

1 **RESOLUTION NO. 8084**

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3 A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing the  
4 City's legal department to appeal the Shawnee County district court's  
5 decision in *Friends of Bethany Place v. City of Topeka*.

6 WHEREAS, the Shawnee County district court set aside the City Council's August  
7 28, 2007, decision to issue a parking lot permit to Grace Cathedral and the Episcopal  
8 Diocese of Kansas, Inc. and ruled in favor of Bethany Place; and

9 WHEREAS, the City of Topeka has thirty (30) days to appeal the district court's  
10 decision; and

11 WHEREAS, there is a legal basis for appealing such decision.

12 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
13 TOPEKA, KANSAS, that the City Attorney's office is directed and authorized to take the  
14 necessary action to appeal the Shawnee County district court's decision in Case No. 07-C-  
15 1195, *Friends of Bethany Place v. City of Topeka*.

16 ADOPTED and APPROVED by the City Council July 29, 2008.

17 CITY OF TOPEKA, KANSAS

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23 William W. Bunten, Mayor

24 ATTEST:

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29 Brenda Younger, City Clerk