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City Council Agenda

**City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603**

December 13, 2011
6:00 PM

Mayor: William W. Bunten

Councilmembers

Karen A. Hiller	District No. 1	Chad Manspeaker	District No. 6
John Alcala	District No. 2	Robert E. Archer	District No. 7
Sylvia E. Ortiz	District No. 3	Andrew P. Gray	District No. 8
Denise Everhart	District No. 4	Richard Harmon	District No. 9
Larry Wolgast	District No. 5		

Interim City Manager: Daniel R. Stanley

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council

Persons addressing the City Council will be limited to four (4) consecutive minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"Troy Scroggins Award: Outstanding Private Entity"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Topeka Landmarks Commission

BOARD APPOINTMENT recommending Murl Riedel to the Topeka Landmarks Commission for a term ending December 31, 2014. *(Council District No. 9)*



[ATTACHMENTS](#)

B. Board Appointment - Topeka Planning Commission

BOARD APPOINTMENT recommending the appointment of Michelle Cuevas-Stubblefield to the Topeka Planning Commission for a term ending December 31, 2014. *(3-mile Extra-territorial Jurisdiction)*



[ATTACHMENTS](#)

C. Board Appointment - Topeka Sustainability Advisory Board

BOARD APPOINTMENT recommending the appointment of Shawn Geil to the Topeka Sustainability Advisory Board to fill an unexpired term ending February 28, 2013. *(Council District No. 5)*



[ATTACHMENTS](#)

D. MINUTES of the regular meeting of December 6, 2011

E. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Ordinance - Fireworks

AN ORDINANCE introduced by Councilmembers Karen Hiller, Sylvia Ortiz and Richard Harmon, sitting as the Public Health and Safety Committee, amending City of Topeka Code Section 8.35.070 concerning fireworks and specifically repealing said original section. Final Reading. *(Deferred from the meeting of December 6, 2011.)*

(Approval would reduce the number of days consumer fireworks may be sold and discharged within the City of Topeka and ban the discharge of fireworks in certain circumstances.)



[ATTACHMENTS](#)

6. NEW BUSINESS:

A. Final Plat - Menards Subdivision (P11/5)



[ATTACHMENTS](#)

A FINAL PLAT for Shadow Hill Company, a Kansas partnership as owner and Menard, Inc., as contracted purchaser/developer of property located east of SW Kingsrow Road extended between SW 21st Street and SW 17th Street extended. (P11/5)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for development of a six-lot, 60.8-acre subdivision for retail including a Menards store, office/institutional, and residential uses.)

B. Resolution - Declaring City Boundaries

 [ATTACHMENTS](#)

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, declaring the entire boundary of the City of Topeka and rescinding City of Topeka Resolution No. 8304. (All Council Districts)

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Approval would declare the entire corporate boundary of the City of Topeka pursuant to K.S.A. 12-517.)

C. Ordinance - Weekly Expenditures - November 14-27, 2011

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of November 14, 2011, through November 27, 2011, and enumerating said expenditures therein. First and Final Reading.

D. Applications - Retail Cereal Malt Beverage License

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

7. ZONING:

A. Resolution - City of Topeka (CU11/2)

 [ATTACHMENTS](#)

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, in accordance with Section 18.70.030(c)(11) of the Topeka Municipal Code approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned "R-1" Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas. (CU11/2) (Council District No. 2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for a new sanitary sewer pump station.)

8. FIRST READINGS:

A. Ordinance - Golf Course Improvement Reserve Fund

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing Section 3.25.120 of the Code of the City of Topeka concerning the Golf Course Improvement Fund. First Reading.

(Approval would eliminate the golf course improvement reserve fund.)

B. Ordinance - Driveway Approaches

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, creating Article 4 of Chapter 12.35 concerning driveway approaches by the addition of City of Topeka Code Sections 12.35.110, 12.35.120, 12.35.130 and 12.35.140. First Reading.

(Approval would clarify responsibility and give the City the ability to make driveway repairs if the property owner fails to do so after having been given written notice by the City.)

C. Ordinance - Alcohol in Parks/Public Places

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending City of Topeka Code Section 9.15.020, concerning alcohol in parks and public places and specifically repealing said original section. First Reading.

(Certain city-owned properties are exempt from the prohibition against alcohol consumption on public property. City Code Section 9.15.020(d)(4) lists city-owned properties that are currently exempt. Due to the consolidation of the City and County Parks and Recreation Departments the City will not own certain properties listed in City Code, approval would amend City Code to update the property list.)

D. Ordinance - Historic Landmark Designation (HL11/02)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, designating real property more specifically described herein as an historic landmark and presently zoned "O&I-2" Office and Institutional District and located at 1109 S. Topeka Boulevard in the City of Topeka, Kansas, pursuant to City of Topeka Code Section 80-4. First Reading. (HL11/02) (Council District No. 1)

(Approval would add historic landmark overlay zoning to the property located at 1109 S. Topeka Blvd.)

E. Ordinance - Herrman's Excavating, Inc. (Z11/28)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code by providing for certain changes in zoning on property located on the west side of SW Burlingame Road, approximately 700 feet south of SW 42nd Street, from "R-1" Single Family Dwelling District TO "I-1" Light Industrial District. First Reading. (Z11/28) (Council District No. 5)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the vacant property to be developed for a storage and distribution facility.)

9. MISCELLANEOUS:

-

10. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

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CONTACT PERSON:		DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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ATTACHMENTS:

No Attachments Available



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CIP PROJECT:	No	
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		PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
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DOCUMENT DESCRIPTION:

"Troy Scroggins Award: Outstanding Private Entity"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 2, 2011

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DATE:	December 13, 2011	
CONTACT PERSON:	Mayor Bunten	DOCUMENT #:
SECOND PARTY/SUBJECT:	Topeka Landmarks Commission	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 003 Requests	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending Murl Riedel to the Topeka Landmarks Commission for a term ending December 31, 2014. (Council District No. 9)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilman Harmon nominates and Mayor Bunten recommends the appointment of Murl Riedel to the Topeka Landmarks Commission. A bio is attached for review.

BACKGROUND:

Ordinance 18420 created the Topeka Landmarks Commission to advise the City Council on historic assets and to safeguard the architectural and cultural heritage of the community through the preservation of historic resources, landmarks and districts. At least four members of the Commission must be preservation related professionals. Mr. Riedel's bio indicates that he has the required background and experience.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Riedel Bio](#)

Richard Harmon
Topeka City Councilman, District 9
215 SE 7th Street
Topeka, KS 66603
rharmon@topeka.org

Dear Councilman Harmon,

I am requesting your support for my appointment to the Topeka Landmarks Commission. According to the City of Topeka website, several positions will become available in January 2012. I am a Topeka resident with experience in a historic preservation-related field and I feel that I could greatly contribute to this commission's critical role in the community.

For the past ten years, I have worked as the Assistant Curator at the Kansas Museum of History in Topeka. In that role, I collaborated with staff and donors to document historic artifacts and implemented appropriate preservation measures. I utilized research and writing skills to develop exhibits that were both engaging and educational.

Prior to my employment at the Kansas Museum of History, I received a bachelor's degree in history from Kansas State University. During that time, I worked as an exhibits technician at the Beach Museum of Art, where I gained knowledge of construction and learned about the preservation of unique materials. In 2005, I began work towards a master's degree in museum studies at the University of Kansas. In my course work, I have specialized in international cultural heritage preservation.

My commitment to civic engagement is represented by my work as the Secretary of the Shawnee County Historical Society Board of Trustees, where I was involved in the Hale Ritchie House rehabilitation project. While there, I also gained knowledge of Topeka's fascinating history and collaborated with community members to promote our city's heritage. As an officer in the Kansas Army National Guard, I have twice had the opportunity serve my country on overseas deployments.

Recently, I voluntarily contributed to the Kansas State Historic Preservation Offices' Historic Resources Inventory by surveying several structures in Topeka and western Kansas. In August 2011, I volunteered to attend Certified Local Government training with the Topeka Landmarks Commission. I feel that I could provide valuable guidance regarding historic preservation and help maintain Topeka's unique built environment.

Sincerely,



Murl Riedel



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November 7, 2011

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DATE:	December 13, 2011	
CONTACT PERSON:	Mayor Bunten	DOCUMENT #:
SECOND PARTY/SUBJECT:	Topeka Planning Commission	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 003 Requests	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Michelle Cuevas-Stubblefield to the Topeka Planning Commission for a term ending **December 31, 2014**. *(3-mile Extra-territorial Jurisdiction)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilwoman Hiller nominates and Mayor Bunten recommends the appointment of Michelle Cuevas-Stubblefield to the Topeka Planning Commission. A bio is attached for review.

BACKGROUND:

Ordinance 18442. The Topeka Planning Commission assumes all powers, duties, responsibilities and functions provided by the laws of the state and the resolutions and ordinances of the city. All ordinances, to the greatest extent practicable, including, but not limited to, ordinances adopting the comprehensive land use plan, subdivision regulations and comprehensive zoning codes, resolutions, policies, rules and regulations now in force and effect within the city of Topeka and its extraterritorial jurisdiction at the time of the ordinance, which are not inconsistent with the provisions of KSA 12-744 and amendments thereto.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Stubblefield Bio - PC](#)

Michelle Stubblefield

V.P. of Business Dev. Sharing jhP talents in Marketing • Print • Branding • Social Media • Research • Web

mstubblefield@jhpadv.com

Summary

I have 20+ years in the advertising/marketing arena - working with clients in various industries that include but not limited to: healthcare, banking, insurance, tourism, government, manufacturing, not-for-profit, architecture, deathcare, and multicultural marketing.

I started as a graphic designer for a national direct mail firm prior to joining Jones & Seel in 1998 where I served several years as a graphic designer and new media specialist. I spent the next 10+ years at CivicPlus working in content management, web design, navigation and usability testing, serving as a liason between clients and programming for large-scale governmental multi-level administrative websites. I traveled throughout the U.S. to service the projects and train personnel.

I returned to jhP in 2006 as vice president of creative services – providing creative leadership and management to the Art Department. My current role within the organization is vice president of business development, creating and strengthening relationships with businesses and organizations. My involvement in a variety of community service and business organizations provides jhP with insight about the people and opportunities in Kansas and feeds my soul. These organizations include: The Topeka Chamber of Commerce, YWCA, LULAC Council of Topeka, Topeka Library Foundation, MANA de Topeka.

Specialties

- New Business Development
 - Concept/Strategic Design
 - Strategic Planning
 - Graphic Design
 - Branding
 - Web Design
 - Social Media
 - Focus Group Facilitation
 - Usability testing.
-

Experience

Vice President of Business Development at Jones Huyett Partners

2009 - Present (2 years)

- New Business Development - promoting agency talents and services.

- Relationship Building - with our clients to learn about their business in support of strengthening their brand.
- Strategic Planning for the jhP team to ensure our companies continued long term success.
- Marketing Strategy Development - Smart thinking of the entire project and it's effect on the companies brand.
- Concept and Design - Creating great work that does what it's suppose to for our clients, company and campaign.
- Website Design, Usability Testing - Experienced in the entire process of Website Design, development, testing and on going maintenance.
- Research/Focus Group Facilitation - involved in the process of discovering what your customers really think.

5 recommendations available upon request

Vice President of Creative Services at jones huyett Partners

2005 - 2009 (4 years)

Organization Strategic Partner, Conceptual Leader, Branding, Social Networking, Graphic Design/Layout, Web Design, Account Services, Web Usability, Web Navigation, Content Management, Production/Traffic, Strategic Planning, Management, Search Engine Marketing, Art Direction

1 recommendation available upon request

Web Designer at CivicPlus

October 1999 - 2005 (6 years)

Web Design, Content Management, Marketing

New Media Specialist at Jones Seel Huyett

June 1994 - October 1999 (5 years 5 months)

Graphic Design, and New Media implementation, web development, web design, programming,

Education

Friends University

Computer Information Systems, 1999 - 2001

Washburn University

Fine Arts, 1985 - 1988

Honors and Awards

Various American Advertising Federation of Topeka Addy's

2006 - Career Achievement - Silver Medal Recipient for the American Advertising Federation of Topeka.

2007 - Robert & Hazel Gomez Alma Award - Living the Dream, Inc.

2009 - Living the Dream, Community Service Award

Interests

Mostly spending time with family, community services projects, coaching softball, painting, or purchasing the latest tech trend gadget.



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November 8, 2011

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DATE: December 13, 2011
CONTACT PERSON: Mayor Bunten DOCUMENT #:
SECOND PARTY/SUBJECT: Topeka Sustainability PROJECT #:
Advisory Board
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Shawn Geil to the Topeka Sustainability Advisory Board to fill an unexpired term ending February 28, 2013. *(Council District No. 5)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilwoman Hiller nominates and Mayor Bunten recommends the appointment of Shawn Geil to the Topeka Sustainability Advisory Board to fill an unexpired term. A bio is attached for review.

BACKGROUND:

Ordinance 19165. The purpose of the board is to promote environmental awareness and advocate for policies which support sustainability.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Geil Bio](#)

Background:

I am a 20 year resident of Topeka and am a graduate of Washburn University. I have a Bachelor's of Business Administration, with accounting and finance majors, a Bachelor's of Arts in computer information systems and a Master's of Business Administration.

I have previously worked at Washburn University in Information Systems and Services. While at Washburn I was heavily involved in efforts to virtualize a number of servers and systems. Through this work WU realized a significant reduction in both electrical and A/C load in their data center.

I am currently the Director of Information Systems for the Kansas Electric Power Cooperative, Inc. (KEPCo.) At KEPCo I am heavily involved with our demand side load management program. This program provides information to our members to assist them in their own load management decisions. I am also active on several regional electric committees.

In the community I am a member of the Chamber's Fast Forward group, the Topeka Swim Association and previously the USD 501 District Citizens Advisory Committee and the Parents-as-Teachers advisory board. While on the PAT board I served as chairman of the advocacy committee.



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CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
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DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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December 7, 2011

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DATE:	December 13, 2011	
CONTACT PERSON:	Councilmembers Ortiz, Hiller and Harmon sitting as the Public Health and Safety Committee	DOCUMENT #:
SECOND PARTY/SUBJECT:	Fireworks	PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:	11/29/11 First Reading. 12/06/11 Defer for one week.	JOURNAL #:
PAGE #:		

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmembers Karen Hiller, Sylvia Ortiz and Richard Harmon, sitting as the Public Health and Safety Committee, amending City of Topeka Code Section 8.35.070 concerning fireworks and specifically repealing said original section. Final Reading. *(Deferred from the meeting of December 6, 2011.)*

(Approval would reduce the number of days consumer fireworks may be sold and discharged within the City of Topeka and ban the discharge of fireworks in certain circumstances.)

POLICY ISSUE:

Whether or not to adopt the amendments to the Topeka Municipal Code relating to fireworks as proposed by the Public Health and Safety Committee.

STAFF RECOMMENDATION:

BACKGROUND:

Amendments to the ordinance include:

- defines "fireworks", "consumer fireworks" and "display fireworks";

Item #11

- limits the sale of consumer fireworks to July 2nd through July 4th;
- limits the discharge of consumer fireworks to July 4th from 8:00 a.m. to 11:59 p.m. and requires that each seller to attach a flier to each sale advising that this is the only date and time period fireworks may lawfully be discharged in the City of Topeka;
- bans the ignition or discharge of fireworks into, under or from a car or vehicle, whether moving or standing still, or on a public roadway or the right-of-way adjoining a public roadway;
- bans the discharge of fireworks within 100 feet of any "place of institution" as defined by National Fire Protection Association Standard No. 101 or any retail fireworks stand or facility where fireworks are stored; and
- encourages the fire department to continue public education efforts and encourages the police department to work internally and with the community to develop improved strategies for enforcement.

BUDGETARY IMPACT:

Unknown

SOURCE OF FUNDING:

ATTACHMENTS:

[Ordinance](#)

[Committee Referral Sheet](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmembers Karen Hiller, Sylvia Ortiz and Richard Harmon, sitting as the Public Health and Safety Committee, amending City of Topeka Code § 8.35.070 concerning fireworks and specifically repealing said original section.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA:

Section 1. That section 8.35.070, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Fireworks.

(a) Definitions.

(1) ~~“Consumer fireworks” shall mean any small firework devices designed to produce visible effects by combustion and are classified as consumer fireworks UN0336, and UN0337 by the U.S. Department of Transportation at 49 CFR 172.101, and 27 CFR 555.11 as may be amended. Metal sparklers are specifically excluded from this definition of consumer fireworks.~~ “Fireworks” shall mean any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, that meets the definition of Consumer Fireworks or Display Fireworks as set forth in this Code. [NFPA 1124, 2006]

(2) ~~“Display fireworks” shall mean large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation and are classified as display fireworks UN0333, UN0334 or UN0335 by the U.S. Department of Transportation at 49 CFR 172.101, and 27 CFR 555.11.~~ “Consumer fireworks” shall mean any small firework devices containing

restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion that comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission (CPSC), as set forth in CPSC 16 CFR 1500 and 1507, 49 CFR 172, and APA Standard 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties and Theatrical Pyrotechnics. [NFPA 1124, 2006]

(3) ~~“Fireworks” shall mean any composition or device designed to produce a visible or an audible effect by combustion, deflagration, or detonation.~~
“Display fireworks” shall mean large fireworks devices that are explosive material intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as set forth in CPSC 16 CFR 1500 and 1507, 49 CFR 172, and APA Standard 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

(4) “Fire chief” shall mean the duly appointed chief of the city of Topeka fire department or any person designated by said chief to enforce the provisions of this chapter.

(b) Possession/Discharge of Fireworks. It shall be unlawful for any person to possess, transport, ignite, discharge or cause to be discharged any firework in the city except as specifically permitted in this section.

(1) Consumer fireworks may be discharged within the City of Topeka on July 4th from 8:00 a.m. to 11:59 p.m.

(i) ~~Between the hours of 8:00 a.m. and 9:00 p.m. on June 27th, 28th, 29th, 30th, July 1st and July 5th of each year.~~

(ii) ~~Between the hours of 8:00 a.m. and 11:00 p.m. on July 2nd, 3rd and 4th of each year.~~

(2) ~~It shall be unlawful for any person to~~ A person shall not recklessly or intentionally discharge, ignite or otherwise cause a firework:

(i) To place another person in reasonable apprehension of immediate bodily harm; or

(ii) To cause physical contact with another person; or

(iii) To deface or damage real or personal property of another person without the consent of any such other person.

(3) A person shall not ignite or discharge fireworks into, under, or from a car or vehicle, whether moving or standing still, or on a public roadway or the right-of-way adjoining a public roadway.

(4) Fireworks shall not be discharged within 100 feet of any "place of institution," as defined by national fire protection association standard no. 101, which is adopted by reference in K.A.R. 22-1-3, or any retail fireworks stand or facility where fireworks are stored. (Authorized by and implementing K.S.A. 2007 Supp. 31-133; effective January 1, 1973; amended May 1, 1986; amended December 29, 2008).

(5) Further, it shall be unlawful for any person to possess, ignite or otherwise cause the discharge of any firework that is not a consumer firework or any firework which is prohibited by federal or state statute or regulation.

76 (c) Sale of Fireworks.

77 (1) It shall be unlawful for any person to sell, hold for sale, or offer for
78 sale at retail, any consumer fireworks in the city unless such person has first
79 obtained a permit from the city as a retailer.

80 (2) Any person desiring to sell or offer for sale any permissible
81 fireworks as a retailer shall make application to the city clerk for a permit
82 authorizing the same. Such application shall include the following information
83 and such additional information as the fire chief shall deem necessary:

84 (i) The name and residence address of the applicant.

85 (ii) The location of the premises for which the permit is sought. If
86 ownership of premises is different from the applicant, written consent of
87 the owner is required.

88 (iii) When the permit is sought in a temporary structure or facility,
89 the applicant shall provide a legal description of the premises, a
90 description of the structure or facility to be used, and the location of such
91 structure or facility upon the premises. All temporary structures, including
92 tents, shall be posted with the approved NFPA 704 placards as described
93 in the Uniform Fire Code. A copy of subsection (b) of this section shall
94 also be posted on all premises where fireworks are sold. Such notice shall
95 be at least eight and one-half inches by 11 inches in size and printed in
96 type no smaller than 12 characters per inch. After an inspection of the
97 premises including review by appropriate city agencies such as the fire
98 department and developmental services director, and consideration of the

99 information contained in the application for a permit, the fire chief may
100 issue a permit therefor, conditioned upon reasonable safety measures to
101 be specified in the permit and upon payment by the applicant of a fee of
102 \$280.00 to the city clerk. Any permit issued under the provisions of this
103 section shall be valid only for the period of ~~June 27th~~July 2nd through and
104 including July ~~54th~~ of the year in which issued and shall be issued in
105 accordance with the Uniform Fire Code article entitled "Permits." Persons
106 responsible for the operations of permissible firework stands in which
107 fireworks are stored or handled shall be familiar with safety requirements
108 for the materials being sold, and the appropriate actions necessary in the
109 event of a fire. Additionally, each seller is required to attach a flier to each
110 sale advising the discharge of fireworks is lawful in the City of Topeka only
111 on July 4th from 8:00 a.m. to 11:59 p.m.

112 (d) Confiscation of Fireworks. Any fireworks in the immediate possession or
113 control of a person violating any city ordinance controlling the use of fireworks may be
114 confiscated by any sworn law enforcement official, the fire chief, or any member of the
115 fire department who has been duly authorized by the fire chief. Confiscated fireworks
116 must be retained by the confiscating agency and may only be destroyed upon approval
117 by the court. The City Council encourages the fire department to continue public
118 education efforts and encourages the police department to work internally and with the
119 community to develop improved strategies for enforcement.

120 (e) Adult Supervision Required. At all times that it is lawful for any person
121 over the age of 18 years to possess and discharge permitted consumer fireworks, it

shall also be lawful for a person under the age of 18 years to possess and discharge permitted consumer fireworks when such person does so under adult supervision and in the physical presence of the adult. It shall be unlawful for any person over the age of 18 years to permit a person under the age of 18 to discharge fireworks without adult supervision and in the physical presence of the adult.

(f) Rules and Regulations. Display fireworks may be sold and ignited and/or discharged pursuant to rules and regulations established by the chief of the Topeka fire department.

(g) Penalties. Any person convicted of violating any of the provisions in this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$250.00 to a maximum amount of \$499.00 per violation. In addition to any fine, the individual may be sentenced up to 179 days in jail. The fine shall not be paroled.

Section 2. That original § 8.35.070 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

COMMITTEE REFERRAL SHEET

COMMITTEE REPORT

**Name of
Committee:**

Public Health and Safety

Title:

Ordinance introduced by Councilmembers Sylvia Ortiz, Karen Hiller and Richard Harmon, sitting as the Public Health and Safety Committee, amending City of Topeka Code Section 8.35.070 concerning fireworks and specifically repealing said original section.

**Date referred
from Council
meeting:**

N/A

**Date referred
from
Committee:**

November 10, 2011

**Committee
Action:**

Councilmember Richard Harmon moved to amend City of Topeka Code Section 8.35.070 as follows:

- Define "fireworks", "consumer fireworks" and "display fireworks";
- Limit the sale of consumer fireworks to July 2nd through July 4th;
- Limit the discharge of consumer fireworks to July 4th from 8:00 a.m. to 11:59 p.m. and requires that each seller to attach a flier to each sale advising that this is the only date and time period fireworks may lawfully be discharged in the City of Topeka;
- Ban the ignition or discharge of fireworks into, under or from a car or vehicle, whether moving or standing still, or on a public roadway or the right-of-way adjoining a public roadway;
- Ban the discharge of fireworks within 100 feet of any "place of institution" as defined by National Fire Protection Association Standard No. 101 or any retail fireworks stand or facility where fireworks are stored;

Motion approved 3-0.

Councilmember Karen Hiller moved to amend City of Topeka Code Section 8.35.070 by adding the following: The City Council encourages the fire department to continue public education efforts and encourages the police department to work internally and with the community to develop improved strategies for enforcement.

Motion approved 3-0.

Comments:

Amendments:

See attached ordinance as amended by the Committee.

**Members of
Committee:**

Sylvia Ortiz (Chair), Karen Hiller and Richard Harmon

**Agenda Date
Requested:**

November 29, 2011



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 19, 2011

 [Back](#)  [Print](#)

DATE:	December 13, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	P11/5
SECOND PARTY/SUBJECT:	Shadow Hill Company and Menard, Inc.	PROJECT #:	
CATEGORY/SUBCATEGORY	017 Plats/002 Final		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

A FINAL PLAT for Shadow Hill Company, a Kansas partnership as owner and Menard, Inc., as contracted purchaser/developer of property located east of SW Kingsrow Road extended between SW 21st Street and SW 17th Street extended. (P11/5)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for development of a six-lot, 60.8-acre subdivision for retail including a Menards store, office/institutional, and residential uses.)

POLICY ISSUE:

This request is consistent with the land use policies and principles of the *Topeka Land Use and Growth Management Plan - 2025*.

The Final Plat would not be released for recording until all rights-of-way for SW Kingsrow have been dedicated to the public. The developer is still working with a property owner to obtain a small tract of land needed for the southern extension of Kingsrow.

STAFF RECOMMENDATION:

The Planning Commission recommended that the final plat phase of **MenardsSubdivision** be **APPROVED** by a vote of **7-0-0** at their **May 23, 2011** meeting as referenced in their attached minutes. The Planning Department recommended that this request be **APPROVED** as referenced in the attached staff report.

BACKGROUND:

Item #12

- See staff report
- Governing Body options:
- **Accept** the plat as presented for recording with the Shawnee County Register of Deeds; or,
- **Reject** the plat so it would **not** be eligible for recording with the Shawnee County Register of Deeds.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

The subdivision infrastructure is being financed via a developer agreement, that was approved unanimously by the governing body on August 2, 2011 (see copy of attached Ordinance No. 19615). This was Agenda Item 6.A. (Trafficway Improvement Project No. T-701006.00 extending SW 17th Street for \$3,000,000 with developer funding of \$2,250,000 and by general obligation bonds financed through the City in the amount of \$750,000.)

ATTACHMENTS:

[Staff Report](#)

[Aerial](#)

[Final Plat Page 1](#)

[Final Plat Page 2](#)

[Planning Commission Minutes](#)

[Planning Commission Minutes](#)

[Ordinance 19615](#)

May 16, 2011
Agenda Item #E-1

SUBDIVISION REPORT

(Major Plats)

CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase

Preliminary and Final Plat Phase

Final Plat Phase

NAME: Menards Subdivision - [P11/5]

OWNER/DEVELOPER: Shadow Hill Company, a Kansas partnership as owner / Menard, Inc. as contracted purchaser/developer.

ENGINEER/SURVEYOR: Angela Sharp, Bartlett & West.

GENERAL LOCATION: East of SW Kingsrow Road extended between SW 21st Street and SW 17th Street extended.

JURISDICTION: Class "A" subdivision within the City of Topeka.

ANNEXATION: Not applicable.

Area	# of Lots	Density	Proposed Land Use	Zoning
60.88 acres	6	N/A	Commercial, office/ institutional, and residential	PUD District* With C-4, C-2, O&I-2, and M-1a uses
*Pending Zoning Case: PUD11/3 Menards PUD requesting a mixed-use rezoning in conjunction with this plat, to establish a hardware, lumber and home improvement store; other commercial uses, office/institutional uses, and residential uses.				
Design: The subject plat contains 60.88 acres and is roughly rectangular in shape. The proposal is to have a one block, five-lot non-residential area and a one-block, one-lot residential area in order to accommodate development of the property for mixed-uses.				

SERVICES AND FACILITIES:

1. **WATER SERVICE:** The development will be serviced by the City of Topeka with all water extensions and water connections at developer expense.
2. **SEWAGE DISPOSAL:** The development will be serviced by public sewer from the City of Topeka with all sewer extensions and sewer connections at developer expense.
3. **WASTEWATER PLAN SERVICE AREA:** The property is located within a Planned Growth Area as shown on the Land Use & Growth Management Plan - 2025 of the Comprehensive Plan.
4. **DRAINAGE CONDITIONS:** The Category "A" drainage report as submitted by the consultant to the City of Topeka Department of Public Works has been reviewed and approved by that Department.

May 16, 2011
Agenda Item #E-1

5. **STREET PLAN/ACCESS:** Access points have been shown along SW 17th Street extended. Access points on SW Kingsrow Road extended shall be limited to one for Block A, Lot 4 and to two for Block A, Lot 3. Access points for Block A, Lot 2 and Block B, Lot 1 shall meet City of Topeka Design Criteria and Drafting Standards unless waived by the City Engineer.

Street right-of-way needs to be dedicated for SW Kingsrow Road along the south end and owned by Quivira Heights Church of Christ. This area will need to be dedicated by a separate instrument prior to final plat approval.

6. **FIRE DISTRICT:** City of Topeka.
7. **STREAM BUFFER:** The SW corner of the project will need to meet stream buffer requirements.
8. **SCHOOL DISTRICT:** It is within the Washburn-Rural District #437.
9. **PARKS/OPEN SPACE:** The project is within the West Parkland Fee District.

WAIVER/VARIANCE TO STANDARDS: The applicant has requested a variance from the standards of Section 18.30.040(a) of the TMC, regarding block length in excess of 1,200 feet to accommodate a proposed block length of 1,980 feet for SW Kingsrow Road. The applicant has also requested a variance from the standards of Section 18.40.120(a) of the TMC, regarding 6-foot to 8-foot wide utility easements located along the rear (east) property line of Block A, Lot 3 and rear (south) and side (east) property lines of Block A, Lot 5.

Hence, the Planning Commission would need to grant a variance from Section 18.30.040(a) and Section 18.40.120(a) of the TMC.

CAPITAL IMPROVEMENT PLAN (CIP): There are currently no transportation projects in the City's CIP (2011-2015) affecting this area. However, Shawnee County has SW 21st Street between the entrance to Westridge Mall and SW Urish Road planned to be widened to 5 lanes commencing in 2013. This would be funded via the sales tax.

CONFORMANCE TO COMPREHENSIVE PLAN: The 2034 Future Land Use Map designates this area as "Mixed-Use Zone" and the land uses in the proposed PUD11/3 Menards PUD will be in compliance with the Comprehensive Plan.

STAFF ANALYSIS:

Approval of this plat and the accompanying PUD will promote the development of this site for commercial, office/institutional, and residential uses. Providing staff recommendations are implemented, the overall subdivision design conforms to the established standards and provisions of the subdivision regulations relative to design criteria; and the design appears compatible with existing and planned conditions.

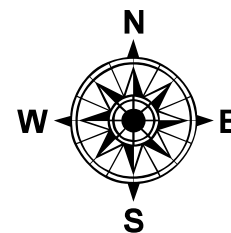
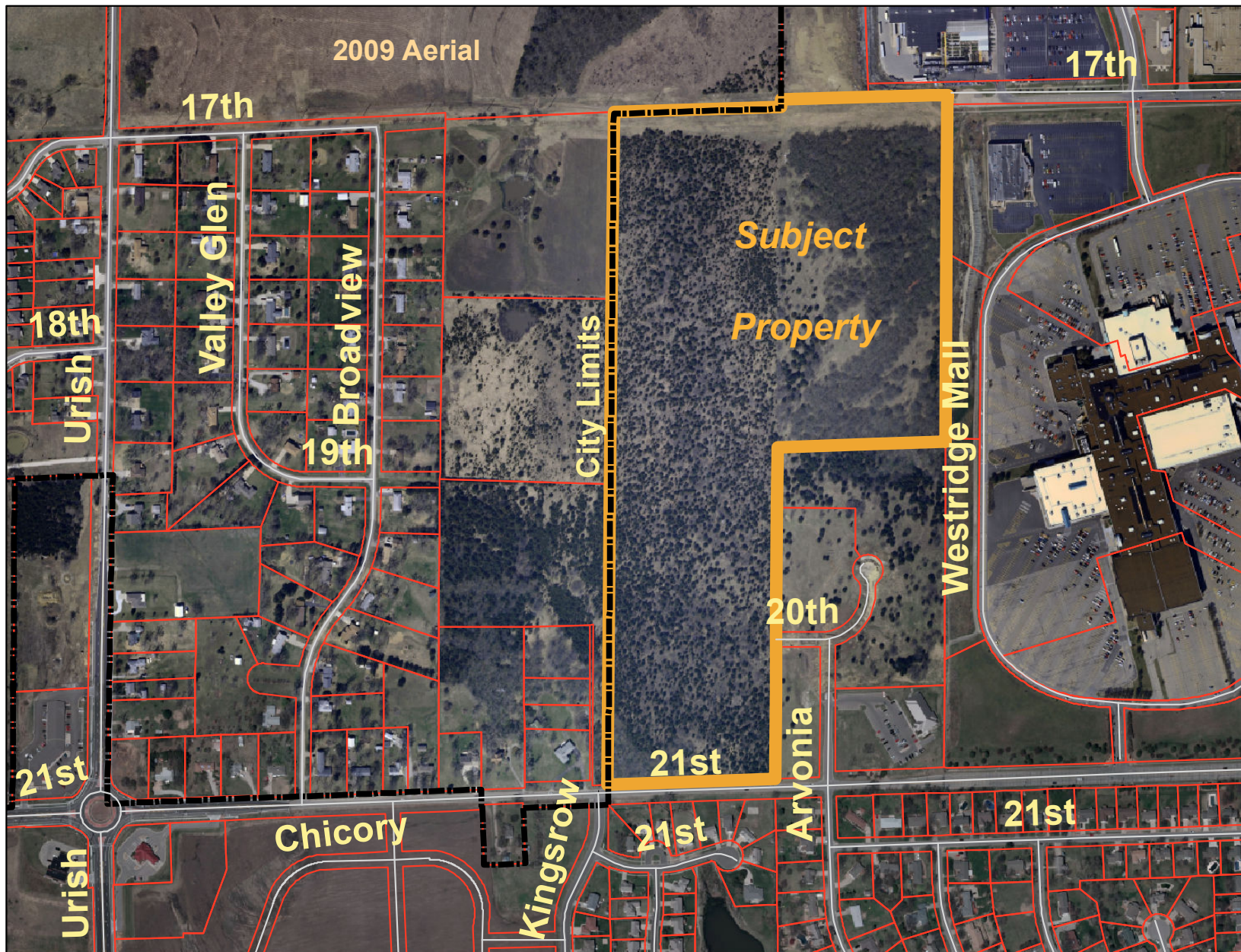
Based upon the above findings and staff analysis, the Planning Department recommends the final plat phase of Menards Subdivision be **APPROVED**, subject to:

1. Final Plat needs to indicate the square footage of any new dedications or vacations proposed by this platting action for any of the following items: Street Right-of-Way, Utility Easements, and Drainage Easements.
2. Plat needs to meet any requirements outlined by the City Engineer's staff in their review of the consultant's current traffic impact analysis and an additional traffic impact analysis that shall be provided by the applicant and reviewed and approved prior to development of Block A, Lot 2 and Block B, Lot 1.

May 16, 2011
Agenda Item #E-1

3. The Planning Commission granting a variance to Section 18.30.040(a) of the TMC, regarding block lengths for SW Kingsrow Road.
4. The Planning Commission granting a variance to Section 18.40.120(a) of the TMC, regarding utility easements located along the east line of Block A, Lot 3 and south and east lines of Block A, Lot 5.
5. Access points on SW Kingsrow Road extended shall be limited to one for Block A, Lot 4 and to two for Block A, Lot 3. Access points for Block A, Lot 2 and Block B, Lot 1 shall meet City of Topeka Design Criteria and Drafting Standards unless determined otherwise by the City Engineer.
6. The SW corner of Block B, Lot 1 shall the project shall meet the stream buffer requirements. All required notes regarding stream buffers shall be placed on the Final Plat prior to recording.
7. Final Plat shall be revised under the Surveyor Certification to indicate the month the survey work was done.
8. Final Plat shall be revised under Certification of Approvals to add Mike Lackey's name prior to Chairman, TPC.
9. Prior to recording, the plat shall show a 50-foot wide gas easement running parallel and adjacent to the 52.5-foot right-of-way that is being dedicated with the plat for SW 17th Street. This 50-foot easement will overlap the existing 16-foot force main easement and allow Kansas Gas to install a gas main within the southerly 20 feet of the gas easement.

Prepared by: Bill Hoover
Planner III



P1 1/5 Menards Subd.

A FINAL PLAT OF :
MENARDS SUBDIVISION

BOOK : PAGE :

DATE :

TIME :

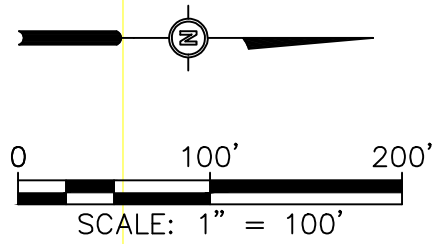
LOT 1, BLOCK A, CAPITOL VIEW SUBDIVISION NO. 1, ACCORDING TO THE RECORDED PLAT THEREOF;
AND THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 12
SOUTH, RANGE 15 EAST; AND A PORTION OF THE NORTH HALF OF THE WEST 40 ACRES OF THE
SOUTHEAST QUARTER OF SAID SECTION 5 OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF
TOPEKA, SHAWNEE COUNTY, KANSAS.

LEGEND

	SECTION LINE
	SUBDIVISION BOUNDARY
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	RESTRICTED ACCESS
	MEASURED
	RECORDED
	CALCULATED FROM MEASURED
	RIGHT-OF-WAY
	UTILITY EASEMENT
	DRAINAGE EASEMENT
	DRAINAGE DETENTION FACILITY EASEMENT
	STREAM BUFFER EASEMENT
	GREEN SPACE EASEMENT
	LANDSCAPE BUFFER EASEMENT
	FOUND REBAR, (SEE DRAWING FOR DETAILS)
	5/8" x 24" REBAR WITH PLASTIC CAP
	STAMPED "CLS 14" SET IN CONCRETE

*S.B.E. CENTERLINE
TABLE

Line #	Length	Direction
L1	4.06'	133°37'29"
L2	36.79'	98°25'36"
L3	67.70'	106°58'01"
L4	37.64'	152°57'16"
L5	80.09'	159°06'29"
L6	77.89'	155°33'04"
L7	32.40'	139°53'55"



Division Name: WA\Bos\172000\17431\17431.000\AutoCad\Survey\Bos\17431.000_FPL.dwg Layout Name: 1 Plotted By: JCS09065 Plotted on: 2/20/2011 4:32:31 PM

Last edit on: Apr 20, 2011 by: RCP00722

#	DATE	DESCRIPTION	BY	DESIGNED BY: ACS	 1200 SW EXECUTIVE DR., TOPEKA, KANSAS, 66615 785-272-2252 - FAX 785-273-8735 WWW.BARTWEST.COM	TOPEKA, SHAWNEE COUNTY, KANSAS	FINAL PLAT MENARDS SUBDIVISION	PROJ NO: 17431.000	DRAWING NO:
			DRAWN BY: RCP	P 11/5					
			CHECKED BY: LWB/ACS	SCALE: 1"=100'				SHEET NO:	
			PROJECT ENGR:	DATE: 4/1/2011				1 of 2	

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A FINAL PLAT OF :
MENARDS SUBDIVISION

LOT 1, BLOCK A, CAPITOL VIEW SUBDIVISION NO. 1, ACCORDING TO THE RECORDED PLAT THEREOF; AND THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST; AND A PORTION OF THE NORTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER OF SAID SECTION 5 OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

BOOK : _____ PAGE : _____

DATE : _____

TIME : _____

LEGAL DESCRIPTION:

THE NORTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, BLOCK A, CAPITOL VIEW SUBDIVISION NO. 1, ACCORDING TO THE RECORDED PLAT THEREOF; AND THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS; AND A PORTION OF THE NORTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER OF SAID SECTION 5, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE ON A GRID AZIMUTH OF 268 DEGREES 16 MINUTES 05 SECONDS, 60.04 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ON AZIMUTH 00 DEGREES 21 MINUTES 42 SECONDS, 52.54 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE ON AZIMUTH 268 DEGREES 16 MINUTES 05 SECONDS, 600.80 FEET ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AZIMUTH 267 DEGREES 43 MINUTES 47 SECONDS, 661.37 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON AZIMUTH 180 DEGREES 31 MINUTES 14 SECONDS, 2669.47 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE ON AZIMUTH 87 DEGREES 54 MINUTES 14 SECONDS, 664.84 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON AZIMUTH 00 DEGREES 27 MINUTES 03 SECONDS, 1335.52 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND ALONG THE WEST LINE OF LEGEND RIDGE ESTATES NO. 3, ACCORDING TO THE RECORDED PLAT THEREOF, TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, CAPITOL VIEW SUBDIVISION NO. 1; THENCE ON AZIMUTH 88 DEGREES 07 MINUTES 51 SECONDS, 662.67 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EAST LINE OF SAID LOT 1; THENCE ON AZIMUTH 00 DEGREES 21 MINUTES 42 SECONDS, 1281.61 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 60.80 ACRES, MORE OR LESS.

SURVEYOR CERTIFICATION:

I, STEPHEN I. MARINO II, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT I HAVE MADE OR HAD MADE UNDER MY DIRECT SUPERVISION THE HEREON DESCRIBED SURVEY ON THE GROUND IN MARCH 2011 AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT KANSAS MINIMUM STANDARDS ADOPTED BY KANSAS STATE BOARD OF TECHNICAL PROFESSIONS.

STEPHEN I. MARINO II, LS #1380
BARTLETT & WEST

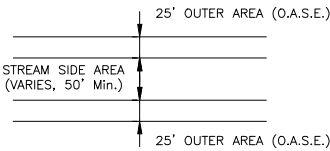
REVIEWED BY THE COUNTY SURVEYOR THIS _____ DAY OF _____

20_____, IN ACCORDANCE WITH KSA CHAPTER 58, ARTICLE 20.

DEBORAH J. THOMAS, LS #1461

NOTES :

- WATER SERVICE IS BY THE CITY OF TOPEKA. PURSUANT TO WATER ENGINEERING, AREAS WHERE LOCAL WATER SUPPLY IS: LESS THAN 40 PSI, THE BUILDER IS REQUIRED TO INCREASE WATER PRESSURE TO AT LEAST 40 PSI. GREATER THAN THE MAXIMUM WATER PRESSURE ALLOWED, SHALL BE GOVERNED BY THE UPC AND ITS AMENDMENTS.
- SANITARY SEWER SERVICE SHALL BE BY THE CITY OF TOPEKA.
- THIS PROPERTY LIES WITHIN ZONE C (AREA OF MINIMAL FLOODING) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP NO. 200331 0100 C WITH AN EFFECTIVE DATE OF JUNE 1, 1982 AND ALSO ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM) No. 20177C0192E AND 20177C0194E WITH NO EFFECTIVE DATE.
- ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
- PROPERTY OWNERS SHALL BE ADMONISHED FROM PLACING ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION IN PERMANENT SEWER, DRAINAGE OR UTILITY EASEMENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, TREES, SHRUBS, FENCES, RETAINING WALLS, BUILDINGS OR OTHER MISCELLANEOUS OBSTRUCTIONS THAT INTERFERE WITH ACCESS OR EGRESS OF MAINTENANCE VEHICLES OR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF THE UTILITIES OR PIPE LINES LOCATED IN THE EASEMENT. ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION LOCATED IN THE PERMANENT SEWER OR UTILITY EASEMENT MAY BE REMOVED BY PERSONNEL REPRESENTING THE GOVERNING BODY, TO PROVIDE FOR THE PROPER OPERATION AND MAINTENANCE OF THAT UTILITY LINE, WITHOUT COST OR OBLIGATION FOR REPLACEMENT. COST OF REMOVAL, AND/OR REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- EASEMENTS ARE HEREBY GRANTED TO THE PUBLIC AS FOLLOWS : "UTILITY EASEMENTS" TO ALLOW PUBLIC UTILITY PROVIDERS, CONTRACTORS, AND AUTHORIZED AGENTS TO LOCATE, CONSTRUCT AND MAINTAIN FACILITIES TO PROVIDE UTILITY SERVICE TO THE PUBLIC. ALL PUBLIC UTILITIES SPECIFICALLY INCLUDING BUT NOT LIMITED TO WATER, GAS, SEWER, STORMWATER, AND TELECOMMUNICATIONS MAY PLACE OR LOCATE THEIR FACILITIES OVER, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENTS." A TEMPORARY CONSTRUCTION EASEMENT OF 12 FEET ADJACENT TO THE SIDE OF THE UTILITY EASEMENT IS DEDICATED FOR THE USE OF THE PUBLIC UTILITIES WHILE INITIAL CONSTRUCTIONS OF THE PUBLIC UTILITIES' FACILITIES ARE IN PROGRESS.
- DRAINAGE EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR THE UNOBSTRUCTED OVERLAND FLOW OF SURFACE WATER AND/OR THE CONSTRUCTION AND MAINTENANCE OF PIPE, FLUME, DITCH OR ANY OR ALL IMPROVEMENT FOR THE DRAINAGE OF SAID WATER, ALL AS MAY BE DETERMINED AND/OR APPROVED BY THE DIRECTOR OF THE APPLICABLE DEPARTMENT OF PUBLIC WORKS. PROPERTY OWNERS SHALL NOT PLACE ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION IN SAID EASEMENTS. ALL MAINTENANCE WITHIN THE DRAINAGE EASEMENT (DE) SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PROPERTY IN WHICH THE EASEMENT IS SO LOCATED, HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE DIRECTOR OF THE APPLICABLE DEPARTMENT OF PUBLIC WORKS, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORNE UPON, SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE APPLICABLE DEPARTMENT OF PUBLIC WORKS SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE.
- DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR THE DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS OF THE APPLICABLE GOVERNMENTAL JURISDICTION. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT (DDFE) SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PROPERTY IN WHICH THE EASEMENT IS SO LOCATED, HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE DIRECTOR OF THE APPLICABLE DEPARTMENT OF PUBLIC WORKS, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COST ASSESSED TO AND BORNE UPON, SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE APPLICABLE DEPARTMENT OF PUBLIC WORKS SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND /OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE APPROPRIATE DEPARTMENT OF PUBLIC WORKS, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL SEWER SERVICE PLANS ARE APPROVED BY CITY OF TOPEKA PUBLIC WORKS DEPARTMENT AND UNTIL ARRANGEMENTS FOR THE INSTALLATION OF WATER MAINS AND/OR CONNECTION CHARGES HAVE BEEN MADE WITH THE CITY WATER DEPARTMENT.
- MINIMUM OPENING ELEVATIONS FOR ALL LOTS SHALL BE TWO FEET ABOVE THE OUTFALL STRUCTURE FOR THE DETENTION FACILITY WITHIN SAID LOT.
- GREEN SPACE EASEMENTS ARE NON-BUILDABLE AND RESERVED FOR LANDSCAPING SUCH AS TREES, SHRUBS, TRAILS, SIDEWALKS, GAZEBOs, AND ASSOCIATED FENCING.
- VARIANCES: PURSUANT WITH SECTION 18.30.040 OF THE TMC, THE CITY OF TOPEKA PLANNING COMMISSION HEREBY GRANTS THE FOLLOWING VARIANCES:
 - A VARIANCE TO TMC 18.40.040(a) REGARDING BLOCK LENGTH IN EXCESS OF 1,200 FEET TO ACCOMMODATE THE PROPOSED BLOCK LENGTH OF 1,980 FEET.
 - A VARIANCE TO TMC 18.40.120(a) REGARDING UTILITY EASEMENTS LOCATED ALONG THE EAST LINE OF BLOCK A, LOT 3 AND SOUTH AND EAST LINES OF BLOCK A, LOT 5.
- RESTRICTED ACCESS LINE: DEFINES PORTION OF SUBDIVISION BOUNDARY IN WHICH THE PUBLIC IS NOT ALLOWED TO GAIN INGRESS OR EGRESS TO THE SUBDIVISION. THE GOVERNING BODY MAY GAIN INGRESS OR EGRESS ACROSS THIS LINE IN ORDER TO GAIN ACCESS TO THE SUBDIVISION.
- ACCESS POINTS FOR LOT 2, BLOCK A AND LOT 1, BLOCK B SHALL MEET CITY OF TOPEKA DESIGN CRITERIA AND DRAFTING STANDARDS UNLESS WAIVED BY THE CITY ENGINEER. ACCESS POINTS ON SW KINGSROW RD EXTENDED SHALL BE LIMITED TO ONE FOR LOT 4, BLOCK A AND TWO FOR LOT 3, BLOCK A.
- THE DEDICATION OF RIGHT OF WAY FOR SW KINGSROW ROAD LYING OUTSIDE THE LIMITS OF THIS SUBDIVISION SHALL BE DEDICATED BY SEPARATE INSTRUMENT AND RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS PRIOR TO THE RECORDING OF THIS PLAT. BOOK _____ PAGE _____
- TWO ACCESS POINTS ONTO SW 17TH STREET SHALL BE ALLOWED FOR LOT 1, BLOCK A. EXACT LOCATION OF ACCESS POINTS FOR LOT 1, BLOCK A, TO BE DETERMINED AT THE SITE PLAN STAGE, BUT SHALL HAVE A MINIMUM 350' SEPARATION AS MEASURED FROM ¢ to ¢.
- PLAT NEEDS TO MEET REQUIREMENTS OUTLINED BY THE CITY ENGINEER IN THEIR REVIEW OF THE PREVIOUSLY SUBMITTED TRAFFIC IMPACT ANALYSIS.
- AN ADDITIONAL TRAFFIC IMPACT ANALYSIS SHALL BE PROVIDED BY THE APPLICANT AND REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO DEVELOPMENT OF BLOCK A, LOT 2 AND BLOCK B, LOT 1.



TYPICAL TYPE II
S.B.E.

WATERWAY BUFFERS						
	STREAMSIDE A AREA			STREAMSIDE AREA		
	TYPE I	TYPE II	TYPE III	TYPE I	TYPE II	TYPE III
Width	50 feet	25 feet	15 feet	50 feet	25 feet	15 feet
Vegetation	Native Vegetation			Native Vegetation or managed lawn (type II or III)		
Uses	Flood control, utility corridors			Biking/hiking paths, flood control, detention/retention structure, utility corridors, stormwater BMPs, residential yards, landscaped areas.		
	Footpaths, road crossings					
Function	Protect the physical and ecological integrity of the stream ecosystem			Protect key components of the stream and filter and slow velocity of water runoff.		

"There shall be no clearing, grading, construction or disturbance of vegetation except as permitted under section 17.10.060 of this code or as approved by the public works director or his or her designee."

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND BLOCKS AND PUBLIC WAYS, (STREETS AND ROADS). THE PUBLIC WAYS NOT HERETOFORE DEDICATED ARE DEDICATED TO THE PUBLIC. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR USE BY PUBLIC UTILITIES TO LOCATE, CONSTRUCT AND MAINTAIN, OR AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF CONDUITS FOR ALL OR ANY PURPOSE INCLUDING WATER, GAS, SEWER MAINS, POLES AND WIRES OR ANY OR ALL OF THEM OVER, UNDER AND ALONG STRIPS MARKED "UE". UTILITY EASEMENTS INCLUDE A 12-FOOT TEMPORARY CONSTRUCTION EASEMENT ADJACENT TO ALL UTILITY EASEMENTS. SAID CONSTRUCTION EASEMENTS ARE AUTOMATICALLY NULL AND VOID FOLLOWING INITIAL INSTALLATION OF UTILITIES WITHIN SAID UTILITY EASEMENTS AND SHALL NOT REQUIRE ANY ACTION BY THE GOVERNING BODY TO VACATE, REMOVE OR OTHERWISE ELIMINATE. FURTHERMORE, INITIAL UTILITY CONSTRUCTION SHALL BE CONSIDERED COMPLETE ON ANY LOT ON WHICH THERE IS AN OCCUPIED STRUCTURE.

NOTICE: IN THE EVENT THERE ARE OTHER OWNER(S) OR THOSE HOLDING ANY PROPRIETARY INTEREST IN ANY LAND CONTAINED IN THIS SUBDIVISION WHOM DO NOT APPEAR ON THIS PLAT PRIOR TO THE TIME OF RECORDING, THE PLAT SHALL BE NULL AND VOID.

IN TESTIMONY WHEREOF: THE OWNER(S), SHADOW HILL COMPANY, A KANSAS PARTNERSHIP, AUTHORIZED SIGNATORY, CALLAN COHEN, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 20____.

CALLAN COHEN, AUTHORIZED SIGNATORY,
SHADOW HILL COMPANY

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME CALLAN COHEN, AUTHORIZED SIGNATORY OF SHADOW HILL COMPANY, A KANSAS PARTNERSHIP, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON(S) DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN TESTIMONY WHEREOF: I HAVE HEREUNTO SET MY HAND, AND AFFIXED MY SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

CERTIFICATE OF APPROVALS:

APPROVED BY THE TOPEKA PLANNING COMMISSION THIS _____

DAY OF _____, 20____.

MIKE LACKEY, CHAIRMAN, TPC

DAVID F. THURBON, PLANNING DIRECTOR

THIS SUBDIVISION HAS BEEN PRESENTED TO THE CITY COUNCIL, CITY OF TOPEKA, KANSAS, ON THE ____ DAY OF _____, 20____, FOR ACCEPTANCE OF LAND TO BE DEDICATED FOR PUBLIC PURPOSES. THE CITY COUNCIL HEREBY ACCEPTS THE LAND FOR PUBLIC PURPOSES.

WILLIAM W. BUNTEN, MAYOR _____ BRENDA YOUNGER, CITY CLERK _____

ENTERED ON THE TRANSFER RECORD OF SHAWNEE COUNTY, KANSAS THIS _____ DAY OF _____, 20____.

CYNTHIA A. BECK, COUNTY CLERK

FILED FOR RECORD IN THE OFFICE OF THE SHAWNEE COUNTY

REGISTER OF DEEDS THIS ____ DAY OF _____, 20____ AT _____ O'CLOCK.

MARILYN L. NICHOLS, REGISTER OF DEEDS

DESIGNED BY:
ACS
DRAWN BY:
RCP
CHECKED BY:
LWB/ACS
PROJECT ENGR:

BARTLETT & WEST

1200 SW EXECUTIVE DR., TOPEKA, KANSAS, 66615
785.272.2252 -- FAX 785.273.6735
WWW.BARTWEST.COM

TOPEKA, SHAWNEE COUNTY, KANSAS

FINAL PLAT
MENARDS SUBDIVISION

PROJ NO:
17431.000

CONST PROJ:

SCALE:
1"=100'

DATE:
4/1/2011

DRAWING NO:

P 11/5

SHEET NO:

2 of 2

**Minutes of the
Topeka Planning Commission
Monday, April 18, 2011**

Menards Subdivision (Preliminary Plat Phase)(P11/5) by Shadow Hill Company, a Kansas Partnership, on property located east of Kingsrow Road extended between SW 21st Street and SW 17th Street extended. **(Hoover)** Bill Hoover summarized the staff report.

Discussion by members:

Peter Hancock stated part of the right-of-way lays outside the city limits and will have to be annexed.

Proponents:

Angela Sharp, Bartlett & West Engineers said that is correct there is a portion that will have to be annexed. Mr. Hancock asked if annexation could be a condition of the final plat? Mr. Thurbon replied it doesn't have to be annexed first. He added sometimes there are agreements made with the townships for road maintenance. Mr. Thurbon stated there is currently some annexation issues going on in the State legislature and doesn't suggest putting anything on the plat regarding annexation until we see what happens there. Mr. Hancock stated in some cities the zoning, platting and annexation is done all at once. Mr. Thurbon stated this small portion of the road doesn't concern me. Mr. Hancock stated if staff is comfortable with it then he agrees. Ms. Sharp requested the wording of staff condition #6 be changed to state prior to final plat recording rather than on approval of the final plat. Mr. Thurbon concurred.

Rich Beardmore moved approval as written by staff including the change to condition #6 to state prior to final plat **recording**, seconded by Lee Williams. **APPROVAL. (9-0-0)**

**Minutes of the
Topeka Planning Commission
Monday, May 23, 2011**

Menards Subdivision (Final Plat Phase)(P11/5) by Shadow Hill Company, a Kansas Partnership, on property located east of Kingsrow Road extended between SW 21st Street and SW 17th Street extended. **(Hoover)** Bill Hoover summarized the staff report.

Discussion by members:

Mr. Hoover stated revised plans were passed out because there was a change made on the final plat that wasn't on the preliminary plat. They want to have some flexibility on the location of the restricted access. He added the traffic engineer and planning staff have agreed to the flexibility but require the two access points have at least 350 feet between them. Mr. Hoover stated the staff conditions from May's meeting are also reflected on the plan passed out tonight.

Proponents:

Angela Sharp, Bartlett and West Engineering, spoke in favor of the proposal. She stated the applicant wanted some flexibility on the access due to sight distance on the hill.

No one spoke in opposition to the proposal.

Rich Beardmore moved approval as written by staff, seconded by Dawn Wright. **APPROVAL. (7-0-0)**

(Published in the Topeka Metro News August 8, 2011)

ORDINANCE NO. 19615

AN ORDINANCE introduced by Daniel R. Stanley, Acting City Manager, authorizing Improvement Project No. T-701006.00, which provides for the extension of 17th Street, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That it hereby deems advisable and necessary and also hereby authorizes Improvement Project No. T-701006.00, pursuant to Section A12-1 of the Code of the City of Topeka, to be made as follows:

A. GENERAL NATURE OF IMPROVEMENT:

This project will extend SW 17th Street from the existing turnaround west of SW Arvon Place to SW Urish Road and will include a roundabout at the intersection of SW Urish Road. The project will include curb & gutter, sidewalks and a storm drainage system.

B. TOTAL PROJECT BUDGET COST:

\$3,000,000.00

C. SOURCE OF FUNDS:

CITY: General Obligation Bonds or any other lawfully available funds	\$750,000.00
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DEVELOPER	\$2,250,000.00
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Section 2. 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 August 2, 2011.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 22, 2011

 [Back](#)  [Print](#)

DATE: December 13, 2011
CONTACT PERSON: Joe Singer DOCUMENT #:
SECOND PARTY/SUBJECT: Entire Corporate PROJECT #:
Limits and Boundaries
of the City
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, declaring the entire boundary of the City of Topeka and rescinding City of Topeka Resolution No. 8304. *(All Council Districts)*

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Approval would declare the entire corporate boundary of the City of Topeka pursuant to K.S.A. 12-517.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Approve the Resolution as presented.

BACKGROUND:

KSA 12-517 states that "Before the last day of December in any year in which any territory has been added to or excluded from any city, the governing body of such city shall declare by resolution the entire boundary of the city."

There has been one annexation in 2011, Kanza Fire Commerce Park, and a tract on the East side of the Burlington Northern Santa Fe Railway on the East side of Kanza Fire Commerce Park, and also adjoining parts of Gary Ormsby Drive and SW 77th Street, Ordinance 19634, which added 427.07 acres to the corporate area of the City of Topeka.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

[Resolution-City Boundary](#)

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Daniel R. Stanley, Interim City Manager, declaring the
4 entire boundary of the City of Topeka and rescinding City of Topeka
5 Resolution No. 8304.
6

7 WHEREAS, K.S.A. 12-517 provides that municipalities shall by resolution declare
8 the entire boundaries of the municipality.

9 NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of
10 Topeka, Kansas, that it hereby declares the following to be the entire boundary of the City:

11 A. Corporate Limits and Boundaries as Follows to Wit:
12

13 Beginning at the Northwest corner of the Northeast Quarter of Section 3,
14 Township 12 south, Range 16 east of the 6th P.M.; thence easterly on the
15 North line of said Section 3 to the West line of England Mobile Home
16 Estates Subdivision extended north; thence southerly on said extension to
17 the Northwest corner of Lot 1, Block "A" in said subdivision; thence
18 easterly, 991.90 feet, to the Northeast corner of Lot 2, Block "A" in said
19 subdivision; thence southerly, on the East line of said Lot 2, 477.03 feet;
20 thence easterly, to a point which is 527.03 feet south of and 12.5 feet west
21 of the Northeast corner of the Northeast quarter of said Section 3; thence
22 on an assumed bearing of South 00°21'23" East, parallel with the East
23 line of said Northeast Quarter, 1248.45 feet; thence South 88°38'12"
24 West, 40 feet; thence southerly, on a line which is 52.50 feet west of the
25 East line of the last said Northeast Quarter, 535.29 feet; thence easterly
26 2.50 feet; thence southerly, on the East line of the last said Lot 1, and its
27 extension, 360.00 feet, to an intersection with the South line of the
28 Northeast Quarter of Section 3, Township 12 south, Range 16 east;
29 thence South 88°38'15" West, 25.89 feet; thence South 09°10'00" West,
30 156.20 feet; thence South 50°49'00" West, 907.50 feet; thence South
31 74°51'00" West, 547.39 feet to the East line of the West Half of the
32 Southeast Quarter of said Section 3; thence southerly on said East line to
33 the South Right-of-Way Line of U.S. Highway 40 as condemned in Case
34 Number 91169; thence northeasterly on said South Right-of-Way Line and
35 on a curve to the left that has a radius of 3969.83 feet, an arc distance of
36 443.15 feet; thence on an assumed bearing of North 83°34'24" East, on
37 said South Right-of-Way Line, 820.00 feet to a point 80.00 feet west of the
38 East line of said Southeast Quarter; thence south-southeasterly, 325.00
39 feet to a point that is 10.00 feet east of the Northeast corner of Lot 1,
40 Altair Heights Subdivision; thence westerly 10.00 feet to the Northeast
41 corner of Lot 1, Altair Heights Subdivision, being a point on the West
42 Right-of-Way Line of Croco Road; thence southerly on the West line of

Croco Road on an assumed bearing of South 02°34'12" West, 222.94 feet; thence west 300.00 feet; thence south 587.42 feet; thence South 32°26'30" West, 203.21 feet; thence South 61°42'24" West, 671.80 feet; thence South 74°32'18" West, 89.94 feet; thence South 88°25'06" West, 194.71 feet, to a point 30.00 feet north of the Southeast corner of the West Half of the Southeast Quarter of Section 3; thence south to the Northeast corner of the West Half of the Northeast Quarter of Section 10, Township 12 south, Range 16 east of the 6th P.M.; thence on an assumed bearing of South 00°48'00" West, on the East line of the West Half of the Northeast Quarter of said Section 10, 158.83 feet to the North line of the Kansas Turnpike Right-of-Way; thence South 63°15'40" West, on said right-of-way line, 790.86 feet; thence South 69°36'00" West, continuing on said right-of-way line, 452.77 feet; thence North 70°46'40" West, continuing on said right-of-way line, 337.69 feet to the Easterly Right-of-Way Line of Service Road "L" of the Kansas Turnpike Authority; thence southwesterly to the intersection of the Westerly Right-of-Way Line of Service Road "L" of the Kansas Turnpike Authority, and the Northerly Right-of-Way line of the Kansas Turnpike; thence southwesterly approximately 290 feet on the Northerly Right-of-Way line of the Kansas Turnpike to a point which intersects with a line bearing North 27°15'56" West, extended from the most Northerly corner of Lot 24, Block "N", Aquarian Acres Subdivision; thence South 27°15'56" East, 300 feet, more or less, to said most Northerly corner of Lot 24; thence easterly on the Southerly Right-of-Way Line of the Kansas Turnpike to its intersection with the East line of the West Half of Section 10, also being the Northeast corner of Aquarian Acres Subdivision; thence on an assumed bearing of North 62°16'17" East, on the north line of Capricorn Woods Subdivision No. 2, 308.09 feet, to the North corner of Lot 11, Block 'C' in said subdivision; thence North 08°05'50" West, on the West line of Capricorn Woods Subdivision No. 3, a record distance of 462.28 feet to the most westerly West corner of Lot 11, Block A in said subdivision; thence North 51°49'07" East, on a North line of Capricorn Woods Subdivision No. 3, 399.13 feet; thence North 64°31'42" East, on a North line of Capricorn Woods Subdivision No. 3, a record distance of 896.71 feet to a point on the East line of the West Half of the Northeast Quarter of Section 10, Township 12 South, Range 16 east of the 6th P.M.; thence South 00°19'45" West, on an East line of Capricorn Woods Subdivision No.3, 728.46 feet to the Northwest corner of Lot 1, Block "AA" in Shawnee Gardens Subdivision; thence North 89°29'35" East, 1283.60 feet, to the Northeast corner of Lot 6, Block "B" in said subdivision; thence easterly, on the North line of Shawnee Gardens Subdivision, to an intersection with a line which is 30 feet west of the East line of the Northeast Quarter of Section 10, Township 12 South, Range 16 east of the 6th P.M.; thence on an assumed bearing of North 00°29'01" East, parallel with the East line of said Northeast Quarter, to an intersection with a line which is an extension

of the South line of the North 792.0 feet of the Northwest Quarter of
 Section 11, Township 12 South, Range 16 east of the 6th P.M.; thence
 North 89°47'56" East, parallel with the North line of said Northwest
 Quarter, 1356.93 feet, to a point which is 6.99 feet west of the East line of
 the Northwest Quarter of the Northwest Quarter of said Section 11; thence
 South 00°27'04" West, 537.79 feet, to a point on the South line of the
 Northwest Quarter of the Northwest Quarter of said Section 11, which is
 5.50 feet west of the Southeast corner of the Northwest Quarter of the
 Northwest Quarter of said Section 11; thence South 89°58'08" West, on
 the South line of the Northwest Quarter of the Northwest Quarter of said
 Section 11, 1287.20 feet, to the Northwest corner of Lot 1, Block 'E' in
 Belhaze Subdivision No. 2; thence southerly, to the Northwest corner of
 Lot 8, Block 'D' in Belhaze Subdivision No. 2; thence westerly, to the
 Northeast corner of Lot 1, Block "D" in Shawnee Gardens Subdivision;
 thence on an assumed bearing of South 00°15'33" West, parallel with the
 East line of the Northeast Quarter of Section 10, Township 12 South,
 Range 16 east of the 6th P.M., to the Southeast corner of Lot 4, Block "D"
 in Shawnee Gardens Subdivision; thence North 89°44'27" West, 275.00
 feet, to an East corner of Lot 15, Block "D" in said subdivision; thence
 South 00°15'33" West, 215.00 feet, to the most Easterly Southeast corner
 of Lot 16, Block "D" in said subdivision; thence South 89°44'27" East,
 275.00 feet to the Northeast corner of Lot 27, Block "D" in said
 subdivision; thence South 00°15'33" West, 362.57 feet to the Southeast
 corner of Lot 12, Block "E" in said subdivision; thence North 89°26'55"
 East, on the North line of the Southeast Quarter of Section 10, to an
 intersection with a line which is 30 feet west of the East line of said
 Southeast quarter; thence southerly on the West line of Croco Road,
 1432.51 feet; thence south on said West line of Croco Road 1176.40 feet
 to the North Right-of-Way Line of S.E. 29th Street; thence westerly on the
 North Right-of-Way Line of 29th Street to the East Right-of-Way Line of
 Wittenberg Road; thence northerly on the East Right-of-Way Line of
 Wittenberg Road to a point 1689.93 feet north of the South line of Section
 10, Township 12 south, Range 16 east of the 6th P.M.; thence westerly
 parallel with and 1689.93 feet north of the South line of said Section 10 to
 the West line of Section 10; thence northerly on the West line of Section
 10 to its intersection with the North Right-of-Way Line of the Kansas
 Turnpike; thence southwesterly on the Northerly Right-of-Way Line of the
 Kansas Turnpike to its intersection with the East line of the West Half of
 the West Half of Section 16, Township 12 South, Range 16 east of the 6th
 P.M.; thence south to the Northeast corner of the West Half of the
 Southwest Quarter of said Section 16; thence easterly, on the North line
 of said Southwest Quarter, 1324.26 feet, to the Northeast corner of said
 Southwest Quarter; thence on an assumed bearing of 00°05'54" East on
 the West line of the Northeast Quarter of said Section 16, 1771.63 feet to
 an intersection with the Southeast right of way line of United States
 Interstate Highway 470/335, also known as Kansas Turnpike Tract No.

27-70; thence on said Southeast right of way line, being a curve concave
 northwesterly, having a radius measure of 5879.58 feet and an arc length
 of 1005.83 feet, the chord of which bears North 45°01'09" East, 1004.60
 feet; thence North 40°07'06" East on said Southeast right of way line, 5.75
 feet to the Southwest corner of Kansas Turnpike Tract 27-20E; thence
 North 84°56'53" East on the South line of said Turnpike Tract 27-20E,
 524.39 feet; thence North 60°49'13" East on a South line of said Turnpike
 Tract 27-20E, 80.71 feet to an intersection with the South right of way line
 of SE 29th Street; thence South 89°28'02" East on the South right of way
 line of SE 29th Street, being 50.00 feet south of the North line of the West
 Half of said Northeast Quarter, 28.16 feet to a point on the East line of
 said West Half; thence South 00°15'13" West on the East line of said
 West Half, to a point on a line which is 300.00 feet south of the North line
 of the Northeast Quarter of Section 16; thence easterly, parallel with the
 North line of said Northeast Quarter, to the Southwest corner of Franklin
 Subdivision; thence northerly on the West line of said subdivision to the
 Northwest corner of Lot 1, Block A in Franklin Subdivision; thence
 easterly, to the Northeast corner of Lot 9, Block "J" in Shawnee Estates
 Subdivision; thence southerly, on the East line of Lot 9, to an intersection
 with a line which is 50 feet south of the North line of the Northeast Quarter
 of said Section 16, said line being the South line of Southeast 29th Street;
 thence easterly, parallel with the North line of said Northeast Quarter, to
 an intersection with a line which is 20 feet west of the East line of said
 Northeast Quarter, said line being the West line of West Edge Road;
 thence southerly, parallel with the East line of said Northeast Quarter, to
 an intersection with the North line of Lakeview Subdivision; thence
 westerly, on the North line of Lakeview Subdivision, to the Northeast
 corner of Lot 1 in said subdivision; thence southerly, to the Southeast
 corner of Lot 28 in Lakeview Subdivision; thence easterly, to an
 intersection with a line which is 20 feet west of the East line of the
 Northeast Quarter of said Section 16, said line also being the West line of
 West Edge Road; thence southerly, parallel with the East line of said
 Northeast Quarter, to an intersection with the South line of said Northeast
 Quarter; thence westerly, on the South line of said Northeast Quarter, to
 the Northeast corner of Lot 9, Block "D" in Lake Shawnee Subdivision "C";
 thence southerly to the Southeast corner of Lot 19, Block "H" in Lake
 Shawnee Subdivision "C"; thence westerly, on the North line of S.E. 35th
 Street Terrace, and its extension, to an intersection with the West line of
 Shoreline Drive; thence southerly on the West line of Shoreline Drive to
 the Southeast corner of Lot 10, Block N in Shawnee Lake Subdivision 'C';
 thence westerly to the Southwest corner of Block K in Shawnee Lake
 Subdivision 'C'; thence southerly on the East line of the Southwest
 Quarter of said Section 16 to an intersection with a line 30.00 feet north of
 the South line of said Southwest Quarter; thence westerly parallel with the
 South line of said Southwest Quarter to a point 100 feet easterly distant
 from the West line of the East Half of said Southwest Quarter; thence

northerly to the Southeast corner of Lot 1 in Rolling Meadows Subdivision No.2; thence westerly to the Southwest corner of said Lot 1; thence southerly to the Southwest corner of the East Half of the Southwest Quarter of said Section 16; thence continuing southerly on the East line of the West Half of the West Half of Section 21, Township 12 south, Range 16 east of the 6th P.M. to a point 1650.00 feet south of the North line of said Section 21; thence west 1320.00 feet to an intersection with the East line of the Northeast Quarter of Section 20; thence on an assumed bearing of South 01°40'19" West, on the East line of said Northeast Quarter, to a point 660.00 feet north of the Southeast corner of said Northeast Quarter; thence South 88°21'14" West, 1648.96 feet; thence North 01°40'19" West 661.21 feet; thence South 88°21'35" West, on the South line of the North Half of the Northeast Quarter of said Section 20, to the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 20; thence southerly, 1320.35 feet, to the Northeast corner of the Southwest Quarter of Section 20, Township 12 South, Range 16 east of the 6th P.M.; thence on an assumed bearing of North 88°21'37" East, 2186.81 feet, to the Southwest corner of Lot 1, Block 'A' KPL Substation Subdivision; thence northerly, to the Northwest corner of said Lot 1; thence easterly, to the Northeast corner of Lot 1; thence southerly, to the Southeast corner of Lot 1; thence North 88°21'37" East, on the South line of KPL Substation Subdivision, to the Northeast corner of the Southeast Quarter of Section 20, said point also being the Northwest corner of the Southwest Quarter of Section 21, Township 12 South, Range 16 east of the 6th P.M.; thence easterly on the North line of said Southwest Quarter, 275.30 feet; thence southerly, on a line which is 275.30 feet east of the West line of said Section 21, 516.00 feet; thence west 8.90 feet; thence southerly, on a line which is 266.40 feet east of the West line of Section 21, 553.00 feet; thence easterly 75.40 feet; thence southerly on a line which is 341.80 feet east of the West line of Section 21, 216.50 feet; thence westerly on the North line of the South Half of the Southwest Quarter of Section 21, Township 12 South, Range 16 east of the 6th P.M., to a point on a line which is 30 feet east of the West line of the Southwest Quarter of Section 21, ; thence southerly, parallel with the West line of said South Half, 210.00 feet; thence easterly on a north line of Stone Crest Subdivision, to the Northwest corner of Lot 4, Block 'E' in Stone Crest Subdivision; thence northerly to the Northwest corner of Lot 22, Block 'E' in Stone Crest Subdivision; thence easterly on the North line of the South Half of the Southwest Quarter of said Section 21, to the East corner of Lot 9, Block 'H' in Stone Crest Subdivision; thence southerly on the East line of the South Half of the Southwest Quarter of said Section 21, to the Southeast corner of Lot 1, Block 'I' in Stone Crest Subdivision; thence westerly on the North line of S.E. 45th Street and its extension, to the Southwest corner of Lot 9, Block 'D' in Stone Crest Subdivision; thence northerly at a right angle to the Northwest corner of Lot 4, Block 'D' in Stone Crest Subdivision; thence westerly parallel with the South line of

the Southwest Quarter of said Section 21, to a corner of Stone Crest
 Subdivision on the East line of Lot 8, Block 'C' in said subdivision; thence
 southerly on the East line of Block 'C' and its extension, in Stone Crest
 Subdivision, to an intersection with a line which is 50 feet south of the
 North line of the Northwest Quarter of Section 28, Township 12 South,
 Range 16 east of the 6th P.M.; thence westerly parallel with the North line
 of the Northwest Quarter of said Section 28, to an intersection with a line
 which is 50 feet west of the East line of the Northeast Quarter of Section
 29, Township 12 South, Range 16 east of the 6th P.M.; thence southerly
 parallel with the East line of said Section 29, to the South line of Marlatte
 Center Subdivision; thence westerly to the Southwest corner of said
 subdivision; thence northerly, on the Westerly line of said subdivision and
 its extension, to an intersection with a line which is 45 feet north of the
 North line of Section 29; thence westerly parallel with the South line of
 Section 20, to the West line of the East Half of said Section 20; thence on
 an assumed bearing of South 1°23'17" West, on the East line of the
 Southwest Quarter of said Section 20, 40.00 feet to the Northeast corner
 of the Northwest Quarter of Section 29, Township 12 South, Range 16
 east of the 6th P.M.; thence South 1°52'43" East on the East line of said
 Northwest Quarter, 1650.18 feet; thence South 88°25'22" West, 1594.70
 feet; thence North 2°08'17" West, 1692.12 feet to a point on a line which
 is 40.00 feet north of the South line of the Southwest Quarter of said
 Section 20; thence westerly on a line which is 40.00 north of the South
 line of the Southwest Quarter of said Section 20, to the East line of
 Section 19; thence continuing westerly to a point 30.00 feet west of the
 East line of Section 19, also being the West line of Adams Street; thence
 westerly parallel with and 40.00 feet north of the South line of Section 19,
 to a point that is 40.00 feet north of the Northeast corner of the West Half
 of the Northeast Quarter of Section 30, Township 12 South, Range 16
 east of the 6th P.M.; thence southerly 2694.79 feet on the East line of
 South Village Subdivision, to the Southeast corner of said subdivision;
 thence westerly, on the South line of said subdivision to the Northeast
 corner of the Southwest Quarter of Section 30, Township 12 South,
 Range 16 east of the 6th P.M.; thence southerly on an assumed bearing
 of South 02°24'27" East, on the East line of said Southwest Quarter, to a
 point which is 44.20 feet north of the Southeast corner of Terra Heights
 Subdivision, said point also being on the Southwesterly line of the right of
 way of the former Missouri Pacific Railroad Company; thence South
 56°03'19" East on the Southwesterly line of said right of way, 1304.94
 feet; thence southeasterly, southerly and southwesterly on said right of
 way line, on a curve concave westerly having a radius measure of 419.28
 feet and an arc length of 1020.97 feet, the chord of which bears South
 20°32'28" West, 786.78 feet; thence South 88°10'41" West on said right
 of way line, 132.83 feet; thence westerly on said right of way line, on a
 curve concave southerly having a radius measure of 613.69 feet and an
 arc length of 207.93 feet, the chord of which bears South 78°26'03" West,

206.93 feet, to a point on a line which is 45 feet north of the South line of
 said Southeast Quarter; thence South $88^{\circ}10'41''$ West parallel with the
 South line of said Southeast Quarter, 407.12 feet; thence South $88^{\circ}35'12''$
 West on a line which is 45 feet north of the South line of said Southwest
 Quarter, 2224.75 feet to a point on the East line of Topeka Boulevard;
 thence North $02^{\circ}07'29''$ West on the East line of Topeka Boulevard,
 602.47 feet; thence North $01^{\circ}34'34''$ West on the East line of Topeka
 Boulevard, 878.59 feet; thence northerly on the East line of Topeka
 Boulevard, to an intersection with the North line of the Southwest Quarter
 of said Section 30; thence westerly, on the South line of the Northwest
 Quarter of Section 30 to the Southeast corner of the Northeast Quarter of
 Section 25, Township 12 South, Range 15 east of the 6th P.M.; thence
 northerly, on the East line of said Northeast Quarter, 20.00 feet, to the
 North line of S.W. 49th Street, extended from the west; thence westerly,
 on a line which is 20.00 feet north of the South line of the Northeast
 Quarter of said Section 25, to an intersection with the West line of the
 right of way of the Burlington Northern Santa Fe Railway Company;
 thence southerly, on the West line of said right of way, to the Northeast
 corner of Lot 1, Block "A" in Laird Noller Subdivision; thence westerly, to
 the Northwest corner of said Lot 1; thence southerly, to the Southwest
 corner of said Lot 1; thence westerly, 33.00 feet, to a corner of Lot 1,
 Block "A" in S.W. 57th Street Distribution Center Subdivision; thence
 southerly on the most westerly East line of the last said Lot 1, and its
 extension, to an intersection with a line which is 30 feet south of the North
 line of the Southeast Quarter of said Section 36; thence westerly, on an
 assumed bearing of South $88^{\circ}03'15''$ West, parallel with the North line of
 the Southeast Quarter of said Section 36, to an intersection with a line
 which is 40 feet west of the East line of the Northwest Quarter of the
 Southeast Quarter of said Section 36; thence southerly, parallel with the
 East line of the Northwest Quarter of the Southeast Quarter of said
 Section 36, to an intersection with a line which is 50 feet south of the
 North line of said Southeast Quarter; thence South $88^{\circ}03'15''$ West,
 280.00 feet; thence southerly, parallel with the East line of the Northwest
 Quarter of the Southeast Quarter of said Section 36, to an intersection
 with a line which is 60 feet south of the North line of said Southeast
 Quarter; thence South $88^{\circ}03'15''$ West, to a point which is 535.10 feet
 east of the Northwest corner of the Southeast Quarter of said Section 36,
 and 60.00 feet south of the North line of said Southeast Quarter, as
 measured on the North line of, and normal from the North line of said
 Southeast Quarter; thence South $76^{\circ}44'39''$ West, 101.98 feet; thence
 South $88^{\circ}03'15''$ West, 400.00 feet; thence South $61^{\circ}29'21''$ West, 55.90
 feet; thence South $88^{\circ}03'13''$ West, 1535.10 feet; thence North $87^{\circ}38'30''$
 West, 199.78 feet; thence North $01^{\circ}56'47''$ West, normal to the North line
 of the Southwest Quarter of said Section 36, 90.00 feet, to an intersection
 with said North line at a point which is 893.59 feet east of the Northwest
 corner of said Southwest Quarter; thence continuing North $01^{\circ}56'47''$

318 West, 90.00 feet; thence South 88°03'13" West, parallel with the South
 319 line of the Northwest Quarter of said Section 36, 358.12 feet; thence North
 320 07°53'08" East, 679.72 feet; thence North 23°43'11" East, 509.21 feet;
 321 thence North 14°17'25" East, 517.29 feet; thence North 00°04'32" West,
 322 210.05 feet; thence northerly, on a curve which is concave westerly,
 323 having a radius measure of 5889.58 feet and an arc length of 719.40 feet,
 324 the chord of which bears North 06°17'43" East, 718.95 feet, to an
 325 intersection with the South line of the Southwest Quarter of said Section
 326 25; thence northerly, on a curve which is concave westerly, having a
 327 radius measure of 5889.58 feet and an arc length of 547.79 feet, the
 328 chord of which bears North 00°16'44" West, 547.59 feet; thence North
 329 01°48'09" West, 1517.06 feet; thence North 02°03'30" East, 514.28 feet;
 330 thence North 01°48'02" West, normal to the South line of the Northwest
 331 Quarter of said Section 25, 80.00 feet, to an intersection with said South
 332 line at a point which is 1149.74 feet east of the Southwest corner of said
 333 Northwest Quarter; thence continuing North 01°48'02" West, to an
 334 intersection with a line which is 20 feet north of the South line of the
 335 Northwest Quarter of said Section 25; thence westerly, on a line which is
 336 20 feet north of the South line of the Northwest Quarter of said Section
 337 25, to an intersection with the East line of Section 26, Township 12 South,
 338 Range 15 east of the 6th P.M.; thence continuing westerly, parallel with
 339 and 20.00 feet north of the South line of the North Half of said Section 26
 340 to the East line of Burlingame Road; thence northerly on the East line of
 341 Burlingame Road to an intersection with the North line of S.W. 45th
 342 Street, extended from the west, said North line of S.W. 45th Street being
 343 30.00 feet north of the South line of Section 23, Township 12 South,
 344 Range 15 east of the 6th P.M.; thence westerly, parallel with and 30.00
 345 feet north of the South line of said Section 23 to an intersection with the
 346 West line of the East Half of the Southeast Quarter of Section 23; thence
 347 northerly on the West line of the East Half of the Southeast Quarter of
 348 Section 23, to an intersection with the North line of the Southeast Quarter
 349 of said Section 23; thence westerly, on the North line of said Southeast
 350 Quarter, to the Northeast corner of the Southwest Quarter of Section 23,
 351 Township 12 South, Range 15 east of the 6th P.M.; thence on an
 352 assumed bearing of South 87°44'36" West, on the North line of said
 353 Southwest Quarter, to the Northeast Quarter of Lot 4, Block 'B' in Misty
 354 Harbor Estates No. 2 Subdivision; thence South 08°11'25" West, 149.95
 355 feet; thence on a curve concave southerly, having a radius measure of
 356 537.50 feet and an arc length of 22.92 feet, the chord of which bears
 357 South 80°35'17" East, 22.92 feet; thence South 10°38'02" West, 250.08
 358 feet; thence South 88°30'14" East, 53.58 feet; thence South 71°00'42"
 359 East, 57.83 feet; thence South 01°29'46" East, 281.87 feet; thence South
 360 88°30'14" West, 75.00 feet; thence South 01°28'50" East, 522.53 feet;
 361 thence South 88°30'14" West, 27.13 feet; thence South 01°29'46" East.
 362 260.63 feet, to the Southeast corner of Lot 1, Block 'E' in Misty Harbor

363 Estates No. 2 Subdivision; thence North 88°30'14" East, 30.00 feet;
 364 thence South 01°29'46" East, 160.00 feet; thence North 88°30'14" East,
 365 190.00 feet; thence southerly on a curve concave easterly, having a
 366 radius measure of 297.20 feet and an arc length of 39.52 feet, the chord
 367 of which bears South 5°18'16" East, 39.49 feet; thence North 88°30'14"
 368 East, 261.69 feet; thence South 7°36'14" East, 241.38 feet; thence South
 369 88°30'14" West, 150.00 feet; thence South 1°29'46" East, 320.00 feet;
 370 thence North 88°30'14" East, 669.05 feet; thence South 1°28'50 East, on
 371 the East line of said Southwest Quarter, 385.25 feet, to the Northeast
 372 corner of the Northwest Quarter of Section 26, Township 12 South, Range
 373 15 east of the 6th P.M.; thence South 00°09'12" East, on the East line of
 374 said Northwest Quarter, 1299.00 feet; thence South 56°16'49" West,
 375 720.00 feet; thence South 00°09'12" East, parallel with the East line of
 376 said Northwest Quarter, 919.99 feet; thence South 89°02'19" West, on a
 377 line which is 45 feet north of the South line of said Northwest Quarter,
 378 708.43 feet; thence westerly, on a curve concave southerly, having a
 379 radius measure of 447.50 feet and an arc length of 35.26 feet, the chord
 380 of which bears South 86°46'54" West, 35.25 feet, to a point which is 16.84
 381 feet north of the Southeast corner of Lot 9 Block "G", in Colly Creek
 382 Subdivision No. 6; thence on an assumed bearing of South 00°13'06"
 383 East, on the East line of the West Half of the Northwest Quarter of Section
 384 26, Township 12 South, Range 15 east of the 6th P.M., 16.84 feet, to the
 385 Southeast corner of Lot 9, Block "G" in Colly Creek Subdivision No. 6;
 386 thence on a 460.00 foot radius curve to the right, 264.29 feet; thence
 387 North 79°51'05" West, 493.87 feet; thence on a 540.00 foot radius curve
 388 to the left, 410.24 feet; thence South 56°37'15" West, 38.90 feet; thence
 389 on a 460.00 foot radius curve to the right, 206.79 feet; thence South
 390 82°22'40" West, 261.54 feet; thence North 83°24'11" West, 163.01 feet;
 391 thence westerly, 80 feet south of and parallel with the South line of the
 392 Northeast Quarter of Section 27, Township 12 South, Range 15 east of
 393 the 6th P.M., 429.69 feet; thence North 73°38'13" West, 382.80 feet;
 394 thence North 00°20'44" West, 139.53 feet; thence North 89°44'11" East,
 395 217.86 feet; thence North 00°15'49" West, 400.00 feet; thence South
 396 89°44'11" West, 85.12 feet; thence North 00°15'49" West, 200.00 feet;
 397 thence South 89°44'11" West, 58.01 feet; thence North 00°15'49" West,
 398 200.00 feet; thence South 89°44'11" West, to an intersection with the East
 399 line of S.W. Gage Boulevard; thence North 00°39'50" West, 860.02 feet;
 400 thence North 89°44'11" East, 250.39 feet; thence North 00°15'39" West,
 401 200.00 feet; thence South 89°44'11" West, 251.79 feet; thence North
 402 00°39'50" West, 636.15 feet, to a point on the South line of Section 22,
 403 Township 12 South, Range 15 east of the 6th P.M.; thence westerly, on
 404 said line 11.76 feet to the Southwest corner of Lot 4 in said Section 22;
 405 thence continuing westerly on said South line, to an intersection with a line
 406 which is 30 feet west of the East line of Lot 5 in said Section 22; thence
 407 northerly, on a line which is 30 feet west of the East line of Lots 5, 6 and 7

in said Section 22, to a point which is 502.00 feet north and 30 feet west
 of the Southeast corner of said Lot 7; thence westerly, on the South line of
 S.W. 40th Street, and its extension, to the Southwest corner of Blackburn
 Subdivision; thence northerly, to the Northwest corner of Lot 1, Block 'A' in
 Blackburn Subdivision; thence easterly, on the North line of Blackburn
 Subdivision, and its extension, to an intersection with a line which is 30
 feet west of the East line of said Lot 7; thence northerly, on a line which is
 30 feet west of the East lines of Lots 7 and 8 in said Section 22 to an
 intersection with the North line of Section 22; thence west on the North
 line of Section 22 to a point 527.20 feet east of the Northeast corner of the
 Northwest Quarter of Section 22, Township 12 South, Range 15 east of the
 6th P.M.; thence on an assumed bearing of South 00°47'14" West,
 1321.98 feet; thence North 89°29'14" West, 527.19 feet; thence North
 89°23'29" West, 2650.19 feet, to an intersection with the West line of
 Section 22; thence southerly on the West line of said section to the East
 Quarter corner of Section 21, Township 12 South, Range 15 east of the
 6th P.M.; thence on an assumed bearing of South 88°46'43" West, on the
 North line of the Southeast Quarter of said Section 21, 464.91 feet;
 thence South 54°02'14" West, 363.09 feet; thence South 50°29'18" West,
 44.16 feet; thence southwesterly, on a curve concave northwesterly,
 having a radius measure of 1030.00 feet and an arc length of 710.30 feet,
 the chord of which bears South 70°14'39" West, 696.31 feet; thence
 South 90°00'00" West, 8.57 feet; thence northwesterly, on a curve
 concave northeasterly, having a radius measure of 810.00 feet and an arc
 length of 272.67 feet, the chord of which bears North 80°21'22" West,
 271.39 feet; thence North 70°42'44" West, 708.74 feet; thence
 northwesterly, on a curve concave southwesterly, having a radius
 measure of 966.50 feet and an arc length of 348.32 feet, the chord of
 which bears North 81°02'12" West, 346.44 feet; thence South 88°38'20"
 West, 332.17 feet; thence South 86°43'47" West, 180.10 feet; thence
 South 88°38'20" West, 35.22 feet; thence South 01°21'40" East, 51.49
 feet; thence South 34°56'17" West, 344.26 feet; thence South 03°56'09"
 West, 122.53 feet; thence South 11°52'54" West, 231.70 feet; ; thence
 South 89°06'31" East, 71.26 feet; thence South 67°46'48" East, 126.07
 feet; thence South 49°59'15" East, 218.99 feet; thence South 28°03'34"
 East, 130.00 feet; thence South 00°23'53" East, 154.39 feet; thence
 South 76°03'46" West, 147.76 feet; thence southerly, on a curve concave
 westerly, having a radius measure of 412.00 feet and an arc length of
 155.03 feet, the chord of which bears South 00°28'07" West, 154.12 feet;
 thence South 70°02'14" East, 187.76 feet; thence South 86°46'44" East,
 149.34 feet; ; thence South 67°24'25" East, 163.14 feet; thence South
 42°41'52" East, 80.40 feet; thence South 24°46'56" East, 142.36 feet;
 thence South 68°32'44" East, 173.53 feet; thence South 32°54'02" East,
 129.08 feet; thence South 00°32'09" East, 213.07 feet; thence South
 16°50'03" West, 30.00 feet; thence westerly, on a curve concave

southerly, having a radius measure of 530.00 feet and an arc length of 124.82 feet, the chord of which bears North 79°54'45" West 124.53 feet; thence South 03°20'26" West, 60.00 feet; thence westerly, on a curve concave southerly, having a radius measure of 470.00 feet and an arc length of 28.84 feet, the chord of which bears North 88°25'02" West, 28.83 feet; thence South 00°38'39" East, 149.80 feet; thence South 89°27'34" West, 645.28 feet; thence North 00°40'39" West, 224.59 feet; thence South 89°28'25" West, 896.92 feet; thence North 00°30'03" West, 462.09 feet; thence South 87°33'24" West, 826.16 feet; to the northeast corner of Elevation Hill Subdivision; thence South 88°36'57" West, 227.50 feet; thence North 01°10'51" West, on a line which is 52.50 feet east of the west line of the southwest quarter of said Section 21, to an intersection with a line which is 30.00 feet north of the South line of the North Half of the Southeast Quarter of Section 20, Township 12 South, Range 15 east of the 6th P.M.; thence westerly, on said extension, to an intersection with the East line of said Southeast Quarter; thence westerly, on a line which is 30.00 feet north of the South line of the North Half of said Southeast Quarter, 100.00 feet; thence southerly, parallel with the East line of said Southeast Quarter, to an intersection with the South line of the North Half of said Southeast Quarter; thence on an assumed bearing of South 89°28'33" West, on the South line of the North Half of said Southeast Quarter, 726.34 feet, to the Northeast corner Lot 4, Block 'D' in Brian's Addition No. 3; thence South 25°50'40" East 202.34 feet to the East corner of Lot 5, Block 'D' in Brian's Addition No. 3; thence southwesterly on a curve concave southeasterly, having a radius measure of 280.00 feet and an arc length of 55.87 feet, the chord of which bears South 58°22'32" West, 55.78 feet; thence southwesterly on a curve concave northwesterly, having a radius measure of 220.00 feet and an arc length of 23.68 feet, the chord of which bears South 55°44'31" West, 23.67 feet; thence South 31°09'29" East, 312.31 feet to the most northerly East corner of Lot 1, Block 'E' in Brian's Addition No. 3; thence South 00°49'39" East 78.55 feet to the Southeast corner of Brian's Addition No. 3; thence North 89°28'53" East on the North line of Lauren's Bay Villas No.2, to the Northeast corner of Lot 15, Block A in said subdivision; thence South 0°54'31" East on a line which is 60.00 feet west of the East line of the Southeast Quarter of Section 20, Township 12 South, Range 15 east of the 6th P.M., to an intersection with the South line of said Southeast Quarter; thence South 0°18'18" East, on a line which is 60.00 feet west of the East line of the Northeast Quarter of Section 29, Township 12 South, Range 15 east of the 6th P.M., to the Southeast corner of Lot 30, Block B in Lauren's Bay Villas No. 2; thence North 89°45'29" West, 375.60 feet to the Southwest corner of Lot 29, Block B in said subdivision; thence South 0°18'18" East, 200.00 feet to the Southeast corner of Lot 7 in Block B in said subdivision; thence North 89°45'29" West on the South line of the Pottawatomie Reserve, 820.94 feet to the Northwest corner of Lot 1, Block E in Woodland Heights 2nd

499 Subdivision; thence South 0°15'48" East on the West line of Woodland
 500 Height 2nd Subdivision, 405.65 feet; thence South 0°10'48" East on the
 501 West lines of Woodland Heights Subdivision No. 3 and Woodland
 502 Heights 2nd Subdivision, 220.00 feet; thence North 89°39'50" East on the
 503 South line of SW 46th Terrace, formerly SW 47th Street Terrace as
 504 platted in Woodland Heights 2nd Subdivision, 195.70 feet; thence South
 505 0°17'38" East on the West line of Lot 2, Block "G" in Woodland Heights
 506 2nd Subdivision, 155.00 feet; thence North 89°42'22" East on the South
 507 line of Lot 2, Block "G" in Woodland Heights 2nd Subdivision, 244.57 feet;
 508 thence South 0°18'26" East on a West line of Woodland Heights 2nd
 509 Subdivision, 214.07 feet; thence North 89°40'25" East on a South line of a
 510 public street platted in Woodland Heights 2nd Subdivision, 107.64 feet;
 511 thence northeasterly on a South line of a public street platted in Woodland
 512 Heights 2nd Subdivision, on a curve concave northwesterly, having a
 513 radius measure of 282.00 feet and an arc length of 168.26 feet, the chord
 514 of which bears North 72°34'49" East, 165.78 feet; thence South 34°33'36"
 515 East on the Southwest line of Lot 5, Block "C" in Woodland Heights 2nd
 516 Subdivision, 261.85 feet; thence South 30°20'26" East, 182.33 feet;
 517 thence North 89°45'39" East, 44.40 feet; thence South 30°23'44" East,
 518 59.89 feet to a point on the South line of Algonquin Trafficway as platted
 519 in Woodland Heights Subdivision; thence North 59°44'00" East on the
 520 South line of Algonquin Trafficway, 31.97 feet; thence northeasterly on the
 521 South line of Algonquin Trafficway on a curve concave southeasterly,
 522 having a radius measure of 222.00 feet and an arc length of 116.20 feet,
 523 the chord of which bears North 75°02'50" East, 114.89 feet; thence North
 524 89°41'27" East on the South line of Algonquin Trafficway, 40.04 feet to an
 525 intersection with a line which is 60 feet west of the East line of said
 526 Northeast Quarter; thence South 0°19'43" East parallel with the East line
 527 of said Northeast Quarter, 386.19 feet to a point on the North line of
 528 Algonquin Trafficway as platted in Woodland Heights Subdivision; thence
 529 South 89°40'16" West on the North line of said Algonquin Trafficway,
 530 40.00 feet; thence westerly on the North line of said Algonquin Trafficway,
 531 on a curve concave northerly, having a radius measure of 792.00 feet and
 532 an arc length of 142.16 feet, the chord of which bears North 84°50'50"
 533 West, 141.97 feet to an intersection with an extension of the West line of
 534 Block D in Woodland Heights Subdivision; thence South 10°30'07" West
 535 on the West line of said Block D and its extension, 636.35 feet to the
 536 Southwest corner of Lot 3 in said Block D; thence South 89°16'56" West
 537 on the South line of said Northeast Quarter, 398.96 feet; thence South
 538 0°15'47" East parallel with the East line of the Southeast Quarter of said
 539 Section 29, 1128.48 feet to a point 198.0 feet north of the South line of
 540 the Northeast Quarter of said Southeast Quarter; thence North 88°57'31"
 541 East, 99.94 feet; thence South 0°17'00" East, 198.12 feet to a point on the
 542 South line of the Northeast Quarter of said Southeast Quarter which is
 543 660.00 feet west of the Southeast corner of the Northeast Quarter of said

Southeast Quarter; thence North 89°11'00" East on the North line of the Southeast Quarter of the Southeast Quarter of said Section 29, 620.00 feet to an intersection with a line which is 40.00 feet west of the East line of said quarter-quarter section; thence South 0°15'52" East, parallel with the East line of said quarter-quarter section, 1189.27 feet; thence South 16°46'48" West, 53.30 feet to a point which is 85.00 feet north of the South line of the Southeast Quarter of the Southeast Quarter of said Section 29 and 55.62 feet west of the East line of said quarter-quarter section; thence South 77°37'36" West, 80.57 feet to a point which is 69.00 feet north of the South line of said quarter-quarter section; thence South 0°57'05" East, 29.00 feet; thence South 89°02'55" West on a line which is 40.00 feet north of the South line of said quarter-quarter section, 335.89 feet; thence South 0°57'05" East, 15.00 feet; thence South 89°02'55" West on a line which is 25.00 feet north of the South line of the Southeast Quarter of the Southeast Quarter of said Section 29, 848.08 feet to an intersection with the West line of said quarter-quarter section; thence North 0°19'05" West on the West line of said quarter-quarter section, 1303.00 feet to the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section 29; thence South 89°11'00" West on the South line of the North Half of the Southeast Quarter of said Section 29, 1319.04 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 29; thence North 0°30'27" West on the West line of the North Half of the Southeast Quarter of said Section 29, 1329.04 feet to the Northwest corner of the Southeast Quarter of said Section 29; thence South 89°19'02" West, on the South line of the Southeast Quarter of the Northwest Quarter of said Section 29, 1319.13 feet; thence North 0°30'32" West on the West line of the Southeast Quarter of the Northwest Quarter of said Section 29 and on the West line of the East Half of Lot 2 in the Northwest Quarter of said Section 29, 1693.97 feet; thence North 89°49'59" East, 676.36 feet; thence North 0°32'21" West, 673.72 feet to a point on the North line of Lot 2 in the Northwest Quarter of said Section 29, also being the Southwest corner of Lot 3, Block C in Bridle Path Acres Subdivision; thence North 89°51'00" East on the North line of Lot 2 in the Northwest Quarter of said Section 29, 650.24 feet to the Northeast corner of said Lot 2; thence North 00°25'18" West, on the West line of the Northeast Quarter of Section 29, Township 12 South, Range 15 east of the 6th P.M., 308.95 feet, to the Southwest corner of the Southeast Quarter of said Section 20; thence North 00°39'49" West, 1314.81 feet, to the Northwest corner of the Southwest Quarter of said Southeast Quarter; thence northerly, on the West line of said Southeast Quarter, also being on the West line of Monarch Meadow Subdivision, 1320.79 feet, to the Northwest corner of said Southeast Quarter; thence on an assumed bearing of North 00°39'56" West, on the West line of the Northeast Quarter of said Section 20, 1321.86 feet, to the Northwest corner of Lot 8, Block "B" in South Branch Subdivision; thence on an assumed bearing of North 00°39'11"

West, 376.40 feet; thence South 57°47'36" East, 129.93 feet; thence
 North 18°16'12" East, 45.99 feet; thence North 89°19'37" East, 91.26 feet;
 thence South 07°42'39" West, 111.46 feet to the front common lot corner
 of Lots 9 and 10, Block "A", Glenwood Subdivision also being on the North
 line of S.W. 38th Place; thence southerly and easterly on said North line
 and its extension across S.W. Arvon Place to the Southwest corner of
 Lot 28, Block "B", Glenwood Subdivision; thence North 00°40'23" West,
 on the West lines of Lots 28 through 15, Block "B" to the Northwest corner
 of said Lot 15, being on the South line of S.W. 37th Street; thence
 easterly on said South line, to an intersection with the West line of
 Shadywood West Subdivision, when extended southerly; thence northerly
 on said extension to the North line of S.W. 37th Street; thence North
 00°47'12" West, 1280.10 feet; thence North 00°13'15" East, 529.59 feet;
 thence South 89°20'15" West, 340.00 feet; thence North 00°13'15" East,
 200.00 feet to the South line of S.W. 34th Terrace; thence South 89°
 20'15" West, 100.00 feet; thence North 00°13'15" East, 270.02 feet;
 thence North 89°20'15" East, 100.00 feet; thence North 00°13'15" East,
 321.13 feet, to the North line of the Southeast Quarter of Section 17,
 Township 12 South, Range 15 east of the 6th P.M.; thence easterly on the
 North line of said Southeast Quarter, 1424.63 feet; thence on an assumed
 bearing of South 00°17'23" East, 208.71 feet; thence North 89°20'50"
 East, to the West line of S.W. Wanamaker Road; thence northerly on the
 West line of Wanamaker Road to the South line of Crestridge Square
 Subdivision No. 2; thence on an assumed bearing of South 89°37'17"
 West, to the Southwest corner of Lot 9, Block "A" of said subdivision;
 thence westerly, on the South line of Mission Center Subdivision No. 1, to
 the Southwest corner of said subdivision also being on the West line of
 the Northeast Quarter of Section 17; thence northerly, on said West line to
 the Southeast corner of the Southwest Quarter of Section 8, Township 12
 South, Range 15 east of the 6th P.M.; thence northerly, on the East line of
 said Southwest Quarter, to the Southeast corner of Lot 19, Block "A",
 Southwest Meadows Subdivision; thence westerly, on the North line of
 S.W. 29th Street, and its extensions to the Southeast corner of Lot 1,
 Block "A", Mission Woods Subdivision No. 2; thence westerly on a line
 which is 50 feet north of the South line of the Southwest Quarter of
 Section 8, Township 12 South, Range 15 east of the 6th P.M. to a point
 which is 738.59 feet east of the Southwest corner of said Southwest
 Quarter; thence westerly on the North line of S.W. 29th Street, to an
 intersection with an extension of the East line of Sherwood Estates
 Subdivision No. 23; thence southerly on the East line of Sherwood
 Estates Subdivision No. 23, and its extension, to the Southeast corner of
 said subdivision; thence westerly on the South line of said subdivision to
 an intersection with the East line of S.W. Urish Road, being a line which is
 40 feet east of the West line of the Northwest Quarter of Section 17,
 Township 12 South, Range 15 east of the 6th P.M.; thence northerly,
 parallel with the West line of the Northwest Quarter of said Section 17 to

an intersection with the North Line of said Northwest Quarter; thence
 northerly on a line which is 40 feet east of the West line of the Southwest
 Quarter of Section 8, Township 12 South, Range 15 east of the 6th P.M.,
 to an intersection with an extension of the North line of SW 29th Street
 from the East, also being a line which is 50 feet north of the South line of
 said Southwest Quarter; thence westerly parallel with the South line of the
 Southwest Quarter of said Section 8 to an intersection with the West line
 of said Southwest Quarter; thence west-southwesterly to the intersection
 of the West line of Urish Road and the North line of SW 29th Street, being
 an intersection of a line which is 40 feet west of the East line of the
 Southeast Quarter of Section 7, Township 12 South, Range 15 east of the
 6th P.M. with a line which is 40 feet north of the South line of said
 Southeast Quarter; thence northerly on said West line of Urish Road to
 the Southeast corner of Lot 1, Block "A", Good Shepherd Lutheran Church
 Subdivision; thence westerly on the South line of said Lot 1, 458.98 feet,
 to the East line of Lot 2, Block "A", of said subdivision; thence southerly on
 the East line of said Lot 2 to the North line of S.W. 29th Street; thence
 westerly on said North line to the Southwest corner of Lot 1, Block "A",
 Tallgrass Subdivision; thence northerly on the West line of said Lot 1,
 1268.94 feet, to an intersection with the South line of the North Half of the
 South Half of Section 7, Township 12 south, Range 15 East of the 6th
 P.M.; thence westerly on the South line of the North Half of said South
 Half to a point that is 694.00 feet easterly of the West line of the
 Southwest Quarter of said Section 7; thence northerly, parallel with said
 West line, 200.00 feet; thence westerly parallel with the South line of the
 North Half of the Southwest Quarter, 654.00 feet, more or less, to an
 intersection with a line which is 25 feet east of the West line of said
 Southwest Quarter; thence southerly, parallel with the West line of said
 Southwest Quarter, to an intersection with the South line of the North Half
 of said Southwest Quarter; thence westerly on the South line of the North
 Half of said Southwest Quarter, to the Northeast corner of the South Half
 of the Southeast Quarter of Section 12, Township 12 South, Range 14
 east of the 6th P.M.; thence westerly on the North line of the South Half of
 said Southeast Quarter, to an intersection with a line which is 52.50 feet
 west of the East line of said Southeast Quarter; thence on an assumed
 bearing of South 00°01'43" West, on a line which is parallel with the East
 line said Southeast Quarter, also being the West line of S.W. Indian Hills
 Road, to the most southerly Northeast corner of Lot 9, Block "D" in
 Sherwood Park Subdivision; thence South 05°44'27" West, 120.60 feet to
 an East corner of Lot 8, Block "D" in Sherwood Park Subdivision; thence
 South 00°01'43" West, 161.79 feet to an East corner of Lot 7, Block "D" in
 Sherwood Park Subdivision; thence South 45°31'42" West, 39.25 feet to a
 South corner of said Lot 7; thence North 88°58'19" West, 11.79 feet to a
 South corner of said Lot 7; thence South 87°12'50" West, 180.40 feet to a
 South corner of Lot 6, Block "D" in Sherwood Park Subdivision which is
 50.50 feet east of the Southwest corner of said Lot 6; thence North

88°58'19" West, on a line which is 52.50 feet north of the South line of said Southeast Quarter, to an intersection with the West line of said Southeast Quarter; thence on an assumed bearing of North 88°58'19" West, on a line which is 52.50 feet north of the Southwest Quarter of said Section 12, 748.83 feet to the Southwest corner of Lot 4, Block 'A' in Sherwood Park Subdivision No. 8; thence North 01°01'41" East, 1290.30 feet to the Northwest corner of Lot 31, Block 'A' in said subdivision; thence North 88°58'19" West, 64.07 feet to the Southwest corner of S.W. 27th Street in Sherwood Park Subdivision No. 8; thence North 00°09'46" East, 227.81 feet to the Northwest corner of Lot 1, Block 'C' in said subdivision; thence North 89°50'11" West 291.66 Feet; thence North 61°14'14" West, 478.62 feet; thence North 00°09'49" East, 900.00 feet to an intersection with the North line of said Southwest Quarter; thence South 89°01'00" East on the North line of said Southwest Quarter, 1494.56 feet to the Northwest corner of the Southeast Quarter of said Section 12; thence easterly to the Northeast corner of said Southeast Quarter; thence easterly on the South line of the Northwest Quarter of Section 7, Township 12 South, Range 15 east of the 6th P.M., to an intersection with a line which is 40 feet east of the West line of said Northwest Quarter; thence on an assumed bearing of North 01°22'07" West, on a line which is 40 feet east of the West line of the last said Northwest Quarter, to an intersection with an extension of the South line of Miller's Glen Subdivision; thence South 88°37'53" West, 40.00 feet, to the Southeast corner of Miller's Glen Subdivision; thence continuing on South 88°37'53" West, 192.50 feet; thence North 84°56'23" West, 178.62 feet; thence South 88°37'53" West, 105.00 feet; thence North 01°22'07" West, 130.00 feet; thence South 88°37'53" West, 125.00 feet; thence South 70°02'33" West, 411.40 feet; thence South 43°37'53" West, 472.50 feet; thence North 01°19'36" West, on the West line of the East Half of the Northeast Quarter of Section 12, Township 12 South, Range 14 east of the 6th P.M., 1623.48 feet to a point on a line which is 52.50 feet south of the North line of said Northeast Quarter; thence North 89°33'47" East, parallel with the North line of said Northeast Quarter, 765.65 feet; thence South 00°26'13" East, 38.58 feet; thence southeasterly, on a curve concave northeasterly, having a radius measure of 100.00 feet and an arc length of 78.54 feet, the chord of which bears South 22°56'13" East, 76.54 feet; thence South 45°26'13" East, 193.72 feet; thence southeasterly, on a curve concave southwesterly, having a radius measure of 200.00 feet and an arc length of 107.09 feet, the chord of which bears South 30°05'49" East, 105.82 feet; thence South 14°45'26" East, 41.00 feet; thence southeasterly, on a curve concave northeasterly, having a radius measure of 200.00 feet and an arc length of 110.34 feet, the chord of which bears South 30°33'47" East, 108.95 feet; thence South 46°22'07" East, 168.38 feet; thence North 88°37'53" East, 110.00 feet, to a point on a line which is 52.50 feet west of the East line of said Northeast Quarter, thence South 01°22'07" East,

parallel with the East line of said Northeast Quarter, 329.06 feet; thence
 North $87^{\circ}04'11''$ East, 52.52 feet, to the Southwest corner of the North
 966.50 feet of the Northwest Quarter of Section 7, Township 12 South,
 Range 15 east of the 6th P.M.; thence on an assumed bearing of North
 $88^{\circ}26'14''$ East, on the South line of said North 966.50 feet, to an
 intersection with the West line of the Northeast Quarter of Section 7,
 Township 12 South, Range 15 east of the 6th P.M.; thence northerly on
 the West line of the Northeast Quarter of said Section 7 to the Northwest
 corner of said Northeast Quarter; thence northerly to the Southwest
 corner of Tract 16 in Busby Subdivision; thence easterly to the Southwest
 corner of Tract 2 in Busby Subdivision; thence northerly to the Northwest
 corner of said Tract 2; thence easterly on the North line of Busby
 Subdivision, and its extension, to an intersection with a line which is 30
 feet east of the West line of the Southwest Quarter of Section 5, Township
 12 South, Range 15 east of the 6th P.M.; thence southerly parallel with the
 West line of said Southwest Quarter to the Southwest corner of Lot 45 in
 Broadview Acres; thence westerly on an extension of the South line of
 said Lot 45 to an intersection with a line which is 25 feet east of the West
 line of said Southwest Quarter; thence southerly parallel with the West
 line of said Southwest Quarter to an intersection with a line which is 30
 feet north of the South line of said Southwest Quarter; thence easterly
 parallel with the South line of said Southwest Quarter to an intersection
 with an extension of the East line of Lot 4, Block "D" in Brookfield West
 Subdivision No. 3; thence southerly on said extension to the North line of
 the Northwest Quarter of Section 8, Township 12 South, Range 15 east of
 the 6th P.M.; thence southerly on said extension and on the East line of
 said Lot 4, 268.00 feet; thence east 163.00 feet; thence northerly on the
 West lines of Lots 10 and 11, Block "D" in Brookfield West Subdivision
 No. 3, to the Northwest corner of said Lot 11; thence easterly on a line
 which is 50 feet south of the North line of said Northwest Quarter to an
 intersection with an extension of the West line of the East Half of the East
 Half of the Southwest Quarter of Section 5, Township 12 South, Range 15
 east of the 6th P.M.; thence northerly, to the Northwest corner of the East
 Half of the East Half of said Southwest Quarter; thence easterly to the
 Northeast corner of the East Half of the East Half of said Southwest
 Quarter; thence northerly on the West line of the Northeast Quarter of
 said Section 5 to the Southeast corner of Lot 1, Block A, Arbor Valley
 Subdivision; thence on an assumed bearing of South $87^{\circ}53'48''$ West, on
 the South line of the last said Lot 1, 970.07 feet; thence North $00^{\circ}39'52''$
 West, on the West line of Arbor Valley Subdivision, 1617.77 feet to a point
 on a line which is 30 feet south of the North line of said Northwest
 Quarter; thence South $87^{\circ}53'48''$ West on a line which is 30 feet south of
 the North line of the Northwest Quarter of said Section 5, 1601.44 feet to
 a point on a line which is 25 feet east of the West line of said Northwest
 Quarter; thence North $00^{\circ}53'14''$ East, parallel with the West line of said
 Northwest Quarter, 30.04 feet to a point on the North line of said

773 Northwest Quarter; thence North 01°50'24" West, on a line which is 25
 774 feet east of the West line of the Southwest Quarter of Section 32,
 775 Township 11 South, Range 15 east of the 6th P.M., 552.48 feet; thence
 776 North 87°53'51" East, 620.82 feet; thence north-northeasterly on a curve
 777 concave easterly, having a radius measure of 288.50 feet and an arc
 778 length of 236.75 feet, the chord of which bears North 22°25'24" East,
 779 230.03 feet; thence North 37°31'27" East, 73.75 feet; thence North
 780 87°53'51" East, 67.65 feet; thence South 61°37'24" East, 93.15 feet;
 781 thence North 87°18'00" East, 381.34 feet to a point on the West line of the
 782 Southeast Quarter of the Southwest Quarter of said Section 32; thence
 783 South 01°46'12" East on the West line of the Southeast Quarter of the
 784 Southwest Quarter of said Section 32, 111.59 feet to the Northwest corner
 785 of the South Half of the Southeast Quarter of the Southwest Quarter of
 786 said Section 32; thence North 87°54'38" East on the North line of said
 787 South Half, 1316.47 feet to a point on the West line of the Southeast
 788 Quarter of said Section 32; thence North 01°41'55" West on the West line
 789 of the Southeast Quarter of said Section 32, 666.05 feet, to the Northwest
 790 corner of the South Half of the Southeast Quarter of Section 32; thence
 791 easterly on the North line of the South Half of said Southeast Quarter,
 792 186.92 feet, to the Westerly right-of-way line of U.S. Interstate Highway
 793 470; thence northwesterly, on said Westerly right-of-way line, to a point on
 794 the North line of S.W. 10th Street; thence westerly on the North line of
 795 S.W. 10th Street, to an intersection with an extension of the East line of
 796 Red Oaks Place; thence on an assumed bearing of South 01°35'05" East,
 797 on the East line of Red Oaks Place, and its extension, 1367.31 feet, to the
 798 Southeast corner of Red Oaks Place; thence South 87°55'48" West,
 799 1090.50 feet, to the East line of Urish Road; thence North 01°50'38" West,
 800 on the East line of Urish Road, and its extensions, 1327.96 feet, to an
 801 intersection with the North line of the Southwest Quarter of Section 32,
 802 Township 11 South, Range 15 east of the 6th P.M.; thence South
 803 87°57'54" West, on the North line of said Southwest Quarter, to the
 804 Southeast corner of the Northeast Quarter of Section 31, Township 11
 805 South, Range 15 east of the 6th P.M.; thence South 87°16'57" West on the
 806 South line of said Northeast Quarter, 40.01 feet; thence North 01°42'41"
 807 West parallel with the East line of said Northeast Quarter, 40.01 feet to
 808 the Southeast corner of Lot 1, Block 'A' in Gail Subdivision; thence South
 809 87°16'57" West on the South line of Lot 1, 418.68 feet; thence South
 810 89°11'01" West on the North line of SW 10th Street, 509.17 feet; thence
 811 North 70°28'23" West on the North line of SW 10th Street, 251.06 feet to
 812 the West corner of Lot 12, Block 'A' in Gail Subdivision; thence North
 813 58°39'21" West, 60.29 feet to the South corner of Lot 2, Block 'A' in Gail
 814 Subdivision; thence northwesterly on the Southwest line of Lot 2 being a
 815 curve concave northeasterly, having a radius measure of 527.96 feet and
 816 an arc length of 130.17 feet, the chord of which bears North 43°36'28"
 817 West, 129.84 feet; thence North 01°04'20" West on the West line of Gail

Subdivision, 631 43 feet to the Northwest corner thereof; thence North
 87°24'52" East on the North line of Gail Subdivision, 835.00 feet; thence
 South 89°30'42" East on the North line of Gail Subdivision, 375.50 feet to
 a point on the West line of SW Urish Road; thence South 11°48'27" East
 on the West line of Urish Road, 409.64 feet; thence North 88°17'19" East,
 75.00 feet to an intersection with a line which is 25 feet east of the West
 line of the Northwest Quarter of Section 32, Township 11 South, Range
 15 east of the 6th P.M.; thence North 01°42'41" West, parallel with the
 West line of said Northwest Quarter, to an intersection with the North line
 of said Northwest Quarter; thence North 87°45'17" East, 2613.78 feet, to
 the Northwest corner of the Northeast Quarter of Section 32, Township 11
 South, Range 15 east of the 6th P.M.; thence easterly, on the South line of
 the Southeast Quarter of Section 29, Township 11 South, Range 15 east
 of the 6th P.M., 134.78 feet; thence northerly, at a right angle, 30.00 feet;
 thence westerly, parallel with the South line of said Southeast Quarter,
 134.33 feet; thence Northerly, on the West line of said Southeast Quarter,
 to the Northwest corner of Lot 15, Block 'A' in River Hill Residential
 Subdivision; thence westerly on the North line of the South Half of the
 Southwest Quarter of said Section 29, to the most westerly Southwest
 corner of Lot 13, Block 'A' in River Hill Residential Subdivision; thence
 northerly to the Northwest corner of said Lot 13; thence easterly, to the
 Northeast corner of Lot 11, Block 'A' in River Hill Residential Subdivision;
 thence southerly, to the Northwest corner of Lot 10, Block 'A' in River Hill
 Residential Subdivision; thence on an assumed bearing of North
 87°45'41" East, on a North line of River Hill Residential Subdivision,
 996.42 feet; thence North 00°42'20" West, 39.40 feet; thence North
 87°45'41" East, on a North line of River Hill Residential Subdivision,
 330.00 feet, to an intersection with the West line of the Southwest Quarter
 of Section 28, Township 11 South, Range 15 east of the 6th P.M.; thence
 on an assumed bearing of North 01°23'09" East, on the West line of the
 last said Southwest Quarter, to the Southwest corner of the Northwest
 Quarter of said Section 28; thence North 00°27'26" East, on the West line
 of said Northwest Quarter, to the Northwest corner of Lot 1, Block A in
 Menninger Subdivision; thence easterly, on the North line of said Lot 1, to
 the Northeast corner of said Lot 1; thence northerly, on the West line of
 the Northeast Quarter of said Section 28, to the South bank of the Kansas
 River; thence continuing northerly on the West lines of the East Halves of
 Sections 28 and 21, Township 11 south, Range 15 east of the 6th P.M., to
 the North line of Lower Silver Lake Road; thence east on the North line of
 Lower Silver Lake Road to the East line of Menoken Road; thence
 northerly on the East line of Menoken Road, 1281.10 feet; thence easterly
 on the North line of Sun Valley Subdivision No. 2 to the Northeast corner
 thereof; thence southerly on the East line of said subdivision, 1279.38
 feet, to the North line of Lower Silver Lake Road; thence easterly on said
 North line to the West line of Kaw Half-Breed Reserve No. 1; thence north
 on the West line of Kaw Half-Breed Reserve No. 1, to the Northwest

corner of said Reserve No. 1; thence northeasterly to the intersection of
 the North right-of-way line of U.S. Highway No. 24 and the West line of
 the Southwest Quarter of Section 14, Township 11 South, Range 15 east
 of the 6th P.M. said point being 100.00 feet north of the Centerline of U.S.
 Highway 24; thence on an assumed bearing of North 00°25'08" West,
 1065.79 feet, to a point which is 287.2 feet south of the Northwest corner
 of said Southwest Quarter, being an intersection with the Northwest line of
 US Highway 75; thence South 52°13'52" West, on the Northwest line of
 US Highway 75, 25.16 feet; thence North 00°25'08" West, on a line which
 is 20 feet west of the East line of Lot 3 in Section 15, Township 11 South,
 Range 15 east of the 6th P.M., 302.19 feet, to a point on the North line of
 said Lot 3; thence North 01°18'04" East, on a line which is 20 feet west of
 the East line of Lot 2 in said Section 15, 18.96 feet; thence North
 88°12'36" East, on a line which is 30 feet north of the Centerline of
 Northwest 25th Street, 1010.99 feet; thence North 01°47'24" West, 92.55
 feet; thence North 37°59'36" East on the Southeast line of US Highway
 75, 364.65 feet to the Northwest corner of Lot 1, Block A in ADR Industrial
 Park; thence North 38°01'44" East on the Southeast line of US Highway
 75, 266.26 feet to the North corner of said Lot 1; thence South 51°59'33"
 East on the Northeast line of Lot 1, 89.98 feet to the Northeast corner of
 said lot; thence North 38°03'02" East on a West line of Lot 4, Block A in
 ADR Industrial Park, 89.91 feet; thence North 51°59'33" West on a West
 line of said Lot 4, 90.03 feet; thence North 37°44'54" East on a West line
 of Lot 4, 15.74 feet; thence North 4°25'54" West on the East line of US
 Highway 75, 367.87 feet; thence North 3°20'43" East on the East line of
 US Highway 75, 87.90 feet to a corner of Lot 7, Block A in ADR Industrial
 Park; thence South 86°36'56" East on a West line of said Lot 7, 89.99
 feet; thence North 3°26'25" East on a West line of Lot 7, 89.99 feet;
 thence North 86°36'56" West on a West line of Lot 7, 90.12 feet; thence
 North 3°30'12" East, 189.43 feet to the most westerly Northwest corner of
 Lot 7; thence South 79°14'42" East on the North line of Lot 7, 165.81
 feet; thence North 28°08'28" East on a West line of Lot 7, 224.70 feet;
 thence North 46°43'13" East on a Northwest line of Lot 7, 53.39 feet;
 thence South 85°46'45" East, 24.67 feet to the Northeast corner of Lot 7;
 thence South 2°00'04" East, on the East line of Lot 7, 82.48 feet to the
 Northwest corner of Lot 8, Block A in ADR Industrial Park; thence South
 41°23'22" East, 645.35 feet to the most easterly Northeast corner of Lot 9,
 Block A in ADR Industrial Park; thence South 1°42'26" East, 988.68 feet
 to the Southeast corner of Lot 11, Block A in ADR Industrial Park; thence
 South 1°41'17" East, 37.50 feet to an intersection with the South line of
 the Northwest Quarter of said Section 14; thence continuing on South
 1°41'17" East to the South line of NW 25th Street; thence South 89°49'44"
 West on a line which is 30 feet south of the Centerline of NW 25th Street,
 also being the South line of NW 25th Street, 437.89 feet; thence South
 75°49'43" West on the South line of NW 25th Street, 163.8 feet; thence
 South 84°49'43" West on the North line of Lot 1, Block "A" in Midwest

Subdivision No. 2, 136.9 feet to the Northwest corner of said lot; thence
 South 87°12'27" West, 200.66 feet to the Northeast corner of Lot 1, Block
 'A' in BRB Subdivision No. 2; thence South 04°20'53" East, 375.00 feet;
 thence South 11°14'02" West, 519.20 feet; thence South 41°56'26" West,
 471.70 feet, to the south corner of BRB Subdivision No.2; thence easterly,
 on a line which is 150.00 feet north of the Centerline of US Highway 24 to
 the East right-of-way line of the Chicago Rock Island and Pacific Railroad;
 thence northerly on the East right-of-way line of said railroad to its
 intersection with the West line of Section 18, Township 11 south, Range
 16 east of the 6th P.M.; thence north on the West line of said Section 18
 to the South line of Menninger Road; thence west on the South line of
 Menninger Road to its intersection with the West line of Green Hills Road;
 thence north on said West line to its intersection with the South line of the
 Southeast Quarter of Section 12, Township 11 South, Range 15 East of
 the 6th P.M.; thence westerly on said South line to the East right-of-way
 line of the Chicago Rock Island and Pacific Railroad; thence northwesterly
 on said East line to the South line of N.W. 35th Street; thence easterly on
 said South line to the Northeast corner of Lot 1, Block "D", Forest Hills
 Estates Subdivision; thence southerly on the East lines of Lots 1 and 2,
 Block "D" in said subdivision to the Southeast corner of Lot 2, Block "D" in
 said subdivision; thence easterly, 242.00 feet south of and parallel with
 the North line of said Southeast Quarter, to an intersection with the East
 line of Green Hills Road; thence southerly on the said East line of Green
 Hills Road to an intersection with a line which is 20 feet north of the South
 line of the Southwest Quarter of Section 7, Township 11 South, Range 16
 east of the 6th P.M.; thence easterly, parallel with the South line of the
 Southwest Quarter of said Section 7, to an intersection with an the West
 line of Daisy Brown Martin Subdivision; thence northerly, to the Southwest
 corner of Lot 11 in said subdivision; thence easterly, on the North line of
 Menninger Road, to the Southeast corner of Lot 36 in Daisy Brown Martin
 Subdivision; thence southerly, on an East line of Daisy Brown Martin
 Subdivision, to an intersection with a line which is 20 feet north of the
 South line of the Southwest Quarter of said Section 7; thence easterly, on
 an assumed bearing of North 88°20'01" East, parallel with the South line
 of the Southwest Quarter of said Section 7, to an intersection with the
 West line of Rochester Cemetery; thence North 00°51'36" West, 1467.73
 feet; thence North 89°40'29" East, on the North line of Rochester
 Cemetery, 98.5 feet to the Southeast corner of Lot 49 in Daisy Brown
 Martin Subdivision; thence North 01°24'25" West, 323.50 feet, to the
 Northeast corner of said Lot 49; thence South 86°51'36" West, 434.00
 feet, to the Northwest corner of said Lot 49; thence North 01°24'25" West,
 parallel with the West line of the Southwest Quarter of said Section 7,
 467.64 feet; thence South 88°05'43" West, parallel with the North line of
 the Southwest Quarter of said Section 7, 50.0 feet; thence North
 01°24'25" West, parallel with the West line of the Southwest Quarter of
 said Section 7, 300.0 feet; thence North 88°05'43" East, parallel with the

956 North line of the Southwest Quarter of said Section 7, 50.0 feet; thence
 957 North 01°24'25" West, 60.0 feet, to an intersection with a line which is 20
 958 feet south of the North line of the Southwest Quarter of said Section 7;
 959 thence North 88°05'43" East, parallel with the North line of the Southwest
 960 Quarter of said Section 7, 970.09 feet; thence South 01°26'37" East,
 961 parallel with the East line of said Southeast Quarter, 580.0 feet; thence
 962 North 88°05'43" East, parallel with the North line of said Southwest
 963 Quarter, 179.50 feet, to an intersection with the West line of the Southeast
 964 Quarter of said Section 7; thence North 88°17'11" East, parallel with the
 965 North line of the Southeast Quarter of said Section 7, 200.0 feet; thence
 966 South 01°26'37" East, parallel with the West line of the Southeast Quarter
 967 of said Section 7, 1739.28 feet; thence South 88°01'54" West, parallel
 968 with the South line of said Southeast Quarter, 200 feet; thence South
 969 01°26'37" West, on the West line of said Southeast Quarter, 289.97 feet,
 970 to an intersection with a line which is 20 feet north of the South line of the
 971 Southeast Quarter of said Section 7, also being the North line of
 972 Menninger Road; thence easterly, parallel with the South line of said
 973 Southeast Quarter, to an intersection with an extension of the West line of
 974 Lot 2A in Tolin Subdivision; thence northerly, to the Southwest corner of
 975 Lot 2A in Tolin Subdivision; thence easterly, to the Southeast corner of Lot
 976 1A in Tolin Subdivision; thence southerly, on an extension of the East line
 977 of Lot 1A in Tolin Subdivision to an intersection with a line which is 20 feet
 978 north of the South line of the Southeast Quarter of said Section 7; thence
 979 easterly, parallel with the South line of said Southeast Quarter, to an
 980 intersection with the West line of Ward Lot Subdivision; thence northerly,
 981 to the Southwest corner of Ward Lot; thence easterly, to the Southeast
 982 corner of Ward Lot; thence southerly, on the East line of Ward Lot
 983 Subdivision, to an intersection with a line which is 20 feet north of the
 984 South line of the Southeast Quarter of said Section 7; thence easterly,
 985 parallel with the South line of said Southeast Quarter, to an intersection
 986 with the Centerline of Rochester Road; thence northerly on the Centerline
 987 of Rochester Road, to an intersection with a line which is 50 feet north of
 988 the South line of the Southeast Quarter of said Section 7; thence easterly
 989 parallel with the South line of said Southeast Quarter, to an intersection
 990 with the West line of the Southwest Quarter of Section 8, Township 11
 991 South, Range 16 east of the 6th P.M.; thence northerly to the Southwest
 992 corner of Lot 1 in Dale Lots; thence easterly, to the Southeast corner of
 993 Lot 2 in Dale Lots; thence southerly, on an extension of the East line of
 994 Dale Lots subdivision, to an intersection with a line which is 50 feet north
 995 of the South line of the Southwest Quarter of said Section 8; thence
 996 easterly, parallel with the South line of said Southwest Quarter, to an
 997 intersection with the West line of the East Half of said Southwest Quarter;
 998 thence southerly, to an intersection with a line which is 8 feet north of the
 999 South line of said Southwest Quarter; thence easterly, parallel with the
 1000 South line of said Southwest Quarter, to a point which is 496 feet east of
 1001 the Southwest corner of the East Half of the Southwest Quarter of said

1002 Section 8, as measured on and normal from said South line; thence east-
 1003 northeasterly, to an intersection with a line which is 20 feet north of the
 1004 South line of the East Half of said Southwest Quarter, at a point which is
 1005 678 feet east of the Southwest corner of the East Half of said Southeast
 1006 Quarter, as measured on and normal from said South line; thence
 1007 easterly, parallel with the South line of the East Half of said Southwest
 1008 Quarter, to an intersection with the West line of the Southeast Quarter of
 1009 said Section 8; thence easterly, on a line which is 20 feet north of the
 1010 South line of said Southeast Quarter, to an intersection with a line which is
 1011 30 feet east of the West line of said Southeast Quarter; thence southerly,
 1012 parallel with the West Line of said Southeast Quarter, to an intersection
 1013 with the North line of Section 17, Township 11 south, Range 16 east of
 1014 the 6th P.M.; thence easterly, on the North line of said Section 17, to the
 1015 East Right-of-way line of Soldier Creek Cutoff and Channel Improvement;
 1016 thence southerly and easterly on said right-of-way line to the East line of
 1017 Kaw Half-Breed Reserve No. 5; thence southerly, 592.92 feet on said East
 1018 line to its intersection with the Centerline of Indian Creek, the same being
 1019 the Northwest corner of Hillyers Subdivision; thence in an easterly
 1020 direction, following the meandering of said Indian Creek, to a point which
 1021 is 17.00 chains west of the East line and 14.13 chains north of the
 1022 Southeast corner of the Northeast Quarter of Kaw Half-Breed Reserve No.
 1023 6; thence southerly, parallel with the East line of said Kaw Reserve No. 6
 1024 about 51.50 chains distance to the North Bank of the Kansas River;
 1025 thence northwesterly on the said Kansas River bank to the intersection
 1026 with the East line of Oakland Addition when extended north; thence
 1027 southerly, on said extension of the East line of Oakland Addition to the
 1028 Northeast corner of said addition; thence continuing southerly on the East
 1029 line of said addition, to a point 2657.77 feet north of the Southwest corner
 1030 of Section 22; thence on an assumed bearing of North 88°34'44" East,
 1031 139.90 feet; thence South 47°09'21" East, 1915.20 feet; thence North
 1032 00°12'26" East, 2260.65 feet; thence South 61°49'02" East, 353.78 feet;
 1033 thence South 53°47'05" East, 788.21 feet; thence South 74°58'05" East,
 1034 119.87 feet, to the West line of N.E. Lahr Avenue; thence South 00°06'44"
 1035 East, on the West line of Lahr Avenue, 1569.01 feet, to the South line of
 1036 the North Half of the Southwest Quarter of said Section 22; thence
 1037 easterly on said South line, 30.00 feet, to the Northeast corner of the
 1038 South Half of the Southwest Quarter of said Section 22; thence southerly,
 1039 1320 feet, more or less, to the Southeast corner of the Southwest Quarter
 1040 of said Section 22; thence easterly, on the North line of Section 27,
 1041 Township 11 South, Range 16 east, of the 6th P.M., to the Northeast
 1042 corner of said section; thence southerly, on the East line of said Section
 1043 27, 2656.13 feet, to the Southwest corner of the Northwest Quarter of
 1044 Section 26, Township 11 South, Range 16 east, of the 6th P.M.; thence
 1045 easterly 35 rods to the East Bank of the Shunganunga Creek (old
 1046 channel); thence northeasterly on said East Bank, 35 rods; thence
 1047 northwesterly, at right angles to the East Bank, to the Centerline of said

creek; thence northeasterly, easterly and southeasterly down the Centerline of said creek and along its meandering to its intersection with the North line of the South Half of the Southwest Quarter of said Section 26; thence east on the North line of the South Half of the Southwest Quarter to the West line of N.E. Kincaid Road; thence southerly, on the West line of N.E. Kincaid Road, 1279.71 feet to the North line of Seward Avenue; thence westerly on the North line of Seward Avenue to the West line of Section 26, also being the East line of Section 27; thence on an assumed bearing of South 88°31'13" West, on a line which is 40.00 feet north of the South line of said Section 27, 195.00 feet; thence North 00°07'48" East, 869.29 feet; thence North 47°02'26" West, 599.73 feet, to a point on the North line of the South Half of the Southeast Quarter of Section 27; thence west on the North line of the South Half of the Southeast Quarter of Section 27, Township 11 South, Range 16 east of the 6th P.M., 97.87 feet; thence southerly 664.53 feet, to the North line of the South Half of the South Half of the Southeast Quarter of said Section 27; thence westerly 200.00 feet; thence southwesterly 640.00 feet, more or less, to a point 330 feet north of the South line of Section 27; thence westerly, on a line 330 feet north of and parallel with the South line of said Section 27, 750.00 feet, more or less; thence south to the North line of Section 34, Township 11 South, Range 16 east of the 6th P.M.; thence west 464.21 feet to the Northeast corner of the Northwest Quarter of said Section 34; thence southerly, to the Northeast corner of the Southwest Quarter of said Section 34; thence southerly, to the point of beginning.

EXCEPTION I:

Beginning at the intersection of the South line of the Northwest Quarter of Section 21, Township 12 South, Range 15 east with a line which is 25 feet east of the West line of said Northwest Quarter; thence North 88°38'20" East, on the South line of said Northwest quarter, 1947.07 feet, to the Northeast corner of Clarion Lakes Subdivision; thence South 01°21'40" East, on an East line of Clarion Lakes Subdivision, 81.00 feet; thence North 88°38'20" East, 34.88 feet; thence North 86°43'47" East, 180.10 feet; thence North 88°38'20" East, 332.51 feet; thence southeasterly, on a curve concave southwesterly, having a radius measure of 977.50 feet an arc length of 352.28 feet, the chord of which bears South 81°02'12" East, 350.38 feet; thence South 70°42'44" East, 708.74 feet; thence southeasterly, on a curve concave northeasterly, having a radius measure of 790.00 feet and an arc length of 265.94 feet, the chord of which bears South 80°21'22" East, 264.69 feet; thence South 90°00'00" East, 8.57 feet; thence northeasterly, on a curve concave northwesterly, having a radius measure of 1010.00 feet and an arc length of 696.50 feet, the chord of which bears North 70°14'39" East, 682.79 feet; thence North 50°29'18" East, 44.78 feet; thence North 50°29'18" East, 44.78 feet; thence North 54°02'14" East, 334.87 feet; thence South 88°46'43" West, on the South line of the Northeast quarter of said Section 21, to an

intersection with a line which is 658.38 feet east of the West line of said Northeast Quarter; thence northerly, on a line which is 658.38 feet east of the West line of said Northeast Quarter, 1322.05 feet; thence westerly, on the South line of Clarion Woods Subdivision No.2, 658.38 feet to the Southeast corner of the North Half of the Northwest Quarter of said Section 21; thence westerly, on the South line of the North Half of said Northwest Quarter, to an intersection with a line which is 25 feet east of the West line of said Northwest Quarter; thence southerly, parallel with the West line of said Northwest Quarter, to the point of beginning.

EXCEPTION II:

Beginning at the Northeast corner of Lot 22, Block A in Kankis Square Subdivision; thence southerly to the Southeast corner of Lot 17, Block A in said subdivision; thence westerly, to the Southwest corner of Lot 1, Block A in said subdivision; thence northerly, to the Northwest corner of Lot 4, Block A in said subdivision; thence easterly, to the point of beginning.

EXCEPTION III:

Beginning at the intersection of a line which is 260.00 feet north of the South line of North Half on the Southwest Quarter of Section 7, Township 12 South, Range 15 east of the 6th P.M. with a line which is 25 feet east of the West line of said Southwest Quarter; thence easterly, parallel with the South line of said North Half, to a point which is 694.00 feet easterly of the West line of said Southwest Quarter; thence northerly, parallel with said West line, 200.00 feet; thence westerly, parallel with the South line of said North Half, to an intersection with a line which is 25 feet east of the West line of said Southwest Quarter; thence southerly 200.00 feet to the point of beginning.

EXCEPTION IV:

Beginning at the intersection of an extension of the North line of S.W. 26th Street in West Indian Hills Subdivision with a line which is 25 feet east of the West line of the Southwest Quarter of Section 7, Township 12 South, Range 15 east of the 6th P.M.; thence easterly to the Southwest corner of Lot 8, Block B in West Indian Hills Subdivision; thence northerly to the Southeast corner of Lot 3, Block B in said subdivision; thence easterly, on the South lines of Lots 3, 2, 1 and the extension of the South line of Lot 1, to an intersection with a line which is 25 feet east of the west line of said Southwest Quarter; thence southerly to the point of beginning.

EXCEPTION V:

Beginning at a point 30 feet north and 465 feet west of the Southeast corner of the Southwest Quarter of Section 32, Township 11 South, Range 15 east of the 6th P.M.; thence west parallel with the South line of said Southwest Quarter, 175 feet; thence north at right angles 205 feet; thence east parallel with the South line of said Southwest Quarter 175 feet; thence south 205 feet to the point of beginning.

B. Outer Corporate Boundary:

Beginning at the Northeast corner of the Northwest Quarter of Section 1, Township 13 South, Range 15 east of the 6th P.M.; thence on an assumed bearing of South 00°16'44" East, on the East line of said Northwest Quarter, 2517.10 feet, to a point 81.00 feet north of the Southeast corner of said Northwest Quarter; thence South 88°25'05" West, 1319.37 feet, to a point on the West line of the East Half of said Northwest Quarter which is 53.50 feet north of the Southwest corner of the East Half of said Northwest Quarter; thence North 00°13'17" West, 2539.18 feet, to the Northwest corner of the East Half of said Northwest Quarter; thence North 89°22'35" East, 1316.51 feet, to the point of beginning. EXCEPT, a strip of land 20.00 feet in width, in the Northwest Quarter of Section 1, Township 13 south, Range 15 east of the 6th P.M. lying 10.00 feet on each side of the following described centerline: Beginning at a point on the North line of said Northwest Quarter of Section 1, which is 40.00 feet west of the Northeast corner of said Northwest Quarter; thence southerly parallel to the East line of said Northwest Quarter, 2097.40 feet; thence easterly parallel with the North line of said Northwest Quarter, 40.00 feet to the East line of said Northwest Quarter, containing 75.50 acres, more or less.

Also: Beginning at a point which is 40.00 feet south and 40.00 feet east of the Northwest corner of the Northwest Quarter of Section 14, Township 12 south, Range 16 east of the 6th P.M.; thence easterly, parallel with and 40.00 feet south of the North line of said section, 1290.45 feet to the Northwest corner of Lot 1, Block "A", Fair Meadows Subdivision; thence southerly, on the West line of said subdivision, 1278.42 feet to the Southeast corner of Lot 1, Block "D", Thunderbird Subdivision No. 2; thence westerly, on an assumed bearing of South 89°51'12" West, 9.34 feet; thence South 00°20'18" East, 439.60 feet; thence South 89°48'15" West, 1320.00 feet, to a point on the West line of said Northwest Quarter; thence North 00°23'05" West, on the West line of said Northwest Quarter, 440.65 feet; thence North 89°51'12" East, 40.00 feet; thence northerly, parallel with and 40.00 feet east of the West line of said Northwest Quarter, 1278.42 feet, to the point of beginning.

A tract of land in the Southwest Quarter and the Southeast Quarter of Section 7, and in the Southwest Quarter and the Southeast Quarter of Section 8, and the Northeast Quarter and the Southeast Quarter of Section 18, all in Township 13 south, Range 16 east of the 6th P.M., in Shawnee County, Kansas described as: Commencing at the Northwest corner of said Southwest Quarter of Section 7, thence on an assumed bearing of North 88°07'18" East, on the North line of the Southwest Quarter of Section 7, 213.70 feet to a point on the Easterly Right of Way line of former U.S. Highway No. 75 and the point of beginning; thence continuing North 88°07'18" East, on the North line of said Southwest

1186 Quarter, said North line being coincident with the South line of Forbes
 1187 Field Subdivision, 2268.55 feet, to the Northeast corner of said Southwest
 1188 Quarter of Section 7; thence continuing North 88°07'18" East, on the North
 1189 line of said Southeast Quarter of Section 7, said North line being
 1190 coincident with the South line of Forbes Field Subdivision, 1409.90 feet;
 1191 thence South 02°04'31" East, parallel with the East line of said Southeast
 1192 Quarter of Section 7 and on a boundary line of Forbes Field Subdivision,
 1193 650.00 feet; thence North 88°07'18" East, parallel with the North line of
 1194 said Southeast Quarter of Section 7 and on a Southerly line of Forbes
 1195 Field Subdivision, 1240.00 feet to a point on the East line of said
 1196 Southeast Quarter of Section 7; thence North 88°27'18" East, parallel with
 1197 the North line of said Southwest Quarter of Section 8, and on a Southerly
 1198 line of Forbes Field Subdivision, 1147.85 feet; thence South 63°25'07"
 1199 East, on said Southerly line of Forbes Field Subdivision, 1670.29 feet, to a
 1200 point on the East line of said Southwest Quarter of Section 8; thence
 1201 continuing South 63°25'07" East, on said Southerly line of Forbes Field
 1202 Subdivision, 900.22 feet; thence North 86°16'27" East, on said Southerly
 1203 line of Forbes Field Subdivision, 1053.80 feet; thence North 55°11'33"
 1204 East, on said Southerly line of Forbes Field Subdivision, 910.15 feet to a
 1205 point on the East line of said Southeast Quarter of Section 8; thence
 1206 South 02°32'18" East, on the East line of said Southeast Quarter, 1318.30
 1207 feet to the Southeast corner of the Southeast Quarter of said Section 8;
 1208 thence South 88°14'08" West, on the South line of said Southeast
 1209 Quarter, 2612.01 feet to the Southwest corner of said Southeast Quarter;
 1210 thence South 88°19'21" West, on the South line of said Southwest
 1211 Quarter of Section 8, 2621.19 feet to the Southwest corner of said
 1212 Southwest Quarter; thence South 02°22'39" East, on the East line of said
 1213 Northeast Quarter of Section 18, 2638.05 feet to the Southeast corner of
 1214 said Northeast Quarter of Section 18; thence South 02°22'27" East, on the
 1215 East line of said Southeast Quarter of Section 18, 1318.96 feet, to the
 1216 Southeast corner of the North Half of said Southeast Quarter of Section
 1217 18; thence South 88°00'15" West on said South line of the North Half of
 1218 said Southeast Quarter of Section 18, 2638.04 feet to the Southwest
 1219 corner of said North Half of the Southeast Quarter of Section 18; thence
 1220 North 02°18'32" West, on the West line of said Southeast Quarter of
 1221 Section 18, 1319.82 feet to the Northwest corner of said Southeast
 1222 Quarter; thence North 02°18'22" West, on the West line of said Northeast
 1223 Quarter of Section 18, 2629.66 feet to the Northwest corner of said
 1224 Northeast Quarter; thence South 88°23'32" West, on the South line of the
 1225 Southwest Quarter of Section 7, 2146.71 feet, thence on a bearing of
 1226 North 01°52'44" West, parallel with the West line of said Southwest
 1227 Quarter of Section 7, 361.50 feet; thence South 88°23'32" West, parallel
 1228 with the South line of said Southwest Quarter of Section 7, 216.30 feet, to
 1229 the Southeast corner of Quality Oil Subdivision No. 3; thence North
 1230 01°52'44" West, on the East line of said Quality Oil Subdivision No. 3, and

parallel with the West line of said Southwest Quarter of Section 7, 299.83 feet (300.00 feet plat) to the Northeast corner of said Quality Oil Subdivision No. 3; thence South 88°23'32" West, on the North line of said Quality Oil Subdivision No. 3, and parallel with the South line of said Southwest Quarter of Section 7, 94.74 feet, to the Northwest corner of said Quality Oil Subdivision No. 3; thence North 01°55'59" West, on the Easterly Right of Way line of former US Highway 75, 906.14 feet; thence North 88°07'18" East, on the Easterly Right of Way line of said highway and parallel with the North line of said Southwest Quarter of Section 7, 9.90 feet; thence North 04°18'42" East, on said Easterly Right of Way line, 288.60 feet; thence North 06°49'42" East, on said Easterly Right of Way line, 813.00 feet to the point of beginning. Contains 689.944 acres, more or less.

A tract of land in the North Half of the Southwest Quarter of Section 9, Township 13 south, Range 16 east of the 6th P.M., in Shawnee County, Kansas, described as:

Beginning at the Southwest corner of said North Half of said Southwest Quarter; thence on an assumed bearing of North 33°02'55" East, on the Southerly line of Forbes Field Subdivision, 484.30 feet; thence North 26°33'23" East, on said Southerly line, 580.54 feet; thence North 02°21'27" East, on said Southerly line, 412.03 feet to a point on the North line of the North Half of said Southwest Quarter; thence North 88°27'10" East, on said North line, 2064.05 feet to the Northeast corner of the North Half of said Southwest Quarter; thence South 00°19'58" East, on the East line of the North Half of said Southwest Quarter, 1325.13 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°31'16" West, on the South line of the North Half of said Southwest Quarter, 2658.73 feet to the point of beginning. Contains 69.093 acres, more or less.

A tract of land in the Southwest Quarter of Section 10, Township 12 south, Range 16 east of the 6th P.M., in Shawnee County, Kansas, described as:

Beginning at a point which is 250.00 feet east and 50.00 feet north of the Southwest corner of said Southwest quarter, thence on an assumed bearing of North 89°04'15" East, on the North line of 29th Street, 365.00 feet; thence North 00°00'00" East, 32.64 feet measured (35.00 feet described); thence on a curve to the left, having a radius measure of 146.09 feet measured (146.11 described) an arc distance of 229.48 feet measured (229.51 feet described); thence South 00°00'00" East, 35.28 feet; thence North 56°00'00" West, 264.00 feet; thence South 00°00'00" West, 297.00 feet to the point of beginning. Contains 1.62 acres.

A tract in the South Half of Section 22, Township 12 South, Range 16 east

of the 6th P.M., in Shawnee County, Kansas, described as: Beginning at the Southeast corner of the Southeast Quarter of said Section 22; thence on an assumed bearing of North 89°52'00" West on the South line of said Southeast Quarter, 2643.81 feet, to the Southwest corner thereof; thence South 89°54'30" West, on the South line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 22, 660.93 feet, to the Southwest corner of said East Half; thence North 00°11'08" West on the West line of said East Half, 1319.23 feet, to the Northwest corner of said East Half; thence North 89°55'34" East, on the North line of said East Half, 661.52 feet, to the Northeast corner of said East Half; thence North 00°09'36" West, on the West line of the Southeast Quarter of said Section 22, 185.85 feet; thence North 14°08'29" East, 588.22 feet; thence North 29°50'56" East, 179.74 feet; thence North 45°33'23" East, 581.97 feet, to a point on the North line of the Southeast Quarter of said Section 22; thence North 89°56'57" East, on the North line of the last said Southeast Quarter, 1998.36 feet, to the Northeast corner of said Southeast Quarter; thence South 00°01'17" East, on the East line of said Southeast Quarter, 2646.58 feet, to the point of beginning.
Contains 174.81 acres, more or less.

A tract in the Southwest Quarter and in the Southeast Quarter of Section 12, and in the Northwest, Northeast, Southeast and Southwest Quarters of Section 13, all in Township 13 South, Range 15 east of the 6th P.M. in Shawnee County, Kansas, described as: Beginning at the Southwest corner of the Southwest Quarter of said Section 12; thence on an assumed bearing of North 1°51'46" West, on the West line of said Southwest Quarter, 599.36 feet to a point on the Centerline of Gary Ormsby Drive; thence North 61°43'34" East on said Centerline, 1339.14 feet; thence northeasterly on a curve concave northwesterly, being the Centerline of Gary Ormsby Drive, having a radius measure of 1640.42 feet and an arc length of 643.64 feet, the chord of which bears North 50°29'09" East, 639.51 feet; thence North 39°14'48" East on said Centerline, 837.48 feet; thence northeasterly and easterly on a non-tangential curve concave southeasterly, being the Centerline of Gary Ormsby Drive, having a radius measure of 1312.33 feet and an arc length of 858.20 feet, the chord of which bears North 57°56'40" East, 843.00 feet to a point on the North line of the Southeast Quarter of said Section 12; thence North 88°31'48" East on the North line of said Southeast Quarter, 2113.26 feet to an intersection with the West line of the 100 feet wide strip of the Burlington North Santa Fe Railway Company; thence South 16°11'04" West on the West line of said 100 feet wide strip, 2824.31 feet to a point on the South line of said Southeast Quarter; thence continuing on South 16°11'04" West on the West line of said 100 feet wide strip, 1180.97 feet; thence continuing south-southwesterly on the West line of said 100 feet wide strip being a curve concave westerly, having a radius measure of 2722.53 feet and an arc length of 565.36 feet,

the chord of which bears South 22°08'01" West, 564.34 feet; thence South 28°04'57" West on the West line of said 100 feet wide strip, 1149.58 feet to an intersection with the South line of the Northeast Quarter of said Section 13 at a point 422.07 feet easterly distant from the Southwest corner of said Northeast Quarter; thence continuing on South 28°04'57" West on the West line of said 100 feet wide strip, 644.33 feet; thence continuing southwesterly on the West line of said 100 feet wide strip being a curve concave easterly, having a radius measure of 3869.83 feet and an arc length of 211.12 feet, the chord of which bears South 26°31'11" West, 211.09 feet to an intersection with the West line of the Southeast Quarter of said Section 13 at a point 746.69 feet southerly distant from the Northwest corner of the last said Southeast Quarter; thence continuing southwesterly on the West line of said 100 feet wide strip being a curve concave easterly, having a radius measure of 3869.83 feet and an arc length of 311.50 feet, the chord of which bears South 22°39'03" West, 311.42 feet to an intersection with the East right of way line of US 75 Highway; thence North 42°32'49" West on said East right of way line, 510.92 feet; thence North 38°07'05" West on said East right of way line, 803.03 feet to an intersection with the North line of the Southwest Quarter of said Section 13 at a point 937.10 feet westerly distant from the Northeast corner of the last said Southwest Quarter; thence North 36°49'35" West on said East right of way line, 600.40 feet; thence North 41°50'35" West on said East right of way line, 401.50 feet; thence North 35°42'46" West on said East right of way line, 1981.44 feet to an intersection with the West line of the Northwest Quarter of said Section 13; thence North 1°43'56" West on the West line of said Northwest Quarter, 208.94 feet to the point of beginning.
Contains 405.17 acres, more or less.

A tract in the Southeast Quarter of Section 12 and in the Northeast Quarter of Section 13, all in Township 13 South, Range 15 east of the 6th P.M. in Shawnee County, Kansas, described as: Commencing at the Northeast corner of said Northeast Quarter; thence on an assumed bearing of South 1°52'42" East on the East line of said Northeast Quarter, 61.94 feet; thence South 88°07'18" West, 180.74 feet to the Northeast corner of Lot 1, Block 'A' in Williamsport Subdivision as recorded in Plat Book 40, page 67 in the Office of the Shawnee County Register of Deeds, said Northeast corner of Lot 1 being the point of beginning; thence North 79°08'42" West on the North line of said Lot 1, 292.24 feet to the North line of said Northeast Quarter; thence South 88°25'32" West on the North line of said Northeast Quarter, 489.32 feet to an intersection with the East line of the 100 feet wide strip of the Burlington North Santa Fe Railway Company; thence North 16°11'04" East on the East line of said 100 feet wide strip, 2422.46 feet to an intersection with the South line of a tract recorded in Volume 4882, page 136 in the Office of the Shawnee County Register of Deeds; thence North 88°18'23" East on the South line of the

last said tract, 131.05 feet to an intersection with the West right of way line of Southwest Topeka Boulevard; thence South 9°17'20" West on said West right of way line, 329.80 feet; thence South 2°28'32" West on said West right of way line, 536.40 feet; thence South 0°57'28" East on said right of way line, 1375.10 feet; thence South 9°46'07" East, 137.64 feet to the point of beginning.

Contains 21.90 acres, more or less.

The area within the corporate limits is 61.770 square miles, more or less.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed, in accordance with the provisions of K.S.A. 12-518 to file a certified copy of this resolution with the County Clerk, the Register of Deeds office, the State Transportation Engineer and Election Commissioner.

BE IT FURTHER RESOLVED that City of Topeka Resolution No. 8304 is hereby specifically repealed.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 30, 2011

 Back  Print

DATE: December 13, 2011
CONTACT PERSON: Pam Simecka/kej DOCUMENT #:
SECOND PARTY/SUBJECT: Weekly Expenditures PROJECT #:
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of November 14, 2011, through November 27, 2011, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approved expenditures for the period November 14, 2011 through November 27, 2011, in the amount of \$6,153,300.58.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

[Weekly Expenditures](#)

[DETAIL REPORT AP WEEK ENDING 11/27/11](#)

[DETAIL REPORT CB55 WEEK ENDING 11/27/11](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, allowing and approving City expenditures for the period of November 14, 2011, through November 27, 2011, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

<u>Section 3.</u>	Total of 206 vendor checks written this period	1,350,999.37
	Total vendor payments voided in this period (net)	00.00
	Total of 228 electronic transfers to vendors this period	2,115,282.64
	Total net payroll to employees this period	1,685,007.39
	Total payroll related electronic transfers this period	<u>1,002,011.18</u>
	Total for expenditures in this period	<u>\$6,153,300.58</u>

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
Electronic Payments			
16733	11/18/2011	COOK & FISHER LLP	1088
40940 2011	CONTRACT		9,660.00
16734	11/18/2011	MCANANY, VAN CLEAVE AND	6758
422301		WCCOT2011009824	6.50
16735	11/18/2011	MCVAY LAW OFFICE LLC	3322
1055	16488		2,000.00
16736	11/18/2011	WHITNEY B DAMRON PA	5418
40855B	CONTRACT		1,035.74
16737	11/18/2011	BOTTENBERG, ZACHARY	560
MILEAGE REIMB 1		WCCOT2008009020	29.01
16738	11/18/2011	CAMPBELL, MITCHELL J	767
16504	16504		239.23
16739	11/18/2011	MCBURNEY, LARRY	3264
MILEAGE REIMB 1		WCCOT2010009430	143.12
16740	11/18/2011	PARIS, TIMOTHY	6611
40499.6615		ADV-BUFFALO NY 10/18-22	-268.80
40844.6611		RCN-BUFFALO NY 10/19-22/11	426.35
16741	11/18/2011	PINKLEY, LISA G	3939
MILEAGE REIMB 1		WCCOT2010009533	21.40
16742	11/18/2011	RIPHAHN, BILL D	4222
40855.4771		EE-INTOWN MILEAGE 8/1-11/3/11	309.32
16743	11/18/2011	YOCKERS, SHARON	8078
40826.5625		OVERLAND PARK KS 10/4-5/11	150.55
16744	11/18/2011	SWARTZ, LLOYD CHARLES	4842
40854.5582		EE-OFFICE SUPPLIES	7.62
16745	11/18/2011	TRACHTA, SCOTT A	5074
40854.5170		EE-AB DL REIMB	32.00
16746	11/18/2011	A 1 LOCK & KEY LLC	13
68453	12583		62.39
16747	11/18/2011	A B CREATIVE INC	15
39487	16040		1,456.00
16748	11/18/2011	AAA ALLIED GROUP INC	22
245261	12111		38.50
245263	12193		38.50
259368	12111		38.50
265989	12111		77.00
265992	12111		38.50
265995	12111		38.50
243944	12111		38.50
243945	12111		38.50
245168	12111		77.00
263441	12111		38.50
263443	12111		77.00
263445	12111		38.50
264516	12111		38.50
243931	12193		38.50
243939	12111		38.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
243940	12111		38.50
243941	12111		38.50
243943	12111		38.50
266461	12111		38.50
266464	12111		38.50
266465	12111		38.50
266467	12111		38.50
266468	12111		38.50
264464	12111		38.50
266386	12111		38.50
266387	12111		38.50
266390	12111		38.50
266412	12193		38.50
266416	12111		38.50
266460	12111		38.50
265996	12111		38.50
266084	12111		38.50
266382	12111		38.50
266383	12111		38.50
266384	12111		38.50
266385	12111		38.50
16749	11/18/2011	ADVENTURETECH GROUP INC 74	1,500.00
5143	12918		750.00
5156	12918		750.00
16750	11/18/2011	ALL AMERICAN ASPHALT & 120	489,734.00
14395 7	14395		489,734.00
16751	11/18/2011	AMERICAN MESSAGING SERVICES 5814	259.75
F1050996LK	12106		259.75
16752	11/18/2011	AMERIPRIDE 197	820.32
2300080769	12299		35.00
2300087715	12299		25.50
2300088346	12299		35.00
2300088351	12299		15.95
2300088357	12841		4.98
2300088358	12841		52.63
2300090865	12841		52.63
2300090866	12841		136.24
2300090867	12841		68.78
2300088359	12841		136.24
2300088360	12841		172.78
2300090255	12299		28.66
2300090850	12299		35.00
2300090860	12299		15.95
2300090864	12841		4.98
16753	11/18/2011	ANIMAL CLINIC OF NORTH TOPEKA 235	3,181.70
85878	12112		3,181.70
16754	11/18/2011	ANSWER TOPEKA 237	1,679.10
12718 A6427 NOV	12718		74.50
14536 A6428 NOV	14536		1,604.60
16755	11/18/2011	BINSWANGER ENTERPRISES LLC 7825	201.29
I593032679	15267		201.29
16756	11/18/2011	BLUE CROSS BLUE SHIELD INC 528	348,545.99
DEC 2011 ADMIN	12323		104,820.89
W/E 11/15/11	DE		118,725.10
W/E 11/22/11 PREF	DE		125,000.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16757	11/18/2011	BLUE DOT INC 531	1,600.00
201727	16233		1,600.00
16758	11/18/2011	CAMP DRESSER & MCKEE INC 764	60,630.57
80409774 2	14904		60,630.57
16759	11/18/2011	CHIEF SUPPLY CORPORATION 919	814.25
435469	16006		814.25
16760	11/18/2011	CODE PUBLISHING COMPANY 999	30.00
39352	16538		30.00
16761	11/18/2011	COMITER, CARLA J 1043	517.50
W68	12610		517.50
16762	11/18/2011	CONSTELLATION NEW ENERGY GAS D 1077	11,192.02
0004551990	CONTELLATION	Constellation for Oct 11	11,192.02
16763	11/18/2011	CORNERSTONE OF TOPEKA INC 1116	390.31
4535	559583		390.31
16764	11/18/2011	CRAIG LAWSON PAINTING 1159	1,100.00
15925 FINAL	15925		1,100.00
16765	11/18/2011	CREATIVE LANDSCAPE INC 1166	5,214.95
19482	13938		570.00
19489	14079		353.00
19535	14079		353.00
19536	13938		570.00
19579	14079		353.00
19580	13938		570.00
19631	14079		353.00
19632	13938		570.00
19689	14079		1,122.03
19690	14079		400.92
16766	11/18/2011	CRIME STOPPERS OF TOPEKA INC 1171	390.23
12910 8	12910		390.23
16767	11/18/2011	CROSS MIDWEST TIRE INC 1183	5,325.77
20158840	12209		24.38
20158849	12209		31.50
20158856	12209		296.25
20158868	12209		21.38
20158895	12209		201.00
20158970	12209		245.63
20158992	12209		4,505.63
16768	11/18/2011	DAYMARK SOLUTIONS 1286	590.00
37191PB	16524		590.00
16769	11/18/2011	DELL FINANCIAL SERVICES LP 1320	5,618.42
75226354	559507		3,587.19
75226355	558988		2,031.23
16770	11/18/2011	DELTA DENTAL OF KANSAS INC 1323	13,918.19
W/E 11/10/11	12329		13,918.19
16771	11/18/2011	DESIGNED BUSINESS INTERIORS 1336	200.80
8615	16472		200.80
16772	11/18/2011	DIAMOND INTERNATIONAL INC 1347	2,978.06
TI68643	12210		28.38

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
TI68644	12210		6.12
TI68735	12210		303.30
TI68817	12210		24.22
TI68819	12210		49.10
TI68820	12210		32.47
TI68871	12210		1,588.47
TI68873	12210		477.99
TI68996	12210		40.82
TI69011	12210		52.75
TI69060	12210		354.05
TI69075	12210		20.39
16773	11/18/2011	DINKEL CONSTRUCTION INC	1362
11904 9	11904		170,808.99
16774	11/18/2011	DRAIN SMART	1414
997	16312		1,150.00
998	16425		165.00
999	16375		70.00
16775	11/18/2011	DURKIN EQUIPMENT CO	1451
K0000987	15689		2,334.50
K0000988	15689		698.00
K0000989	15689		1,834.50
16776	11/18/2011	ELITE CONCRETE	6795
2011515	16543		20,446.75
16777	11/18/2011	EPCO CARBON DIOXIDE PRODUCTS	1551
133202	14541		1,480.87
134106	14541		1,492.12
134608	14541		879.38
16778	11/18/2011	GARDA CL SOUTHWEST INC	1839
175 171311	15331		600.00
16779	11/18/2011	GO BLUE LLC	7071
2011 1322	12522		1,216.54
16780	11/18/2011	GRIST TRUCKING LLC	2004
CCT1	16132		4,950.00
16781	11/18/2011	HELPING HANDS HUMANE SOCIETY I	2183
35806 2011	CONTRACT		23,205.02
16782	11/18/2011	HERNLY ASSOCIATES INC	2214
10295	16448		695.00
10305	16449		695.00
10306	16450		695.00
16783	11/18/2011	IREY, MARVIN W	2443
14630 8	14630		7,979.34
14933 8	14933		7,988.61
16784	11/18/2011	ITG CONSULTING INC	2449
3141	12523		1,600.00
3142	12523		4,880.00
16785	11/18/2011	J B TURNER & SONS ROOFING	2458
15856 1	15856		121,995.00
16786	11/18/2011	JAYHAWK FILE EXPRESS LLC	2502
N576678	DE	WO# N022836 10/26/11	23.00
			461.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
N576679	DE	WO# N022400 10/05/11	37.00
N576680	DE	WO# N022391 10/05/11	253.00
N576681	DE	WO# N022828 10/26/11	37.00
N576682	DE	WO# N022686/N022846	74.00
N576686	DE	WO# N022834 10/26/11	37.00
16787	11/18/2011	KAN EQUIPMENT INC 2621	20.32
6 175087	12230		20.32
16788	11/18/2011	KANSAS BUREAU OF INVESTIGATION 2647	5,784.98
13129 OCT 11	13129		5,784.98
16789	11/18/2011	KANSAS DEPT OF CORRECTIONS 2673	15,716.18
2012 10 AH	12511		8,218.21
2012 10 CI	12512		4,121.32
2012 10 PR	13216		3,376.65
16790	11/18/2011	KANSAS DEPT OF REVENUE 2691	26,776.70
1311 4213 0352	WATER SALE TAX	Water Sales Tax for Oct Sales	26,776.70
16791	11/18/2011	KANSAS DEPT OF REVENUE 2691	1,773.09
1320 5650 0820	PARK SALES TAX	Parks Sales Tax for Oct Sales	1,773.09
16792	11/18/2011	KANSAS DEPT OF REVENUE 2691	4,457.73
1320 6183 5340	ZOO SALES TAX	Zoo Sales Tax for Oct Sales	4,457.73
16793	11/18/2011	KANSAS GAS SERVICE INC 2707	5,393.39
510078322164679	KS GAS WPC		684.46
510303639145210	KS GAS POLICE		596.97
510400187144745	KS GAS WPC		1,195.16
510589914144746	KS GAS 3245 WA		852.30
510609427142366	KS GAS MUNICIPAL		649.97
510611451144747	KS GAS PARKS		1,414.53
16794	11/18/2011	KANSAS STATE TREASURER 2757	27,998.63
OCTOBER 2011	DE		27,998.63
16795	11/18/2011	KEY STAFFING INC 2849	750.00
3015938	14690		750.00
16796	11/18/2011	LANDES, DENISE 2952	210.00
15567 1	15567		210.00
16797	11/18/2011	LANGFORD, JAMES F 2963	560.00
16126 3	16126		560.00
16798	11/18/2011	LANGUAGE LINE SERVICES INC 2967	227.70
2836591	16564		227.70
16799	11/18/2011	LIBERTY FRUIT COMPANY INC 3057	135.40
413505	14231		-84.90
700866	14231		135.40
701183	14231		84.90
16800	11/18/2011	LIGHTHOUSE CONTRACTING INC 3061	41,144.00
15751	15751		26,067.00
16038 2	16038		6,000.00
16515 1	16515		2,400.00
F 15844	15844		6,677.00
16801	11/18/2011	LP S EXCAVATING INC 3125	8,859.60
16170	16170		8,859.60

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16802	11/18/2011	LUXURY LAWN & LANDSCAPE INC 3147	225.00
169751	13102		85.00
170090	13102		85.00
170091	13102		55.00
16803	11/18/2011	MANGROVE 3186	413.44
37889	12433		413.44
16804	11/18/2011	MATHESON TRI-GAS INC 7179	399.28
50155667	12504		110.36
50155668	12504		31.18
50155669	12504		31.18
50155675	14903		171.20
50155676	14903		55.36
16805	11/18/2011	MICHAEL & SONS INC 3377	3,132.10
84614	16063		3,132.10
16806	11/18/2011	MID-AMERICA ASSOCIATION OF 8039	630.00
16482 ALEXANDEF	16482		50.00
16482 CAVENDAR	16482		50.00
16482 COLLINS RI	16482		50.00
16482 DEWITT JAS	16482		50.00
16482 DOUCETTE	16482		90.00
16482 DUNBAR DE	16482		50.00
16482 FINCHAM JI	16482		50.00
16482 FUND MATT	16482		50.00
16482 MCCORMIC	16482		50.00
16482 MICHAELIS	16482		90.00
16482 ZELLER DAI	16482		50.00
16807	11/18/2011	MINNESOTA ELEVATOR INC 7834	814.00
226897	15379		814.00
16808	11/18/2011	MURPHY, CHRISTA 3582	100.00
12496 6	12496		100.00
16809	11/18/2011	NEENAN COMPANY 3649	684.41
S1815444 001	12453		604.31
S1816087 001	12453		80.10
16810	11/18/2011	O REILLY AUTO PARTS 3714	406.42
0152 272650	12243		289.93
0152 272733	12243		70.48
0152 273075	12243		7.92
0152 273231	12243		11.13
0152 273313	12243		12.56
0152 273375	12243		14.40
16811	11/18/2011	OMB POLICE SUPPLY 3746	371.02
P019572201014	13226		50.76
P019572401028	13226		31.26
P019595901012	15933		289.00
16812	11/18/2011	PACE ANALYTICAL SERVICES 3794	999.00
116102709	12740		999.00
16813	11/18/2011	PETERS CONSTRUCTION 3906	1,250.00
79639	15477		1,250.00
16814	11/18/2011	R & R VENTURES OF TOPEKA 4065	1,932.00
2011 22	12459		1,932.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16815	11/18/2011	RANDY LONG TRUCKING LLC 4105	20,160.00
4531	15948		20,160.00
16816	11/18/2011	RAY O HERRON COMPANY 4118	24.60
1123737 IN	15615		24.60
16817	11/18/2011	RED THE UNIFORM TAILOR INC 4131	141.80
00R15011	14855		141.80
16818	11/18/2011	REIN, LINNEA S 4166	1,284.50
535708	12664		63.50
535709	12664		16.00
535716	12664		74.00
535719	12664		10.00
535720	12664		60.00
535722	12664		169.00
535749	12664		34.50
535750	12664		57.00
535752	12664		19.00
535753	12664		60.50
535755	12664		44.00
535756	12664		34.00
535742	12664		72.50
535743	12664		50.00
535744	12664		36.00
535745	12664		23.50
535746	12664		21.00
535748	12664		14.00
535732	12664		35.00
535733	12664		42.00
535734	12664		39.00
535736	12664		5.50
535737	12664		19.00
535741	12664		18.00
535723	12664		12.00
535724	12664		39.00
535725	12664		28.00
535726	12664		58.00
535729	12664		97.50
535731	12664		33.00
16819	11/18/2011	SANTA FE SIDING COMPANY 4373	9,454.00
1595	15752		9,454.00
16820	11/18/2011	SELLERS EQUIPMENT INC 4470	1,547.88
IC215893	12246		1,547.88
16821	11/18/2011	SHAWNEE REGIONAL PREVENTION & 4525	55,599.50
14003 3	14003		54,520.00
19085	14469		871.60
19086	14469		207.90
16822	11/18/2011	SOUND PRODUCTS INC 4663	46.56
3114704 IN	12765		46.56
16823	11/18/2011	SOUTHERN UNIFORM & EQUIPMENT 4672	3,557.50
72833	15770		1,018.03
73638	15984		707.93
73641	15984		1,205.79
73902	15771		431.00
73902B	16145		194.75
16824	11/18/2011	SPARKS, HARLEY E 4685	6,379.70
15003 OCT 11	15003		6,379.70

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16825	11/18/2011	STAPLES CONTRACT & COMMERCIAL 4725	1,320.63
106020695	11921		-348.74
110980478	16237		82.97
111045075	16383		132.96
111045180	16384		44.98
111064993	16419		205.64
111065253	16422		105.76
111130632	16499		36.91
111152398	16500		43.60
111152548	16500		190.55
111153026	16513		44.47
111065418	16384		24.12
111092426	16445		180.31
111092452	16019		81.85
111092543	16462		126.88
111124798	16127		82.40
111130304	16487		285.97
16826	11/18/2011	STEPHENS, BILL 4746	1,015.00
103011	12866		850.00
16495	16495		165.00
16827	11/18/2011	THE TOPEKA METRO NEWS 4941	21.00
L29438	12366		21.00
16828	11/18/2011	THYSSEN KRUPP ELEVATOR CORP 4982	2,610.72
051075	16452		1,260.72
29477	12392		1,350.00
16829	11/18/2011	TOPEKA PERFORMING ARTS CENTER 5040	15,625.00
40039 2011	CONTRACT		15,625.00
16830	11/18/2011	TOPEKA TRANSMISSION SERVICE IN 5057	23.90
049542	12254		23.90
16831	11/18/2011	TOPEKA YOUTH PROJECT INC 5060	3,745.00
10101	13084		172.00
12630	13950		3,573.00
16832	11/18/2011	TORGESON TRENCHING SERVICE 5062	6,718.00
1015398	12942		968.00
1015399	12942		5,750.00
16833	11/18/2011	TRUCK PARTS & EQUIPMENT INC 5102	1,842.29
299103	12255		671.40
299217	12255		18.48
299233	12255		6.66
299259	12182		81.20
299263	12255		19.06
299606	12255		75.06
299626	12182		970.43
16834	11/18/2011	U S LIME COMPANY - ST CLAIR 5117	22,255.81
132903	14540		3,359.73
132918	14540		3,059.24
132934	14540		3,093.03
132946	14540		3,136.47
132977	14540		3,112.34
132995	14540		3,164.23
133016	14540		3,330.77
16835	11/18/2011	UMB BANK NA 5127	41,688.88
PCARD11152011			41,688.88

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16836	11/18/2011	VANDERBILT'S NO 6	5199
147808	16541		139.99
			139.99
16837	11/18/2011	VICTOR L PHILLIPS COMPANY INC	5225
WT30539	12258		1,913.70
WT30544	12258		368.43
WT30552	12258		2,278.96
16838	11/18/2011	WALKER TOWEL & UNIFORM SERVICE	5266
1453577	12297		12.75
1454123	12297		7.65
1454124	12297		23.90
1456401	12297		12.45
1456959	12297		7.65
1456960	12297		23.90
16839	11/18/2011	YWCA OF TOPEKA	5583
004 JUL-SEP 2011	14722		1,583.31
005 SEP-OCT 2011	14722		5,512.53
16840	11/18/2011	HEDBERG & FOSTER REPORTING INC	2168
11 44 441		WCCOT2010009481	80.00
16841	11/18/2011	VALEO BEHAVIORAL HEALTH CARE I	5187
2011QTR03	14353		35,245.45
16842	11/18/2011	BECK, PAUL	415
11/13/11 AVBPB		Adult Volleyball	52.00
16843	11/18/2011	DEAN, ROBERT	1290
11/13/11 ABBRD		Adult Basketball	48.00
11/6/11 AVBRD		Adult Volleyball	65.00
16844	11/18/2011	EDISON, MARY	1486
12641 OCT 11	12641		225.00
16845	11/18/2011	EXCELLERANT INC	6990
15590 2	15590		90.00
16846	11/18/2011	EZELL, HARRY	1597
11/13/11 ABBHE		Adult Basketball	51.00
11/13/11 AVBHE		Adult Volleyball	65.00
11/13/11 YVBHE		Youth Volleyball	36.00
11/6/11 AVBHE		Adult Volleyball	78.00
16847	11/18/2011	KENNEDY, BRIAN	2832
11/13/11 AVBBK		Adult Volleyball	117.00
11/6/11 AVBBK		Adult Volleyball	91.00
16848	11/18/2011	LUNA, NARCISO	3138
11/13/11 ABBNL		Adult Basketball	48.00
11/6/11 AVBNL		Adult Volleyball	78.00
16849	11/18/2011	LUTTERMAN, ERIC	3144
11/13/11 ABBEL		Adult Basketball	128.00
11/6/11 AVBEL		Adult Volleyball	104.00
16850	11/18/2011	MOCK, CLYDE	3485
11/6/11 AVBCM		Adult Volleyball	9.00
16851	11/18/2011	HARSCH, RACHEL R	7194
16512	16512		30.00

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16852	11/18/2011	RUTTER, PAM	4318
11/13/11 AVBPR		Adult Volleyball	91.00
11/13/11 YVBPR		Youth Volleyball	72.00
16853	11/18/2011	WALKER, ANDREW	5267
12375 2	12375		125.00
16854	11/18/2011	ALLSTATE WORKPLACE DIV / SHORT	147
11/18/11 ADJ-BELK	PAYROLL		7.80
11/18/11 ADJ-EDG	PAYROLL		-21.98
NOV 2011 ROUND	PAYROLL		-0.23
SD1011111814515		Short-Term Disability EE - PT	40.82
SD1011111814515		Short-Term Disability EE - PT	17.94
SD5011111814515		Short-Term Disability EE - AT	605.25
SD5011111814515		Short-Term Disability EE - AT	250.66
SD5011111814515		Short-Term Disability EE - AT	101.67
SD5011111814515		Short-Term Disability EE - AT	258.45
SD5011111814515		Short-Term Disability EE - AT	62.01
SD5011111814515		Short-Term Disability EE - AT	19.50
SD5011111814515		Short-Term Disability EE - AT	107.71
SD5011111814515		Short-Term Disability EE - AT	159.91
SD5011111814515		Short-Term Disability EE - AT	16.90
SD5011111814515		Short-Term Disability EE - AT	251.56
SD5011111814515		Short-Term Disability EE - AT	229.80
16855	11/18/2011	ALLSTATE WORKPLACE DIV/CANCER	148
CA1011111814515		Cancer EE Low - PT	319.52
CA1011111814515		Cancer EE Low - PT	555.34
CA1011111814515		Cancer EE Low - PT	34.02
CA1011111814515		Cancer EE Low - PT	36.10
CA1011111814515		Cancer EE Low - PT	78.32
CA1011111814515		Cancer EE Low - PT	165.94
CA1111111814515		Cancer EE High - PT	112.60
CA1111111814515		Cancer EE High - PT	397.88
CA1111111814515		Cancer EE High - PT	79.16
CA1111111814515		Cancer EE High - PT	163.80
CA1111111814515		Cancer EE High - PT	45.72
CA1111111814515		Cancer EE High - PT	898.16
CA1111111814515		Cancer EE High - PT	12.28
CA1111111814515		Cancer EE High - PT	63.48
CA1111111814515		Cancer EE High - PT	100.32
CA1111111814515		Cancer EE High - PT	12.28
CA1111111814515		Cancer EE High - PT	121.48
CA1011111814515		Cancer EE Low - PT	65.96
CA1011111814515		Cancer EE Low - PT	719.20
CA1011111814515		Cancer EE Low - PT	71.10
CA1011111814515		Cancer EE Low - PT	171.08
CA1011111814515		Cancer EE Low - PT	14.44
CA1111111814515		Cancer EE High - PT	369.92
16856	11/18/2011	CITY OF TOPEKA FRIENDSHIP FUND	948
FR1011111814515		Friendship Fund	108.00
FR1011111814515		Friendship Fund	25.00
FR1011111814515		Friendship Fund	10.00
FR1011111814515		Friendship Fund	9.00
FR1011111814515		Friendship Fund	8.00
FR1011111814515		Friendship Fund	2.00
FR1011111814515		Friendship Fund	10.00
FR1011111814515		Friendship Fund	26.00
FR1011111814515		Friendship Fund	117.50
FR1011111814515		Friendship Fund	21.80
FR1011111814515		Friendship Fund	22.00
FR1011111814515		Friendship Fund	3.00

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16857	11/18/2011	ING AETNA FINANCIAL SERVICES 2397	51,128.69
DC1511111814515		Def Comp EE - Regular Pct	280.89
DC1511111814515		Def Comp EE - Regular Pct	265.07
DC1511111814515		Def Comp EE - Regular Pct	40.18
DC1511111814515		Def Comp EE - Regular Pct	140.56
DC1511111814515		Def Comp EE - Regular Pct	89.83
DC9011111814515		Def Comp ER - KP&F Rate	625.52
DC1011111814515		Def Comp EE - Regular Amt	16,737.59
DC1011111814515		Def Comp EE - Regular Amt	1,632.00
DC1011111814515		Def Comp EE - Regular Amt	2,261.50
DC1011111814515		Def Comp EE - Regular Amt	140.00
DC1011111814515		Def Comp EE - Regular Amt	250.00
DC1011111814515		Def Comp EE - Regular Amt	1,192.69
DC1011111814515		Def Comp EE - Regular Amt	351.54
DC1011111814515		Def Comp EE - Regular Amt	510.00
DC1011111814515		Def Comp EE - Regular Amt	1,172.60
DC1011111814515		Def Comp EE - Regular Amt	641.95
DL0211111814515		Def Comp Loan - 2	66.63
DL0211111814515		Def Comp Loan - 2	108.28
DL0211111814515		Def Comp Loan - 2	437.14
DL0211111814515		Def Comp Loan - 2	166.27
DC1011111814515		Def Comp EE - Regular Amt	6,123.58
DC1011111814515		Def Comp EE - Regular Amt	14,502.20
DL0111111814515		Def Comp Loan - 1	62.93
DL0111111814515		Def Comp Loan - 1	971.62
DL0111111814515		Def Comp Loan - 1	53.43
DL0111111814515		Def Comp Loan - 1	9.44
DL0211111814515		Def Comp Loan - 2	296.22
DL0211111814515		Def Comp Loan - 2	97.98
DL0111111814515		Def Comp Loan - 1	329.46
DL0111111814515		Def Comp Loan - 1	1,093.09
DL0111111814515		Def Comp Loan - 1	140.63
DL0111111814515		Def Comp Loan - 1	103.21
DL0111111814515		Def Comp Loan - 1	184.29
DL0111111814515		Def Comp Loan - 1	50.37
16858	11/18/2011	INTERNATIONAL ASSOC OF 2424	10,771.94
16241 STAHL, DEC 16241			3,545.68
ADMIN FEE 11/18/ PAYROLL			-14.22
UNI111111814515		Union Dues - IAFF	7,240.48
16859	11/18/2011	KANSAS PAYMENT CENTER 2732	274.70
0000000741111181		Child Support - Amt	274.70
16860	11/18/2011	KANSAS PAYMENT CENTER 2732	42.94
0000000831111181		Child Support - Amt	42.94
16861	11/18/2011	KANSAS PAYMENT CENTER 2732	149.08
0000000861111181		Child Support - Amt	149.08
16862	11/18/2011	KANSAS PAYMENT CENTER 2732	163.43
0000000861111181		Child Support - Amt	163.43
16863	11/18/2011	KANSAS PAYMENT CENTER 2732	230.84
0000000961111181		Child Support - Amt	230.84
16864	11/18/2011	KANSAS PAYMENT CENTER 2732	190.21
0000001141111181		Child Support - Amt	190.21
16865	11/18/2011	KANSAS PAYMENT CENTER 2732	510.16
0000001191111181		Child Support - Amt	510.16
16866	11/18/2011	KANSAS PAYMENT CENTER 2732	481.53

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
0000001451111181		Child Support - Amt	481.53
16867	11/18/2011	KANSAS PAYMENT CENTER 2732	177.75
0000001931111181		Child Support - Amt	177.75
16868	11/18/2011	KANSAS PAYMENT CENTER 2732	44.06
0000002041111181		Child Support - Amt	44.06
16869	11/18/2011	KANSAS PAYMENT CENTER 2732	339.02
0000002041111181		Child Support - Amt	339.02
16870	11/18/2011	KANSAS PAYMENT CENTER 2732	53.08
0000002421111181		Child Support - Amt	53.08
16871	11/18/2011	KANSAS PAYMENT CENTER 2732	131.08
0000002421111181		Child Support - Amt	131.08
16872	11/18/2011	KANSAS PAYMENT CENTER 2732	288.09
0000002941111181		Child Support - Amt	288.09
16873	11/18/2011	KANSAS PAYMENT CENTER 2732	253.92
0000003181111181		Child Support - Amt	253.92
16874	11/18/2011	KANSAS PAYMENT CENTER 2732	800.55
0000003241111181		Child Support - Amt	800.55
16875	11/18/2011	KANSAS PAYMENT CENTER 2732	368.88
0000003401111181		Child Support - Amt	368.88
16876	11/18/2011	KANSAS PAYMENT CENTER 2732	498.61
0000003431111181		Child Support - Amt	498.61
16877	11/18/2011	KANSAS PAYMENT CENTER 2732	183.29
0000003481111181		Child Support - Amt	183.29
16878	11/18/2011	KANSAS PAYMENT CENTER 2732	50.32
0000003801111181		Child Support - Amt	50.32
16879	11/18/2011	KANSAS PAYMENT CENTER 2732	368.88
0000003851111181		Child Support - Amt	368.88
16880	11/18/2011	KANSAS PAYMENT CENTER 2732	169.38
0000004171111181		Child Support - Amt	169.38
16881	11/18/2011	KANSAS PAYMENT CENTER 2732	185.13
0000004471111181		Child Support - Amt	185.13
16882	11/18/2011	KANSAS PAYMENT CENTER 2732	361.85
0000004521111181		Child Support - Amt	361.85
16883	11/18/2011	KANSAS PAYMENT CENTER 2732	198.98
0000004521111181		Child Support - Amt	198.98
16884	11/18/2011	KANSAS PAYMENT CENTER 2732	184.62
0000004891111181		Child Support - Amt	184.62
16885	11/18/2011	KANSAS PAYMENT CENTER 2732	23.08
0000004891111181		Child Support - Amt	23.08
16886	11/18/2011	KANSAS PAYMENT CENTER 2732	164.36
0000005151111181		Child Support - Amt	164.36

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16887	11/18/2011	KANSAS PAYMENT CENTER 2732	385.50
0000005361111181		Child Support - Amt	385.50
16888	11/18/2011	KANSAS PAYMENT CENTER 2732	258.54
0000005861111181		Child Support - Amt	258.54
16889	11/18/2011	KANSAS PAYMENT CENTER 2732	143.08
0000005881111181		Child Support - Amt	143.08
16890	11/18/2011	KANSAS PAYMENT CENTER 2732	229.46
0000006191111181		Child Support - Amt	229.46
16891	11/18/2011	KANSAS PAYMENT CENTER 2732	74.10
0000006241111181		Child Support - Amt	74.10
16892	11/18/2011	KANSAS PAYMENT CENTER 2732	512.93
0000006391111181		Child Support - Amt	512.93
16893	11/18/2011	KANSAS PAYMENT CENTER 2732	267.69
0000006411111181		Child Support - Amt	267.69
16894	11/18/2011	KANSAS PAYMENT CENTER 2732	415.51
0000006671111181		Child Support - Amt	415.51
16895	11/18/2011	KANSAS PAYMENT CENTER 2732	184.67
0000007261111181		Child Support - Amt	184.67
16896	11/18/2011	KANSAS PAYMENT CENTER 2732	121.88
0000007321111181		Child Support - Amt	121.88
16897	11/18/2011	KANSAS PAYMENT CENTER 2732	415.51
0000007341111181		Child Support - Amt	415.51
16898	11/18/2011	KANSAS PAYMENT CENTER 2732	73.41
0000007651111181		Child Support - Amt	73.41
16899	11/18/2011	KANSAS PAYMENT CENTER 2732	86.31
0000007741111181		Child Support - Amt	86.31
16900	11/18/2011	KANSAS PAYMENT CENTER 2732	122.77
0000007911111181		Child Support - Amt	122.77
16901	11/18/2011	KANSAS PAYMENT CENTER 2732	306.09
0000008151111181		Child Support - Amt	306.09
16902	11/18/2011	KANSAS PAYMENT CENTER 2732	446.45
0000008271111181		Child Support - Amt	446.45
16903	11/18/2011	KANSAS PAYMENT CENTER 2732	46.15
0000008411111181		Child Support - Amt	46.15
16904	11/18/2011	KANSAS PAYMENT CENTER 2732	9.23
0000008421111181		Child Support - Amt	9.23
16905	11/18/2011	KANSAS PAYMENT CENTER 2732	314.31
0000008631111181		Child Support - Amt	314.31
16906	11/18/2011	KANSAS PAYMENT CENTER 2732	238.15
0000008661111181		Child Support - Amt	238.15
16907	11/18/2011	KANSAS PAYMENT CENTER 2732	464.91
0000009111111181		Child Support - Amt	464.91

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
16908	11/18/2011	KANSAS PAYMENT CENTER	2732
0000009241111181		Child Support - Amt	147.23
			147.23
16909	11/18/2011	KANSAS PAYMENT CENTER	2732
0000009361111181		Child Support - Amt	88.64
			88.64
16910	11/18/2011	KANSAS PAYMENT CENTER	2732
0000009591111181		Child Support - Amt	304.15
			304.15
16911	11/18/2011	KANSAS PAYMENT CENTER	2732
0000009721111181		Child Support - Amt	326.87
			326.87
16912	11/18/2011	KANSAS PAYMENT CENTER	2732
0000009821111181		Child Support - Amt	856.88
			856.88
16913	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010021111181		Child Support - Amt	351.80
			351.80
16914	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010151111181		Child Support - Amt	144.51
			144.51
16915	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010221111181		Child Support - Amt	124.15
			124.15
16916	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010401111181		Child Support - Amt	235.92
			235.92
16917	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010431111181		Child Support - Amt	182.83
			182.83
16918	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010561111181		Child Support - Amt	155.54
			155.54
16919	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010861111181		Child Support - Amt	221.61
			221.61
16920	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010931111181		Child Support - Amt	138.50
			138.50
16921	11/18/2011	KANSAS PAYMENT CENTER	2732
0000010931111181		Child Support - Amt	153.69
			153.69
16922	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011291111181		Child Support - Amt	392.43
			392.43
16923	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011321111181		Child Support - Amt	279.78
			279.78
16924	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011811111181		Child Support - Amt	335.64
			335.64
16925	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011811111181		Child Support - Amt	158.54
			158.54
16926	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011891111181		Child Support - Amt	113.11
			113.11
16927	11/18/2011	KANSAS PAYMENT CENTER	2732
0000011891111181		Child Support - Amt	173.54
			173.54
16928	11/18/2011	KANSAS PAYMENT CENTER	2732
			369.23

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
0000011921111181		Child Support - Amt	369.23
16929	11/18/2011	KANSAS PAYMENT CENTER 2732	52.15
0000011921111181		Child Support - Amt	52.15
16930	11/18/2011	KANSAS PAYMENT CENTER 2732	147.74
0000011931111181		Child Support - Amt	147.74
16931	11/18/2011	KANSAS PAYMENT CENTER 2732	163.38
0000011931111181		Child Support - Amt	163.38
16932	11/18/2011	KANSAS PAYMENT CENTER 2732	56.31
0000012001111181		Child Support - Amt	56.31
16933	11/18/2011	KANSAS PAYMENT CENTER 2732	141.27
0000018871111181		Child Support - Amt	141.27
16934	11/18/2011	NATIONAL GUARDIAN LIFE INSURAN 5737	3,169.61
VS10111118145151		Vision EE - PT	450.69
VS10111118145151		Vision EE - PT	666.09
VS10111118145151		Vision EE - PT	86.41
VS10111118145151		Vision EE - PT	79.38
VS10111118145151		Vision EE - PT	77.09
VS10111118145151		Vision EE - PT	42.02
VS10111118145151		Vision EE - PT	128.43
VS10111118145151		Vision EE - PT	184.51
VS10111118145151		Vision EE - PT	1,086.21
VS10111118145151		Vision EE - PT	156.39
VS10111118145151		Vision EE - PT	168.08
VS10111118145151		Vision EE - PT	44.31
16935	11/18/2011	SECURITY BENEFIT GROUP 5742	17,780.30
FC10111118145151		FSA Dependent Care EE	384.62
FC10111118145151		FSA Dependent Care EE	19.24
FC10111118145151		FSA Dependent Care EE	153.85
FC10111118145151		FSA Dependent Care EE	1,357.70
FM10111118145151		FSA Medical Spending EE	3,425.62
FM10111118145151		FSA Medical Spending EE	506.83
FM10111118145151		FSA Medical Spending EE	4,315.45
FM10111118145151		FSA Medical Spending EE	668.09
FM10111118145151		FSA Medical Spending EE	930.58
FM10111118145151		FSA Medical Spending EE	157.11
FM10111118145151		FSA Medical Spending EE	3,939.32
FM10111118145151		FSA Medical Spending EE	186.17
FM10111118145151		FSA Medical Spending EE	209.88
FM10111118145151		FSA Medical Spending EE	228.88
FM10111118145151		FSA Medical Spending EE	532.86
FM10111118145151		FSA Medical Spending EE	764.10
16936	11/18/2011	UNITED WAY OF GREATER TOPEKA 5157	560.50
UW10111118145151		United Way	142.00
UW10111118145151		United Way	182.50
UW10111118145151		United Way	4.00
UW10111118145151		United Way	20.00
UW10111118145151		United Way	1.00
UW10111118145151		United Way	30.00
UW10111118145151		United Way	33.00
UW10111118145151		United Way	11.00
UW10111118145151		United Way	38.00
UW10111118145151		United Way	30.00
UW10111118145151		United Way	63.00
UW10111118145151		United Way	6.00
16937	11/18/2011	ACE ELECTRIC JONES COMPANY INC 35	7,996.60

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
9417	15739		3,133.67
9470	16469		1,883.48
9495	16439		1,175.51
9497	16444		1,803.94
16938	11/18/2011	ANDY SCHREINER CONSTRUCTION 224	21,872.50
1207	15624		7,126.00
82416	15595		2,390.50
83624	15864		2,789.00
84376	16133		9,567.00
16939	11/18/2011	BETTIS ASPHALT & CONSTRUCTION 470	4,722.15
1110 088	14820		4,722.15
16940	11/18/2011	C-HAWKK CONSTRUCTION INC 911	23,582.60
14898	16380		12,818.60
14909	16181		58.30
14910	13093		420.00
14911	13093		440.75
14912	16181		96.20
14913	16181		978.60
14926	12449		190.85
14927	16525		600.00
14944	12449		40.50
14945	12449		21.00
14947	12449		4.20
14920	16181		108.00
14921	16181		3,548.40
14922	16181		30.80
14923	16181		177.00
14924	12449		116.60
14925	12449		960.50
14914	16181		196.10
14915	16181		88.00
14916	16181		130.00
14917	16181		1,111.00
14918	16181		519.00
14919	16181		928.20
16941	11/18/2011	CAPITAL BELT & SUPPLY INC 776	113.17
48108	12620		48.83
48199	12620		64.34
16942	11/18/2011	CAPITAL CITY OIL CO INC 778	31,517.14
009030	12127		96.83
009034	12127		19.34
009081	12127		18.88
984319	12127		30,007.05
DP 138	12127		1,375.04
16943	11/18/2011	CHAMPION BRANDS LLC 883	628.80
414710	12139		628.80
16944	11/18/2011	CONTECH CONSTRUCTION PRODUCTS 1079	137.97
80 11 0037	12451		137.97
16945	11/18/2011	FERGUSON ENTERPRISES INC 1639	132.80
1712511	12685		132.80
16946	11/18/2011	FLU CON INC 1729	1,011.08
I 80061 0	12216		295.85
P 79967 0	12216		79.99
P 79983 0	12216		94.04
P 80096 0	12216		261.70

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
P 80100 0	12216		164.59
P 80149 0	12216		114.91
16947	11/18/2011	GRAYBAR 1977	1,307.16
957119986	12924		777.09
957119987	12924		530.07
16948	11/18/2011	IBT 2377	59.28
5692944	12226		59.28
16949	11/18/2011	KEY EQUIPMENT & SUPPLY CO 2847	1,151.74
217559	12233		1,151.74
16950	11/18/2011	KRIZ DAVIS COMPANY 2916	26.74
S100287291 001	12614		26.74
16951	11/18/2011	LINDYSPRING WATER LLC 3071	97.15
647184	12858		5.95
647516	12858		5.95
647518	12858		26.25
649689	12407		21.00
660140	12858		8.00
660238	12858		30.00
16952	11/18/2011	M & M EXCAVATING 3157	9,924.21
0146 11/4/11	16076		9,924.21
16953	11/18/2011	MCELROY'S INC 3289	1,491.32
0676662 IN	14944		1,491.32
16954	11/18/2011	NEPTUNE TECHNOLOGY GROUP INC 3658	9,218.79
N295102	16169		1,631.29
N295294	16169		7,000.00
N295699	16169		325.00
N295874	16230		262.50
16955	11/18/2011	SALISBURY SUPPLY COMPANY INC 4352	149.71
01031159	12245		11.64
01031453	12873		102.47
01031693	15983		12.00
01032054	15983		12.00
01033218	15983		11.60
16956	11/18/2011	SCHMIDTLEIN EXCAVATING INC 4406	84,988.10
11125 2	15642		65,102.81
2010 01	16585		11,304.86
2010 02	16585		1,144.62
201101	16585		7,435.81
16957	11/18/2011	TAZCO INC 4885	51,159.54
2536	15110		30,382.00
2538	15889		17,002.50
81966	15453		3,775.04
16958	11/18/2011	TOPEKA ELECTRIC MOTOR REPAIR I 5025	815.30
33926	12744		435.00
33975	12744		110.30
33991	12744		270.00
16959	11/18/2011	WATER PRODUCTS INC 5324	7,595.80
0888995 IN	16249		7,595.80
16960	11/18/2011	WHITE STAR MACHINERY & SUPPLY 5408	667.77

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
06070211	12260		52.04
06070404	12260		101.47
06070405	12260		375.34
06070638	12454		11.98
06070864	12260		126.94
Total for Electronic Payments			2,115,282.64
Check Payments			
690214	11/18/2011	BUTLER & ASSOCIATES PA	730
0000008421111181		Garnishment - Pct of Net	221.42
690215	11/18/2011	H KENT HOLLINS ATTORNEY AT LAW	6502
0000010031111181		Garnishment - Pct of Net	135.11
690216	11/18/2011	H KENT HOLLINS ATTORNEY AT LAW	6502
0000010031111181		Garnishment - Pct of Net	135.10
690217	11/18/2011	VALENTINE & ZIMMERMAN PA	5186
0000008061111181		Garnishment - Pct of Net	290.79
690218	11/18/2011	VALENTINE & ZIMMERMAN PA	5186
0000011921111181		Garnishment - Pct of Net	122.28
690219	11/18/2011	MANNONI, BESSIE J	8103
16526	16526		550.00
690220	11/18/2011	ALLEN, JAMES E	8104
16527	16527		200.00
690221	11/18/2011	NULTY, JAMES R	8108
16528	16528		1,300.00
690222	11/18/2011	STORMONT VAIL HEALTH CARE INC	4782
16505 MCBEE KAN	16505		319.84
690223	11/18/2011	BROWN, EVELYN L	6655
FRANCHISE FEE-6			121.79
690224	11/18/2011	DUNBAR, LORENE G	8107
FRANCHISE FEE-8			113.06
690225	11/18/2011	RAHBERG, CAROL L	4075
FRANCHISE FEE-4			120.60
690226	11/18/2011	ANGUIANO, VICTOR S	8095
FRANCHISE FEE-8			133.16
690227	11/18/2011	A & A AUTO AND TRUCK PARTS INC	10
01305499	12192		150.00
01308498	12192		25.00
690228	11/18/2011	ACTION SIGNS TO GO	43
45243	12194		200.00
690229	11/18/2011	ADVANCE AUTO PARTS	64
1649131175522	12195		74.59
690230	11/18/2011	AGRIUM ADVANCED TECHNOLOGIES	7887
IN 482926	15526		1,038.00
690231	11/18/2011	ALTEC INDUSTRIES	5903
9793323	14005		2,011.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690232	11/18/2011	ANTECH DIAGNOSTIC	5886
201110 0	14681		781.95
			781.95
690233	11/18/2011	ARBOR SOD & SEEDING INC	8092
2300	16465		3,720.00
2301	16443		650.00
2308	16443		420.00
			4,790.00
690234	11/18/2011	ARMSTRONG BICYCLE SHOP CO INC	795
15901	15901		1,060.00
			1,060.00
690235	11/18/2011	AT&T CAPITAL SERVICES	284
2782993	DE		12,181.81
2782994	DE		1,009.67
			13,191.48
690236	11/18/2011	AT&T LONG DISTANCE	287
801980401 NOV 11	LONG DISTANCE	Long Distance 10/1-10/31	1,932.62
			1,932.62
690237	11/18/2011	AZTECA SYSTEMS	321
6835	16485		57,295.00
			57,295.00
690238	11/18/2011	BDF ENTERPRISES LTD	1660
36059	12146		119.25
			119.25
690239	11/18/2011	BERRY TRACTOR & EQUIPMENT CO	463
03009190	12198		346.74
			346.74
690240	11/18/2011	BLACKBURN NURSERY & LAWN	506
001BL0039901	12593		23.71
001EC0103537	12593		-11.99
001EC0114190	12593		35.73
			47.45
690241	11/18/2011	BRIDGESTONE FIRESTONE NORTH	617
6072	12202		247.22
			247.22
690242	11/18/2011	C & C PRODUCE	7788
442582	15708		318.50
444129	15708		240.50
			559.00
690243	11/18/2011	CARQUEST OF TOPEKA	814
2261 108171	12207		-46.48
2261 108292	12207		160.42
2261 108299	12207		-551.86
2261 109447	12134		21.58
2261 109838	12207		13.06
2261 110420	12207		116.00
2386 180622	12207		4.88
2261 110775	12207		4.02
2261 111146	12207		29.49
2261 112459	12134		57.32
2261 113637	12134		102.24
2261 114096	12134		87.54
2261 114209	12134		22.06
			20.27
690244	11/18/2011	CE WATER MANAGEMENT INC	858
C36107	13023		366.00
			366.00
690245	11/18/2011	CLAIBORN & ASSOCIATES INC	1742
13097 10/26/11	13097		400.00
			400.00
690246	11/18/2011	COLORWORKS PAINT & SUPPLY INC	1036
321768	12892		29.09
			29.09

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690247	11/18/2011	CONRAD FIRE EQUIPMENT INC 1073	12.40
474407	12141		12.40
690248	11/18/2011	DENNYS RESTAURANT INC 1329	280.63
241816	12589		30.06
241839	12589		18.77
241897	12589		36.05
242092	12589		27.94
242194	12589		34.74
242231	12589		39.83
242725	12589		32.76
385917	12589		36.62
386164	12589		23.86
690249	11/18/2011	DOWNTOWN TOPEKA INC 1408	2,818.50
12860 21	12860		2,818.50
690250	11/18/2011	DUKE'S ROOT CONTROL INC 1432	25,377.44
7689	15198		25,377.44
690251	11/18/2011	ELECTRONICS SUPPLY CO INC 1505	956.20
1260981	12686		-49.73
1392755	12686		451.73
1392756	12686		459.00
1392757	12686		95.20
690252	11/18/2011	ENVIRO LINE CO INC 1541	520.00
0020404 IN	16231		520.00
690253	11/18/2011	ENVISION 1549	22.40
0003176334	12611		22.40
690254	11/18/2011	ESPOSITO, JOHN 1566	2,618.87
PARKS 102011 AR	13934		80.40
PARKS102011	13933		259.75
PFR102011	13007		50.00
RIGHT OF WAYS A	13773		310.40
RIGHT OF WAYS A	13926		338.72
RIGHT OF WAYS A	13773		37.76
WDM102011 AREA	13932		276.00
WPC A4 102011	14027		92.72
RIGHTOFWAYSAD	13926		123.25
SDU A 4 B 102011	14027		23.25
SDU A4 102011	14027		364.90
SUD102011	13673		186.40
VL 102011	14036		355.32
WDM102011	13932		120.00
690255	11/18/2011	FACTORY MOTOR PARTS COMPANY 5676	644.81
8 501143	12262		18.70
8 501251	12188		67.42
8 501282	12262		119.00
8 501520	12188		439.69
690256	11/18/2011	GENERAL CHEMICAL PERFORMANCE 1864	12,956.76
90445903	14537		12,956.76
690257	11/18/2011	GENUINE PARTS COMPANY 1873	100.90
804544	12151		100.90
690258	11/18/2011	GLORY DAYS PIZZA INC 1912	15.65
159	12692		15.65

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690259	11/18/2011	GLORY DAYS PIZZA FLEMING PLACE 7650	64.60
31	14416		35.98
76	14416		28.62
690260	11/18/2011	GOLDEN CORRAL 1921	246.96
275329	12590		41.16
275331	12590		41.16
275345	12590		41.16
275346	12590		41.16
275347	12590		41.16
275348	12590		41.16
690261	11/18/2011	HERITAGE CRYSTAL CLEAN LLC 2200	378.99
11875148	12294		378.99
690262	11/18/2011	HOYT'S TRUCK CENTER INC 2321	379.69
73750	12225		379.69
690263	11/18/2011	INFO-TECH RESEARCH GROUP INC 7180	6,150.00
163074	16100		6,150.00
690264	11/18/2011	SANTIAGO, JEFFERSON R 8036	1,930.00
2130	16084		1,930.00
690265	11/18/2011	JIMS TRAILER SALES 2533	419.67
337291	12228		407.49
337295	12228		3.18
337300	12228		9.00
690266	11/18/2011	KANSAS AUTOMOTIVE INC 2639	565.21
2440746	12164		3.06
2440846	12231		42.23
2441019	12231		19.96
2441096	12231		4.02
2441196	12231		-2.92
2441296	12164		70.03
2442701	12231		5.77
2441914	12231		7.18
2441943	12231		12.33
2442104	12231		10.68
2442111	12231		12.50
2442152	12231		1.97
2442196	12231		12.98
2441701	12231		32.11
2441706	12164		50.85
2441731	12164		6.70
2441734	12231		84.42
2441737	12164		23.88
2441833	12231		22.80
2441401	12164		11.74
2441439	12231		77.34
2441511	12231		11.42
2441533	12231		8.69
2441548	12231		4.00
2441665	12231		31.47
690267	11/18/2011	KANSAS DEPARTMENT OF REVENUE 6574	359.62
0000005581111181		Garnishment - Pct of Net	359.62
690268	11/18/2011	KANSAS DEPARTMENT OF REVENUE 6574	453.16
0000008591111181		Garnishment - Pct of Net	453.16
690269	11/18/2011	KANSAS EXPOCENTRE 2701	25,000.00
15860 1	15860		12,500.00

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
15860 2	15860		12,500.00
690270 1100438	11/18/2011 14436	KANSAS ONE CALL SYSTEM INC 2728	2,507.40 2,507.40
690271 5454	11/18/2011 12191	KANSAS POWERTRAIN & 6935	1,407.52 1,407.52
690272 2011 162	11/18/2011 12519	KANSAS RIVER WATER ASSURANCE 2742	6,894.57 6,894.57
690273 16239 2012 DUES	11/18/2011 16239	KANSAS STATE FIREFIGHTERS ASSN 2754	50.00 50.00
690274 671495	11/18/2011 16427	KNAAK PIANO SERVICE 2890	80.00 80.00
690275 1091208 1091300 1091309 1091369 1091389 1091436 1091437 1091466	11/18/2011 12236 12236 12236 12236 12167 12236 12167 12236	LAIRD NOLLER FORD INC 2939	604.71 62.62 88.50 110.05 60.33 128.94 98.53 36.54 19.20
690276 1N 00182902	11/18/2011 15934	LAWSON SOFTWARE 2998	4,457.22 4,457.22
690277 11 1754	11/18/2011 16556	LEAGUE OF KANSAS 3010	1,050.00 1,050.00
690278 84080 85719 85731	11/18/2011 16135 16174 16175	LOVES ENTERPRISES 3112	4,885.83 1,350.00 1,234.00 2,301.83
690279 70260 70391 70848 71816 72142 72143 72161	11/18/2011 14737 15017 14805 15120 15399 15401 15362	LOWER HEATING & A/C INC 3119	25,882.06 715.48 864.92 111.66 4,483.00 5,051.00 5,123.00 9,533.00
690280 13077 OCT 11	11/18/2011 13077	LYON COUNTY SHERIFF'S OFFICE 3150	1,395.00 1,395.00
690281 1331072	11/18/2011 12148	MIDWAY WHOLESALE TOPEKA 3405	117.58 117.58
690282 32425 32426 32559	11/18/2011 12282 12169 12169	MIGHTY OF NE KANSAS 3422	52.28 7.68 26.76 17.84
690283 12638	11/18/2011 12240	MIKE'S FRAME SHOP INC 3423	830.16 830.16
690284 67	11/18/2011 12241	MONTGOMERY VENTURES INC 3496	58.05 58.05

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690285 1000389797111031	11/18/2011 16501	MORRIS COMMUNICATIONS 5016	1,213.68 1,213.68
690286 13374 SEP & NOV	11/18/2011 13374	MOSER, ROBERT E 3537	855.00 855.00
690287 L0071901	11/18/2011 14902	MWH LABORATORIES 3593	800.00 800.00
690288 15853 15854	11/18/2011 14610 14610	OZARK INTEGRATED PEST SERVICE 3791	230.00 35.00 265.00
690289 3984464	11/18/2011 15995	REEVES WIEDEMAN COMPANY INC 4154	1,363.04 1,363.04
690290 21079588 21082490 21082491 21083037 21083050 21083541	11/18/2011 12557 12557 12557 12293 12293 12293	SCHENDEL SERVICES INC 4390	196.15 196.15 196.15 45.34 45.34 45.34 724.47
690291 12825 OCT 11	11/18/2011 12825	SHAWNEE COUNTY DEPARTMENT OF 4502	8,124.90 8,124.90
690292 12314 20	11/18/2011 12314	SHAWNEE COUNTY REGISTER DEEDS 4519	61.50 61.50
690293 BZA11V/4 & BZA11	11/18/2011 16551	SHAWNEE COUNTY REGISTER DEEDS 4519	24.00 24.00
690294 2011 19	11/18/2011 13417	SHAWNEE COUNTY SHERIFFS OFFICE 4520	3,883.04 3,883.04
690295 51A0109989	11/18/2011 12298	SHAWNEE COUNTY TREASURER 4521	25.50 25.50
690296 GOLF IRRIGATION	11/18/2011 DE	SHAWNEE COUNTY PARKS & Tranf Cash for Irrigation Proj 6900	901,830.16 901,830.16
690297 900429813	11/18/2011 16511	SIEMENS INDUSTRY INC 7914	9,630.90 9,630.90
690298 47767	11/18/2011 15687	SIMILAR MODE UNIFORMS INC 4563	4,973.19 4,973.19
690299 178519	11/18/2011 16441	SKINNER NURSERY & GARDEN STORE 4594	108.05 108.05
690300 4993 15 4993 17	11/18/2011 12787 12787	THE LAUNDRY CHUTE 4931	96.15 96.15 192.30
690301 3	11/18/2011 15754	THE SALVATION ARMY INC 4938	3,168.52 3,168.52
690302 3126	11/18/2011 12785	THE UPS STORE 4943	53.05 53.05
690303	11/18/2011	THOMSON WEST PAYMENT CENTER 4972	221.00

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Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
823801888	16514		221.00
690304	11/18/2011	U S INK AND TONER INC 5116	48.87
6010229	16071		48.87
690305	11/18/2011	UNITED STATES POSTAL SERVICE 5146	2,200.00
16537	16537		2,200.00
690306	11/18/2011	VILLAGE CLEANERS 5230	41.80
0811	12670		9.02
1028	12670		3.88
1180	12670		5.14
1339	12670		3.88
1443	12670		3.20
1576	12670		1.94
1799	12670		12.80
1904	12670		1.94
690307	11/18/2011	WEIGHT WATCHERS NORTH 7994	641.74
WW101111181451!		Weight Watchers	437.55
WW101111181451!		Weight Watchers	58.34
WW101111181451!		Weight Watchers	29.17
WW101111181451!		Weight Watchers	116.68
690308	11/18/2011	WELLS, DAVID L 5359	631.50
008	13149		631.50
690309	11/18/2011	WELLS, MARIE 5361	837.00
243	12631		837.00
690310	11/18/2011	WYNN'S 5559	588.48
0004502668	12187		588.48
690311	11/18/2011	ARC REHABILITATION SVS LLC 294	1,993.71
243120X33280		WCCOT2011009819	96.69
243143X33279		WCCOT2011009833	63.77
243404X33286		WCCOT2010009366	63.77
243616X33319		WCCOT2009009192	68.36
243617X33319		WCCOT2011009819	136.71
245529X33530		WCCOT2010009366	132.12
245981X337876		WCCOT2011009828	150.05
244932X33473		WCCOT2011009794	181.53
245167X33517		WCCOT2011009794	52.51
245213X33516		WCCOT2010009366	132.12
245226X33516		WCCOT2011009819	96.69
245247X33515		WCCOT2009009192	143.38
245515X33531		WCCOT2011009794	83.34
243859X33336		WCCOT2011009833	110.03
244115X33381		WCCOT2011009819	103.78
244134X33381		WCCOT2009009192	65.85
244397X33397		WCCOT2011009819	103.78
244407X33397		WCCOT2009009192	65.85
244687X33431		WCCOT2010009366	143.38
690312	11/18/2011	BRIER PAYNE MEADE INSURANCE IN 620	75.00
444588	12107		75.00
690313	11/18/2011	CATALYSTRX COMP 847	2,200.46
112773670214015		WCCOT2006008478	486.07
112795220359006		30496.008	270.46
112805149082002		WCCOT2006008478	14.29
112834394499014		WCCOT2006008478	56.63
112834909916003		WCCOT2006008291	96.64
112856050868017		WCCOT2010009430	17.46

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
113006658429000		WCCOT2011009830	19.25
113006660870000		WCCOT2011009830	19.25
112953034577000		WCCOT2011009833	8.63
11296295130004		WCCOT2010009447	32.06
113006597019000		WCCOT2011009828	26.37
113006599581000		WCCOT2011009828	15.36
113006602085000		WCCOT2011009828	11.97
113006655729000		WCCOT2011009830	8.63
112952968211000		WCCOT2011009828	8.01
112952976926000		39596.011	110.36
112952986175000		WCCOT2007008780	31.13
112953005532000		WCCOT2011009818	17.95
112953014290000		WCCOT2011009834	15.68
112953032270000		WCCOT2011009833	15.36
112913568297006		WCCOT2011009828	20.07
112934749171020		WCCOT2010009430	92.23
112934761748002		WCCOT2010009430	52.69
112950597861401		WCCOT2010009430	63.30
112952962852000		WCCOT2011009828	10.18
112952965485000		WCCOT2011009828	19.25
112856098249014		WCCOT2006008291	303.16
112873320457014		WCCOT2010009430	203.85
112903688159018		WCCOT2011009819	13.40
112903689210003		WCCOT2011009819	75.81
112905977285301		WCCOT2010009430	46.30
112913566881004		WCCOT2011009828	18.66
690314	11/18/2011	COMPTECH MEDICAL MGT INC	7253
00991 WCCOT2008		WCCOT2005007980	52.10
00991 WCCOT2008		WCCOT2008008904	32.21
00991 WCCOT2008		WCCOT2009009192	32.62
00991 WCCOT2010		WCCOT2010009366	213.95
00991 WCCOT2010		WCCOT2010009430	3.32
00991 WCCOT2010		WCCOT2010009447	32.65
00991 WCCOT2011		WCCOT2011009834	1.80
00991 WCCOT2011		WCCOT2011009838	25.08
00991 WCCOT2011		WCCOT2011009818	1.98
00991 WCCOT2011		WCCOT2011009819	3.90
00991 WCCOT2011		WCCOT2011009828	17.53
00991 WCCOT2011		WCCOT2011009830	13.39
00991 WCCOT2011		WCCOT2011009831	50.90
00991 WCCOT2011		WCCOT2011009833	28.67
00991 WCCOT2011		WCCOT2011009795	17.68
00991 WCCOT2011		WCCOT2011009797	8.95
00991 WCCOT2011		WCCOT2011009801	70.68
00991 WCCOT2011		WCCOT2011009802	5.52
00991 WCCOT2011		WCCOT2011009804	18.12
00991 WCCOT2011		WCCOT2011009817	67.84
00991 WCCOT2011		WCCOT2011009776	1.10
00991 WCCOT2011		WCCOT2011009777	1.22
00991 WCCOT2011		WCCOT2011009779	1.22
00991 WCCOT2011		WCCOT2011009786	1.22
00991 WCCOT2011		WCCOT2011009787	33.43
00991 WCCOT2011		WCCOT2011009794	440.35
00991 WCCOT2011		WCCOT2011009765	1.22
00991 WCCOT2011		WCCOT2011009766	26.24
00991 WCCOT2011		WCCOT2011009767	12.68
00991 WCCOT2011		WCCOT2011009768	3.42
00991 WCCOT2011		WCCOT2011009773	5.78
00991 WCCOT2011		WCCOT2011009775	1.22
00991 WCCOT2011		WCCOT2011009733	2.20
00991 WCCOT2011		WCCOT2011009734	1.22
00991 WCCOT2011		WCCOT2011009737	14.29
00991 WCCOT2011		WCCOT2011009743	12.21
00991 WCCOT2011		WCCOT2011009752	9.14
			1,337.88

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
00991 WCCOT2011		WCCOT2011009756	4.14
00991 WCCOT2011		WCCOT2010009481	12.35
00991 WCCOT2011		WCCOT2010009573	18.54
00991 WCCOT2011		WCCOT2010009577	21.27
00991 WCCOT2011		WCCOT2010009606	1.10
00991 WCCOT2011		WCCOT2011009720	12.21
00991 WCCOT2011		WCCOT2011009732	1.22
690315	11/18/2011	KANSAS EMERGENCY SERVICES PA	7367
2200417979901		WCCOT2011009828	315.48
690316	11/18/2011	KANSAS ORTHOPEDIC & SPORTS MED	2729
6015465811		WCCOT2010009577	73.35
690317	11/18/2011	KANSAS UNIVERSITY PHYSICIANS	2776
0311671298		WCCOT2010009533	45.88
690318	11/18/2011	KSTAR EMERGENCY PHYSICIANS PLL	6545
B12 3918788		WCCOT2010009584	133.97
690319	11/18/2011	MIDWEST REHABILITATION PA	3418
MWR95722X15444		WCCOT2006008291	60.00
690320	11/18/2011	OCCU VAX LLC	3722
118698	14806		782.00
118706	14806		816.00
690321	11/18/2011	RADIOLOGY & NUCLEAR MEDICINE	4073
4051418094		WCCOT2011009832	52.64
4051419350		WCCOT2011009819	213.15
690322	11/18/2011	SAINT FRANCIS HEALTH CENTER	4338
1452		WCCOT2009009339	465.00
4179799		WCCOT2011009828	375.70
4180812		WCCOT2011009797	367.91
4181654		WCCOT2011009773	22.61
4181654A		WCCOT2011009773	14.88
4183698		WCCOT2011009773	170.16
4201522A		WCCOT2011009831	21.25
4201557		WCCOT2011009801	22.61
4201557A		WCCOT2011009801	21.25
4203911		WCCOT2011009832	303.01
4203911A		WCCOT2011009832	36.55
4198722		WCCOT2011009819	22.61
4198722A		WCCOT2011009819	21.25
4200589		WCCOT2011009828	22.61
4200589A		WCCOT2011009828	21.25
4200992		WCCOT2011009779	127.17
4201522		WCCOT2011009831	22.61
4192825A		WCCOT2011009752	21.25
4193510		WCCOT2011009818	246.41
4193510A		WCCOT2011009818	36.55
4194160		WCCOT2011009822	438.91
4196983		WCCOT2011009817	22.61
4196983A		WCCOT2011009817	21.25
4192686A		WCCOT2011009831	36.55
4192731		WCCOT2011009801	72.82
4192731A		WCCOT2011009801	21.25
4192781		WCCOT2011009803	22.61
4192781A		WCCOT2011009803	14.88
4192825		WCCOT2011009752	22.61
4190887		WCCOT2011009833	65.03
4190887A		WCCOT2011009833	36.55
4192686		WCCOT2011009831	38.68

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
4184925		WCCOT2011009803	22.61
4184925A.		WCCOT2011009803	21.25
4188337		WCCOT2011009819	97.18
4188337A		WCCOT2011009819	14.88
4188560		WCCOT2011009752	22.61
4188560A		WCCOT2011009752	21.25
690323	11/18/2011	SAINT FRANCIS PHYSICIAN CLINIC	4341
SFT628094		WCCOT2011009797	606.26
690324	11/18/2011	TALLGRASS BALANCE & HEARING	4864
2931		WCCOT2011009725	358.14
690325	11/18/2011	THE COMPTECH GROUP LLC	4920
735-WCCOT20100		WCCOT2010009393	2.39
690344	11/18/2011	ADAMS, COLENE	7582
11/13/11 AVBCA		Adult Volleyball	126.00
690345	11/18/2011	DORITY, SHELBY L	1387
11/13/11 AVBSD		Adult Volleyball	77.00
11/13/11 YVBSD		Youth Volleyball	50.00
690346	11/18/2011	HUNT, RON	6013
11/13/11 AVBRH		Adult Volleyball	143.00
11/6/11 AVBRH		Adult Volleyball	39.00
690347	11/18/2011	LEWIS, KYLE N	3053
11/13/11 AVBKL			117.00
11/6/11 AVBKL			65.00
690348	11/18/2011	LOBB, CAREY	3083
11/13/11 YVBCL			60.00
690349	11/18/2011	PERRY, MICHAEL	6147
11/13/11 AVBMP			66.00
11/6/11 AVBMP			27.00
690350	11/18/2011	WOBUS, PAUL	6165
11/13/11 ABBPW		Adult Basketball	80.00
11/6/11 AVBPW		Adult Volleyball	78.00
690351	11/18/2011	QUARLES II, NORMAN W	4051
11/13/11 ABBNQ		Adult Basketball	48.00
11/13/11 AVBNQ		Adult Volleyball	50.00
11/6/11 AVBNQ		Adult Volleyball	30.00
690352	11/18/2011	MOORE, REGINALD	5992
11/13/11 ABBRM		Adult Basketball	51.00
690353	11/18/2011	ATKINSON JR, RICHARD C	7671
11/13/11 AVBRA		Adult Volleyball	85.00
690354	11/18/2011	SMITH, ERNEST E	6156
11/13/11 ABBES		Adult Basketball	192.00
690355	11/18/2011	THEIS, KENNY	4947
11/13/11 AVBKT		Adult Volleyball	52.00
690356	11/18/2011	LEWIS, TYLER	7114
11/13/11 AVBTL		Adult Volleyball	81.00
11/13/11 YVBTL		Youth Volleyball	40.00
11/6/11 AVBTL		Adult Volleyball	45.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690357	11/18/2011	BERMAN & RABIN PA	7584
0000005561111181		Garnishment - Pct of Net	710.01
			710.01
690358	11/18/2011	BERMAN & RABIN PA	7584
0000008671111181		Garnishment - Pct of Net	350.26
			350.26
690359	11/18/2011	CALIFORNIA STATE DISBURSEMENT	753
0000008981111181		Child Support - Amt	86.54
			86.54
690360	11/18/2011	FAMILY SUPPORT PAYMENT CENTER	6780
0000010271111181		Child Support - Amt	225.00
			225.00
690361	11/18/2011	FRATERNAL ORDER OF POLICEMEN	1773
UNF111111814515		Union Dues - FOP	126.46
UNF111111814515		Union Dues - FOP	32.75
UNF111111814515		Union Dues - FOP	8,880.35
			9,039.56
690362	11/18/2011	GC SERVICES, LP	7435
0000005681111181		Student Loan Federal - Pct	227.39
			227.39
690363	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000000231111181		Bankruptcy - Amt 26 PP	69.24
			69.24
690364	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000003751111181		Bankruptcy - Amt 26 PP	95.00
			95.00
690365	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000003761111181		Bankruptcy - Amt 26 PP	773.17
			773.17
690366	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005271111181		Bankruptcy - Amt 26 PP	330.92
			330.92
690367	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005461111181		Bankruptcy - Amt 26 PP	150.00
			150.00
690368	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005911111181		Bankruptcy - Amt 26 PP	214.61
			214.61
690369	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000006861111181		Bankruptcy - Amt 26 PP	500.77
			500.77
690370	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007051111181		Bankruptcy - Amt 26 PP	276.92
			276.92
690371	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007381111181		Bankruptcy - Amt 26 PP	636.92
			636.92
690372	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000007811111181		Bankruptcy - Amt 26 PP	135.00
			135.00
690373	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000000301111181		Bankruptcy - Amt 26 PP	50.00
			50.00
690374	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000005771111181		Bankruptcy - Amt 26 PP	58.62
			58.62
690375	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000010561111181		Bankruptcy - Amt 26 PP	36.92
			36.92
690376	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE	2494
0000002781111181		Bankruptcy - Amt 26 PP	82.00
			82.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690377 0000000551111181	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494 150.70
690378 0000001131111181	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494 593.08
690379 0000011161111181	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494 141.69
690380 0000002321111181	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494 296.77
690381 0000002921111181	11/18/2011	JAN HAMILTON CHAPTER 13 TRUSTE Bankruptcy - Amt 26 PP	2494 25.39
690382 0000008981111181	11/18/2011	ROSANNE "SOTO" REYES Child Support - Amt	4283 286.15
690383 0000001371111181	11/18/2011	SUPPORT PAYMENT CLEARINGHOUSE Child Support - Amt	4831 239.08
690384 0000017091111181	11/18/2011	UNITED STATES TREASURY Tax Levy Federal - Pct	5156 522.26
690385 0000005581111181	11/18/2011	UNITED STATES TREASURY Tax Levy Federal - Pct	5155 1,128.55
690386 0000004751111181	11/18/2011	WILLIAM GRIFFIN CHAPTER 13 TRU Bankruptcy - Amt 26 PP	5446 117.69
690387 0000007591111181	11/18/2011	WILLIAM GRIFFIN CHAPTER 13 TRU Bankruptcy - Amt 26 PP	5446 768.00
690388 0000009721111181	11/18/2011	WILLIAM GRIFFIN CHAPTER 13 TRU Bankruptcy - Amt 26 PP	5446 623.54
690389 0000008281111181	11/18/2011	WILLIAM GRIFFIN CHAPTER 13 TRU Bankruptcy - Amt 26 PP	5446 120.00
690390 0000003191111181	11/18/2011	WILLIAM GRIFFIN CHAPTER 13 TRU Bankruptcy - Amt 26 PP	5446 159.69
690391 0000019321111181	11/18/2011	WISCONSIN SUPPORT COLLECTIONS Child Support - Amt	5503 196.15
690392 7000384124 7000384766 7000386357	11/18/2011 16366 16366 16366	AMERICAN WATER WORKS ASSOC INC	192 170.00 170.00 4,996.00
690393 T 254611	11/18/2011 16365	CAPITOL CONCRETE PRODUCTS INC	789 757.92
690394 8792 509232	11/18/2011 12754	RENSENHOUSE ELECTRIC SUPPLY	4174 65.70
690395 20110160 20110162	11/18/2011 13966 13027	DANIEL R HOUSER INC	7046 4,750.00 525.00
690396 15927 1	11/18/2011 15927	DAVIS FENCE CO INC	1267 78,601.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690397	11/18/2011	ENDRESS+HAUSER INC 8024	29,068.96
6001500502	16023		4,793.91
6001500511	16023		1,979.79
6001500696	16023		6,070.38
6001500929	16023		16,224.88
690398	11/18/2011	FASTENAL COMPANY 1619	64.61
KSTOP166984	12684		50.90
KSTOP167344	12214		7.56
KSTOP167352	12684		6.15
690399	11/18/2011	GRAINGER 1964	679.38
9678388597	16423		679.38
690400	11/18/2011	J & A TRAFFIC PRODUCTS 2453	13,993.00
14259	16033		13,993.00
690401	11/18/2011	MEIERS READY MIX 3338	4,220.32
310291	15971		343.98
310323	15971		573.30
310330	15971		535.08
310333	15971		305.76
310395	15971		573.30
310406	15971		305.76
310411	12445		98.22
310440	12445		261.88
310454	15971		1,070.16
310459	15971		152.88
690402	11/18/2011	MID-STATES MATERIALS LLC 3401	786.22
30579	12763		454.21
30682	12763		332.01
690403	11/18/2011	MIDWEST MOTOR SUPPLY CO 2854	410.78
2185462	12165		410.78
690404	11/18/2011	NORTHEAST KANSAS HYDRAULICS IN 3705	2,380.36
27241	12242		1,176.99
27243	12242		151.10
27245	12242		862.27
27250	12242		190.00
690405	11/18/2011	OLDCASTLE PRECAST INC 3739	784.00
120021161	12456		392.00
120021168	12456		392.00
690406	11/18/2011	RICK'S CONCRETE SAWING 4207	164.80
11 2212	14665		164.80
690407	11/18/2011	ROACH HARDWARE 4230	26.33
153826	15982		17.85
153889	15982		8.48
690408	11/18/2011	TARWATER FARM & HOME SUPPLY 4872	1,272.42
0962233	12755		58.50
0963276	12755		374.42
0966835	12755		292.00
0967266	12755		547.50
690409	11/18/2011	TOPEKA BLUE PRINT INC 5015	7,232.10
164479	12780		102.10
42597	16099		7,130.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 11/14/2011 and 11/27/2011

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
690410	11/18/2011	BLIND TIGER 7863	50.00
CR 2011 0006684 M	PT GILLASPIE		50.00
690411	11/18/2011	SANDBERG, CONNIE 6823	160.00
CR 2007 0018269 F	SC PARTON		160.00
690412	11/18/2011	CRIME VICTIMS COMPENSATION 6575	50.00
CR 2010 0017188 M	KN MOORE		50.00
690413	11/18/2011	DILLONS 6828	56.00
CR 2010 0000979 M	AD JACOBS		56.00
690414	11/18/2011	STEPHENS, DONNA L 8087	25.00
CR 2011 0010125 F	DL STEPHENS		25.00
690415	11/18/2011	KANSAS BUREAU OF INVESTIGATION 2646	1,080.00
CR 2011 0002016 F	JA BARRETT		50.00
CR 2011 0004093 F	KL FLOWERS		100.00
CR 2010 0004953 M	TT SCOTT		25.00
CR 2010 0009737 M	CM MARKHAM		45.00
CR 2010 0012102 F	MV JOYCE		25.00
CR 2010 0018499 M	TW BYLKAS		400.00
CR 2011 0000803 L	MJ SCHAFFER		400.00
CR 2011 0001442 F	SL MARLER		35.00
690416	11/18/2011	PETRY, LAWRENCE G 7635	40.00
CR 2010 0013888 F	MW WHITE		40.00
690417	11/18/2011	TRAPP, LEONARD 6876	100.00
CR 2006 0028213 M	BL BETTCHER		100.00
690418	11/18/2011	BROWN, NICOLE 8017	25.00
CR 2011 0006959 M	DT PERKINS		25.00
690419	11/18/2011	LOCKARD, PAIGE L 8105	45.00
CR 2008 0001354 F	RL DAVIS		45.00
Total for Check Payments			1,349,712.31
TOTAL OF PAYMENTS			3,464,994.95

Payment Listing

CB255 Date: 11/30/11
Time: 12:20

JOB SUBMISSION PARAMETERS

User Name: HALL\ccox
Job Name : CB255
Step Nbr : 1

Cash Code: 02 OPERATING ACCOUNT
or Cash Code Group:

Transaction Code: SYS AP SYSTEM PAYMENT
Check Date: 111411 - 112711
Check Nbr: -
Company: 1

Transaction Status: All
Report Sequence: C By Transaction Code
Detail Option: Summary

Payment Listing

CB255 Date 11/30/11
Time 12:20

Page 1

Payment Listing
Cash Code 02 OPERATING ACCOUNT
By Transaction Code (Status: All)

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
LEE ROBERT	690326	1	11/09/11	11/18/11		189.06	Historical	ROBERT E LEE	COT	
SHAWNEE CO	690327	1	11/09/11	11/18/11		50.00	Historical	SHAWNEE COUNTY REFUS	COT	
LUEBBE DUS	690328	1	11/10/11	11/18/11		111.00	Historical	DUSTIN EDWARD LUEBBE	COT	
MCCLEAVE C	690329	1	11/10/11	11/18/11		86.00	Historical	CODY PRICE MCCLEAVE	COT	
MCGEE CORE	690330	1	11/10/11	11/18/11		100.00	Historical	COREY M MCGEE	COT	
STEUBER AL	690331	1	11/10/11	11/18/11		72.00	Historical	ALEC R STEUBER	COT	
TARGETT TE	690332	1	11/10/11	11/18/11		124.00	Historical	TERESA N TARGETT	COT	
ANDERSON D	690333	1	11/07/11	11/18/11		50.00	Historical	DON ANDERSON	COT	
ARIZPE ALE	690334	1	11/07/11	11/18/11		50.00	Historical	ALECIA ARIZPE	COT	
DRAIN HELE	690335	1	11/07/11	11/18/11		50.00	Historical	HELEN DRAIN	COT	
GARCIA MAR	690336	1	11/07/11	11/18/11		50.00	Historical	MARIA GUADALUPE GARC	COT	
HAILEY EBO	690337	1	11/07/11	11/18/11		50.00	Historical	EBONY HAILEY	COT	
STAAB KENN	690338	1	11/10/11	11/18/11		50.00	Historical	KENNETH STAAB	COT	
CAMACHO KR	690339	1	11/08/11	11/18/11		40.00	Historical	KRISTI CAMACHO	COT	
COSTIGAN C	690340	1	11/10/11	11/18/11		55.00	Historical	CINTHIA COSTIGAN	COT	
HENDERSON	690341	1	11/08/11	11/18/11		60.00	Historical	TINA HENDERSON	COT	
MEURET JOS	690342	1	11/10/11	11/18/11		40.00	Historical	JOSEPH MEURET	COT	
NELSON VIC	690343	1	11/10/11	11/18/11		60.00	Historical	VICKI NELSON	COT	

Transaction Code SYS Total 1287.06

Cash Code 02 Total 1287.06

Report Total 1287.06

*** REPORT COMPLETED ***



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 25, 2011

Back Print

DATE:	December 13, 2011	
CONTACT PERSON:	Brenda Younger	DOCUMENT #:
SECOND PARTY/SUBJECT:	Applications	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 005 Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

Approve the licenses.

BACKGROUND:

Pursuant to K.S.A. 41-2702 as amended, license applications for retail cereal malt beverage must be approved by the governing body prior to issuance of the license.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available

Item #15



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 22, 2011

Back Print

DATE:	December 13, 2011		
CONTACT PERSON:	David Thurbon	DOCUMENT #:	CU11/2
SECOND PARTY/SUBJECT:	Office of Utilities and Transportation	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	JOURNAL #:		
	PAGE #:		

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Interim City Manager Daniel R. Stanley, in accordance with Section 18.70.030(c)(11) of the Topeka Municipal Code approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned “R-1” Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas. (CU11/2) (Council District No. 2)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for a new sanitary sewer pump station.)

POLICY ISSUE:

Request is consistent with the land use policies and principles of the Comprehensive Plan.

STAFF RECOMMENDATION:

The Topeka Planning Commission recommended the proposal be **APPROVED** by a vote of **9-0-0** at their November 21, 2011 meeting as referenced in the attached minutes. Planning Department Staff recommended this request be **APPROVED** as recommended in the attached staff report.

BACKGROUND:

- See staff report
- Governing Body options:
- Adopt the recommendation of the Planning Commission by Ordinance (6 votes);
- Disapprove the Planning Commission's recommendation and ordinance (7 votes); or
- Return to the Planning Commission with a statement specifying the basis for the Governing Body's failure

to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[staff report](#)

[aerial map](#)

[zoning map](#)

[CUP site plan](#)

[Resolution](#)

[Planning Commission Minutes](#)

CONDITIONAL USE PERMIT REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: CU11/2

by: City of Topeka

PROPOSAL: Requesting a Conditional Use Permit to establish a public utility structure (sanitary sewer pump station) on property presently zoned "R-1" Single-Family Dwelling District. *[TMC 18.50.060(a) the district boundaries are the city limits or the centerlines of rights-of-way including: streets, alleys, railways, creeks, streams, rivers, or drainage channels.]*

LOCATION: 333 NE Spruce Lane – Generally located in a neighborhood to the northeast of N. Kansas Avenue and Soldier Creek (Northland Subdivision “B”)

PRESENT USE: Undeveloped 1.1 acre tract

PROPOSED USE: To allow construction of a new “unmanned” sanitary sewer pump station that will improve sanitary sewer infrastructure in this area. The proposed pump station will contain a 1.1 million gallon per day submersible pump, which will be noiseless, other than an emergency generator only running during a power outage and approximately once per week during routine maintenance. Due to site specific characteristics, odor is not anticipated to be a problem. Odor control devices can be installed later, if needed. The pump station itself will consist of an underground submersible pump with a 10’ X 10’ fiberglass structure above grade to house the electrical control panels and valve vault. Access to the site will be by NE Spruce Lane from a 12-foot wide driveway. NE Spruce Lane will need to be improved to City standards, with a permanent turnaround built at the end, up to the point it will provide access since the subject property otherwise does not have any improved access nor street frontage. The remainder of the developed area on-site may be gravel since the pump station is proposed to be an “unmanned” station and little vehicular traffic to the station is anticipated; except once per week for scheduled maintenance.

The site plan needs to demonstrate compliance with the City landscape regulations, including depicting landscaping adjacent to west boundary that meets requirements of the landscape regulations. If any significant existing trees are proposed to remain, these will need to be factored into the landscape plan as existing tree credits. A row of fairly significant trees lies along the south boundary line of the proposed CUP boundary, which should be kept if possible. Lighting will be directed away from residential properties and restricted to no greater than three-foot candles at the property line. A six-foot chain link fence is proposed to be extended surrounding the property.

CHARACTER OF NEIGHBORHOOD: The neighborhood is predominantly single-family residential in character east of N. Kansas Avenue. Soldier Creek flows east-west to the south of the neighborhood. The one acre site is part of a larger approximately 20 acre undeveloped area lying west and north of the 100-year flood plain that bounds the neighborhood on its east and south sides.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“R-1” Single-Family Dwelling District	Open space/vacant
South:	“R-1” Single-Family Dwelling District	Single-family residence
East:	“R-1” Single-Family Dwelling District	Open space/vacant
West:	“R-1” Single-Family Dwelling District	Single-family residence

GUIDELINES FOR EVALUATION: In considering an application for a conditional use permit, the Planning Commission and Governing Body, according to the zoning code, will give consideration to the following criteria in order to protect the integrity and character of the zoning district in which the proposed use is located; and to minimize adverse effects on surrounding properties and neighborhood, all conditional use permit applications shall be evaluated in accordance with the guidelines established in Chapter 18.215 of the Comprehensive Zoning Regulations of the Topeka Municipal Code.

1. **The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies:** The Topeka Land Use and Growth Management Plan – 2025 designates this area for *Urban/Suburban Low Density Residential*. The property is still suitable as zoned for the classification and is not changing. *Public Utility Structures* are allowed by conditional use permit under the property’s current “R-1” Single-Family Dwelling District zoning. With conditions implemented as stated in the staff report, the proposed use is in conformance to the Comprehensive Plan.
2. **The character of the neighborhood including but not limited to: land use, zoning, density, architectural style, building materials, height, structural mass, sitting, open space and floor-to area ratio:** The subject property is located on the edge of an existing single-family neighborhood. It is part of a large 20-acre undeveloped tract (unplatted). The subject property is located in an area that will probably not develop for single-family dwellings since the Northland Subdivision “B” was platted in the 1950s with dead-end streets touching the boundaries of this undeveloped area and the streets were never platted to extend. Most of the residences in that neighborhood were already constructed in the 1960s. As conditioned, the small 10’ X 10’ pump station building will be consistent with the character of the neighborhood as it is located on the outside edge of the neighborhood. Many of the pump mechanisms will be below grade and should not alter the character of the neighborhood.
3. **The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses:** The area is zoned “R-1” Single-Family Dwelling District and within an area designated for single-family uses. The proposed pump station would be in harmony with surrounding zoning and uses, as it will located on the edge of the neighborhood and at the end of a dead-end street in an area that will probably no longer develop for any new single-family uses since the neighborhood. The pump is submersible and other than a 10’ X 10’ building to house electrical panels, it will be below grade, and therefore, would be in harmony with the zoning and uses of nearby properties.

4. **The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations:** The site's present classification is consistent with the established pattern of zoning and land use in the area and, is therefore, viewed as suitable for uses to which it has been restricted.
5. **The length of time the property has remained vacant as zoned:** The area has remained vacant as zoned for residential purposes since annexed in 1955.
6. **The extent to which the approval of the application would detrimentally affect nearby properties:** Approval of the application should not have a detrimental effect upon nearby properties provided staff's conditions are implemented, including adding a landscape buffer along the west boundary that abuts a single-family residence and keeping as many significant trees along the south boundary line as possible.
7. **The extent to which the proposed use would substantially harm the value of nearby properties:** With the implementation of the staff recommendations and conditions, the values of nearby properties should suffer no harmful effects by approval of the application.
8. **The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property:** No adverse affects are anticipated on the road network as the only expected traffic to this pump station would be for regular maintenance at a maximum of one time per week. There will be no parking problems created by the use since the only traffic to the site will be for maintenance purposes, generally once per week. A segment of NE Spruce Lane will be improved to City standards in order to provide access to this property with a permanent turnaround constructed at the end of the street.
9. **The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution or other environmental harm:** The proposed use should not cause excessive environmental harm since this is a modern submersible sewer pump, which will be noiseless with many of the pump mechanisms underground. An emergency generator that will only run during power outages and one hour per week during routine maintenance is sited 80-foot from the residential property with the loudest part of the generator facing east; away from the residential. Odor is not anticipated to be a problem due to site characteristics, but odor control devices can be installed later if an odor issue becomes apparent. The only other part of the pump station above ground is a small 10' X 10' fiberglass building to house the valve vault and electrical panels.
10. **The economic impact of the proposed use on the community:** No detrimental economic impact to the community is anticipated.
11. **The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application:** There would be more of a gain to the public health, safety, and welfare by approving the application as compared to a hardship imposed upon the landowner by denial of the application since construction is to allow for a new sewer pump station that would assist in

making overall improvements to the sanitary sewer infrastructure in the area. The site is already owned by the City of Topeka making a hardship upon the landowner significant if the application is denied since an alternate site that is suitable for a sewer pump station in this vicinity would have to be located and then purchased by the City.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: **Complete**

Minimum Lot Area: **Compliant** – 1 acre (7,500 sq. ft. minimum lot area in R-1 District for uses other than single family dwellings)

Setbacks: Site plan still needs to depict setbacks of pump station to CUP boundary.

Platting: **Compliant** - The property is unplatted. However, pursuant to TMC 18.245.060(3), the plat requirement has been waived by the Planning Director due to the developed nature of the surrounding area, there is no need for right-of-way dedication for NE Spruce, and street improvements will be on property already owned by the City of Topeka.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request has been submitted to all applicable reviewing agency staff for consideration and comment. No other significant issues or concerns were expressed by reviewing staff relative to code compliance or the provisions of public services.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: N/A
2. Capitol Plaza Area: N/A
3. Flood Hazard Area: N/A
4. Airport Hazard Area: N/A
5. Historic Properties: N/A

STAFF RECOMMENDATION:

Based upon the above findings and analysis Planning Staff recommends **APPROVAL** of this proposal, **subject to the following conditions** and submittal of one, 24" X 36" copy of the revised site plan addressing these conditions for staff review prior to the Conditional Use Permit being scheduled for City Council consideration:

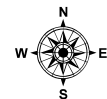
1. *Use and development of the site in accordance with approved Conditional Use Permit site plan for the Northland 1 Sanitary Sewer Pump Station.*
2. Add title to site plan. (Ex: A Conditional Use Permit for City of Topeka Northland 1 Sanitary Sewer Pump Station.)
3. Depict on site plan that NE Spruce Lane will be extended up to the subject property's west boundary and constructed to City standards.

4. Depict a permanent turnaround located on the subject property at the end of the NE Spruce Lane right-of-way and indicate it will be constructed to City standards.
5. Add Statement of Use note to the plan to state: “A Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station, with a maximum capacity of 1 million gallons per day, operated and maintained by the Water Pollution Control Division of the City of Topeka Department of Public Works.”
6. Delineate boundary area for CUP on site plan and add written legal description to site plan.
7. Depict landscaping on site plan that demonstrates comppliance with Chapter 18.235 landscape requirements of the Comprehensive Zoning Regulations and indicates points, type and quantity of required landscaping; including existing tree credits (*if claimed*). Landscaping should emphasize the required landscaping [See Section 18.235.060(d)(1)] adjacent to the single-family residential property on the west side and depict any significant trees within the subject property that will remain along the south side.
8. Depict type and height of any *existing* and *proposed* 6’ chain link fencing surrounding the property.
9. Re-label Spruce Lane as “NE Spruce Lane”.
10. Add vicinity map to plan.
11. Dimension setbacks of pump station building to boundary.
12. Add lighting note to plan: “Any lighting used to illuminate the facility or parking areas shall be directed away from residential properties in such as way as not to create a nuisance and the source of illumination shall not be visible from adjacent properties. In no such case shall lighting exceed three-foot candles as measured at the lot line.”
13. Depict type and height of any free-standing light poles on the site plan if any are used to illuminate the facility at night.
14. Indicate square footage, height above grade, and type of building material for the above ground structure that stores the valve vault and electrical equipment on the plan (i.e. 10’ X 10’ fiberglass structure).
15. Indicate existing zoning on plan: “R-1” Single-Family Dwelling District.
16. Add case #CU11/2 to lower right hand corner of plan.
17. Add address to bottom of plan for “333 NE Spruce Lane” and indicate property owner as “City of Topeka”.
18. Indicate zoning of adjacent properties on the plan: “R-1” Single-Family Dwelling District.

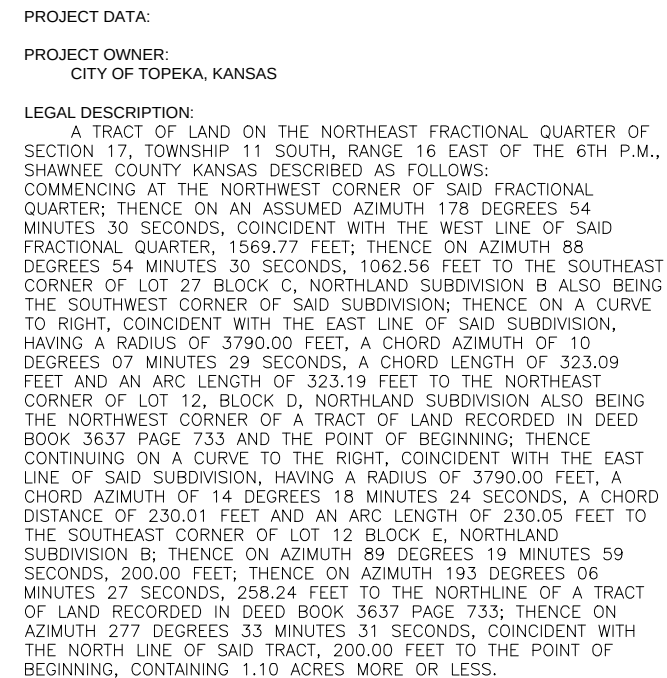
Prepared by:
Annie Driver, Planner II



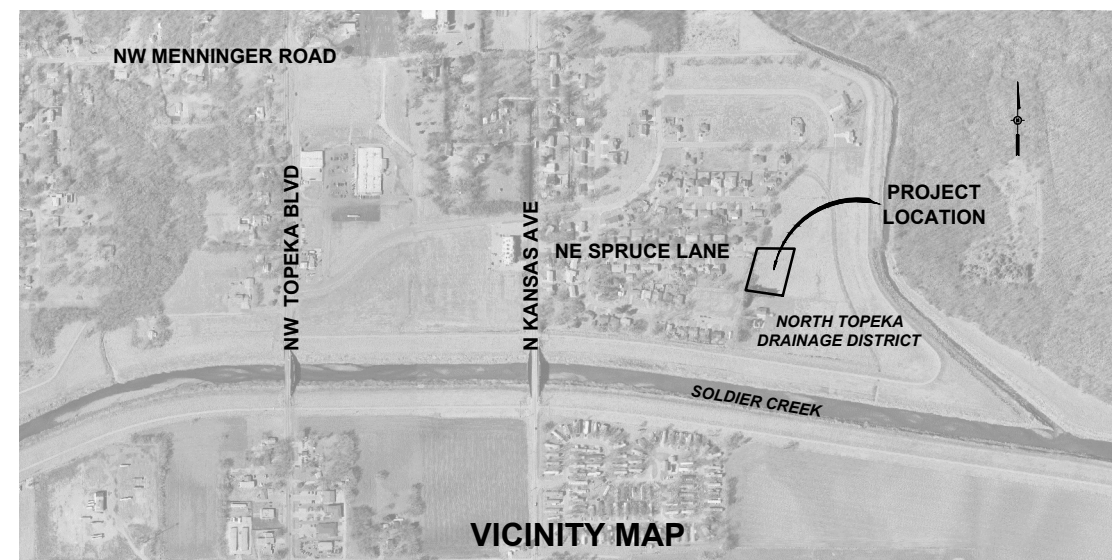
CU11/2 By: City of Topeka



City of Topeka Planning Department



STATEMENT OF USE:
CONDITIONAL USE PERMIT TO ESTABLISH A PUBLIC UTILITY
STRUCTURE FOR A SANITARY SEWER PUMP STATION, WITH A MAXIMUM
CAPACITY OF 1 MILLION GALLONS PER DAY, OPERATED BY THE WATER
POLLUTION CONTROL DISTRICT FOR THE CITY OF TOPEKA DEPARTMENT
OF PUBLIC WORKS.



#	DATE	DESCRIPTION	BY	DESIGNED:
				ARD
				DRAWN BY:
				MAH
				CHECKED BY:
				ARD
1	11/15/11	CITY OF TOPEKA PLANNING — CUP	ARD	PROJECT ENGR: A. Dilone

DESIGNED:	ARD
DRAWN BY:	MAH
CHECKED BY:	ARD
PROJECT ENGR:	A. Dilonio



ADDRESS:
333 NE SPRUCE LANE

A CONDITIONAL USE PERMIT FOR NORTHLAND 1 SANITARY SEWER PUMP STATION

CASE:
CU 11/2

RESOLUTION _____

CONDITIONAL USE PERMIT

A RESOLUTION introduced by Daniel R. Stanley, Interim City Manager in accordance with Section 18.70.030(c)(11) of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned “R-1” Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas. **(CU11/2) (Council District No. 2)**

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)(11), approving a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned “R-1” Single Family Dwelling District and located at 333 NE Spruce Lane in the City of Topeka, Kansas, and legally described as

A tract of land in the Northeast Fractional Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, described as follows:

Commencing at the Northwest corner of said Fractional Quarter; thence on an assumed Azimuth 178 degrees 54 minutes 30 seconds, coincident with the West Line of said Fractional Quarter; 1569.77 feet; thence on an Azimuth 88 degrees 54 minutes 30 seconds, 1062.56 feet to the Southeast corner of Lot 27, Block C, Northland Subdivision B, also being the Southeast corner of said Subdivision; thence on a curve to right, coincident with the East Line of said Subdivision, having a radius of 3790.00 feet, a chord Azimuth of 10 degrees 07 minutes 29 seconds, a chord length of 323.09 feet, and an arc length of 323.19 feet to the Northeast corner of Lot 12, Block D, Northland Subdivision, also being the Northwest corner of a tract of land recorded in Deed Book 3637 Page 733 and the point of beginning; thence continuing on a curve to the right, coincident with the East line of said Subdivision, having a radius of 3790.00 feet, a chord Azimuth of 14 degrees 18 minutes 24 seconds, a chord distance of 230.01 feet and an arc length of 230.05 feet to the Southeast corner of Lot 12, Block E, Northland Subdivision B; thence on Azimuth 89 degrees 19 minutes 59 seconds, 200.00 feet; thence on an Azimuth 193 degrees 06 minutes 27 seconds, 258.24 feet to the North line of a tract of land recorded in Deed Book 3637 Page 733; thence on Azimuth 277 degrees 33 minutes 31 seconds, coincident with the North line of said tract, 200.00 feet to the point of beginning.

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 and Statement of Use for City of Topeka Northland 1 Sanitary Sewer Pump Station.**
2. **Statement of Use: “A public utility structure for a sanitary sewer pump station, with a back-up generator for emergency power and a maximum capacity of 1.1 million gallons per day, operated and maintained by the Water Pollution Control Division of the City of Topeka Department of Public Works.**

3. The “landscaped residential buffer zone” that is depicted on the site plan is for illustrative purposes only and the final location, type, and quantity of specific plantings shall be subject to approval by the Planning Director.

ADOPTED AND APPROVED by the Governing Body of the City of Topeka,

_____, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

**Minutes of the
Topeka Planning Commission
Monday, November 21, 2011 @ 6pm**

CU11/2 by the City of Topeka requesting a Conditional Use Permit to establish a public utility structure for a sanitary sewer pump station on property currently zoned "R-1" Single Family Dwelling District and located at 333 NE Spruce Lane. **(Driver)** Annie Driver summarized the staff report.

Proponents:

Don Rankin, Director of Utilities Infrastructure, spoke in favor of the request. He said the existing pump station is to the south of this neighborhood and is 57 years old. He stated we can't put the new pump in the same location due to its being on the levee.

Dennis Haugh asked about fencing for screening. Mr. Rankin said a 6 foot fence was proposed but staff reduced it to 4 foot. Mr. Haugh said that is along the east side, correct? Mr. Rankin replied yes.

Brett Klausman asked Mr. Rankin if he is okay with the conditions in the staff report? Mr. Rankin replied yes.

Richard Beardmore asked if a silencer could be added? He also stated grade is critical at that level. Will testing be during reasonable hours? Mr. Rankin replied the system won't be any louder than the current system and is usually tested in the mornings.

David Thurbon said the stub street should have been developed by original developer. He added this station probably will not have many vehicles going to it. The city will pay to extend the street and landscape it correctly.

Opponents:

Larry McGilton, 324 NE Spruce Lane, spoke in opposition to the proposal. He said he has lived there for 25 years. He said the drainage of the street isn't right. The ditches haven't been done right. All the rain and drain-off will go on our property.

Mike Lackey reassured Mr. McGilton there will be curb and gutter put in. Mr. Thurbon added the engineers said there will be a drainage area.

Mr. McGilton said they are putting a sump pump and generator in the flood plain. He said he doesn't think it is a good idea. He went on to say there are a lot of kids in this neighborhood and the noise and smell will not be good. He added our property values will go down as well.

Mr. Gales said there is a note about the street improvements extending to the edge of the property line. He said just to the property line? How far west do the improvements extend? Mr. Thurbon said from the existing edge of pavement to the east property line. Ms. Driver added on city property there will be a turnaround but there will be no curb and gutter. Mr. Thurbon said it will be a hammerhead turn around.

Junie Ewing asked what improvements will be made to make sure addition runoff doesn't go on his property? She also asked about the structure being in the flood plain. Ms. Driver said the new structure won't be in the floodplain. Mr. Thurbon said the pumps normally don't create odor; if it does they have ways to fix it.

Peter Hancock asked what happens if backup generators fail? Mr. Rankin stated there is separate power to the pump and generator in case there is a power outage. Mr. Hancock asked if the generator fails will there be overflow? Mr. Rankin replied probably.

Mr. Beardmore asked how many of these stations there are in the city? Mr. Rankin replied about 81.

Brett Klausman moved approval as written by staff, seconded by Richard Beardmore. **APPROVAL.**
(9-0-0)



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 6, 2011

+ Back Print

DATE: December 13, 2011
CONTACT PERSON: Judy Olander, Assistant City Attorney DOCUMENT #:
SECOND PARTY/SUBJECT: Golf Course Improvement Reserve Fund PROJECT #:
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 002 Administration
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing Section 3.25.120 of the Code of the City of Topeka concerning the Golf Course Improvement Fund. First Reading.

(Approval would eliminate the golf course improvement reserve fund.)

POLICY ISSUE:

Whether or not to pass the ordinance.

STAFF RECOMMENDATION:

Pass and approve.

BACKGROUND:

Due to the consolidation of the city and county parks and recreation departments, the city will no longer be responsible for the golf course; thus, the improvement reserve fund is no longer needed.

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, repealing § 3.25.120 of the Code of the City of Topeka concerning the Golf Course Improvement Fund.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA:

Section 1. That section 3.25.120, Golf course improvement reserve fund, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Golf course improvement reserve fund.~~

~~(a) — There is hereby created a golf course improvement reserve fund. The fund is established for the purpose of providing a depository for moneys to be used for capital improvements at the city golf course.~~

~~(b) — Beginning January 1, 2002, the fund shall receive seven percent of golf course greens' fees and annual permit fees, grants or donations from either public or private sources, interest on the funds held in the fund, and any other fund having available resources and legal authority to be so deposited or transferred. All such transfers shall be subject to budget appropriations and shall be specifically authorized by resolution of the city council. All expenditures from the fund shall only be for the purpose stated in this section and shall only be made upon approval by the city manager.~~

Section 2. This ordinance shall take effect and be in force on January 1, 2012, and after its passage, approval and publication in the official City newspaper.

Section 3. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 24, 2011

 [Back](#)  [Print](#)

DATE:	December 13, 2011	
CONTACT PERSON:	Braxton Copley	DOCUMENT #:
SECOND PARTY/SUBJECT:	Driveway Approaches	PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 130 Streets, Sidewalks, Public Places, and Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, creating Article 4 of Chapter 12.35 concerning driveway approaches by the addition of City of Topeka Code Sections 12.35.110, 12.35.120, 12.35.130 and 12.35.140. First Reading.

(Approval would clarify responsibility and give the City the ability to make driveway repairs if the property owner fails to do so after having been given written notice by the City.)

POLICY ISSUE:

To clarify the responsibilities of the City and property owners in regards to driveway approaches, gutters and culverts.

STAFF RECOMMENDATION:

To approve

BACKGROUND:

Currently the City Code is silent as to the responsibility of property owners for the cost of repair, construction or maintenance of driveway approaches and culverts. This ordinance clarifies the responsibility and gives the City the ability to make repairs if the property owner fails to do so after having been given written notice by the City.

BUDGETARY IMPACT:

The clarification that the valley gutter at the street edge of the approach will be the responsibility of the city to maintain will place a financial burden on the street department to repair existing valley gutter. The repair or replacement of the valley gutter will be included as part of the ongoing annual curb and gutter project.

Item #18

funded by the half cent sales tax. The repair, replacement or construction of the remainder of the approach will not have a budgetary impact on the city but will be paid for by the property owners.

SOURCE OF FUNDING:

Property owners are responsible for the cost of repair, construction or maintenance of their approach including any culvert. Repairs to driveway approaches required as part of utility site restoration will be paid for by the utility. Improvements to approaches as part of street projects will be included as part of the project costs.

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, creating Article IV of Chapter 12.35 concerning driveway approaches by the addition of City of Topeka Code § 12.35.110, § 12.35.120, § 12.35.130 and § 12.35.140.

BE IT ORDAINED BY THE GOVERNING BODY THE CITY OF TOPEKA:

Section 1. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered § 12.35.110, which said section reads as follows:

Definition.

A driveway approach is that area between the roadway of a public street and the right-of-way line intended to provide access for vehicles from the roadway of a public street to a definite area of the private property, such as a parking area or driveway. The driveway approach does not include the curb and gutter section of the roadway.

Section 2. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered § 12.35.120, which said section reads as follows:

Permit.

It is unlawful for any person to construct, reconstruct or repair any driveway approach unless the person obtains a driveway permit pursuant to TMC §12.30.290 and complies with the requirements of TMC Chapter 12.30.

Section 3. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered § 12.35.130, which said section reads as follows:

Duty to construct or reconstruct curbs and gutter.

A property owner who installs or reconstructs a driveway approach is responsible for replacing the curb and gutter section adjacent to the driveway approach to meet City

30 specifications. Reconstruction of a driveway approach includes, but is not limited to,
31 enlarging the driveway approach, changing the location or grade of the driveway
32 approach, or changing from a residential to a commercial driveway approach.

33 Section 4. That the Code of the City of Topeka, Kansas, is hereby amended
34 by adding a section, to be numbered § 12.35.140, which said section reads as follows:

35 **Duty to maintain and repair driveway approach.**

36 (a) A property owner is responsible for the maintenance and repair of
37 driveway approaches. The duty also includes maintaining and repairing a drainage pipe
38 underneath the approach to ensure the free passage of water. This duty includes, but is
39 not limited to, cleaning the drainage pipe of vegetation, debris, and trash and ensuring
40 that the drainage pipe is of a sufficient size to assure the free passage of water through
41 the pipe.

42 (b) Provided, however, nothing in this section shall prevent the City from
43 repairing or replacing a drive approach as part of a public improvement project or as
44 part of work required to repair municipally owned water, wastewater, or stormwater
45 infrastructure.

46
47 Section 5. That the Code of the City of Topeka, Kansas, is hereby amended
48 by adding a section, to be numbered § 12.35.150, which said section reads as follows:

49 **Failure to maintain and repair.**

50 Upon determination by the director of public works or designee that a property
51 owner has either failed to adequately maintain and repair their driveway approach
52 and/or pipe underneath or failed to replace the curb and gutter section as required by

53 TMC 12.35.130, the director or designee shall provide notice to the property owner at
 54 their last known post office address. If the property owner fails to repair the driveway
 55 approach or replace the curb and gutter section within 30 days of notification, the
 56 director may take whatever actions are reasonably necessary to repair the driveway
 57 approach and pipe underneath or replace the curb and gutter section and assess the
 58 costs against the property owner pursuant to Article III of Chapter 3.45, K.S.A. 12-6a17
 59 and amendments thereto, or K.S.A. 12-1617e and amendments thereto.

60 Section 5. This ordinance shall take effect and be in force from and after its
 61 passage, approval and publication in the official City newspaper.

62 Section 6. This ordinance shall supersede all ordinances, resolutions or rules,
 63 or portions thereof, which are in conflict with the provisions of this ordinance.

64 Section 7. Should any section, clause or phrase of this ordinance be declared
 65 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
 66 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

67 PASSED AND APPROVED by the City Council _____.

68 CITY OF TOPEKA, KANSAS

69 _____
 70 William W. Buntten, Mayor

71 ATTEST:

72 _____
 73 Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 23, 2011

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DATE:	December 13, 2011	
CONTACT PERSON:	Judy Olander, Assistant City Attorney	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 010 Alcoholic Beverages	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending City of Topeka Code Section 9.15.020, concerning alcohol in parks and public places and specifically repealing said original section. First Reading.

(Certain city-owned properties are exempt from the prohibition against alcohol consumption on public property. City Code Section 9.15.020(d)(4) lists city-owned properties that are currently exempt. Due to the consolidation of the City and County Parks and Recreation Departments the City will not own certain properties listed in City Code, approval would amend City Code to update the property list.)

POLICY ISSUE:

Whether or not to Pass and Approve the amendments to the city code

STAFF RECOMMENDATION:

Pass and approve

BACKGROUND:

K.S.A. 41-719(d) allows cities to exempt city-owned property from the prohibition against alcohol consumption on public property. TMC § 9.15.020(d)(4) lists city-owned properties that are currently exempt. However, due to the consolidation of the City and County parks and recreation departments, the City will not have the title to certain properties listed; thus, amendments need to be made to the list.

BUDGETARY IMPACT:

None

Item #19

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, amending City of Topeka Code § 9.15.020, concerning alcohol in parks and public places and specifically repealing said original section.

BE IT ORDAINED BY THE GOVERNING BODY THE CITY OF TOPEKA:

Section 1. That section 9.15.020, Unlawful possession or consumption of alcoholic liquor or cereal malt beverages, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Unlawful possession or consumption of alcoholic liquor or cereal malt beverages.

(a) On Public Roads or Unenclosed Private Property Accessible to Public. No person shall drink, or have in his possession in an open container, any alcoholic liquor or cereal malt beverage on public streets, alleys, roads, highways or unenclosed private property that is accessible to the general public, including but not limited to parking lots, within the city or inside vehicles while on such places within the city.

(b) Private Property – Exceptions. No person shall drink or consume, or have in his possession in an open container, any alcoholic liquor or cereal malt beverage on private property, except:

(1) On premises where the sale of liquor by the individual drink is authorized by the state Club and Drinking Establishment Act by issuance of a license by the state Director of Alcoholic Beverage Control;

(2) Upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is

28 made for the serving or mixing of any drinks containing alcoholic liquor nor for
29 any substance mixed with any alcoholic liquor, and if no sale of alcoholic liquor
30 takes place in violation of K.S.A. 41-803 and amendments thereto;

31 (3) In a lodging room of any hotel, motel or boardinghouse by the
32 person occupying such room and by the guests of such person, if no charge is
33 made for the serving or mixing of drinks containing alcoholic liquor nor for any
34 substance mixed with any alcoholic liquor, and if no sale of alcoholic liquor takes
35 place in violation of K.S.A. 41-803 and amendments thereto;

36 (4) In a private dining room of a hotel, motel or restaurant if the dining
37 room is rented or made available on a special occasion to an individual or
38 organization for a private party, and if no sale of alcoholic liquor takes place in
39 violation of K.S.A. 41-803 and amendments thereto; or

40 (5) On the premises of a microbrewery or farm winery, if authorized by
41 the Kansas Liquor Control Act (K.S.A. 41-101 et seq.) by issuance of a license by
42 the state Director of Alcoholic Beverage Control.

43 (c) In a Private Room of a Place of Business – Exception. No person shall
44 consume cereal malt beverages in any private room or closed booth in a place of
45 business operating pursuant to K.S.A. Chapter 41, Article 27 (K.S.A. 41-2701 et seq.)
46 unless the licensed premises are also currently licensed as a club pursuant to K.S.A.
47 Chapter 41, Article 26 (K.S.A. 41-2601 et seq.).

48 (d) On Public or Municipal Property – Exceptions. No person shall drink or
49 consume, or have in his possession in an open container, any alcoholic liquor or cereal
50 malt beverage on public or municipal property, except:

(1) Those premises owned by the city and under the control of the airport authority which have been properly leased to private persons, and properly licensed under applicable state and local laws for the sale and dispensing of alcoholic liquor and cereal malt beverages;

(2) Real property leased by the city to others under the provisions of K.S.A. 12-1740 through 12-1749 inclusive, and amendments thereto, the Industrial Revenue Bond Law, if such property is actually being used for hotel or motel purposes or purposes incidental thereto;

(3) Any state-owned or state-operated building or structure and upon the surrounding premises which are furnished to and occupied by any state officer or employee as a residence;

(4) Cereal malt beverages or alcoholic liquor at the Performing Arts Center of Topeka, Topeka Zoological Park, ~~Ward Meade Home and Gardens,~~ Helen Hocker Performing Arts Center, and Heartland Park Topeka, ~~Topeka Public Golf Course, and property leased to the Kansas Children's Discovery Center, Inc., as per City of Topeka Contract No. 38390, provided prior written authorization for such possession or consumption is obtained from the director of parks and recreation;~~

(5) Specified property designated as authorized by K.S.A. 41-719(d);
or

(6) The National Guard Armory.

Section 2. That original § 9.15.020 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 22, 2011

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DATE:	December 13, 2011		
CONTACT PERSON:	David Thurbon, Planning Director/Tim Paris, Planner II	DOCUMENT #:	HL11-02
SECOND PARTY/SUBJECT:	Kansas State Nurses Association	PROJECT #:	
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, designating real property more specifically described herein as an historic landmark and presently zoned “O&I-2” Office and Institutional District and located at 1109 S. Topeka Boulevard in the City of Topeka, Kansas, pursuant to City of Topeka Code Section 80-4. **First Reading.** (HL11/02) (Council District No. 1)

(Approval would add historic landmark overlay zoning to the property located at 1109 S. Topeka Blvd.)

POLICY ISSUE:

Approval of the request would reinforce the goals and policy objectives of the Neighborhood Element of the Comprehensive Plan, the Holliday Park Neighborhood Land Use Plan, and the Topeka-Shawnee County Historic Preservation Plan.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of **9-0-0** at their November 21, 2011 meeting as referenced in the attached minutes. The Topeka Landmarks Commission considered this proposal on October 13, 2011, and recommended that it be **APPROVED** by a vote of **5-0-0**. Planning Department Staff recommended that this item be **APPROVED**.

BACKGROUND:

- See attached staff report
- City Council Options:
 - **Adopt** the recommendation of the Planning Commission by Ordinance;

Item #20

- **Override** the Planning Commission's recommendation by a two-thirds majority vote (6 votes) of the City Council membership; or
- **Return** such recommendation to the Planning Commission with a statement specifying the basis for the City Council's failure to approve or disapprove.

@import url(http://topeka.novusagenda.com/CuteSoft_Client/CuteEditor/Load.ashx?type=style&file=SyntaxHighlighter.css);

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Staff Report](#)

[Photos](#)

[Application](#)

[Aerial](#)

[Landmarks Commission Minutes](#)

[Legal Ad](#)

[Vicinity Map](#)

[Planning Commission Minutes](#)

[Ordinance](#)

November 21, 2011
Agenda Item E.1

Presented to the Topeka Landmarks Commission: October 13, 2011

HISTORIC LANDMARKS REPORT

TOPEKA PLANNING DEPARTMENT

CASE NO: HL11-02

by: Kansas State Nurses Association

PROPOSAL: Requesting to amend the District Zoning Classification by granting the “HL” Historic Landmark Overlay District to property currently zoned “O&I-2” Office and Institutional District and located at 1109 S. Topeka Blvd. in the City of Topeka, Kansas.

HISTORICAL SIGNIFICANCE: The home at 1109 S. Topeka Blvd was built in 1910, and was first occupied by William T. Crosby, a pioneer Topeka merchant who co-founded the Crosby Brothers Department Store, which stood in downtown Topeka from 1880 until 1975. This home was constructed in the Queen Anne style of architecture, and is constructed with a full brick exterior, and adorned oak woodwork on the interior. The home has been maintained in near original condition throughout its history.

The property is being nominated for Historic Landmark designation according to three of the five qualifying criteria:

1. The property is associated with a significant person or group of persons in the history of the city, county, state, or nation.
2. The property embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder or architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction.
3. The property possesses integrity of location, design setting, materials, and workmanship.

In addition, this property has recently been added to the Register of Historic Kansas Places and the National Register of Historic Places. Accompanying this report is information from the National Register of Historic Places Registration Form, possessing further details of William Crosby, the home, and the historical setting of this property with respect to its location adjacent to our current downtown area.

The property is presently owned by the Kansas State Nurses Association for its use as its State Headquarters and office. No change in use is proposed with this request for Historic Landmark designation.

STAFF SUMMARY: The applicant seeks authorization to designate the property located at 1109 S. Topeka Blvd. as a local historic landmark. Local landmark designation is strictly voluntary and requires the recipient to maintain their property in accordance with certain historic standards and prevent them from deteriorating. This designation does not impose any restrictions or limitations on adjoining properties. Principally, landmark designation is a matter of pride to the property owner and demonstrates a commitment to historic preservation.

The applicant has sufficiently satisfied the requirements of the landmark designation process as set out by City of Topeka Ordinance No. 18420.

RECOMENDATION: The Topeka Landmarks Commission considered this proposal at their October 13, 2011 meeting. At that time, the Commission recommended **APPROVAL** of the proposal by a vote of 5-0-0.

Therefore, the Planning Staff Recommends **APPROVAL** of this proposal.

Prepared by: Tim Paris
Planner II









HL 11/2

NOMINATION FOR HISTORIC LANDMARK DESIGNATION INDIVIDUAL PROPERTY APPLICATION FORM

I (We) hereby nominate the following described property to become designated as HISTORIC LANDMARK, as established by City of Topeka Ordinance No. 18420 on April 19, 2005.

William T. and Delora Crosby House (Mansion)

1. Location / Address: 1109 Topeka Blvd, Topeka, KS
2. Property Legal Description: Lots 367, 369, and 371 on Topeka Blvd.
in the City of Topeka, Shawnee County, Kansas
3. Owner(s): Kansas State Nurses Association
4. Address of Owner (if different): contact Sandra Watchous - President-
elect PO Box 293 Hays, KS 67601
5. Telephone number for Owner: 785/623-9755 same
Daytime Evening
6. Real Estate Tax Identification Number: 1093103019005000
7. a. Approximate date of (original) construction: 1910
- b. Approximate date(s) of major alterations, if known: 1950's Vault was
added
8. Builder and/or architect, if known: David P Scott / Frank Squires
9. Architectural Style: Beaux Arts - Late 19th & 20th Century Revivals
Italian Renaissance
10. Primary building materials: Brick
Clay tile roof
11. Comments: Part of the information prepared for the
State & national register is attached.

12. In the designation of buildings, structures and objects as historic landmarks, certain criteria must be met. The property normally must be 50 or more years old. In addition, the historic resources must meet one or more of the following criteria.

Please indicate the category under which you are submitting this property for designation. (Check all that apply.)

- A. Property is fifty (50) years old or older, and meets one or more of the following criteria:

- ☐ a. Property is associated with events that have made a significant contribution to the broad pattern of history of the city, county, state, or nation.
- ☒ b. Property is associated with a significant person or group of persons in the history of the city, county, state, or nation.
- ☒ c. Embodies distinctive characteristics of a type, period or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction.
- ☐ d. Yields or is likely to yield information important in prehistory or history.
- ☒ e. Possesses integrity of location, design setting, materials and workmanship.

- B. Properties less than fifty (50) years old may be eligible provided that they are of extreme historical significance. All other criteria listed above also apply.

☐ If your nomination is based upon this provision, please check at left and attach supporting information.

13. Attach to this nomination inventory form the following supportive documents:

- A. Copy of the last deed filed for record in the office of the Register of Deeds of Shawnee County, Kansas.
- B. Photographs, at least one each of the front, rear, and each side.
- C. Additional information to describe historical significance (optional).

DECLARATION

I (We), the owner(s) of the property described herein request that the Topeka Landmarks Commission designate the above described property to be a parcel within a historic district as established by ordinance.

OWNER

Signature:

Pat Plank

Print Name:

Pat Plank

Date:

9-10-11

OWNER

Signature: _____

Print Name: _____

Date: _____

RETURN THIS FORM AND REQUESTED SUPPORTIVE DOCUMENTATION TO:

Topeka Planning Department
Landmarks Commission
620 SE Madison Street, 3rd Floor
Topeka, KS 66607-1118

QUESTIONS? Call: (785) 368-3728 Fax: (785) 368-2535

Summary Paragraph

The William T. Crosby House is located at 1109 SW Topeka Boulevard, a major north/south thoroughfare in the capital city of Topeka, Kansas (population 127,473). Just a block west of the Kansas Statehouse, the Crosby House was historically surrounded by other late nineteenth and early twentieth-century mansions. Because of its proximity to the central business district and state government offices, the area has evolved over time. By 1950, many of the larger single-family homes had been converted to boarding houses and offices. Eventually, office buildings, like the sprawling Blue Cross Blue Shield of Kansas headquarters on the adjacent property to the south, encroached on the neighborhood. The surviving mansions include the home of U. S. Vice President Charles Curtis (ca. 1878, NRHP) to the north and the Dillon House (1913, NRHP) to the east. The Crosby House is a two-story Beaux Arts house with cubed massing and hipped roof reminiscent of an early twentieth-century Foursquare. Significant features include blond field brick, ionic columns, stone and terra-cotta details, and a red clay-tile roof interrupted with hipped dormers. The nominated property includes an original garage, whose overall design and materials reflect that of the house.

Narrative Description

House Exterior

East (Front) Elevation

The Crosby House faces east toward Topeka Boulevard, formerly known as Topeka Avenue. Among the prominent features on the home's front is a one-story porch, which extends past the home's north and south elevations. The porch is supported by four brick piers, on the northeast, northwest, southeast and southwest corners. The brick piers have terra-cotta details, including medallions and corbels. Between these piers are ionic columns. There are two columns on each of the north and south sides of the porch. There are eight on the east end – a single column on the south, three pairs of columns in the middle, and a single column on the north. The columns are supported by a continuous brick railing with limestone capstones and arched openings with stone sills. Above each column, in the dentilled entablature of the porch's flat roof, is a terra-cotta corbel/bracket. The columns divide the porch into four bays. The porch is accessible via three stairs – the main one on the third bay with stone cheek walls and a wrought-iron railing, one off the west opening on the porch's north end, and a third off the west opening on the porch's south end. The porch floor is red tile. The porch ceiling is pressed metal.

Unlike the upper level of the façade, the lower level is asymmetrical. On the south end is a three-part Chicago-Style window. Like other windows, this window has decorative pilasters, a stone sill, brick lintel and surround, and terra-cotta keystone. The upper sashes, which are smaller than the lower sashes, have leaded glass. North of the Chicago-Style window is the home's elaborate main entrance. The entrance bay, which projects from the façade, is framed by stonework, including a dentilled pediment with corbels. The opening houses a centered entrance, flanked by sidelights. The door and sidelights have unpainted wood panels under leaded glazing. On the north end of the east elevation is a canted window bay. There are three window openings, each with a decorative stone sill, brick lintels and surrounds, and terra-cotta keystone. The upper sashes, which are smaller than the lower sashes, have leaded glass.

The upper façade is symmetrical. In the center is a terra-cotta medallion flanked on each side by a window opening. The windows have prominent dentilled hood moulds with corbels. Like many other of the home's windows, these have smaller upper sashes with leaded glass. Above the windows is corbelled brick, a dentilled cornice under wide eaves supported by terra-cotta brackets. Above the eave, projecting from the hipped roof, is a hipped dormer with three-part window.

West (Rear) Elevation

The west side of the building is complex. The principal mass is L-shaped, with a two-story bay projecting from the north end of the cubed mass. From this bay projects a two-story porch addition. On the south end of the west elevation is a one-story vault mass that dates to the ca. 1950s. On the lower level of the

porch bay houses two doors, a door on the north that opens to a basement stair and a second door that opens to the service area on the first floor. There is a single 1/1 window in the clapboard-clad upper level. There are no openings on the west elevation of the vault addition. A steel fire escape rises north to south from the rear parking area to the roof of the vault addition. On the second floor, a fire escape allows for exit from a door on the east end of the south wall of the clapboard porch; there is also a window on the west end of this wall. A second fire escape extends west from the third-floor dormer to the roof of the vault addition. This dormer was modified historically to provide an entrance/exit to third-floor living space. There are three window openings on the west elevation of the main mass and projecting bay.

South (Side) Elevation

The south elevation is divided into two principal masses, the main mass on the east and the one-story vault addition (ca. 1950s) to the west. Like that of the north elevation, the design of the south elevation is irregular. On the west end of the first floor is a projecting bay window with shed roof. The bay, which is supported with brackets, houses five leaded-glass windows with transoms – three in the center of the bay flanked on each side with a single window. Above the projecting bay window are two matching 1/1 windows. To the east, on the upper level, is a clerestory window. Farther east, there are windows on the upper and lower levels. An integrated chimney projects from the east half of the south elevation. The chimney is flanked by four-part leaded-glass windows on the lower level and 1/1 windows on the upper level. A hipped dormer with three-part window projects from the roof at the center of the main mass.

North (Side) Elevation

The north elevation is divided into three main parts: the main mass on the east, the projecting bay in the center, and the porch on the west. The first part has an irregular design. Above the porch is a multi-pane wide window with stone sill and terra-cotta keystone. In the next bay, there are two windows, one on each floor. The lower-level window is a leaded-glass casement with leaded-glass transom. The upper-story window has a smaller leaded-glass sash above a larger lower sash. West of this bay is a brick and stone buttress. To the west, on the lower level is a door and small window. Above is a leaded-glass casement window with leaded-glass transom. Centered in the main mass is a hipped dormer with three-part window. The projecting bay has two evenly spaced 1/1 windows on each level. To the west is the porch bay. It has a small window on the east end of its first level and a single centered 1/1 window in its wood-clapboard porch above.

House Interior

General

The interior of the Crosby House retains a high degree of architectural integrity. Extant character-defining features include plaster walls, hard-wood floors, wood window and door trim (both painted and exposed), built-in cabinets and bookcases, fireplaces, leaded glass, radiators, chandeliers and sconces, and bathroom fixtures. In addition, the basement, which lacks finished space, retains the home's original boilers and wash sinks.

First Floor

The first floor is accessible via an entrance on each of the home's elevations. The main entrance, on the east elevation, opens to a small vestibule with a second entrance, with centered door flanked by sidelights, which matches the main entrance. The main entrance opens to the reception hall that measures 15' X 30'. There is a seating alcove nestled in the three-part canted window bay in the northeast corner of the reception hall. An open stair rises from east to west along the north end of the reception hall. The alcove is lit by two crystal sconces, which flank the window bay. From a landing, the stair rises east to west to the second floor along the north wall of the reception hall. A door on the west end of the reception hall opens to a rear hall. There are two openings on the south wall of the reception hall, one that opens to the living room and another that opens to the dining room. There is a radiator on the east side of the south wall of the reception hall. Under the stair is a small restroom. A door on the west end of the north wall, nestled under the stair, is an exterior entrance. The finishes in the entrance

hall, according to a historic description of the home, are "white enamel and mahogany." A crystal chandelier hangs from the center of the reception hall. An original sconce hangs on the north end of the west wall, in the exterior entrance niche.

The living room, which occupies the southeast corner of the first floor, measures 17' X 26'. The living room is accessible via an entrance on the east end of the reception hall's south wall. The entrance is a wood door with leaded glass flanked on each side by two leaded-glass windows over wood panels. The south wall of the living room has a centered mantel and fireplace flanked by built-in wood bookcases, detailed with ionic fluted columns with faux entablatures, carvings in a wreaths and torch pattern flanking the mirror. The fireplace has a green ceramic tile surround and apron. Above the bookcases are leaded-glass casement windows. On the east wall is a three-part Chicago-Style window with leaded glass transoms. On the west wall is a "colonial archway" According to a historic description, the finishes in the living room, including casework, baseboards and crown molding, are mahogany. The floors are quarter-sawn oak with a Greek-key patterned parquet border. All but the border is covered with carpet. The room is lit with flush-mounted fluorescent fixtures.

The dining room, which occupies the original southwest corner of the first floor, measures 17' X 20'. The room is accessible via leaded-glass French doors with sidelights and fanlight on the west wall of the living room and east wall of dining room. The south wall of the dining room has a canted five-part window bay with wood sill. The west wall has an opening that houses a vault door. The dining room's north wall has three openings: a closet door and kitchen door on the west and a leaded-glass door to the reception hall on the east. Finishes, which include casework, baseboards and crown molding, are mahogany. The floors are quarter-sawn oak covered with carpet. The room is lit with flush-mounted fluorescent fixtures.

West of the dining room is a vault addition that was constructed by the Order of the Eastern Star in the 1950s. The vault is a rectangular room with linoleum floors and 1950s flush-mounted fluorescent light fixtures.

A door on the south end of the west wall of the reception hall opens to a rear service hall. A door to the north opens to the enclosed rear stair, which features exposed wood trim and turned rails. West of the service stair is a narrow corridor. On the west wall of the corridor, one on the north end and another on the south, are two doors that open to the kitchen.

A large kitchen occupies the house's northwest corner. The kitchen is divided into two spaces by an island of cabinets that juts eastward from the west wall. The south wall of the kitchen has two doors that open to the dining room. There is a wall of cabinets and drawers on the south end of the west wall. There are two doors on the north end of the west wall, an exterior door with transom and restroom door. There are also cabinets on the east wall, between the two kitchen doors and north of the northernmost door. The window on the north wall is surrounded by cabinets and drawers. The kitchen ceilings are suspended acoustical tile. The floors are hard maple covered with carpet.

Second Floor

The second floor is accessible via the grand open stair that rises east to west then north to south from the reception hall as well as via the service stair in the back hall. An original flush-mounted crystal light fixture lights the main stair from the second floor. A large open sitting room occupies the northeast corner of the second floor. The sitting room is subdivided from the stair hall by a large arched cased opening. This room is lit by an original crystal pendant light. There is a window bench on the north wall of the sitting room, a window on the east wall, and a mirrored closet door on the south wall. In the stair hall, just west of the arched opening, is a large built-in bookcase with leaded-glass doors. The second-floor corridor is lit with an original flush-mounted fixture.

A corridor south of the stair hall opens to two large "sleeping apartments" on the south side of the second floor: one on the southeast corner and another on the southwest corner. The larger east bedroom appears to have been the master bedroom. There is a single window on the east wall, two windows flanking a decorative fireplace on the south wall, two doors on the west wall, and two doors on the north wall. The doors on the west wall open to a bathroom and closet. The doors on the north open to the stair

hall and a second closet. There are exposed hard-wood floors and original doors in this room. The fireplace on the south wall coordinates with that in the first-floor living room. It is mahogany with a yellow ceramic tile surround and apron, swag carving and mirror above. Other finishes, including colonial revival light fixtures and non-historic wall vinyl date to the period in which the building was occupied by the Order of the Eastern Star. The bathroom off the southwest corner of the bedroom has its original hexagonal tile floors, subway tile wainscoting and original tub, sink and toilet. This bathroom is also accessible via a small hall off the main second-floor corridor.

The west bedroom is smaller than the master bedroom. The north wall has a corridor door on the east and bathroom door on the west. The east wall has a closet door on the north. The south wall has two windows. The west wall has a single window. Like the master bathroom, the back bathroom has doors that open to both the hall and the adjacent bedroom, although the bedroom door has been infilled on the bathroom side. It appears that a third doorway opened to the service stair. The bathroom has its original hexagonal tile floors, subway tile wainscoting, sink, and tub. The toilet is new. The ceiling is suspended acoustical tile.

A door on the north side of the hall, just east of the back bathroom, opens to the enclosed service stair. A door on the west wall of the service stair opens to a servant's quarters, which includes a small bedroom, bath and closet. The west end of this space is an enclosed sleeping porch. A door on the south side of the sleeping porch opens onto the roof of the vault addition.

Third Floor/Attic

The third floor, which is accessible via the rear stair, is divided by a fiberboard partition wall into two main spaces. The floors are exposed hardwood. On the west end are two small rooms, a kitchen on the south and bathroom on the north. Just inside the kitchen, on the south wall, is a door that leads to a closet. The galley kitchen has a door on its west wall that opens to the roof of the 1950s addition below and a fire escape. Mr. Crosby used the third-floor as a billiards room.

Garage

The garage was built at the same time as the house, at a cost of \$1,000, more than the cost of many homes built at the time. Like the house, the garage has a blond brick exterior with shallow-hipped roof with dormers on each side. The cubed building has a historic wood-framed addition with shallow hipped roof on its south side. There are two garage-door openings on the front/east side. The one in the wood-framed addition houses a pair of hinged doors. The other, which is centered on the front of the original brick building, houses a pair of wood-paneled sliding doors. The south elevation of the wood clapboard addition has a single double-hung window. The west elevation has two single double-hung windows. The north elevation has a three-part Chicago-Style window. All windows, including the multi-pane windows in the hipped dormers, are historic. The eaves and wood-framed addition have been covered with artificial siding. According to the *Topeka State Journal* account, the original garage roof was "metallic," likely pressed-metal scallops or pan tiles. Today, the garage has a red composition roof.

The first floor of the main garage has a concrete floor, unpainted wood wainscoted ceiling, and exposed wood trim. Woodwork includes a work bench with drawers and cabinets on the north side. The wood addition is finished with unpainted boxcar siding on the walls and wainscoting on the ceiling. The second floor of the garage, accessible via an exposed wood stair that rises from the building's northeast corner, is finished in what appears to have been a small apartment. The floors are exposed hardwood. The woodwork and trim is unpainted. The walls and ceilings are plastered.

William T. Crosby and the Crosby Brothers

William T. Crosby, the first child of William Crosby and Frances Hollingsworth, was born in Mansfield, Louisiana on December 20, 1852. In 1870, Crosby moved to Hartford, Connecticut where he lived with his uncle while attending high school.¹ After finishing his education, William worked as an apprentice for New Orleans' Pete, Yale and Boling Dry Goods firm, "one of the largest wholesale merchandising firms in

¹ Walter M. Markley, *Builders of Topeka* (Topeka: Capper Printing Co., 1934), 67. Crosby's father was from Vermont.

the South."² For eight years, Crosby toiled as a traveling salesman through what was then "frontier country where banks, railroads and the like were unknown."³ During this time William's brother, Erastus H. Crosby, worked as a clerk at a dry goods firm in St. Louis.⁴

In 1880, with \$10,000 borrowed from their uncle, twenty-eight-year-old William Crosby and his twenty-four-year-old brother Erastus joined forces to establish what would become Kansas's largest department store. After scouting in several Kansas towns, the brothers decided to buy out the stock of the Bartholomew Dry Goods in Topeka. They opened their new store, Crosby Brothers, in the 700 Block of Kansas Avenue on August 1, 1880.⁵ The two brothers settled in Topeka and married; Erastus married Helen Dieckriede of St. Louis on November 11, 1880 and William married Miss Delora Kleinhaus of Grantville on November 3, 1883.⁶

For years, the Crosbys out-worked the competition. They did not subscribe to regular business hours. "If we had a customer, it made no difference if it was 11 or 12 o'clock midnight," said Erastus, "we'd keep the shop open." After long days of selling goods, washing windows and sweeping sidewalks, the Crosbys often soothed their aching feet by walking home barefoot. Other nights, they would sleep on the store's sales counters. During the economic crisis of the 1890s, when many businesses nationwide were folding, the Crosbys continued to expand. In 1893 or 1895 (sources vary), they bought the stock and building of the Stevenson and Peckman store at 717-719 Kansas Avenue and expanded their store to one hundred feet wide, "three floors and a basement" with a total floor space of about three and a half acres.⁷ When electricity reached downtown, the Crosbys were the first to install electric lights in their display windows.⁸ Despite his long hours, William Crosby found time to participate in civic and fraternal organizations, including the Old Topeka Club and Elks Club. Although William and his wife Delora had no children of their own, they contributed to the education of their nieces and nephews.

Through the years, William and Erastus Crosby remained not only successful business partners, but also very close friends. Early on, the brothers and their families lived next door to each other at 901 and 905 Harrison, around the corner from editor and future Senator Arthur Capper.⁹ In 1910, in an act culminating thirty years of hard work, both brothers embarked on the construction of new homes. In about 1910, Erastus built a new home at the location of the brothers' homes on Harrison. William chose to build his grand home next door to his friend and contemporary Charles Curtis, who later served as the Vice President of the United States. The new homes would come to symbolize their economic status and serve as venues for hosting their illustrious guests.¹⁰

William Crosby was president of the Crosby Brothers Store until his death on April 22, 1922.¹¹ On the day of his funeral, "practically all stores on Kansas Avenue" were closed. From the time of his brother's death until his own death in 1935, Erastus managed the store. Crosby Brothers Department Store closed in 1975.

² *ibid*

³ "Funeral is Today: William T. Crosby to be Buried from Grace Cathedral..." *Topeka State Journal*, 24 April 1922.

⁴ 1880 US Census.

⁵ "50 Years Ago Crosby Boys Cast Lot with Topeka," *Topeka Daily Capital*, 27 September 1930; George Mack, "Topeka's Worthy Matron," *Topeka Capital-Journal*, January 1978, Kansas Nurses Association clippings file.

⁶ *ibid*

⁷ William E. Connelley, *A Standard History of Kansas* (Chicago: Lewis Publishing Company. 1918); *Builders of Topeka*, 66.

⁸ "Erastus Hollingsworth Crosby," *Topeka State Journal*, 8 March 1935.

⁹ Mack; 1910 US Census.

¹⁰ *Ibid*,

¹¹ "Funeral is Today..." ; William's wife Delora died in 1930. Topeka Shawnee County Public Library Obituary Index.

The Crosby Home

On February 12, 1910, the *Topeka State Journal* announced boasted that building permit applications had been filed for ten homes. Nine of the new homes would be built at an average cost of \$2000. The tenth home merited a more detailed description than the others. William Crosby, who had made his fortune selling dry goods, would build a \$17,000 mansion, which the *Journal* predicted would be "one of the finest in Topeka." The garage alone would cost \$1000, more than many homes of the time. Below is the newspaper's description of the home:

New Crosby Residence

Aside from the items included in the list, application was made for a permit for W. T. Crosby's \$17,000 brick veneer residence which is being erected at 1107 [sic] Topeka avenue [sic]. The house was designed by F. C. Squires, the architect, and D. P. Scott has been awarded the contract for the superstructure. Aside from the house a permit has been written out for a \$1,000 garage which will be constructed of compressed brick and will be provided with a metallic roof.

The residence will be one of the finest in Topeka. It will be an 11 room home – brick veneer building with stone trimmings. An eleven-foot veranda, according to the plans, will extend across the entire front of the structure.

The reception hall will be 15 ¾ X 30 feet and the living room will be 17 1/3 X 26 feet. The dining room also will be spacious, measuring 17 ½ X 20 feet.

According to the plans the reception hall will be particularly attractive, one of the features being an alcove. There will be colonial archways along the staircase.

The dining room and living room will be finished in mahogany and the hall in white enamel and mahogany, the floors in quarter sawed white oak with the exception of the kitchen, which will have a hard maple floor.

On the second floor each sleeping apartment will be supplied with a private bath, and all floor [sic] will be finished in hard maple. A large billiard room is planned for the third, finished in weathered oak.¹²

Although the home was large, it was designed for a small household. The Crosbys had no children of their own. In April 1910, at their former home on Harrison Street, the Crosbys' household included themselves, as well as a 25-year-old servant, "barnman" John Bean. A man with a \$1000 garage would not have needed a "barnman." Still, it appears that the second-floor of the garage was likely finished for use by a male servant. By 1915, the Crosby household included two live-in servants, a 19-year-old woman named Esther Peterson who likely lived on the home's third floor, and a 25-year-old black man named William Bates. In the 1916 City Directory, Bates was listed as a chauffeur who worked at 1109 Topeka Boulevard. By then, he was no longer living with the Crosbys.¹³ In 1920, the household included only William Crosby, his wife Delora and their servant Mary Miller, a twenty-year-old German immigrant. William Crosby lived in his opulent home from the time of its construction in 1910 until his death in 1922. His wife, Delora Crosby died in 1930.¹⁴

Delora Crosby had moved out of the home by 1927, when it was listed as the residence of Dr. J. A. Crabb.¹⁵ Crabb was born in Brown County, Illinois on June 5, 1869. He farmed and taught until he entered the University of Kansas Medical School in about 1902. After completing his medical degree in 1906, Crabb taught anatomy at the university then opened an office in downtown Topeka. Crab was last

¹² "New Crosby Residence," *Topeka State Journal*, 12 February 1910.

¹³ 1916 City Directory. Bates boarded at 1234 Lane.

¹⁴ Topeka Shawnee County Public Library Obituary Index.

¹⁵ 1927-28 City Directory. In 1929, Delora Crosby was listed as living at the Jayhawk Hotel, a property developed by her brother-in-law Erastus Crosby.

listed as living in the house in 1940. He practiced medicine until his retirement in 1954 at the age of 85. Dr. Crabb died on May 17, 1961. It is said that following his wife's death, his daughter Emma Crabb acted as hostess for parties in the house.¹⁶

In 1942, 1109 Topeka was listed as the address for the Grover Tea Room, owned by David L. Grover. It is unclear how long the tea room was in business. There are no city directories for 1943, 1944 and 1945. By 1946, the home had been sold to the Seventh Day Adventist Church, which used it for its state offices. In 1952, the Seventh Day Adventist Church announced plans to move its state offices down the street to 1275 Topeka, raising speculation about the future of the Crosby House. By February, it was announced that the Order of the Eastern Star (OES), a fraternal organization open to both men and women, had purchased the building to house its state headquarters.¹⁷ Among the changes made by the OES was the construction of a fireproof vault. In the words of OES Grand Secretary Gertrude Verna Gough, "It's not just a vault...it's a room you can walk into." OES used the vault to store its state records.¹⁸ The OES owned the property when a corner of the house was damaged by the 1966 tornado.¹⁹ The Kansas State Nurses Association, the current owners, purchased the house in 2006.

Beaux Arts Architecture

The Crosby House is an example of the Beaux Arts Style of architecture. Named for the famous French Ecole des Beaux Arts, the style took its cues from classical architecture as well as French and Italian Renaissance design. The style, which proliferated between 1890 and 1920, was popularized in the United States by Chicago's 1893 Columbian Exposition and Buffalo's 1901 Pan-American Exposition. Architects generally applied the style to free-standing public buildings, such as city halls and county courthouses, and to financial institutions, including early twentieth-century banks. Most examples are symmetrical in massing with flat, low-pitched or mansard roofs. Because the high level of architectural detail required a significant financial investment, residential examples are very rare, especially in Kansas. The Crosby House's quintessential Beaux Arts features include its masonry construction, entablature, regularly spaced columns, quoining, decorative brackets, and prominent window surrounds.²⁰ The Crosby Home shares some similarities with the Dillon House, a Beaux Arts mansion built to just a block to the east in 1913. Both homes feature blond brick, stone details and hipped clay-tile roofs with dormers.

David P. Scott

David P. Scott, who was awarded the contract to construct the Crosby House, was born in Kentucky in about 1857. Among the other homes Scott built is the Morgan House (NRHP) at 1335 SW Harrison Street in Topeka.

Frank Squires (Architect)

To design his stately home, William Crosby hired well-known Topeka architect Frank Squires. Squires was born in Columbus, Ohio in 1871 and moved to Topeka as a boy. At the age of 17, Squires began an apprenticeship with Topeka architect J. C. Holland. Thereafter, he attended Columbia University School of Architecture, one of the nation's first formal architecture programs. Some sources say that Squires worked at an architecture firm in Toledo, Ohio before returning to Topeka.

From 1895 to 1897, Squires served in the position of State Architect, overseeing the construction of the central wing of the statehouse. Among his early commissions were the Jewell County Jail and Burr Oak School. In 1898 or 1903 (sources vary), Squires partnered with his mentor J. C. Holland. Together, the pair designed a number of courthouses, including those in Harvey (razed), and Marion (extant) Counties. In 1915 or 1920 (sources vary), after Holland's son joined the firm, Holland and Squires parted ways.

¹⁶ Mack; *Topeka Daily Capital*, 1961 March 18.

¹⁷ Mack; "Eastern Star is Reported Buyer of Topeka Ave. Site," *Topeka State Journal*; 21 February 1952.

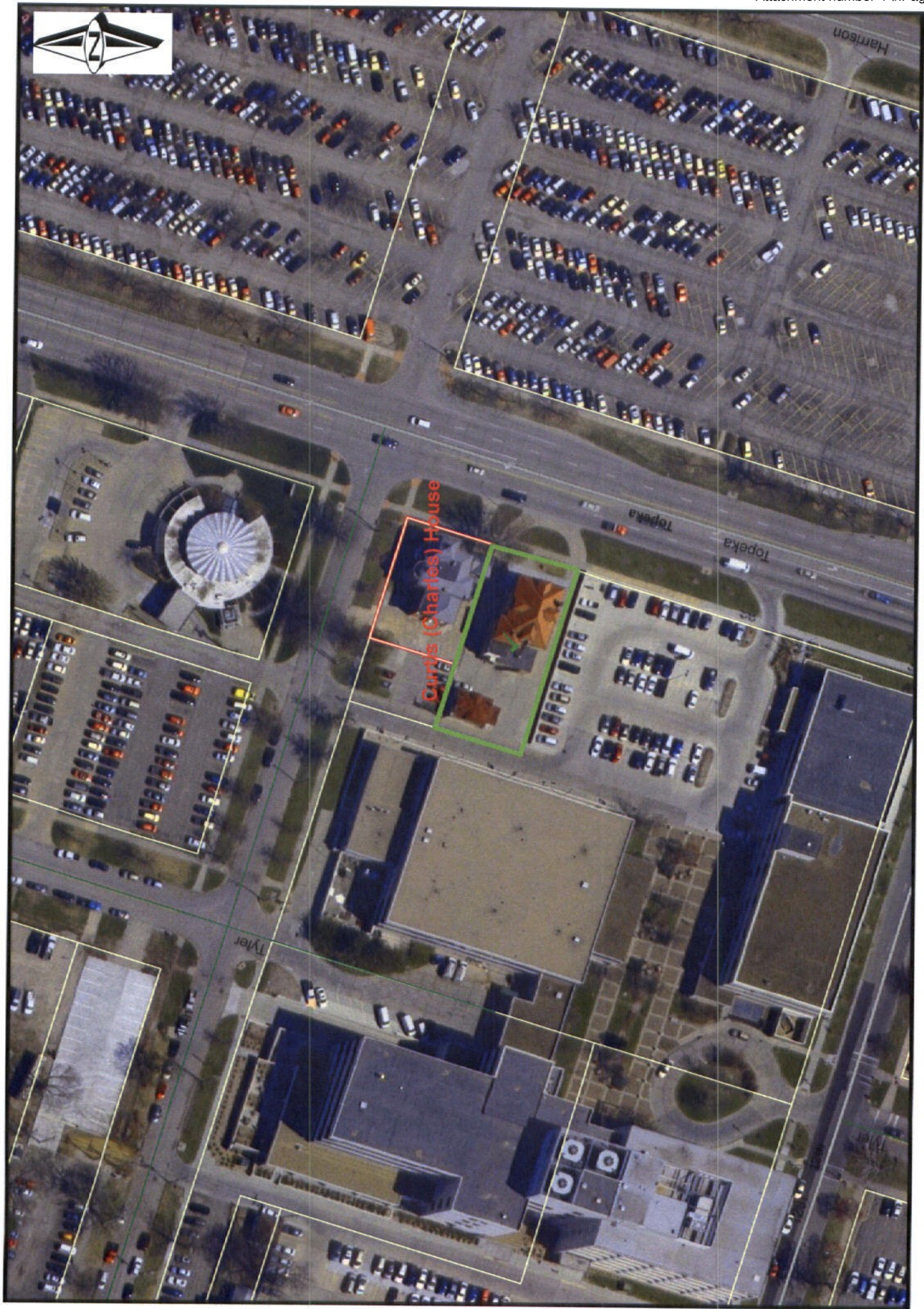
¹⁸ "OES Moves into New Home, *Topeka Daily Capital*, 23 April 1953.

¹⁹ Mack.

²⁰ Virginia and Lee McAlester, *A Field Guide to American Houses*, (New York: Alfred A. Knopf, 1998), 378-385.

Among the buildings Squires designed on his own were the Rooks County Courthouse (1924, NRHP), Junction City High School (1903, NRHP), Junction City Public Library (NRHP), and Woman's Club Building (Topeka, NRHP). Squires died of a stroke in 1934.²¹

²¹ *Topeka Capital Journal* 5 November 2000; National Register Nomination, Burr Oak School; "F.C. Squires Dies," *Topeka State Journal* 10 March 1934.



MINUTES OF THE TOPEKA LANDMARKS COMMISSION
Thursday, October 13, 2011
620 SE MADISON STREET – HOLLIDAY CONFERENCE ROOM

I. Roll Call:

- **Members Present:** Chair-Robert Banks, Vice-Chair-Stacey Zwettler Keller, Greg Allen, Pete Gierer, Leon Graves (5)
- **Members Absent:** Christy Davis, Rowena Horr, Sandra Lassiter, Lonnie Martin (4)
- **Staff Present:** Tim Paris , Planner II

II. Approval of September 8, 2011 Minutes.

Stacey Keller moved approval of the minutes as submitted, seconded by Pete Gierer. The minutes were **approved** by a vote of **4-0-1**. Greg Allen abstained.

II. Approval of October 5, 2011 Minutes.

Greg Allen requested a modification to the body of the minutes. Pete Gierer noted that his name was misspelled. Mr. Gierer, moved approval of the minutes as amended, seconded by Greg Allen. The minutes were approved as amended by a vote of 5-0-0.

II. New Business

A. CLGR11-23 by Benoit Swinnen, 917-921 SW Topeka Blvd. -

Mike Wilson spoke as the project architect, and explained the details of the proposed project. Pete Gierer moved that the project, as proposed, would not encroach upon, damage, or destroy the environs of the Gem Building, the Dillon House, or the Women's Club Building. This motion was seconded by Greg Allen. The motion was **APPROVED** by a vote of **5-0-0**. Pete Gierer also offered his personal appreciation to the owner and architect for proposing the project in a manner that made a viable use for these properties.

B. HL11-02 by the Kansas State Nurses Association, 1109 SW Topeka Blvd. –

Greg Allen moved approval of the Historic Landmark application, seconded by Leon Graves. The motion was **approved** by a vote of **5-0-0**.

C. National Register Nominations –

- 1. ATSF Motive Building, 1101 NE Atchison St. –** Stacey Keller moved that the Topeka Landmarks Commission offer its support for the nomination to the Register of Historic Kansas Places and the National Register of Historic Places, seconded by Greg Allen. The motion was **approved** by a vote of **5-0-0**.
- 2. John C. Harmon House, 915 SW Buchanan St. -** Stacey Keller moved that the Topeka Landmarks Commission offer its support for the nomination to the Register of Historic Kansas Places and the National Register of Historic Places, seconded by Leon Graves. The motion was **approved** by a vote of **5-0-0**.
- 3. Church of the Holy Name, 1110 SW 10th Ave. -** Stacey Keller moved that the Topeka Landmarks Commission offer its support for the nomination to the Register of Historic Kansas Places and the National Register of Historic Places, seconded by Greg Allen. The motion was **approved** by a vote of **5-0-0**.

D. Reports on Staff Activities – Tim Paris mentioned that the demolition of 1211 SW Western Ave. would be placed before the Landmarks Commission for consideration at their November meeting. Pete Gierer asked if it would be possible to arrange for a walk-through of the property prior to the Commission's consideration of the demolition request. Mr. Paris replied that he would try to make that arrangement.

Adjournment at 6:15 p.m.

To be published in the Topeka Metro News, Legal Section, one time, no later than

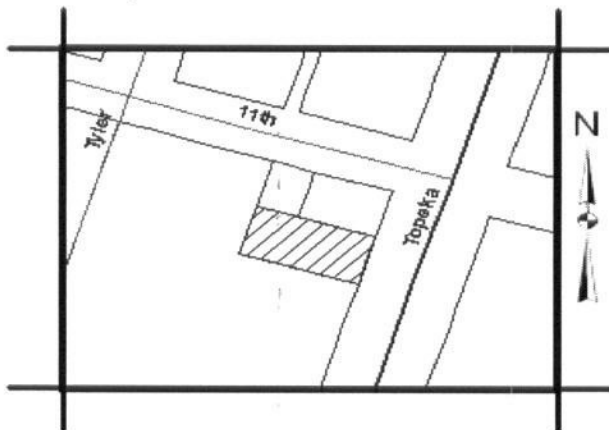
Monday, October 31, 2011

**CITY OF TOPEKA PLANNING COMMISSION
NOTICE OF PUBLIC HEARING**

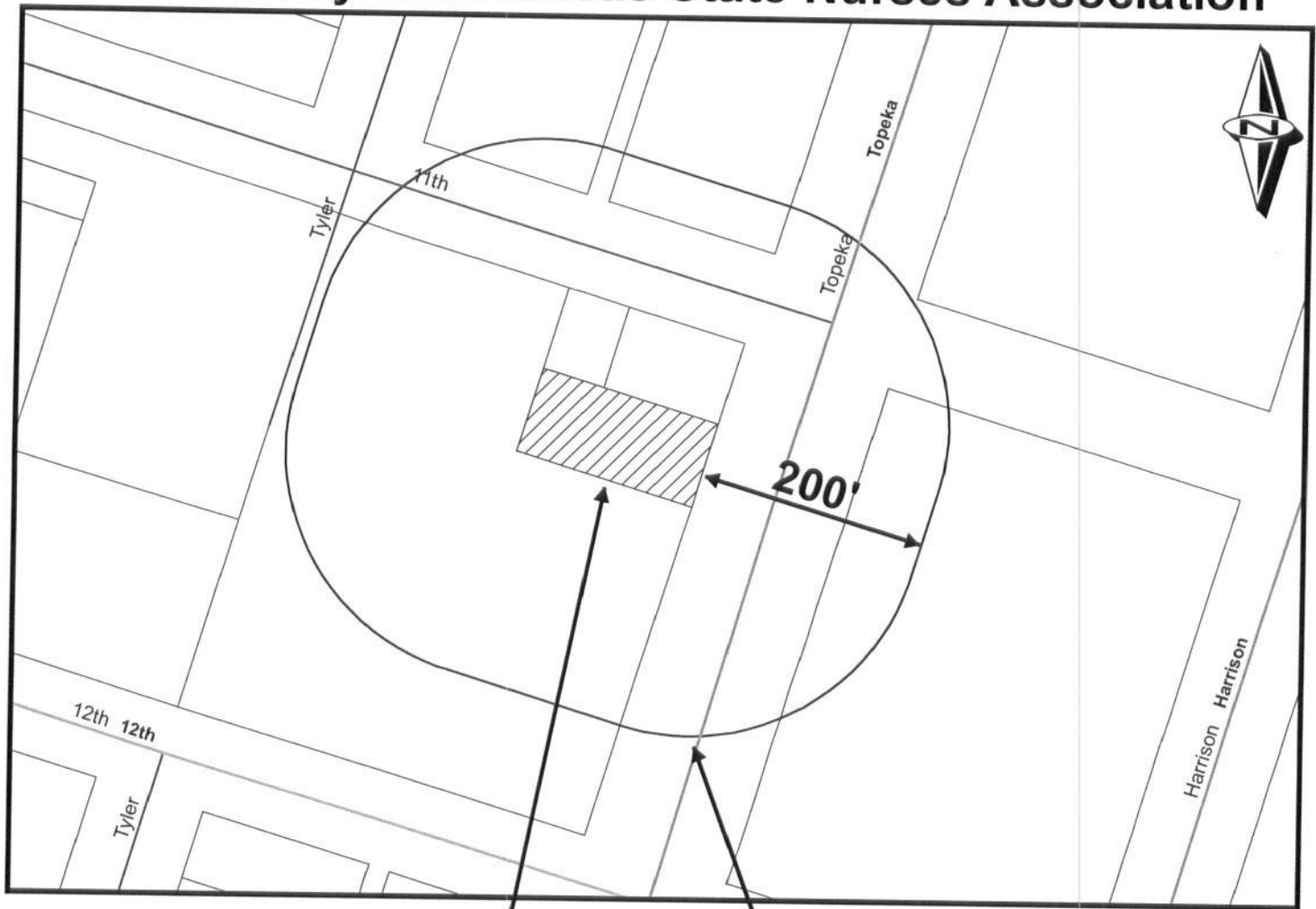
Notice is hereby given to all interested persons that the Topeka Planning Commission will hold a Public Hearing on **Monday, November 21, 2011 at 6:00 P.M.** in the City Council Chambers, 214 S.E. 8th Avenue, Topeka, Kansas. The following proposals/amendments will be considered. All interested persons are invited to attend and make comments. For additional information concerning any of these proposals, contact the Topeka Planning Department, 620 SE Madison, 3rd Floor, Topeka, Kansas, 66607 or by phone (785) 368-3728.

David F. Thurbon, Planning Director
Secretary to Topeka Planning Commission

HL11/2 by Kansas State Nurses Association requesting Historic Landmark zoning overlay for property currently zoned "O&I-2" Office and Institutional District and located at 1109 S Topeka Boulevard.



HL11-02 by The Kansas State Nurses Association



Requested Area

Notification Area

HL11/2 by Kansas State Nurses Association requesting Historic Landmark zoning overlay for property currently zoned "O&I-2" Office and Institutional District and located at 1109 S Topeka Boulevard.

**Minutes of the
Topeka Planning Commission
Monday, November 21, 2011 @ 6pm**

HL11/2 by Kansas State Nurses Association requesting Historic Landmark zoning overlay for property currently zoned "O&I-2" Office and Institutional District and located at 1109 S Topeka Boulevard. **(Paris)** Tim Paris summarized the staff report.

Discussion by members:

Peter Hancock asked whether this affects the environs of other historic properties in the area? Mr. Paris replied there aren't any historic properties within 500 feet of this property. Mr. Hancock asked what additional value does the local designation give since they already have the national designation? Mr. Paris said the local designation protects the home and any changes must be reviewed by the Landmark Commission. He added it is a matter of local pride to the property owner because the home is a part of Topeka history. Mr. Paris said an additional benefit is the property is eligible for an additional 5% tax rebate because it is in the Neighborhood Revitalization area.

No one spoke in favor or in opposition to the request.

Peter Hancock moved approval, seconded by Kevin Beck. **APPROVAL. (9-0-0)**

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, designating real property more specifically described herein as a historic landmark and presently zoned "O&I-2" Office and Institutional District and located at 1109 S Topeka Boulevard in the City of Topeka, Shawnee County Kansas pursuant to Section 18.255 of the Topeka Municipal Code (TMC). **(HL11/2) (Council District No. 1)**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be, and the same is hereby amended, by designating the "HL" Historic Landmark Overlay zoning to property zoned "O&I-2" Office and Institutional District and described as follows:

Lots 367, 369 and 371 on Topeka Blvd., Original Town Addition, in the City of Topeka, Shawnee County, Kansas.

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 Governing Body of the City of Topeka,
_____, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X
HL11-2
Page 1 of 1



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 22, 2011

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DATE:	December 13, 2011		
CONTACT PERSON:	David Thurbon/Bill Hoover	DOCUMENT #:	Z11/28
SECOND PARTY/SUBJECT:	David Herrman, President	PROJECT #:	
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley, amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code by providing for certain changes in zoning on property located on the west side of SW Burlingame Road, approximately 700 feet south of SW 42nd Street, from "R-1" Single Family Dwelling District TO "I-1" Light Industrial District. First Reading. (Z11/28) (Council District No. 5)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow the vacant property to be developed for a storage and distribution facility.)

POLICY ISSUE:

The Planning Department recommended DISAPPROVAL due to four previous rezoning petitions from "R-1" Single-Family to "I-1" Light Industrial along SW Burlingame Road, located between SW 42nd Street and SW 49th Street, either being denied by the governing body or withdrawn by the applicants after the Planning Staff recommended DISAPPROVAL and also due to several existing single-family residences and a new church that is planned located directly across SW Burlingame Road from the proposed site. The Planning Department suggested that the applicants reapply for a Business Park PUD so that their concerns and concerns of the church could be addressed.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of 6-2-0 at their November 21, 2011 meeting as referenced in the attached minutes. The Planning Department recommended that this request be **DISAPPROVED** as referenced in the attached staff report.

Item #21

BACKGROUND:

See Staff Report.

Governing Body options:

- **Adopt** the recommendation of the Planning Commission by a majority (6 votes) of the Governing Body;
- **Override** the Planning Commission's recommendation by a two-thirds majority (7 votes) of the Governing Body membership; or,
- **Return** such recommendation to the Planning Commission (6 votes) with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Staff Report](#)

[Letter of Objection from Church of Christ](#)

[Ordinance](#)

[Site Plan](#)

[View "A" of Proposed Building](#)

[View "B" of Proposed Building](#)

[Aerial](#)

[Flood Map Aerial](#)

[Zoning Map](#)

[Planning Commission Minutes](#)

November 21, 2011
Agenda Item # E-2a

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: Z11-28

by: Herrman's Excavating, Inc.
David A. Herrman, President

PROPOSAL: A request for zoning change from the "R-1" Single-Family District to the "I-1" Light Industrial District.

LOCATION: This 11.08-acre site is located on the west side of SW Burlingame Road, approximately 700 feet south of SW 42nd Street.

PRESENT USE: The site is currently being used as tillable farmland.

PROPOSED USE: A contracted purchaser desires to purchase the property in order to construct a warehouse and distribution facility on the site.

BACKGROUND/EXISTING CONDITIONS: This 11.08-acre parcel comprises approximately the northeast quadrant of a larger 43.23-acre parent tract that has been submitted for a preliminary plat (P11/16 Stratham Subdivision and the subject parcel is Lot 1 on that plat). In 1982, a Special Use Permit (SP82/21) on 49 acres (included the parent tract and some additional land) was approved for a recreational facility with malt beverage sales. However, the site was never developed for this purpose.

In 2001, a rezoning petition (Z00-40) to "I-1" Light Industrial on approximately the same 49-acre site was withdrawn by the applicant (Herrman's Excavating, Inc.) after the Planning Department recommended "disapproval". About the same time, the applicant moved its proposed uses to the southeast on a 49.80-acre site. This new site was located on the north side of SW 49th Street and west of both the Kansas Turnpike and US Highway 75. It was approved via a Conditional Use Permit (CU01/14) for a demolition landfill in late 2001, and was developed for this purpose.

CHARACTER OF NEIGHBORHOOD: This neighborhood has a broad mixture of land uses and is impacted by a large flood zone area to the south, west, and northwest and by three nearby major roadways, which are Interstate-470, US Highway 75, and the Kansas Turnpike. This flood zone area is about 1,500 feet wide and provides land for farming to the west and south, and recreational ball fields and parks to the northwest. Numerous light industrial businesses are located to the north, east, and south that take advantage of the excellent highway network in this part of Topeka. Within an approximate one-half mile radius of the site there are also: two churches plus an 8.7-acre vacant site owned by a church that is planned for a new church facility, a State of Kansas drivers' license office, an indoor recreational facility, about six single-family homes, and the previously mentioned demolition landfill.

In late 1994, a rezoning petition (Z94/25) from "R-1" Single-Family to "I-1" Light Industrial was disapproved by the City Council by a 6-3-0 vote for parcels comprising about 97 acres and located on the east side of SW Burlingame Road, extending between SW 42nd Street and SW 49th Street. Previously, the

November 21, 2011
Agenda Item # E-2a

Planning Department had recommended denial, the Metropolitan Planning Commission had recommended against it by a vote of 3-9-0, and a valid protest petition was filed prior to the City Council meeting.

In 2000, two other rezoning petitions from "R-1" Single-Family to "I-1" Light Industrial (Z00/31 and Z00/52) on two properties located on the east side SW Burlingame Road, extending between SW 45th Street and SW 49th Street, were both withdrawn by the applicants apparently due to: Planning staff opposition, recommendations of denial by the Metropolitan Planning Commission, and valid protest petitions.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"R-1" Single-Family Dwelling District, then "I-1" Light Industrial District	Unimproved recreational area, then propane and vehicle fueling facility
South:	"R-1" Single-Family Dwelling District	Tillable farmland
East:	"R-1" Single-Family Dwelling District & "M-2" Multiple-Family Dwelling District	Three single-Family homes, vacant church-owned site, and church
West:	"R-1" Single-Family Dwelling District	Tillable farmland

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject property has been used for farming for likely many years.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The site's present classification is consistent with the pattern of existing land uses and zoning in this area. However, there is substantial undeveloped recreational land to the north so it may not be the "highest and best use" on this parcel since it is located outside the flood zone area.

CONFORMANCE TO COMPREHENSIVE PLAN: The Future Land Use Map, which does not provide site specific but rather general land use guidelines, designates about 85% of this site as *Park/Open Space/Recreational* and the remaining 15% that is located in the southeast corner of the site as *Medium/High Density Residential*. Numerous properties located about ¼ mile to the east and beyond, are designated *Industrial*. Within the Industrial Land Use Principles section of the Comprehensive Plan (page 91), it advises that new industrial establishments should have nearby and convenient freeway or expressway access and physical features (a 1,500-foot wide flood zone in this case) can be used to transition between differing land uses. Based on this information the proposed rezoning could be argued to possibly be consistent with our Comprehensive Plan.

However, on page 91 of the Comprehensive Plan it states, "The development of residential and industrial land uses within close proximity can often lead to land use conflicts." It can also be argued that typical industrial land uses should be located east of US Highway 75, between I-470 to about SW 46th Street extended, and then east of the Kansas Turnpike south of SW46th Street extended, where those properties are designated "Industrial" on the Future Land Use Map.

November 21, 2011
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THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: The proposed amendment could permit the subject property to develop consistent with the established pattern of zoning and land uses in this neighborhood and the proposed changes may not have any negative impacts on nearby properties depending upon the “I-1” Light Industrial uses actually developed, the building(s) design and appearance, and the layout of the site.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER’S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: If some industrial uses are developed it is possible some detrimental impacts could be created for residential and institutional properties located on the east side of SW Burlingame Road. Hence such impacts could outweigh the particular gain to the property owner by approval of this petition.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area and will not be overburdened by this proposal.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: Complete.

Minimum Lot Area: Compliant.

Setbacks: Compliant.

Platting: The site is being platted (P11/16 Stratham Subdivision) and the plat will need to be approved and recorded prior to the issuance of any building permits.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request has been submitted to all applicable reviewing agencies for consideration and comment.

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: Not Applicable.
2. Capitol Plaza Area: Not Applicable.
3. Flood Hazard Area: The flood zone area is located just to the south, west and northwest of the subject property but none of the subject site is within the flood zone area.
4. Airport Hazard Area: Not Applicable.
5. Historic Properties: Not Applicable.

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STAFF RECOMMENDATION:

Based upon the above findings and analysis, Planning staff recommends **DISAPPROVAL** of this proposal but recommends that the applicant resubmit the project as a Planned Unit Development (PUD) with business park uses for further consideration. By switching this project to a PUD it would have the following key advantages:

1. Land uses permitted in the “I-1” Light Industrial District that could detrimentally impact the residential/institutional uses located on the east side of SW Burlingame Road could be eliminated while still retaining some light industrial uses and the wholesale distribution facility the applicant desires.
2. Building setbacks along SW Burlingame Road and in the side yards could be substantially increased. Otherwise, only a 20’ front yard and 5’ side yards could be required.
3. Truck docking and loading facilities could be required to be behind the rear of the building or alternatively be in the side yards with screening.
4. Architectural building elevations could be required to be administratively reviewed to ensure that all buildings constructed would provide an aesthetic appearance towards neighboring properties to the east and motorists along SW Burlingame Road.

The Comprehensive Plan regarding Industrial Land Use Principles on page 90 states, “Today, however, environmental standards and the trend towards higher technology and cleaner factories are enabling many industries to locate closer to residential areas than was desirable not too many years ago. Much of today’s industry is indistinguishable from large-scale office uses.” The Planning Department believes a Business Park PUD can be designed to allow low impact industrial and office land uses on the subject property in a manner that will minimize any impacts on neighboring residential and institutional properties.

Prepared by: Bill Hoover, AICP
Planner III

***Central Church of Christ
1250 College Ave.
Topeka, Kansas
66604***

City of Topeka
Planning Department
620 Madison Street
Topeka, Kansas 66607

November 7, 2011

Attention Bill Hoover:

We received the rezoning request hearing notice concerning Z11/28. We are concerned about this change because we own the property right across the street of the proposed change.

We have owned the property (approximately nine acres) for several years and were purchased with intent of relocating our church facility at that location. We planned on building two years ago, but with the downturn of the economy, we have had to postpone starting construction.

It was our understanding when we purchased the property that there would be homes across the street. We felt like the location, because of its access to the bypass, would be perfect for those that come from other areas of the city. We also foresaw some of our members relocating to the area across the street and our church facility would also be convenient for others that would occupy the houses as the area was developed.

We have outgrown our facility at 1250 College and are still planning on developing the property as a new church facility in the future.

With these items in mind, we feel it is not in the best interest of our congregation to have the zoning changed to Light Industrial.

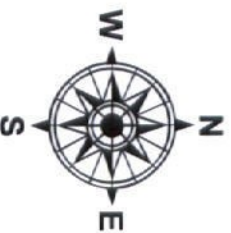
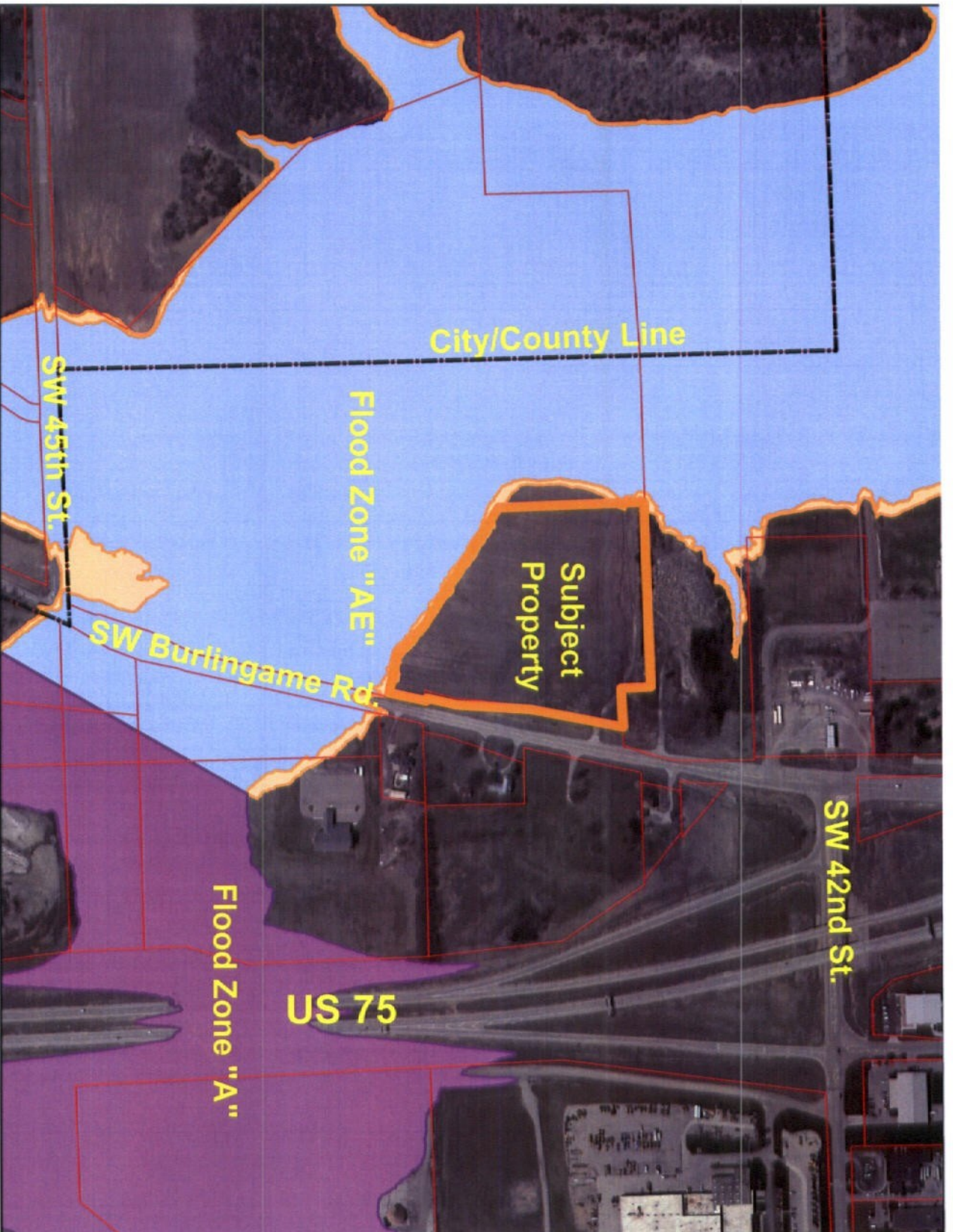
We would like to be put on the agenda at the upcoming public hearing to be able to voice our position in person.

For the elders of the Central Church of Christ,

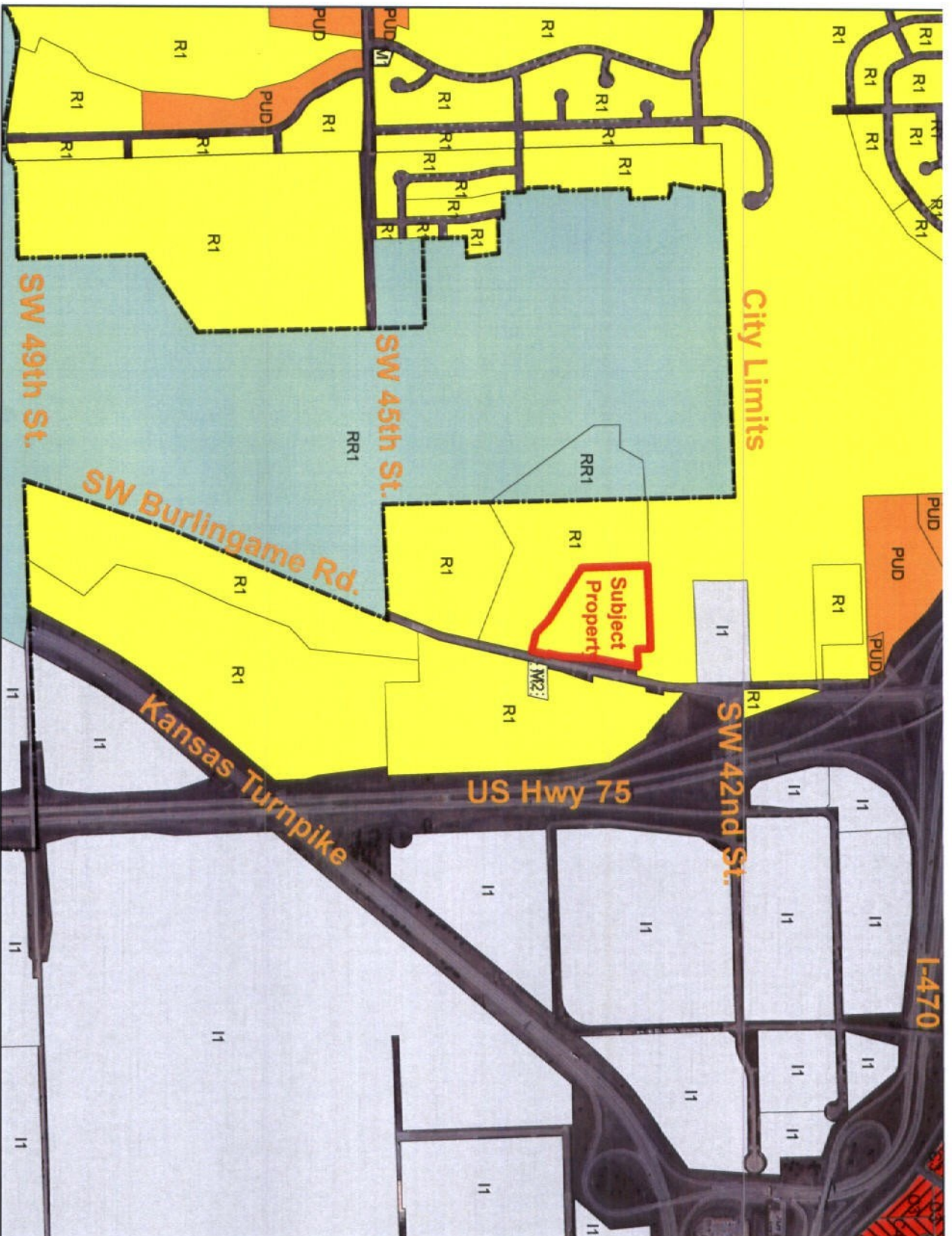
Gary Souder



Z11/28 by Herrman's Excavating

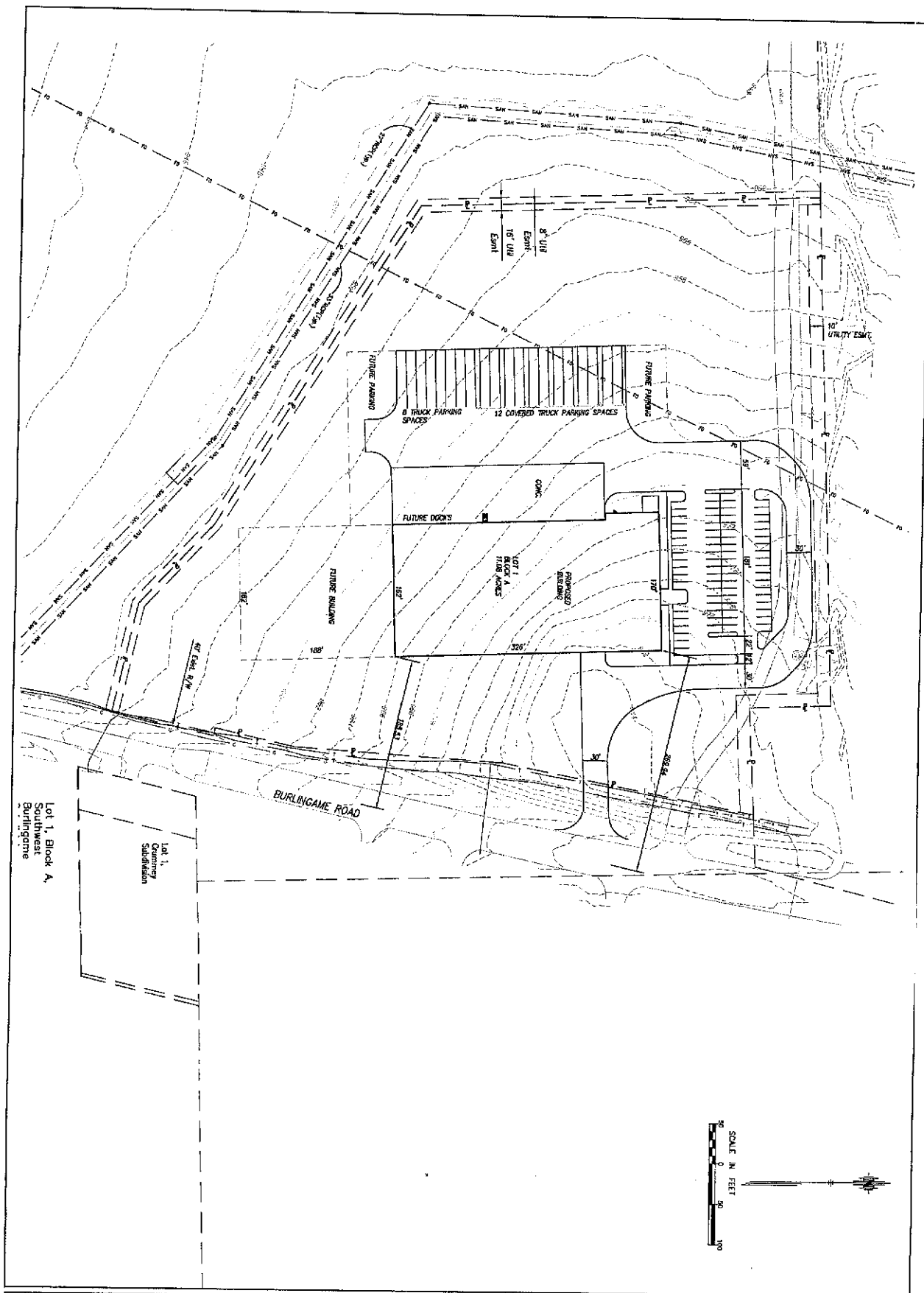


Z11/28 by Herrman's Excavating



Z11/28 by Herman's Excavating

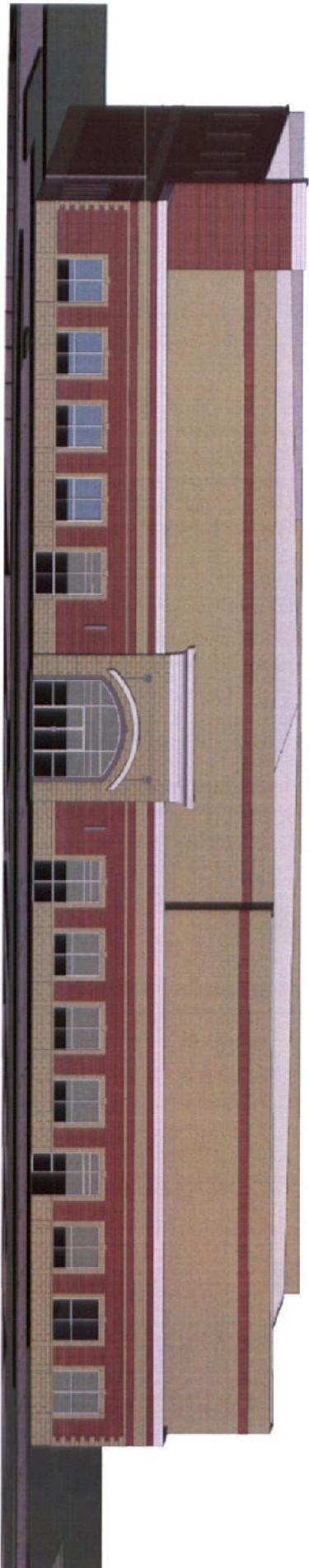
2025-01-17 10:00:00 AM



SHEET TITLE PROJECT NAME FIELD NUMBER		OWNER DEVELOPER		DESIGNER CFS Cook, Platt & Strobel ENGINEERS, P.A. 11111 1st Avenue San Diego, CA 92121		SCALE
DATE: 1/11 DRAWN BY: TTT CHECKED BY: TTT REV:		CFS PROJECT NO.: 11111				



EAST ELEVATION - LOOKING WEST
(SW BURLINGAME ROAD ELEVATION)

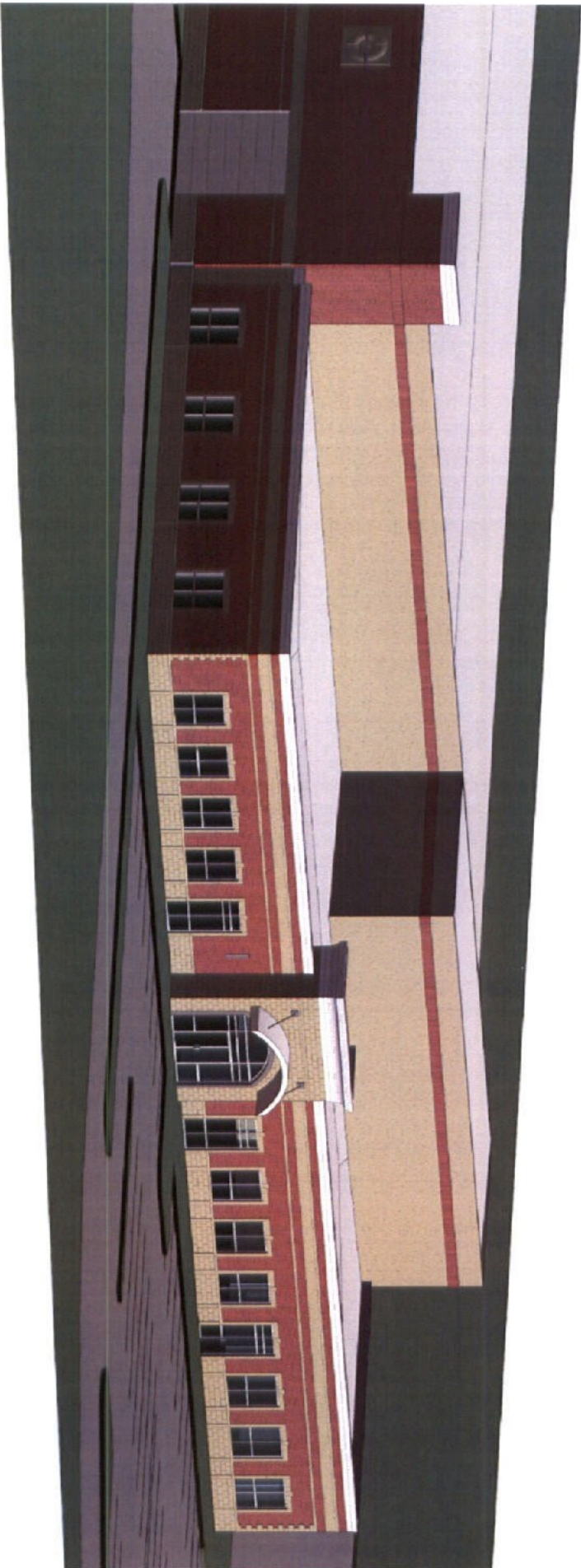


NORTH ELEVATION - LOOKING SOUTH

Strathman Sales Company

SP5541 - 11.07.2017

CONCEPTUAL RENDERING
NOT FOR CONSTRUCTION



NORTHEAST CORNER - LOOKING SOUTHWEST

Strathman Sales Company

SP5541 - 11.07.2011

CONCEPTUAL RENDERING
NOT FOR CONSTRUCTION

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Daniel R. Stanley, Interim City Manager amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located on the west side of SW Burlingame Road, approximately 700 feet south of SW 42nd Street, from "R-1" Single Family Dwelling District **TO** "I-1" Light Industrial District. **(Z11/28) (Council District No. 5)**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the follow described property:

A tract of land in the Southeast Quarter of Section 23, Township 12 South, Range 15 East of the 6th P.M., in Shawnee County, Kansas described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 23; thence on an assumed bearing of North 01 degrees 33 minutes 00 seconds west along the East line of said Southeast Quarter a distance of 1098.58 feet; thence South 88 degrees 27 minutes 00 seconds West a distance of 209.48 feet to the West line of Southwest Burlingame Road and the Point of Beginning; thence North 77 degrees 17 minutes 30 seconds West a distance of 135.79 feet; thence North 46 degrees 54 minutes 11 seconds West a distance of 134.12 feet; thence North 58 degrees 01 minutes 07 minutes West a distance of 465.01 feet; thence North 02 degrees 07 minutes 25 seconds West a distance of 488.03 feet; thence North 87 degrees 52 minutes 35 seconds East a distance of 625.01 feet; thence South 02 degrees 07 minutes 25 seconds East a distance of 99.00 feet; thence North 87 degrees 05 minutes 49 seconds East a distance of 131.72 feet to the West line of said Southwest Burlingame road; thence South 11 degrees 01 minutes 34 seconds West along said West line a distance of 313.19 feet; thence south 03 degrees 40 minutes 13 seconds West along said West line a distance of 254.63 feet; thence South 12 degrees 42 minutes 29 seconds West along said West line a distance of 100.00 feet; thence south 77 degrees 17 minutes 31 seconds East along said West line a distance of 9.79 feet; thence South 12 degrees 42 minutes 30 seconds West along said West line a distance of 128.32 feet to the point of beginning.

Said tract of land contains 11.08 acres of land more or less.

from "R-1" Single Family Dwelling District **TO** "I-1" Light Industrial 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 Governing Body of the City of Topeka,
_____, 2011.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____
Not To Be Codified X

**Minutes of the
Topeka Planning Commission
Monday, November 21, 2011 @ 6pm**

Kevin Beck left the room.

Z11/28 by Herrman's Excavating, Inc. requesting to amend the District Zoning Classification from "R-1" Single Family Dwelling District TO "I-1" Light Industrial District on property located on the west side of SW Burlingame Road approximately 700 feet south of SW 42nd Street. **(Hoover)**

Stratham Subdivision development – Bill Hoover summarized both the zoning and subdivision proposals together. Discussion is listed together but votes are separate.

Discussion by members:

Mike Lackey asked if the subdivision is approved and it is suggested they apply for a PUD they will have to come back again for a public hearing on the PUD. Mr. Hoover said that is correct.

Dennis Haugh asked where the access point is off of Burlingame for Lot 2? Mr. Hoover replied about 55 feet south of the common property line between Lot 1 and Lot 2.

Proponents:

Kevin Holland, Cook, Flatt & Strobel Engineers spoke in favor of the proposal. He introduced other team members in the audience available for questions. Matt Strathman- Strathman Sales, Mike Morse-KS Commercial Realtors and David Herrman-property owner. Mr. Holland said the proposal is for a Strathman Sales distribution center. The plan is to put a 55,000 square foot building on the site. He stated there is a natural buffer to the south that is the flood zone and cannot be developed on. Mr. Holland said only 11 acres will be developed. He said this is the only parcel that is large enough for what they want to do. He said we looked at the property across the street but it wasn't large enough. Mr. Holland said the current Strathman distribution center is very well maintained. This is a \$5 million dollar investment by a locally growing company. The zoning fits the area and goes well with other businesses in the area. Mr. Holland stated this will not generate much traffic. There are eight distribution trucks running per day. He said staff did a good job giving the history of the property. He said this type of rezoning has been denied before but previous rezoning included much more land than this one. We simply want to use the 11 acres for light industrial. The remainder of the land will remain agricultural use, which will be a good buffer to the property to the south.

Dennis Haugh asked how many delivery trucks come into the distribution center per day? **Matt Strathman**, Strathman Sales, replied three or four in bound delivery trucks per day.

Mr. Holland said the 30 foot setback requirement won't be a major issue. It will help us to blend in with any other use that may go in across the street.

Junie Ewing asked if the applicant would agree to put in a berm in the 30 foot setback to help buffer? Mr. Strathman said he isn't against looking at that but the building is really nice and he doesn't want to hide it. Mr. Holland reiterated it is a beautiful building and it will fit the area. It will be a show piece and the neighbors will be proud once it is built.

Peter Hancock asked what type of signage will be used. Mr. Strathman said he would like to put Strathman Sales and Budweiser on the building for identification. This building won't be a destination so all that is needed is a building identifier. Mr. Hancock asked staff what size of sign is allowed in the I-1 District? David Thurbon replied 300 square feet of signage, 55 feet tall.

Mr. Holland said Lot 2 is fully in the flood plain.

Mr. Haugh said the preliminary plat and site plan show quite a bit of grade change. What will floor level be relative to the street? Mr. Holland said we want to keep it relatively flat because of parking in the back. From the road it will be flat or a little lower. There will be no infill.

Brett Klausman asked if a PUD was looked at? Mr. Holland said it was discussed but light industrial fits the area. There is a gas station, athletic fields, Martin Tractor, Bimbo Bakery, Target and Home Depot. All of these businesses utilize Burlingame Road.

Mike Lackey asked what the advantage is having the straight zoning instead of the PUD? Mr. Holland said the PUD will state specifically what uses can be on the property long term. We are coming in with a great business and saying here is what the land use will be. We aren't looking to do any other use on the property. The zone change meets what we are trying to do on the property. They want to break ground as soon as possible. When planning staff asked for a PUD it would stall construction at least two months. Mr. Strathman said he thought light industrial is what was needed. He said he doesn't really understand the whole procedure but we need to keep moving so not to delay.

Mr. Lackey said the only difference he sees is signage. He asked Mr. Strathman if he would be willing to restrict the size of sign? Mr. Strathman replied yes. He added he is not sure what size the sign will be but it will be proportionate to the building size.

Opponents:

Carl Wheeler, Central Church of Christ member, spoke in opposition to the proposal. He said the church purchased the property across the street due to expansion of the church. He said the property across from the future church site was zoned residential and we were hoping it would be developed as residential. He said putting a distribution center there without restrictions of a PUD would create an esthetic contrast in the neighborhood. We are planning to build a \$4 to \$5 million dollar church building in the future. He said there are a lot of young people in our congregation. Don't want industrial uses across the street. This is in close proximity to the Sports Zone which also has many young people utilizing their business. Mr. Wheeler said if this is zoned light industrial and Strathman doesn't locate on the property there are many other uses that could go in that aren't safe or esthetically pleasing to the area. He said a PUD would provide additional landscaping and make it look more like an office park. That would be better for our church.

Scott Gales asked Mr. Wheeler if he would be in favor of the proposal if it was in a PUD rather than zoned light industrial? Mr. Wheeler replied, obviously it would be much more pleasing.

Rich Beardmore asked Mr. Wheeler if he had seen a rendering of the building? Mr. Wheeler replied, no. Mr. Beardmore asked if the church has an issue with the gas station to the north? Mr. Wheeler said it is far enough north the interchange buffers it. It is just a refueling station there are no employees there. Mr. Beardmore asked if truck traffic is a problem? Mr. Wheeler replied no, truck traffic doesn't really bother us because it is far enough north.

Mr. Hancock asked if the church owns the property shown on the map with the horseshoe drive? Mr. Wheeler replied yes, we may use the house on the property for church offices.

Steve Tallon, member of the church and on the building committee, showed the plat map of the church property. He stated the church is trying to figure out what they want and what can be spent. There is a house on the north end of the plat. He said the church has looked everywhere for a new church location and this was an ideal location for our parishioners. Access to highways is a plus. We are buffered well by 75 Highway from industrial. He said he doesn't think an alcohol distribution center goes well across the street from a church.

Gary Souder, member of the church, spoke in opposition to the proposal. He said we are willing to go along with a PUD for the site. Budweiser buildings are usually well identified. The building looks like a great structure but we would like to have PUD for buffering and landscaping.

Mr. Klausman asked besides limiting setbacks what would a PUD do? Mr. Hoover said the plat requires a 20 foot street buffer. Landscaping would be required no matter the zoning. The zoning regulations allow the planning director to emphasize landscaping along roadways and residential areas in a PUD. If there were a PUD site plan it would show all the landscaping and buffering as well as screening for trucks. They already plan to have large trucks in the rear of the site. In a PUD that would be a guarantee. If zoned light industrial they could change it or it could get sold to another entity which could have any use allowed in the light industrial district. Mr. Thurbon said the biggest advantage of a PUD is to control uses. Light industrial zoning allows for almost anything with no restrictions on outdoor storage.

Mr. Lackey stated this is a local business man and he said what he is doing. Mr. Thurbon said he realizes that but the zoning goes with the land not to a person.

Mr. Beardmore asked if the distribution center is open on weekends? Mr. Strathman replied not on Sunday. Our trucks don't run on Saturdays but we do receive deliveries. The docks are in the back of the building.

Mr. Holland said setbacks have been put into question. We are offering a 30 foot setback on the plat to make the property owners across the street happy. Mr. Haugh said the site plan shows 185 feet from the street centerline. Mr. Holland said that is true but this is still in the planning stages. That is the reason we aren't hesitant to offer the 30 foot setback because we won't be anywhere close to that.

Mr. Gales asked what is the maximum for you before you think about expansion? Mr. Strathman replied probably double the distributing we do now. He added we are planning this to be big enough for 10 plus years. The size of our building is more reflective of the number of products we carry. Mr. Gales asked if the trucks go out in the morning and return in the evening? Mr. Strathman said the product is presold one day and delivered the next day. Yes, the trucks go out full and return empty. He said as far as truck traffic, we are pretty efficient.

Ms. Ewing asked if it is possible to write into the deed if ownership changed hands zoning would have to be reviewed again. Mr. Thurbon said state law doesn't allow it.

Mr. Hancock said you agree to annexation of Lot 2. Why not do it all at the same time? Mr. Holland said we would not be opposed. We aren't looking to rezone the portion that is in the flood

plain. Mr. Hancock said it is standard practice in other cities to annex at the same time as platting/re-zoning. He said he is looking for this process to be more streamlined. Let's get it out of the way. That way if the property changes hands it won't be a surprise to the next property owner. Mr. Hancock said this won't add a lot of tax base. Mr. Thurbon agreed because agricultural properties don't bring in much revenue. Mr. Thurbon said he assumes annexation action will be taken fairly soon because it is adjacent to the city limits. Mr. Lackey asked if the annexation would delay their progress? Mr. Thurbon replied, yes, because it is a separate action. Mr. Holland stated the property owner agrees to annexation of the parcel but they want to get ground broke on Lot 1.

Mr. Beardmore asked if this development would replace the current Strathman facility? Mr. Strathman replied yes.

Mr. Gales asked if flood zone AE is developable. Mr. Thurbon replied it is but you have to raise elevation and show you aren't going to add to the flood flow. Mr. Gales said they will still have to show flow, etc. which makes it cost prohibited.

Mr. Lackey said he is inclined to support the I-1 zoning. It works for what he wants to do. He said he travels the area and sees a lot of truck traffic. They will not add much more truck traffic to the existing.

Mr. Haugh said he thinks the facility will be fine but we are rezoning the property not the building. There are no guarantees what is going to be there.

Mr. Beardmore said esthetics are not an issue. If there is problem across the street they can do their own buffering. Truck traffic isn't an issue. Taxes stay in the city. Mr. Lackey added the gas station is zoned I-1.

Brett Klausman moved approval of the I-1 Light Industrial Zoning, seconded by Richard Beardmore.
APPROVAL. (6-2-0) Commissioners Hancock and Haugh voted no.



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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

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