

RESOLUTION NO. 8301

CONDITIONAL USE PERMIT

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. in accordance with Section 18.170.030 of the Topeka Municipal Code (TMC), approving a Conditional Use Permit to establish a refuse processing facility to include a transfer station for solid waste and recycled materials on property currently zoned "I-2" Heavy Industrial District and located at 711 NE US Highway 24 in the City of Topeka, Kansas. **(CU10/6) (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 18.170.030(c)(2), approving a Conditional Use Permit to establish a refuse processing facility to include a transfer station for solid waste and recycled materials on property currently zoned "I-2" Heavy Industrial District and located at 711 NE US Highway 24 in the City of Topeka, Kansas, and legally described as

A plat of a tract of land in the Kaw Half Breed Reserve No. 5, Township 11 South, Range 16 East of the 6th P.M., including a replat of Lots 4, 5, and 6, Block "a", SOUTHALL INDUSTRIAL SUBDIVISION, all in the City of Topeka, Shawnee County, Kansas, more particularly described as follows:

Beginning at a point on the South right-of-way line of U.S. Highway No. 24 which is 525.71 feet East of the West line of the Laurent tract (recorded in Book 12, Page 507, in the office of the Shawnee County Register of Deeds) extended North to said right-of-way line; thence North 88 degrees 23 minutes 07 seconds East, along said right-of-way line, 170.87 feet (171.00 feet described)); thence South 0 degrees 41 minutes 32 seconds East 450.00 feet; thence North 88 degrees 23 minutes 07 seconds East, parallel with the South right-of-way line of said U.S. Highway No. 24, a distance of 124.59 feet (125.00 feet described) to a point on the West line of Lot 6, Block "A", SOUTHALL INDUSTRIAL SUBDIVISION; thence North 0 degrees 39 minutes 25 seconds West, along said West line, a distance 50.00 feet to the Northwest corner of said Lot 6; thence North 88 degrees 23 minutes 07 seconds East, along the North line of said Lot 6, a distance of 145.00 feet to a point on the West line of Lot 5, Block "A", SOUTHALL INDUSTRIAL SUBDIVISION; thence North 0 degrees 37 minutes 52 seconds West (North 0 degrees 39 minutes 25 seconds East, along said right-of-way line, 247.55 feet; thence Southwesterly, continuing along said right-of-way line, on a curve to the right having a radius of 265.00 feet, a chord length of 304.69 feet, and a chord bearing of South 34 degrees 26 minutes 05 seconds West, for a distance of 324.61 feet; thence continuing along said right-of-way line, South 69 degrees 31 minutes 35 seconds West 241.12 feet; thence continuing along said right-of-way line, South 0 degrees 39 minutes 25 seconds East 22.00 feet; thence continuing along said right-of-way line, South 69 degrees 31 minutes 35 seconds West 34.22 feet; thence North 0 degrees 39 minutes 47 seconds West 915.47 feet (915.74 described) to the Point of Beginning. Contains 8.48 acres, more or less.

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 for Deffenbaugh Industries, Inc.**

ADOPTED AND APPROVED by the Governing Body of the City of Topeka, November 16, 2010.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk