RESOLUTION NO. 8298

A RESOLUTION introduced by Norton N. Bonaparte, Jr., City Manager, authorizing the acquisition of real estate by donation for the purpose of constructing and operating a fire station pursuant to City of Topeka Code § 3.30.350.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS that:

Section 1. Pursuant to TMC § 3.30.350, the City Council hereby authorizes the acquisition of real estate by donation from the Sisters of Charity of Leavenworth Health System, Inc. Said tract of land, hereinafter referred to as the "Real Estate" is legally described as follows:

A TRACT OF LAND IN LOT 1, BLOCK A, MENNINGER FOUNDATION SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, IN SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ON A KANSAS STATE PLANE GRID AZIMUTH OF 267 DEGREES 54 MINUTES 05 SECONDS, 145.86 FEET ALONG THE SOUTH LINE OF SAID LOT TO THE WEST LINE OF THE LOOP ACCESS ROADWAY EASEMENT, RECORDED IN BOOK 4314, PAGE 099, AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 267 DEGREES 54 MINUTES 05 SECONDS, 90.75 FEET ALONG SAID SOUTH LINE TO THE BEGINNING OF A CURVE, TO THE LEFT, HAVING A RADIUS OF 540.00 FEET; THENCE WESTERLY, 221.46 FEET ALONG SAID SOUTH LINE AND CURVE, WITH A CHORD WHICH BEARS ON AZIMUTH 256 DEGREES 09 MINUTES 09 SECONDS, 219.91 FEET; THENCE ON AZIMUTH 329 DEGREES 56 MINUTES 34 SECONDS, 208.42 FEET; THENCE ON AZIMUTH 05 DEGREES 14 MINUTES 43 SECONDS, 253.71 FEET; THENCE ON AZIMUTH 95 DEGREES 14 MINUTES 43 SECONDS, 358.00 FEET TO THE WEST LINE OF SAID LOOP ACCESS ROADWAY EASEMENT; THENCE ON AZIMUTH 185 DEGREES 14 MINUTES 43 SECONDS, 39.14 FEET ALONG SAID WEST LINE TO THE BEGINNING OF A CURVE, TO THE LEFT, HAVING A RADIUS OF 319.99 FEET; THENCE SOUTHERLY, 115.24 FEET ALONG SAID WEST LINE AND CURVE, WITH A CHORD WHICH BEARS ON AZIMUTH 174 DEGREES 55 MINUTES 37 SECONDS, 114.62 FEET TO THE BEGINNING OF A CURVE, TO THE RIGHT, HAVING A RADIUS OF 570.01 FEET; THENCE SOUTHERLY, 131.65 FEET ALONG SAID WEST LINE AND CURVE, WITH A CHORD WHICH BEARS ON AZIMUTH 171 DEGREES 13 MINUTES 36

SECONDS, 131.36 FEET; THENCE ON AZIMUTH 177 DEGREES 50 MINUTES 35 SECONDS, 61.44 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 3.20 ACRES, MORE OR LESS.

Section 2. The City Manager is hereby authorized to execute any and all contracts, deeds and other instruments and documents necessary for the City to accept the donation of the Real Estate subject to the conditions and restrictions contained in the Real Estate Donation Agreement attached hereto as Exhibit A.

Section 3. The Council accepts and approves the Real Estate Report attached hereto as Exhibit B.

PASSED and APPROVED by the City Council October 26, 2010.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk