

1 RESOLUTION NO. 7667

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3 A RESOLUTION introduced by City Manager Neil Dobler authorizing the  
4 application to the National Parks Service for assignment and  
5 receipt of surplus property for use as public park and  
6 recreation purposes.  
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8 WHEREAS, certain real property owned by the United States of America, located in  
9 the City of Topeka, County of Shawnee, State of Kansas, has been declared surplus and,  
10 at the discretion of the National Park Service, may be assigned to the Secretary of Interior  
11 for disposal for public park or recreational purposes under the provisions of 40 U.S.C. §  
12 550(e), and any regulations and policies promulgated pursuant thereto, more particularly  
13 described as follows:

14 The East 112 feet of Lots 441 and 443, and the South 20 feet of the  
15 West 50 feet of lot 443; all of Lots 445, 447, 449, 451, 453, 455, 457;  
16 the North 5 feet of Lot 459 and the East 102 feet of the South 5 feet  
17 of the North 10 feet of Lot 459, all on Van Buren Street, in Huntoon's  
18 Addition to the City of Topeka, Shawnee County, Kansas; and  
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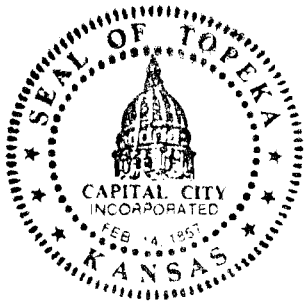
20 WHEREAS, City needs and will use said property in perpetuity for public park or  
21 recreational purposes as set forth in its application and in accordance with the  
22 requirements of said Act and any regulations and policies promulgated thereunder.

23 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka,  
24 Kansas, that: City shall make application to the National Park Service for, and secure the  
25 transfer to, the above-mentioned property for said use and subject to such exceptions,  
26 reservations, terms, covenants, agreements, conditions, and restrictions as the National  
27 Park Service and the federal disposal agency may require in connection with the disposal  
28 of said property under said Act and the regulations and policies issued pursuant thereto.

29 BE IT FURTHER RESOLVED that City has legal authority and is willing and able to  
30 properly develop, maintain, operate and assume liability of the property, and that the City  
31 Manager is hereby authorized, for and on behalf of the City to do and perform any and all  
32 acts and things which may be necessary to carry out the foregoing resolution, including the  
33 preparing, making, and filing of plans, applications, reports, and other documents, the  
34 execution, acceptance, delivery, and recordation of agreements, deeds, and other  
35 instruments pertaining to the transfer of said property, including the filing of copies of the  
36 application and the conveyance documents in the records of the governing body, and the  
37 payment of any and all sums necessary on account of the purchase price thereof or fees or  
38 costs incurred in connection with the transfer of said property for survey, title searches,  
39 recordation or instruments, or other costs identified with the acquisition of said property.

40 PASSED and APPROVED by City Council JUL 19 2005.

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CITY OF TOPEKA, KANSAS

William W. Bunten  
William W. Bunten, Mayor

ATTEST:

Iris E. Walker  
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE 07-14-05 BY JED