RESOLUTION NO. 8402

CONDITIONAL USE PERMIT

A RESOLUTION introduced by Daniel R. Stanley, Interim City Manager in accordance with Section 18.70.030(c)(17) of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to continue a demolition landfill on property currently zoned “R-1” Single Family Dwelling District and located adjacent to the west side of the Kansas Turnpike and U.S. Highway 75, primarily between SW 45th Street extended and SW 49th Street in the City of Topeka, Kansas. (CU11/3) (Council District No. 5)

BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that the application under the provisions of TMC 18.70.030(c)(17), approving a Conditional Use Permit to to continue a demolition landfill on property currently zoned “R-1” Single Family Dwelling District and located adjacent to the west side of the Kansas Turnpike and U.S. Highway 75, primarily between SW 45th Street extended and SW 49th Street in the City of Topeka, Kansas, and legally described as:

Part of the Southwest quarter of Section 23, the Northwest Quarter of Section 25, and the Northeast Quarter of Section 26, all in township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas described as follows:

Beginning at the Northwest corner of said section 25; thence North 88 degrees 21 minutes 26 seconds East along the North line of said section 25 a distance of 629.70 feet to the Westerly right of way of US Highway 75; thence south 08 degrees 37 minutes 02 seconds East along said Westerly right of way a distance of 506.35 feet; thence continuing along said Westerly right of way, South 16 degrees 29 minutes 55 seconds East a distance of 103.11 feet; thence continuing along said Westerly right of way, South 02 degrees 27 minutes 39 seconds East a distance of 226.72 feet to the Northerly right of way of the Kansas Turnpike; thence South 40 degrees 24 minutes 00 seconds West along said Northerly right of way a distance of 922.39 feet; thence continuing along said Northerly right of way and along a curve to the left having a radius of 4733.66 feet, a chord which bears South 32 degrees 56 minutes 32 seconds West a distance of 1228.80 feet, an arc distance of 1232.28 feet; thence South 25 degrees 29 minutes 05 seconds West a distance of 108.41 feet to the north right of way of SW 49th Street; thence South 87 degrees 53 minutes 39 seconds West a distance of 357.24 feet; thence North 34 degrees 54 minutes 24 seconds East a distance of 494.56 feet; thence North 44 degrees 02 minutes 17 seconds West a distance of 339.57 feet; thence North 14 degrees 00 minutes 52 seconds East a distance of 432.52 feet; thence North 24 degrees 42 minutes 59 seconds East a distance of 503.26 feet; thence North 20 degrees 05 minutes 56 seconds East a distance of 439.62 feet; thence North 47 degrees 16 minutes 23 seconds East a distance of 227.58 feet; thence North 05 degrees 52 minutes 10 seconds East a distance of
811.46 feet; thence north 88 degrees 08 minutes 49 seconds East a distance of 155.24 feet;
thence South 01 degrees 32 minutes 50 seconds East a distance of 253.45 feet to the point
of beginning and containing 49.96 acres of land, more or less.

Said tract of land is platted as Lot 2, Block A, Southwest Burlingame Subdivision as
recorded in the plat book 38, page 107 in the Shawnee County Register of Deeds office.

be, and the same is hereby approved, subject to:

1. Use and development of the site in accordance with the approved Conditional Use Permit
   site plan for David A. and Marcia E. Herrman.

ADOPTED AND APPROVED by the Governing Body of the City of Topeka, January 24, 2012.

______________________________
William W. Bunten, Mayor

ATTEST:

______________________________
Brenda Younger, City Clerk