.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 07.14.05 BY __________