

1 (Published in the Topeka Metro News October 31, 2011)

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3 **ORDINANCE NO. 19662**

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5 AN ORDINANCE introduced by Interim City Manager Daniel R. Stanley authorizing the
6 initiation of condemnation proceedings to acquire permanent public
7 easement interests for the following public purposes: pedestrian and
8 public access easement and fee simple interest to repair the existing
9 pond at Lauren's Bay Villas Subdivision and Laurens' Bay Estates,
10 Project No. T151011.00.

11
12 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

13 Section 1. That it is hereby declared necessary to condemn and appropriate for
14 the use of the City of Topeka certain lands within and outside the corporate limits of the
15 City of Topeka to repair the existing pond at Lauren's Bay Villas Subdivision and Laurens'
16 Bay Estates, and for other public purposes, said land being described as follows:

17 **Parcel No. 1**

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19 Owner of Record: Lauren's Bay Lake, LLC
20 c/o J. D. Pritchard, Member
21 6325 SW 43rd Court
22 Topeka, Kansas 66614

23
24 Contract Purchaser: NONE

25
26 Lienholder of Record: NONE

27
28 Party in Possession: vacant land

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30 Party of Interest: Shawnee County District Court Clerk
31 Case Nos. 08-C-348; 08-C-894; 08-C-1703; 08-U-502;
32 09-C-125; 09-C-361; 09-C-405; 09-C-455

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34 Tax liens of record: 1. U.S. Federal Government (Book 4608, Page 88)
35 2. U.S. Federal Government (Book 4693, Page 88)
36 3. U.S. Federal Government (Book 4669, Page 226)
37 4. State of Kansas (Case no. 08-ST-2071)
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42 5. State of Kansas (Case no. 09-ST-1211)
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44 PROPERTY TO BE ACQUIRED:
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46 **Fee Simple:**
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48 ALL THAT PART OF LOT 6, BLOCK A, LAUREN'S BAY VILLAS, A SUBDIVISION
49 IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, BEING MORE
50 PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST
51 CORNER OF LAUREN'S BAY VILLAS, SAID CORNER ALSO BEING A COMMON
52 CORNER TO THE SOUTHEAST CORNER OF LOT 25, BLOCK C, LAUREN'S BAY
53 SUBDIVISION; THENCE THE NEXT NINE(9) DESCRIBED COURSES ARE
54 ALONG THE WEST LINE OF THE GREENSPACE EASEMENT AS PLATTED ON
55 SAID LAUREN'S BAY VILLAS, SAID WEST LINE ALSO BEING THE EAST LINE
56 OF LOTS 17 THROUGH 25, BLOCK C, SAID LAUREN'S BAY SUBDIVISION; (1)
57 THENCE, ON THE PLATTED BEARING, NORTH 09 DEGREES 36 MINUTES 04
58 SECONDS WEST, 112.00 FEET; (2) THENCE NORTH 21 DEGREES 34 MINUTES
59 16 SECONDS EAST, 55.32 FEET; (3) THENCE NORTH 39 DEGREES 05
60 MINUTES 06 SECONDS EAST, 74.79 FEET; (4) THENCE NORTH 01 DEGREE 21
61 MINUTES 58 SECONDS WEST, 110.05 FEET; (5) THENCE NORTH 31 DEGREES
62 23 MINUTES 34 SECONDS EAST, 128.28 FEET; (6) THENCE NORTH 13
63 DEGREES 43 MINUTES 34 SECONDS WEST, 238.51 FEET; (7) THENCE NORTH
64 07 DEGREES 25 MINUTES 58 SECONDS WEST, 100.14 FEET; (8) THENCE
65 NORTH 21 DEGREES 10 MINUTES 22 SECONDS WEST, 99.11 FEET; (9)
66 THENCE NORTH 01 DEGREE 56 MINUTES 51 SECONDS WEST, 127.71 FEET
67 TO THE SOUTHWEST CORNER OF LOT 15, BLOCK A, SAID LAUREN'S BAY
68 VILLAS, ALSO BEING THE NORTHEAST CORNER OF LOT 17, BLOCK C, SAID
69 LAUREN'S BAY SUBDIVISION; THENCE NORTH 56 DEGREES 26 MINUTES 30
70 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 15, BLOCK A,
71 LAUREN'S BAY VILLAS, 41.21 FEET; THENCE SOUTH 40 DEGREES 56
72 MINUTES 37 SECONDS EAST, 52.04 FEET; THENCE SOUTH 60 DEGREES 57
73 MINUTES 31 SECONDS EAST, 57.88 FEET; THENCE NORTH 16 DEGREES 40
74 MINUTES 31 SECONDS EAST, 59.93 FEET TO THE SOUTHEAST CORNER OF
75 LOT 15, BLOCK A, SAID LAUREN'S BAY VILLAS, ALSO BEING THE
76 SOUTHWEST CORNER OF LOT 7, BLOCK C, SAID LAUREN'S BAY
77 SUBDIVISION; THENCE SOUTH 79 DEGREES 19 MINUTES 50 SECONDS EAST
78 ALONG THE SOUTH LINE OF SAID LOT 7, 127.63 FEET; THENCE SOUTH 26
79 DEGREES 11 MINUTES 39 SECONDS WEST, ALONG THE WESTERLY LINE OF
80 THE STREAM BUFFER ZONE AS PLATTED ON SAID LAUREN'S BAY VILLAS,
81 80.01 FEET; THENCE SOUTH 53 DEGREES 10 MINUTES 49 SECONDS EAST,
82 ALONG THE SOUTHERLY LINE OF SAID STREAM BUFFER ZONE, 228.60 FEET
83 TO A POINT BEING THE MOST WESTERLY CORNER OF LOT 9, BLOCK A, SAID
84 LAUREN'S BAY VILLAS; THENCE THE NEXT SIX (6) DESCRIBED COURSES
85 ARE ALONG THE EAST LINE OF SAID GREENSPACE EASEMENT, ALSO BEING

86 THE WEST LINE OF LOTS 1 AND 2, BLOCK A, SAID LAUREN'S BAY VILLAS,
87 AND THE WEST LINE OF LOTS 1 THROUGH 4, BLOCK A, LAUREN'S BAY
88 VILLAS NO. 3, AND THE WEST LINE OF A 20.00 FOOT UTILITY EASEMENT
89 THROUGH LOT 6, BLOCK A, SAID LAUREN'S BAY VILLAS, AND THE WEST
90 LINE OF LOTS 7 THROUGH 9, BLOCK A, SAID LAUREN'S BAY VILLAS; (1)
91 THENCE SOUTH 43 DEGREES 43 MINUTES 14 SECONDS EAST, 204.14 FEET;
92 (2) THENCE SOUTH 18 DEGREES 36 MINUTES 02 SECONDS EAST, 72.47
93 FEET; (3) THENCE SOUTH 30 DEGREES 22 MINUTES 30 SECONDS WEST,
94 144.84 FEET; (4) THENCE SOUTH 38 DEGREES 36 MINUTES 32 SECONDS
95 WEST, 180.87 FEET; (5) THENCE SOUTH 09 DEGREES 35 MINUTES 25
96 SECONDS WEST, 125.65 FEET; (6) THENCE SOUTH 16 DEGREES 53 MINUTES
97 23 SECONDS WEST, 177.78 FEET TO A POINT THAT IS ON THE SOUTH LINE
98 OF SAID LAUREN'S BAY VILLAS, BEING THE SOUTHWEST CORNER OF LOT 1,
99 BLOCK A, LAUREN'S BAY VILLAS; THENCE NORTH 88 DEGREES 59 MINUTES
100 07 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LAUREN'S BAY
101 VILLAS, 318.24 FEET TO THE POINT OF BEGINNING.
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103 The above-described property to be acquired contains 367,422 square feet or 8.43
104 acres more or less, and is subject to all rights-of-way, easements, restrictions, and
105 covenants of record, if any.
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107 **Parcel No. 2**

108
109 Owner of Record: CoreFirst Bank & Trust
110 3035 S. Topeka Blvd
111 Topeka, Kansas 66611
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113 Contract Purchaser: NONE
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115 Lienholder of Record: NONE
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117 Party in Possession: Vacant Land
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119 PROPERTY TO BE ACQUIRED:
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121 **Fee Simple:**
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123 LOT 9, BLOCK F, LAUREN'S BAY ESTATES SUBDIVISION, IN THE CITY OF
124 TOPEKA, SHAWNEE COUNTY, KANSAS, EXCEPT THE NORTH 15.00 FEET OF
125 THE WEST 78.16 FEET OF SAID LOT 9. CONTAINING 330,623.19 SQUARE
126 FEET OR 7.59 ACRES, MORE OR LESS.
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129 The above-described property to be acquired contains 330,623.19 square feet or
130 7.59 acres more or less, and is subject to all rights-of-way, easements, restrictions,
131 and covenants of record, if any.

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133 **Parcel No. 3**

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135 Owner of Record: McGivern Realty, Inc.
136 3333 SE 21st St.
137 Topeka, Kansas 66610

138 Contract Purchaser: NONE

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141 Lienholder of Record: NONE

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143 Party in Possession: Vacant land

144
145 PROPERTY TO BE ACQUIRED:

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147 **Permanent Pedestrian and Public Access Easement:**

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149 Tract 1:

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151 THE SOUTH 10 FEET OF LOT 9, BLOCK A, LAUREN'S BAY VILLAS, A
152 SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

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154 The above-described property to be acquired contains 2,574 square feet or 0.059
155 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and
156 covenants of record, if any.

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158 Tract 2:

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160 ALSO, THE NORTH 6 FEET OF LOT 8, BLOCK A, LAUREN'S BAY VILLAS, A
161 SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

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163 The above-described property to be acquired contains 1508.51 square feet or 0.035
164 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and
165 covenants of record, if any.

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167 Section 2. That the City Attorney of the City of Topeka, Kansas, on behalf of the

168 Council of the City of Topeka, Kansas shall present a written application to the District
169 Court of Shawnee County, Kansas, for the appointment of appraisers to make the appraisal
170 and assessment required by law when land is taken for public purposes, and said City

171 Attorney shall do all things necessary for the condemnation of said land completing the
172 appropriation of the same for public purposes.

173 Section 3. This Ordinance shall take effect and be in force from and after its
174 passage, approval and publication in the official city newspaper.

175 PASSED and APPROVED by the Governing Body October 25, 2011.

176 CITY OF TOPEKA, KANSAS

177 _____
178 William W. Bunten, Mayor

179 ATTEST:
180 _____
181 Brenda Younger, City Clerk
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