

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

OLIVER BROWN, et al.,)
Plaintiffs,)
and)
CHARLES and KIMBERLY SMITH, minor)
children, by their mother and next)
friend, LINDA BROWN SMITH, et al.,) No. T-316
Intervening)
Plaintiffs,)
vs.)
BOARD OF EDUCATION OF TOPEKA,)
SHAWNEE COUNTY, KANSAS,)
et al.,)
Defendants.)

ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501
TO PLAINTIFF-INTERVENORS' INTERROGATORY NO. 6

6. Since 1954, if the boundaries of your school district have ever decreased in size, or if your district has ever lost territory for any reason, please give the following information:

a. The date of each loss or decrease and a description of the territory involved therein, including the number of square miles lost.

ANSWER: June 15, 1967

Description (Attached Appendix 6-A).

Ordinance Numbers: 9568, 1/15/59; 9570, 1/22/59
(Attached Appendix 6-B).

b. The name of each school district or organization which gained the territory involved in each such loss or decrease.

ANSWER: Seaman, also known as Unified School District #345 (Lyman area).

c. The reason(s) for each such loss or decrease.

ANSWER: By agreement.

d. State the manner or procedure in which each such loss or decrease was effectuated and specify the legal authority for such effectuation.

ANSWER: See Order of Approval of Transfer of Territory (Attached Appendix 6-C); and the Agreement for Transfer of Territory from Unified School District No. 501 to Unified School District No. 345 (Attached Appendix 6-D).

e. State the number of students lost by your school district as a result of each such loss or decrease by:

ANSWER:

1. Total students: 179
2. White students: 179
3. Black students: 0
4. Other minority students: 0

The answers to Interrogatory No. 6 were prepared under the direction and supervision of Wayne Warner, Assistant Superintendent for Business Services for Unified School District No. 501, and with the assistance of Donald Ross, Special Assignment to Business Services for Unified School District No. 501, and Gerald A. Miller, Director of Demographic Services for Unified School District No. 501.

V E R I F I C A T I O N

STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

The undersigned, of lawful age, being first duly sworn upon his oath, deposes and states:

That he is Assistant Superintendent for Business Services for Unified School District No. 501, that he has read the answer to Interrogatory No. 6 of Intervening Plaintiffs' Interrogatories-First Set which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.

Further affiant saith not.

Wayne Warner
Wayne Warner

Subscribed and sworn to before me this 30 day of January.

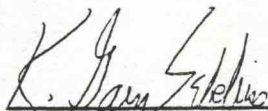


Lina M. Fay
Notary Public

my appointment expires:
4-24-83

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501 TO PLAINTIFF-INTERVENORS' INTERROGATORY NO. 6 was served by hand delivering same this 30th day of January, 1981, to attorneys for Intervening Plaintiffs by serving Richard Jones, Scott, Scott, Scott & Scott, 724 1/2 Kansas Avenue, Topeka, Kansas 66603.



K. Gary Sebelius
of Eidson, Lewis, Porter & Haynes
1300 Merchants National Bank Bldg.
Topeka, Kansas 66612
(913) 233-2332

Attorneys for Unified
School District No. 501

DESCRIPTION OF TERRITORY, COMPRISING THAT PART OF LYMAN SCHOOL DISTRICT AND SEAMAN RURAL HIGH SCHOOL DISTRICT, ANNEXED TO THE CITY OF TOPEKA, KANSAS, BY ORDINANCE NO. 9568, AND 9570, EFFECTIVE BETWEEN JANUARY 15, 1959, AND JANUARY 22, 1959, INCLUSIVE

ATTEBERRY ACRES.

The South 248 feet of the West 9.94 chains of the following described property: Beginning on the South line of the Northwest Quarter of Kansas Half Breed Indian Reserve No. 5, 11 chains East of the Southwest corner of said Quarter ($\frac{1}{4}$); thence South 1,089 feet; thence East 9.94 chains; thence North 8.25 chains; thence East 6.06 chains; thence North 8.25 chains to the South line of said Quarter ($\frac{1}{4}$); thence West 16 chains to the place of beginning.

SUBURBAN HOME PLACE.

Part of the Northwest Quarter ($\frac{1}{4}$) of Section 20, and a part of the Northeast Quarter ($\frac{1}{4}$) of Section 19, all in Township 11 South, Range 16, East of the 6th P.M. beginning 75 rods South of the Northeast corner of the Northwest Quarter of Section 20, thence West 106 and two-thirds rods; thence North 15 rods; thence West to the center of Soldier Creek; thence Southerly along the center line of said Creek to a point 40 rods North of the South line of the said Northeast Quarter ($\frac{1}{4}$) of Section 19 and the Northwest Quarter ($\frac{1}{4}$) of Section 20; thence East to the East line of said Northwest Quarter ($\frac{1}{4}$) of Section 20; thence North along said East line to the place of beginning, in Shawnee County, Kansas.

COMMONWEALTH SUBDIVISION.

The South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section 17, Township 11 South, Range 16 East of the 6th P.M., all in Shawnee County, Kansas.

REPLAT OF A PART OF SUBURBAN HOME PLACE.

A part of the Northwest Quarter ($\frac{1}{4}$) of Section 20, and a part of the Northeast Quarter ($\frac{1}{4}$) of Section 19, all in Township 11 South, Range 16, East of the 6th P.M. beginning at a point 1237.5 feet South and 1760 feet West of the Northeast corner of the Northwest Quarter ($\frac{1}{4}$) of said Section 20; thence North and parallel to the East line of the Quarter ($\frac{1}{4}$) Section 15 rods; thence West and parallel to the North line of the Quarter ($\frac{1}{4}$) Section to the center line of Soldier Creek; thence Southerly along the center line of Soldier Creek to a point 40 rods North of the South line of the Quarter ($\frac{1}{4}$) Section; thence East and parallel to the South line of the Quarter ($\frac{1}{4}$) Section to the West line of Widley Street in Suburban Home Place, which point is 1810 feet West of the East line of the Northwest Quarter ($\frac{1}{4}$) of Section 20; thence North on the West line of Widley Street 45 rods; thence East and parallel to the South line of the Quarter ($\frac{1}{4}$) Section 50 feet to the place of beginning. Also Lots S, T, X, Y, W and all of Widley Street as shown on Plat Book 9, Page 8, Register of Deeds Office, all in Shawnee County, Kansas.

CENTRAL AVENUE ADDITION.

The Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) and the West Four Acres of the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section 20, Township 11 South, Range 16 East of the 6th P. M., all in Shawnee County, Kansas.

TURPIN LOT.

The North half of the East half of Tract N in Suburban Home Place, Shawnee County, Kansas.

E. V. WILCOX SUBDIVISION.

A tract of land commencing at a point Sixty (60) rods (990.0 feet) South of the Northeast corner of the Northwest Quarter ($\frac{1}{4}$) of Section 20, Township 11, South, Range 16 East of the 6th P.M.; thence running West one hundred six and two-thirds ($106 \frac{2}{3}$) rods; thence South fifteen (15) rods; thence East one hundred six and two-thirds ($106 \frac{2}{3}$) rods to the section line; thence North fifteen (15) rods to the point of beginning less that part of the South half of the above described tract of land which lies West of the center of Central Avenue and conveyed to Raymond Berer and recorded in the office of the Register of Deeds of Shawnee County, Kansas.

JEROME PARK ADDITION.

This addition is a part of the Northwest Quarter ($\frac{1}{4}$) of Section 20, Township 11 South, Range 16 East of the 6th P.M. Beginning at a point 512.5 feet South of the Northeast corner of said quarter section; thence running South 476.5 feet; thence West 1,529.5; thence North 476.5 feet; thence East 1,529.5 feet to the point of beginning.

J. W. HARDT ADDITION.

Being a part of the Northwest Quarter ($\frac{1}{4}$) of Section 20, Township 11 South, Range 16 East of the 6th P.M. Commencing at a point one foot South of the Northeast corner of said Quarter ($\frac{1}{4}$) Section; thence running South 509.5 feet; thence West 1,816 feet; thence North 509.5 feet; thence East 1,816 feet to the point of beginning except that part lying West of Central Avenue which is vacated.

GARFIELD PLACE.

Commencing on the West line of the Laurent Land 1782 feet East of where the West line of the Kaw Half Breed Indian Reserve 5 intersects the North line of Section 20, Township 11, Range 16 East of the 6th P.M., Shawnee County, Kansas; thence West and parallel with the North line of said Reserve 5, 915.75 feet to the Northeast corner of the Roter Tract; thence South along the East line of said Roter Tract parallel with the West line of the Kaw Reserve 5, 1058 feet more or less to the Southeast corner of said Roter Tract; thence West along the South line of Roter Tract parallel with the North line of Kaw Reserve 5, 866.5 feet to the Southwest corner of said Roter Tract; thence North along the West line of Roter Tract; the same being the West line of Kaw Reserve 5, 1056 feet to its intersection with the North line of Section 20, Township 11, Range 16; thence West along the North line of said Section 20, 749.8 feet to the Northeast corner of School District No. 59 Tract, said Northeast corner being 264 feet East of the Northeast corner of the Northwest Quarter of Section 20,

(Continued Garfield Place)

Township 11, Range 16; thence South 165 feet parallel to the East line of said Northwest Quarter to the Southeast corner of School District No. 59 Tract; thence West 264 feet parallel to the North line of the Northeast Fractional Quarter of Section 20, Township 11, Range 16 to the Southwest corner of School District No. 59 Tract; thence South along the East line of the Northwest Quarter of Section 20, Township 11, Range 16, 1763 feet more or less to its intersection with the center line of Kansas Avenue extended from the City of Topeka, thence Southwesterly along said center line extended 436.5 feet to the Northwest corner of the Burgess Tract; thence East along the North line of the Burgess Tract 381.7 feet to the Northeast corner of said tract; thence Southerly 595 feet more or less to the North line of said Kaw Reserve 4; thence West along the North line of Kaw Reserve No. 4 to the center of Soldier Creek; thence down the center of said Creek 841.5 feet; thence Northeasterly 924 feet to a point on the East line of Kaw Reserve 4, said point being 115.5 feet South of the Northeast corner of Kaw Reserve 4; thence South along said East line of Kaw Reserve 4; 33 feet to the North line of the Rohrig Tract; thence East at right angles to the East line of Kaw Reserve No. 4 along the North line of the Rohrig Tract 907.5 feet; thence Northeasterly parallel with the West line of the A.T. & S. F. R.R. Right of Way to where it intersects the West line of the Laurent Lands, the same being now the center of a public road; thence North 1445 feet more or less to the point of beginning.

JACKSON STREET ADDITION.

The above and foregoing part of land is described as follows: to-wit: Commencing at the intersection of the North line of Reservation No. 4 Kaw Half Breed Indians Land in Shawnee County, Kansas, with the center of Soldier Creek, being 21.56 chains East of the Northwest corner of said reservation; thence East 17.86 chains to the intersection of the center of said creek with said North line; thence up the center of said Creek to place of beginning, save and except all of that portion thereof which lies West of the East line of Topeka Avenue.

AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Part of the Southwest Quarter of Section 20, Township 11, South, Range 16 East of the 6th P.M. viz: Beginning on the West Line of Central Avenue and the North line of Kaw Half Breed Reserve Number 4; thence West on the North line of Reserve 4 to the East Line of Highway 75; thence North on the East Line of Highway 75 to the South line of the Northwest Quarter of Section 20; Township 11, Range 16, thence East to the West line of Central Avenue; thence South on the West line of Central Avenue to the place of beginning, containing 1 1/3 acres more or less in Shawnee County, Kansas.

AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A tract of land in Section 20, Township 11, Range 16 East of the 6th P.M., commencing at the Northeast corner of the Southwest of the Southeast 1/4 of the Northwest 1/4 of said Section; thence West 6 chains; thence South 10 chains; thence East 6 Chains; thence North 10 Chains to the place of beginning, containing 6 acres, more or less.

AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A part of the Northwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M., described as follows: Starting at a point which is 10 chains West of the Southeast corner of the Northwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M.; thence North 7 chains and 16 feet; thence East 8 chains or to the West line of the Road (Kansas Avenue); thence Southerly along the West line of said Road to the South line of said Quarter Section; thence West 6 chains to the point of beginning, containing 5 acres more or less.

A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

All of that part of the following described tract of land lying West of the center of what is known as the Central Avenue Road, commencing 67½ rods South of the Northeast corner of the Northwest Fractional Quarter of Section Twenty (20), Township Eleven (11) South, Range Sixteen (16); thence West 106 2/3 rods; thence South 7½ rods; thence East 106 2/3 rods; thence North 7½ rods to the point of beginning, containing 1.23 acres, more or less.

A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

A tract of land beginning at the intersection of the Center line of Kansas Avenue and the South line of Burgess Street in Garfield Park Place; thence running East on the South line of Burgess Street 381.7 feet, more or less, to the Northwest corner of tract V in said Garfield Park Place; thence South on West line of Tract V, to the North line of Reserve No. 4; thence West on said Reserve line to the center of Soldier Creek; thence Northwest following the center of said creek to the center of Kansas Avenue; thence North following the center line of Kansas Avenue to the place of beginning, being a part of the East half of Section 20, Township 11, Range 16 East of the 6th P.M., in Shawnee County, Kansas.

A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

A part of the West one-half (W½) of Section 20, Township 11, Range 16, beginning at a point which is 660 feet West and 478 feet North of the Southeast corner of the Northwest Quarter of Section 20, Township 11, Range 16 East of the 6th P.M.; thence North 182 feet; thence East 551 feet more or less to the center line of Kansas Avenue Road; thence Southeasterly along the center line of said Road to the center of Soldier Creek; thence East following the center of said creek to the East line of said Kansas Avenue Road; thence Southeasterly along the East line of said road to the intersection of said East line with the North line of Holman's Subdivision extended East; thence Westerly along said North line of Holman's Subdivision extended to the West line of Kansas Avenue Road; thence Northeasterly along said West line of Kansas Avenue Road to a point which is 478 feet North of the South line of the Northwest Quarter of Section 20; thence West to the point of beginning.

A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

Part of the Southwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M., described as follows:

(Continued)

Beginning on the West line of Central Avenue and the North line of Kaw Half Breed Reserve Number 4; thence East along the North line of said Reserve to the East bank of Soldier Creek; thence North-easterly along the East bank of said Creek to the South line of the Northwest Quarter of Section 20, Township 11, Range 16; thence West to the West line of Central Avenue; thence Southerly along the West line of Central Avenue to the place of beginning.

AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A tract of land in the Northeast Quarter of Section 20, Township 11, Range 16, East of the 6th P.M. more particularly described as follows: Beginning at a point on the North line of said Section 749.80 feet West of the intersection of the West line of Kaw Half Breed Reserve No. 5 and the North line of said Section 20, Township 11, Range 16; thence South 165 feet; thence West 264 feet to the West line of the Northeast Quarter of Section 20; thence North to the Northwest corner of said Quarter Section; thence East to the point of beginning.

Exhibit "A"

ORDINANCE NO. 9568

AN ORDINANCE relating to the annexation of adjacent territory which is platted and certain unplatted lands which lie within or mainly within the City of Topeka, and certain unplatted tracts which do not exceed twenty acres adding the same to the City of Topeka and assigning said territories to wards of the City of Topeka.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TOPEKA:

Section 1. That the following described lands which have been subdivided into blocks and lots and which touches or adjoins the limits of the City of Topeka, all of which lands are located in Shawnee County, Kansas, is hereby added to, taken into and made a part of the City of Topeka, to-wit:

A. STEARNS' SUBDIVISION.

A tract of land in Kaw Half Breed Reserve No. 3 beginning 10 chains South and 5 chains West of the Northeast corner of said Kaw Half Breed Reserve No. 3; thence South 10 chains; thence West 5 chains; thence North 10 chains; thence East 5 chains to the point of beginning in Shawnee County, Kansas.

B. ATTEBERRY ACRES.

The South 243 feet of the West 9.34 chains of the following described property: Beginning on the South line of the Northwest Quarter of Kansas Half Breed Indian Reserve No. 3, 11 chains East of the Southwest corner of said Quarter (1/4); thence South 1053 feet; thence East 9.34 chains; thence North 8.25 chains; thence East 6.06 chains; thence North 8.25 chains to the South line of said Quarter (1/4); thence West 16 chains to the place of beginning.

C. SHEPHERD HOME PLACE.

Part of the Northwest Quarter (1/4) of Section 20 and a part of the Northeast Quarter (1/4) of Section 19 all in Township 11 South, Range 16 East of the 6th P.M., Beginning 73 rods South of the Northeast corner of the Northwest Quarter of Section 20, thence West 106 and two thirds rods; thence North 13 rods; thence West to the center of Soldier Creek; thence Southerly along the center line of said creek to a point 40 rods North of the South line of the said Northeast Quarter (1/4) of Section 19 and the Northwest Quarter (1/4) of Section 20; thence East to the East line of said Northwest Quarter (1/4) of Section 20; thence North along said East line to the place of beginning in Shawnee County, Kansas.

D. COMMONWEALTH SUBDIVISION.

The South Half (1/2) of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of Section 17, Township 11 South, Range 16 East of the 6th P.M., all in Shawnee County, Kansas.

E. REPLAT OF A PART OF SUEBMAN HOME PLACE.

A part of the Northeast Quarter (1/4) of Section 20 and a part of the Northeast Quarter (1/4) of Section 19 all in Township 11 South, Range 16 East of the 6th P.M. Beginning at a point 1237.5 feet South and 1760 feet West of the Northeast corner of the Northwest Quarter (1/4) of said Section 20; thence North and parallel to the East line of the Quarter (1/4) Section 19 rods; thence West and parallel to the North line of the Quarter (1/4) Section 19 to the center line of Soldier Creek; thence South along the center line of Soldier Creek to a point 40 rods North of the South line of the Quarter (1/4) Section; thence East and parallel to the South line of the Quarter (1/4) Section to the West line of Widley Street in Suburban Home Place, which point is 1610 feet West of the East line of the Northwest Quarter (1/4) of Section 20; thence North on the West line of Widley Street 45 rods; thence East and parallel to the South line of the Quarter (1/4) Section 50 feet to the place of beginning. Also Lots S, T, R, X, W and all of Widley Street as shown in Plat Book 9, Page 8, Register of Deeds Office, all in Shawnee County, Kansas.

F. CENTRAL AVENUE ADDITION.

The Southeast Quarter (1/4) of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) and the West Four Acres of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 20, Township 11 South, Range 16 East of the 6th P.M., all in Shawnee County, Kansas.

G. LINNDALE ADDITION.

Being a part of the Northeast Quarter (1/4) of Saw Half Breed Reserve No. 3 and bounded as follows: Commencing at a point 50 rods West and 60 rods South of the Northeast corner of said reservation; thence North parallel to the East line of said Reserve to its intersection with the West line of the Right-of-way of the Chicago, Kansas and Nebraska Railroad (Rock Island); thence North along said West line to its intersection with the North line of said Reserve; thence West along said North line to a point 2310 feet West from the Northeast corner; thence South and parallel to the East line of said Reserve 1320 feet; thence East parallel to the North line of said Reserve 990 feet to the place of beginning.

H. TURPIN LOT.

The North half of the East half of Tract N in Suburban Home Place, Shawnee County, Kansas.

I. E. V. WILCOX SUBDIVISION.

A tract of land commencing at a point sixty (60) rods (990.0 feet) South of the Northeast corner of the Northwest Quarter (1/4) of Section 20, Township 11 South, Range 16 East of the 6th P.M.; thence running West one hundred six and two-thirds (106.2/3) rods; thence South Fifteen (15) rods;

thence East one hundred six and two-thirds (106 2/3) rods to the section line; thence North fifteen (15) rods to the point of beginning less that part of the South half of the above described tract which lies West of the center of Central Avenue and conveyed to Raymond Barst and recorded in the office of the Register of Deeds of Shawnee County, Kansas.

J. JEWETT TRACT ADDITION.

This addition is a part of the Northwest Quarter (1/4) of Section 20, Township 11 South, Range 16 East of the 6th P.M. Beginning at a point 312.5 feet South of the Northwest corner of said quarter section; thence running South 476.5 feet; thence West 1539.5 feet; thence North 476.5 feet; thence East 1529.5 feet to the point of beginning.

K. J. W. BARST ADDITION.

Being a part of the Northwest Quarter (1/4) of Section 20, Township 11 South, Range 16 East of the 6th P.M. Commencing at a point one foot South of the Northwest corner of said Quarter (1/4) Section; thence running South 509.5 feet; thence West 1816 feet; thence North 509.5 feet; thence East 1816 feet to the point of beginning except that part lying West of Central Avenue which is vacated.

L. CROSS ADDITION.

Being a part of the Northeast Quarter (1/4) of Reserve No. 3 New Half Breed Lands and a part of Fractional Section 19, Township 11 South, Range 16 East of the 6th P.M. and bounded as follows: Commencing 1320 feet South and 2310 feet West of the Northeast corner of said section (correct point of beginning is 1320 feet South and 2310 feet West of the Northeast corner of New Reserve No. 3); thence West parallel to the North line of said Section 347.75 feet; thence North parallel to the West line of said Reserve 1320 feet; thence West along the North line of said Reserve 324.63 feet; thence North 774 feet; thence East 25 feet; thence North 328 feet; thence East 665 feet and 5 inches; thence South 506 feet and 2 inches; thence West 0.83 feet; thence South 211.29 feet; thence East to the West line of right of way of the Chicago, Kansas and Nebraska Railroad 463.9 feet; thence Southeasterly down said West line of right of way 399.9 feet; thence West 680 feet; thence South 1320 feet to the place of beginning, except that part lying North of 7th Street and East of Winter Street and also that part lying North of Eighth Street and East of Lots 1621 and 1622 which is vacated.

M. NIFFLIN ADDITION.

Part of the Southwest Quarter of the Northeast Quarter of Section 33, Township 11 South, Range 15 East of the 6th P.M. described as follows: Beginning at the Southeast corner of the Southwest Quarter of said Northeast Quarter; thence West along the South line of said Quarter Section 520.0 feet; thence North 220 feet; thence Northeasterly 206.26 feet; thence North 213.93 feet; thence East 250 feet; thence North 52 feet; thence East 197.28 feet; thence South 676.06 feet to the place of beginning, Shawnee County, Kansas.

W. WIFFLIN ADDITION, Lots 1, 2 & 3, Block 5, and Lots 11 & 12, Block 2.

That part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 15 East of the 6th P.M., Shawnee County, Kansas, as shown by the attached plat of lots 1, 2 & 3, Block 5, and Lots 11 & 12, Block 2, Wifflin Addition.

X. WIFFLIN ADDITION, Lots 4 & 5, Block 1, and Lots 3 & 4, Block 2.

A part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 11 South, Range 15 East of the 6th P.M., Shawnee County, Kansas, described as follows: Beginning at a point on the East line of said Quarter Quarter Section, 676.03 feet North of the Southeast corner thereof; said point being the Northeast corner of Lot 3, Block 1, Wifflin Addition, recorded in Book 12, Page 47, Shawnee County, Register of Deeds office; thence North 225 feet; thence West 450 feet; thence South 277.10 feet to the Northwest corner of Lot 2, Block 2, Wifflin Addition; thence East along the North line of said Lot 2, and said line extended, 250 feet to a point on the West line of said Lot 3, Block 1 a distance of 52.23 feet South of the Northwest corner thereof; thence North along said West line 52.23 feet to the said Northwest corner of Lot 3, Block 1; thence East along the North line of said Lot 3, 197.23 feet to the point of beginning.

Y. CARFIELD PLACE.

Commencing on the West line of the Laurent Land 1762 feet East of where the West line of the Kaw Half Broad Indian Reserve 5 intersects the North line of Section 20, Township 11, Range 16 East of the 6th P.M., Shawnee County, Kansas; thence West and parallel with the North line of said Reserve 5, 915.75 feet to the Northeast corner of the Eoter Tract; thence South along the East line of said Eoter Tract parallel with the West line of the Kaw Reserve 5, 1056 feet more or less to the Southeast corner of said Eoter Tract; thence West along the South line of Eoter Tract parallel with the North line of Kaw Reserve 5, 866.5 feet to the Southwest corner of said Eoter Tract; thence North along the West line of Eoter Tract; the same being the West line of Kaw Reserve 5, 1056 feet to its intersection with the North line of Section 20, Township 11, Range 16; thence West along the north line of said Section 20, 749.8 feet to the Northeast corner of School District #59 Tract, said Northeast corner being 264 feet East of the Northeast corner of the Northwest Quarter of Section 20, Township 11, Range 16; thence South 165 feet parallel to the East line of said Northwest Quarter to the Southeast corner of School District #59 Tract; thence West 264 feet parallel to the North line of the Northeast Fractional Quarter of Section 20, Township 11, Range 16 to the Southwest corner of School District #59 Tract; thence South along the East line of the Northwest Quarter of Section 20, Township 11, Range 16, 1763 feet more or less to its intersection with the center line of Kansas Avenue extended from the City of Topeka, thence Southwesterly along said center

line extended 436.5 feet to the Northwest corner of the Burgess Tract; thence East along the North line of the Burgess Tract 381.7 feet to the Northeast corner of said tract; thence Southerly 385 feet more or less to the North line of said New Reserve 4 thence West along the North line of New Reserve 4 to the center of Seiler Creek; thence over the center of said creek 241.5 feet; thence Northeasterly 924 feet to a point on the East line of New Reserve 4 said point being 115.5 feet South of the Northeast corner of New Reserve 4; thence South along said East line of New Reserve 4, 33 feet to the North line of the Rohrig Tract; thence East at right angles to the East line of New Reserve No. 4 along the North line of the Rohrig Tract 907.5 feet; thence Northeasterly parallel with the West line of the A.T. & S.F. R.R. Right of Way to where it intersects the West line of the Laurent Lands the same being now the center of a public road; thence North 1445 feet more or less to the point of beginning.

Q. SCHEIDTOWNE SUBDIVISION.

The North 295 feet of two tracts of land lying in the South one-half ($\frac{1}{2}$) of Section 33, Township 11 South, Range 15 East of the 6th P.M., Shawnee County, Kansas, described as follows:

(1) The West 8 acres of the following described tract of 37.9 acres: Commencing at the Northeast corner of the West half of the Southeast Quarter ($SE\frac{1}{4}$) of Section 33-11-15; thence West along the North line of said West half, 1023 feet, more or less; thence South 1312 feet and 6 inches to the center line of 11th Street as shown by the original plat of West side Subdivision, recorded in Plat Book 5, Page 31, in the office of the Register of Deeds of Shawnee County, Kansas; thence East along the center line of 11th Street, 1023 feet, more or less to the East line of said West half of the Southeast Quarter ($SE\frac{1}{4}$); thence North to the place of beginning; and

(2) A tract described as follows: Commencing at a point on the North line of the South Half of Section 33-11-15, 1023 feet West of the Northeast corner of the West half of the Southeast Quarter ($SE\frac{1}{4}$) of said section; thence West on the North line of said half section, 991 feet to the center of Osborn Street; thence South along the center of Osborn Street 1319.5 feet to the center of Eleventh Street, thence East along the center of 11th Street 991 feet; thence North on a line parallel with the center of Osborn Street, 1319.5 feet to the place of beginning.

R. NORSE LOT.

Beginning at a point 16.66 chains North and 4.59 chains West of the Southeast corner of Section 29, Township 11 South, Range 16 East of the 6th P.M., Shawnee County, Kansas; thence North parallel to the East line of said section, 69.44 feet to the South line of Division Street; thence East on the South line of Division Street 116 feet; thence South 69.44 feet to the Northeast corner of Lot one on Scotland Avenue, Thompson Place Addition; thence West to the place of beginning.

5. JACKSON STREET ADDITION.

The above and foregoing part of land is described as follows, to-wit: Commencing at the intersection of the North line of Reservation No. 4 Low Half Breed Indian Lands in Shawnee County, Kansas with the center of Soldier Creek, being 21.55 chains East of the Northwest corner of said reservation; thence East 17.86 chains to the intersection of the center of said creek with said North line; thence up the center of said Creek to place of beginning, save and except all of that portion thereof which lies west of the east line of Topoka Avenue.

Section 2. That the following described lands which are situated within or mainly within the City of Topoka all of which lands are located in Shawnee County, Kansas are hereby added to, taken into and made a part of the City of Topoka, Kansas, to-wit:

A. A TRACT OF LAND IN OR MAINLY WITHIN LOCATED NEARBY OF 37TH STREET BETWEEN HURLINGAME ROAD AND GAGE BOULEVARD, DESCRIBED AS FOLLOWS:

Beginning at the Southeast corner of Section 14; Township 12 South, Range 15 East of the 6th P.M.; thence North along the East line of said Section 14 to a point which is 783.75 feet South of the Northwest corner thereof; thence West along a line 783.75 feet South of and parallel with the North line of Section 14 and 15, Township 12 South, Range 15 East of the 6th P.M. to a point which is 653 feet more or less East of the West line of the Northeast Quarter (1/4) of Section 15, Township 12 South, Range 15 East of the 6th P.M.; thence Southeasterly to a point which is 630 feet East of and 830 feet South of the Northwest corner of the Northeast Quarter (1/4) of Section 15, Township 12 South, Range 15 East of the 6th P.M.; thence West 630 feet to the West line of said Quarter (1/4) Section; thence South 1813.75 feet more or less to the Northwest corner of Lot 6, Section 15; thence East along the North line of Lot 6 and Lot 3 Section 15 to the Northeast corner of Lot 3; thence South along the East line of Lot 3 to the Southeast corner thereof; thence West along the South line of Lot 3 to the Northeast corner of Lot 5; thence South along the East line of Lot 5 to the Southeast corner thereof; being also the South line of Section 15; Township 12, Range 15 East of the 6th P.M.; thence East along the South line of Section 15 and 14; Township 12 South, Range 15 East of the 6th P.M. to the place of beginning and containing 668.6 acres more or less.

B. A TRACT OF LAND IN OR MAINLY WITHIN LOCATED SOUTH OF 37TH STREET BETWEEN CALIFORNIA AVENUE AND TOPEKA AVENUE.

Beginning at a point on the South line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section 20; Township 12 South, Range 16 East of the 6th P.M. said point being the Southwest corner of Lot 18 Mathews Acres Subdivision; thence North to the Northwest corner of Lot 9 in said Mathews Acres Subdivision; thence West along the South line of Lots 8 & 7 in Mathews Acres

Subdivision to the Southwest corner of Lot 7; thence North 50 feet; thence West along the South line of Mathews Acres Subdivision 748.64 feet to the West line of said Subdivision; thence North along the West line of Mathews Acres Subdivision to the North line of Section 20, Township 12 South, Range 16 East of the 6th P.M., thence West 70 feet to the Northeast corner of Acres of Promise Subdivision; thence South along the East line of said Acres of Promise Subdivision to the Southeast corner thereof; thence West 863 feet to the Southwest corner of said Subdivision; thence North along the West line of Acres of Promise Subdivision to the North line of Section 20; Township 12 South, Range 16 East of the 6th P.M., thence West along the North line of said Section 20 to the Northwest corner thereof; thence North 40 feet to a point which is the North right of way line of 37th Street extended Easterly; thence Westerly along the North right of way line of 37th Street to the Westerly right of way line of the Atchison, Topeka and Santa Fe Railroad; thence Southerly along the Westerly right of way line of the Atchison, Topeka and Santa Fe Railroad 1350 feet more or less to the South line of the North half (1/2) of the North Half (1/2) of Section 19, Township 12 South, Range 16 East of the 6th P.M., thence East along the South line of the North Half (1/2) of the North Half (1/2) of Section and continuing East along the South line of the North Half (1/2) of the North Half (1/2) of Section 20, Township 12 South, Range 16 East of the 6th P.M. to a point of beginning containing 274. acres more or less.

Section 3. That the following described lands which are less than twenty acres in area and which touches and adjoins the limits of the City of Topeka all of which lands are located in Shawnee County, Kansas, are hereby added to, taken into and made a part of the City of Topeka, Kansas, to-wit:

A. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJAINS THE CITY OF TOPEKA.

Part of the Southwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M. viz: Beginning on the West line of Central Avenue and the North line of Ray Half Breed Reserve Number 4; thence West on the North line of Reserve 4 to the East line of Highway 75; thence North on the East line of Highway 75 to the South line of the Northeast Quarter of Section 20, Township 11, Range 16, thence East to the West line of Central Avenue; thence South on the West line of Central Avenue to the place of beginning, containing 1 1/3 acres more or less in Shawnee County, Kansas.

B. AN UNPLATTED TRACT OF LAND 23 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A tract of land in Section 20, Township 11, Range 16 East of the 6th P.M., commencing at the Northeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section; thence West 6 chains; thence South 10 chains; thence East 6 chains; thence North 10 chains to the place of beginning, containing 6 acres, more or less.

C. AN UNPLATTED TRACT OF LAND 39 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A part of the Northwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M., described as follows: Starting at a point which is 10 chains West of the Southeast corner of the Northwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M.; thence North 7 chains and 16 feet; thence East 6 chains or to the West line of the Road (Kansas Avenue); thence Southerly along the West line of said Road to the South line of said Quarter Section; thence West 6 chains to the point of beginning, containing 5 acres, more or less.

D. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Commencing in the center line of the State Road at a point 33.15 chains North and 4.50 chains West of the Southeast corner of Section 29, Township 11, Range 16, thence South 7.52 chains to land belonging to Henry G. Hood; thence West along the North line of said Henry G. Hood tract of land 8.50 chains; thence North 1.04 chains to the center of the State Road; thence Easterly along the center of the State Road 9.12 chains to the place of beginning, containing 2.75 acres more or less in Shawnee County, Kansas.

Also, Commencing at a point 18.66 chains North and 4.59 chains West of the Southeast corner of Section 29, Township 11, South of Range 16 East of the 6th P.M.; thence West 6.50 chains, thence North 27 rods, 11 feet and 5 inches; thence Easterly parallel with the first mentioned West line to a point North of the place of commencement; thence South 27 rods; 11 feet and 5 inches, to the place of beginning, save and except a strip of land 120.44 feet wide off the entire South side of said above described tract, containing 4.50 acres more or less in Shawnee County, Kansas.

E. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Beginning at a point 18.66 chains North of the Southeast corner of Section 29, Township 11 South, Range 16 East of the 6th P.M.; thence West 4.50 chains to a stone set; thence North to the South line of the Leavenworth and Topeka State Road; thence Northeasterly along the South line of said road to the East line of Section 29; thence South to the place of beginning; except that part lying south of the North line of Division Street.

F. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Part of the Northwest Quarter of section 3, Township 12 South, Range 16 East of the 6th P.M., commencing at the Southwest corner of said Quarter Section, thence East along said Quarter Section line and at right angles to West line of said Section, 55 1/2 rods; thence North 26 rods and 13 feet; thence West 55 1/2 rods to the West line of said Quarter Section, thence South on the West line of said Quarter Section 26 rods and 13 feet, to the place of beginning.

G. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

The West Ten (10) acres of the South Half of the Southwest Quarter of the Southwest Quarter Section 3, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas.

H. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A tract of land being the North Half of the Northwest Quarter of the Northwest Quarter of Section 21, Township 12, South, Range 16 East of the 6th P.M. all in Shawnee County, Kansas, containing 20 acres, more or less.

I. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

The Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 21, Township 12 South, Range 16 East of the 6th P.M. less South 30 feet thereof, in Shawnee County, Kansas.

J. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Commencing at a point 54.64 rods East of the Northwest corner of the Northeast Quarter of Section 19, Township 11, Range 16, East of the 6th P.M.; thence East 679.5 feet to the center of the Rochester Road; thence South along the center line of Rochester Road 256.42 feet; thence West parallel to the North line of Section 19, Township 11, Range 16, 679.5 feet; thence North 256.42 feet to the point of beginning, containing 4 acres, more or less; except the following described tract:
Commencing at a point 54.64 rods East of the Northwest corner of the Northeast Quarter (NE¹/₄) of Section 19, Township 11, Range 16, East of the 6th P.M.; thence East 339.75 feet; thence South 256.42 feet; thence West parallel to the North line of Section 19, Township 11, Range 16, 339.75 feet; thence North 256.42 feet to the point of beginning, containing 2 acres more or less.

K. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Commencing at a point 54.64 rods East of the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section 17, Township 11, Range 16 East of the 6th P.M.; thence East 339.75 feet; thence South 256.42 feet; thence West parallel to the North line of Section 19-11-16, 339.75 feet; thence North 256.42 feet, to the point of beginning, containing 2 acres more or less.

L. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

Beginning at the Northeast corner of the Northwest Quarter of Section Four (4), Township 12, South Range 15, East of the 6th P.M.; thence West 14 rods; thence South 40 rods; thence East 14 rods; thence North 40 rods to the place of beginning, containing 3 $\frac{1}{2}$ acres more or less, in Shawnee County, Kansas.

M. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

All of the West Twenty-five Acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-four (24), in Township Twelve (12) South, of Range Fifteen (15), East of the Sixth Principal Meridian, according to the United States Government Survey thereof, save and except the North 350 feet thereof. Containing 19 acres more or less.

N. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

A tract of land less than 20 acres located East of Fairlawn Road and South of West 26th Street Terrace described as follows: A part of the West Half of the SW $\frac{1}{4}$, Section 10, Township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas. Described as follows: Beginning at a point on the West line of said $\frac{1}{4}$ Section 745.60 feet south of the NW corner thereof, which point is on the south line of W. 26th Street Terrace; thence East along said South line 795.00 feet; thence continuing along a compound reverse curve 293.35 feet to an intersection with the West line of Prairie Road; thence South along said West line 159.39 feet to the center line of Shunga Drive; thence along a compound reverse curve a distance of 237.81 feet; thence continuing along said center line 855.00 feet to the West line of said $\frac{1}{4}$ section; thence North along said West line 278.00 feet to the point of beginning.

O. AN UNPLATTED TRACT OF LAND OF 20 ACRES WHICH ADJOINS THE LIMITS OF TOPEKA, KANSAS, DESCRIBED AS FOLLOWS:

The North Half ($\frac{1}{2}$) of the East $\frac{1}{2}$ of the East Half ($\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 4, Township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas.

P. AN UNPLATTED TRACT OF LAND OF 20 ACRES WHICH ADJOINS THE CITY OF TOPEKA AND DESCRIBED AS FOLLOWS:

The South $\frac{1}{2}$ of the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southwest Quarter of Section 4, Township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas.

Q. AN UNPLATTED TRACT OF LAND OF 20 ACRES WHICH ADJOINS THE CITY OF TOPEKA.

Beginning at a point thirty (30) feet North of the Northwest corner of Lot B, Prairie Park Subdivision in the City of Topeka, Shawnee County, Kansas, thence Westerly along the central line of Shunga Drive, as shown on said plat, a distance of 97.2 feet, more or less, thence West approximately 844 feet, more or less, to a point on the West line of Section 10, Township 12, S, Range 15 East, which is 308 feet, more or less, South of the center line of West 26th Terrace in said addition; thence South along the West side of said Section 682 feet, more or less, to the South bank of the Shungenunga Creek; thence Easterly along the upper South bank of said Creek with the meanderings thereof, an artificial channel made to shorten the course of said creek being taken as a part of the course of said creek, to the West line of Lot B of Prairie Park Subdivision; thence North along the West line of said Lot B approximately 775 feet to the place of beginning, less streets and highways, the same being located in Section 10, Township 12 South, Range 15 East of the 6th P.M., in Shawnee County, Kansas.

OR LESS

R. AN UNPLATTED TRACT OF LAND OF 20 ACRES/WHICH ADJOINS THE LIMITS OF TOPEKA, KANSAS.

Commencing at a point that is 30.56 chains East and 10.69 chains South of Northwest corner of Northwest Fractional Quarter of Section 19, Township 11, Range 16 East; thence West 6.13 chains to East line of Chicago, Kansas and Nebraska Railroad Right of Way; thence Southeasterly along said right of way to South line of said section; thence East 3 chains; thence North 5.60 chains to beginning, Shawnee County, Kansas, containing 2 $\frac{1}{2}$ acres more or less except the South part thereof which lies within the City of Topeka.

S. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

The South three and one-half (3 $\frac{1}{2}$) acres of the East ten and one-fourth (E 10 $\frac{1}{4}$) acres of the Northwest Fractional Quarter of Section 19, Township 11 South of Range 16 East of the 6th P.M. in Shawnee County, Kansas, except the South part thereof which lies within the City of Topeka.

Section 4. That A, C, D, E, F, G, H, I, J, K, L, P, R, and S of Section 1, and A, B, G, J, K, S and S of Section 3 are assigned to the First Ward of the City of Topeka, Kansas.

Section 5. That D of Section 1 and D and E of Section 3 are assigned to the Second Ward of the City of Topeka, Kansas.

Section 6. That B of Section 2, and F, G, H, I and M of Section 3 are assigned to the Fifth Ward of the City of Topeka, Kansas.

Section 7. That M, N, O, Q of Section 1, and L, N, O, P and Q of Section 3, are assigned to the Ninth Ward of the City of Topeka, Kansas.

Section 8. That that portion of Section 2 A lying west of the east line of Section 15, Township 12 South, Range 15 East, be, and the same is hereby, assigned to the Ninth Ward, and that portion of Section 2 A lying east of the east line of Section 15, Township 12 South, Range 15 East be, and the same is hereby, assigned to the Eighth Ward of the City of Topeka, Kansas.

Section 9. Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the section, clause or provision so declared to be invalid.

Section 10. This ordinance shall be in full force and effect from and after its passage, approval and publication in the official city paper.

PASSED by the Board of Commissioners

JAN 13 1959

APPROVED

JAN 13 1959

ATTEST:

1959 JAN 15 AM 2 53

George E. Schmitt
Mayor

REGISTER OF
Edwin Jones

City Clerk

The final vote on this ordinance is recorded at Page 7 Journal TTT

(Published in the Topeka State Journal)

ORDINANCE NO. 9570

AN ORDINANCE relating to the annexation of adjacent territory which is platted and certain unplatted lands which lie within or mainly within the City of Topeka, and certain unplatted tracts which do not exceed twenty acres adding the same to the City of Topeka and assigning said territories to wards of the City of Topeka.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TOPEKA:

Section 1. That the following described lands which have been subdivided into blocks and lots and which touches or adjoins the limits of the City of Topeka, all of which lands are located in Shawnee County, Kansas, is hereby added to, taken into and made a part of the City of Topeka, to-wit:

A. WHITE OAK GROVE ADDITION.

A part of Lot 3 in Section 19, Township 11 South, Range 16 East of the 6th P.M. and being the Northeast Quarter (¼) of the Northwest Quarter (¼) of said Section; commencing at a point on the North line of said Quarter (¼) Section 2.25 chains West from the Northeast corner thereof; thence running South 19.05 chains; thence West 11.28 chains; thence North 19.64 chains to the North line of said Quarter (¼) Section; thence East 11.28 to the place of beginning; except a triangular piece in the Southwest corner thereof, lying and being in the Southwest corner thereof heretofore conveyed to the Chicago, Kansas and Nebraska Railroad Company.

B. FINSON SUBDIVISION.

A tract of land lying in the Northwest Fractional Quarter (N.W. Frt. ¼) of Section 19, Township 11 South, Range 16 East of the 6th P.M., Shawnee County, Kansas; described as follows: Beginning at the Northeast corner of said Northwest Fractional Quarter Section; thence West Twenty-five (25) rods; thence South Thirty-two (32) rods; thence East Twenty-five (25) rods; thence North Thirty-two (32) rods; to the point of beginning, containing five (5) acres more or less.

C. SEAMAN GARDENS ADDITION.

A part of the Southeast quarter of Section 18, Township 11, Range 16, in Shawnee County, Kansas, described as follows: Beginning at a point on the South line of said Section 18, which is 577.5 feet East of the Southwest corner of the said Southeast quarter thereof; thence North 1112.50 feet to a point which is 577.5 feet East of the West line of said quarter; thence East 167.33 feet; thence North 53 feet; thence East and parallel with the North line of said quarter section 834 feet to the center of

North Tyler Street (known as the Rochester Road); thence South along the center of North Tyler Street 1162.45 feet to the South line of said Quarter Section; thence West 1035.0 feet to the place of beginning.

- G. HEINDLI SUBDIVISION A.

Part of the Northwest one-quarter (NW¹/₄) of Section 23, Township 12 South, Range 15 East of the 6th P.M., described as follows: Beginning at the Northeast corner of the said Northwest one-quarter (NW¹/₄) Section; thence South along the East line of the said Northwest one-quarter (NW¹/₄) Section a distance of Two Hundred and Sixty feet (260'); thence West Twelve Hundred Ninety-seven and nine-tenths feet (1297.9'); thence North Two Hundred and Sixty feet (260') to the North line of the said Northwest one-quarter (NW¹/₄) Section; thence East Twelve Hundred Ninety-seven and nine-tenths feet (1297.9') to the place of beginning, in Shawnee County, Kansas.

- H. HILLYER'S SUBDIVISION.

Commencing at a point on the West line of Raw Reserve No. 6 where it crosses Indian Creek at the center line, said point being 2.10 chains North of a stone set at the West one-quarter corner of said Reserve No. 6; thence Southeast along the center line of Indian Creek with all the meanderings thereof to a point that is 17 chains West of the East line and 14.13 chains North of the Southeast corner of said Reserve No. 6; thence South parallel with the East line of said Reserve about 31.50 chains distant to the North bank of the Kansas River; thence Northwest along the said River bank to its intersection with the East line of Oakland Addition extended North; thence South to the South Bank of said River; thence Northeast where the West line of Reserve No. 6 extended crosses said River Bank; thence North along the West Line of said Reserve No. 6 about 33 chains distance to the place of beginning.

Section 2. That the following described lands which are situated within or mainly within the City of Topeka all of which lands are located in Shawnee County, Kansas are hereby added to, taken into and made a part of the City of Topeka, Kansas, to-wit:

A. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY SOUTH OF 37th STREET BETWEEN TOPERA AVENUE AND BURLINGAME ROAD.

That part of Section 24, Township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas, described as follows: Beginning at a point which is 330 feet South of the Northeast corner of Section 24, Township 12 South, Range 15 East; thence West on a line which is 330 feet South of and parallel with the North line of Section 24 to a point which is 495 feet West, more or less of the East line of the Northwest Quarter of Section 24; thence South 990 feet more or less to the South line of the North one-half of the North one-half of

said section; thence East on a line which is 1320 feet, more or less, South of and parallel with the North line of Section 29 to the East line thereof; thence North on the East line of said section 990 feet more or less to the point of beginning.

D. A TRACT OF LAND IN OR PAIENLY WITHIN THE CITY SOUTH OF 6th AVENUE EAST BETWEEN WARRENS ADDITION AND DEER PARK ROAD.

That part of the Northwest Quarter of Section 3, Township 12, South of Range 16, East of the 6th P.M. in the County of Shawnee, State of Kansas, described as follows: Commencing at the Northwest corner of said Quarter Section; thence East along the North line of said Quarter Section 1167.5 feet more or less, to the East line of Lot 39 extended North on said 6th Avenue East in Deer Park Addition, now vacated; thence South at right angles to the North line of said Quarter Section 175 feet more or less, to the South line of said vacated lot; thence West at right angles 6 feet, more or less to a point 9 feet East of the East line extended of Lot 614 on Antioch Avenue in said Deer Park Addition now vacated; thence South at right angles 2400 feet to the South line of said Northwest Quarter; thence West along said South line 243 feet, more or less, to the Southeast corner of Warrens Addition to Deer Park Addition to the City of Topeka; thence North 475 feet to the Northeast corner of said Warrens Addition; thence West 915.75 feet to the West line of said Quarter Section; thence North along said West line to the place of beginning, the same being the Northwest corner of Section 3, Township 12, South of Range 16, East of the 6th P.M.

C. A TRACT OF LAND IN OR PAIENLY WITHIN THE CITY WEST OF FAIRMONT BETWEEN WEST 17th STREET AND WEST TENTH STREET.

Those parts of Section 33, Township 11 South, Range 15, and Section 4, Township 12 South, Range 15 East of the 6th P.M. in Shawnee County, Kansas, described as follows: Beginning at a point 50 feet West of the Southwest corner of Lot one in Schoonover Subdivision; thence South to the South line of Section 33; thence continuing South to the Northwest corner of the East one-half ($\frac{1}{2}$) of the East one-half ($\frac{1}{4}$) of the Southwest Quarter of Section 4, Township 12 South, Range 15; thence West to the center of said Section 4; thence North on the West line of the East one-half ($\frac{1}{2}$) of the said Section 4 to a point which is 40 rods South of the North line of said Section; thence West 14 rods; thence North 40 rods to the North line of said Section 4; thence Easterly along the North line of said Section 4, to the Southwest corner of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{2}$) of Section 33, Township 11 South, Range 15 East of the 6th P.M. said point being the Southwest corner of United Brethren Subdivision; thence North 340 feet to the Northwest corner of said Subdivision; thence Easterly along the North line of said Subdivision 438 feet to the Northeast corner thereof; said point being 882.8 feet West of the East line of Section 33, Township 11 South, Range 15 East of the 6th P.M.; thence North on a line 882.8 feet west of and parallel with the East line of said section to the North line of the Southeast

Quarter ($\frac{1}{4}$) of said Section 33; thence West along said line to a point which is 749 feet more or less West of the Northeast corner of the West one-half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of Section 33; thence South 295 feet; thence West on a line parallel with the North line of the Southeast Quarter ($\frac{1}{4}$) and the Southwest Quarter 1,253 feet to the place of beginning.

D. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY EAST OF CALIFORNIA AVENUE BETWEEN 37th STREET AND THE KANSAS TURNPIKE.

That part of Section 16, Township 12 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, described as follows: Beginning at a point which is 1326.70 feet East and 1323 feet North of the Southwest corner of said Section 16, the same point also being the Northeast corner of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section 16; thence West along the North line of said Southwest Quarter 381.70 feet to the East line of A. B. Lawrence Subdivision said point being 440 feet East of the West line of said Section 16; thence North on the West line of A. B. Lawrence Subdivision 1326.9 feet to the Northeast corner of said Subdivision; thence West 440 feet to the West line of Section 16; thence North to the North right of way line of the Kansas Turnpike; thence Northeasterly along the North said right of way line to its intersection with the East line of the West one-half ($\frac{1}{2}$) of the West one-half ($\frac{1}{4}$) of said Section 16; thence South to the point of beginning.

E. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPERA.

A part of the Southwest Quarter of Section 27, Township 11 South, Range 16 East of the 6th P.M., Shawnee County, Kansas, described as follows: Beginning at a point on the South line of said Quarter Section 250 feet East of the Southwest corner thereof; thence East along said South line 944.15 feet to a point which is 800 feet West of a point 669.22 feet West of the Southeast corner of said Quarter Section; thence North and parallel with the East line of said Quarter Section 330 feet; thence West 110.01 feet; thence Northwesterly 300 feet at an angle to the right of 32 degrees 25 minutes; thence Northeasterly 50 feet more or less at right angles, to the center line of Shunganunga Creek; thence in a general westerly direction on the center line of Shunganunga Creek to a point which is 250 feet East of the West line of said Quarter Section; thence South and parallel with said West line 485 feet more or less to the point of beginning.

F. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPERA.

All of that part of the following described tract of land lying West of the center of what is known as the Central Avenue Road; commencing $87\frac{1}{2}$ rods South of the Northeast corner of the Northeast Fractional Quarter of Section Twenty (20) Township Eleven (11) South, Range Sixteen (16); thence West $106\frac{2}{3}$ rods; thence South $7\frac{1}{2}$ rods; thence East $106\frac{2}{3}$ rods; thence North $7\frac{1}{2}$ rods to the point of beginning, containing 1.23 acres, more or less.

G. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

A tract of land beginning at the intersection of the Center line of Kansas Avenue and the South line of Burgess Street in Garfield Park Place; thence running East on the South line of Burgess Street 381.7 feet, more or less, to the Northwest corner of tract V in said Garfield Park Place; thence South on West line of Tract V, to the North line of Reserve No. 4; thence West on said Reserve line to the center of Soldier Creek; thence Northwest following the center of said creek to the center of Kansas Avenue; thence North following the center line of Kansas Avenue to the place of beginning, being a part of the East half of Section 20, Township 11, Range 16 East of the 6th P.M., in Shawnee County, Kansas.

H. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

A part of the West one-half (W $\frac{1}{2}$) of Section 20, Township 11, Range 16, beginning at a point which is 660 feet west and 478 feet North of the Southeast corner of the Northwest Quarter of Section 20, Township 11, Range 16 East of the 6th P.M.; thence North 182 feet; thence East 551 feet more or less to the center line of Kansas Avenue Road; thence Southeast along the center line of said Road to the center of Soldier Creek; thence West following the center of said creek to the east line of said Kansas Avenue Road; thence Southeast along the East line of said road to the intersection of said east line with the north line of Holman's Subdivision extended east; thence westerly along said north line of Holman's Subdivision extended to the west line of Kansas Avenue Road; thence Northeast along said west line of Kansas Avenue road to a point which is 478 feet North of the south line of the northwest quarter of Section 20; thence west to the point of beginning.

I. A TRACT OF LAND IN OR MAINLY WITHIN THE CITY OF TOPEKA.

Part of the Southwest Quarter of Section 20, Township 11 South, Range 16 East of the 6th P.M., described as follows: Beginning on the west line of Central Avenue and the North line of Raw Half Breed Reserve Number 4; thence East along the North line of said reserve to the East bank of Soldier Creek; thence Northeast along the East bank of said creek to the south line of the Northwest Quarter of Section 20, Township 11, Range 16; thence West to the west line of Central Avenue; thence Southerly along the West line of Central Avenue to the place of beginning.

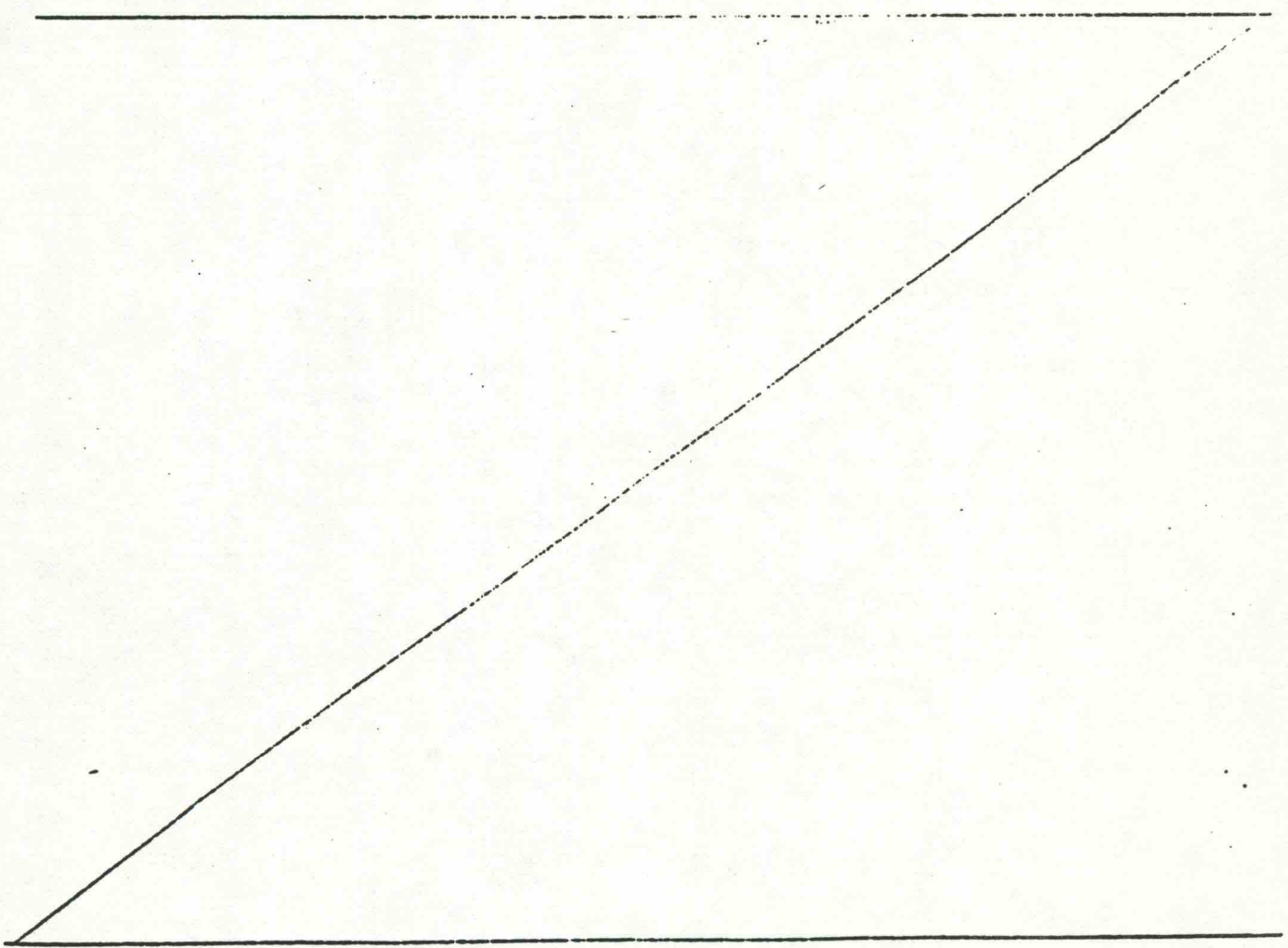
Section 3. That the following described lands which are less than twenty acres in area and which touches and adjoins the limits of the City of Topeka all of which lands are located in Shawnee County, Kansas, are hereby added to, taken into and made a part of the City of Topeka, Kansas, to-wit:

A. AN UNPLATED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

The Southeast Quarter of the Northwest Quarter of the Northwest Quarter and the South 20 feet of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 21, Township 12 South, Range 16 East of the 6th P.M., in Shawnee County, Kansas.

B. AN UNPLATED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE CITY OF TOPEKA.

The East 10 acres of the South Half of the Southwest Quarter of Southwest Quarter of Section 3, Township 12, Range 16, East of the 6th P.M., containing 10 acres, more or less according to the survey thereof, save and except $\frac{1}{2}$ acre more or less which is located on the Southeast corner of the 10 acres, which is located on the East 10 acres of the South Half of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3, Township 12, Range 16 East of the 6th P.M., containing 10 acres more or less. The $\frac{1}{2}$ acre is located starting from the West line of the Gas Land 112 feet West; thence 161 $\frac{1}{4}$ feet Northerly; thence 105 feet East; thence 88 feet South to the North line of



thence 53 feet West; thence South 30 1/2 feet
meeting the first 112 feet line on the beginning line.

C. UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE
CITY OF TOPEKA.

A tract of land in the Northeast Quarter of Section 20,
Township 11, Range 16 East of the 6th P.M. more
particularly described as follows: Beginning at a
point on the North line of said Section 749.80 feet
West of the intersection of the West line of Kaw Half
Breed Reserve No. 5 and the North line of said Section
20, Township 11, Range 16; thence South 165 feet; thence
West 264 feet to the West line of the Northeast Quarter
of Section 20; thence North to the Northwest corner of
said Quarter Section; thence East to the point of
beginning.

D. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE
CITY OF TOPEKA.

A part of the Northwest Quarter of Section 19, Township
11, Range 16, commencing at a point 32 rods South and
264 feet West of the Northwest corner of the Northwest
Quarter of Section 19; Township 11 South, Range 16 East;
thence West 148.5 feet; thence South to the center of
Howard Avenue, White Oak Grove Addition extended
Eastwardly, approximately 165 feet; thence East 148.5
feet; thence North approximately 165 feet to the place
of beginning, in Shawnee County, Kansas.

E. AN UNPLATTED TRACT OF LAND 20 ACRES OR LESS WHICH ADJOINS THE
CITY OF TOPEKA.

1 acre out of Lots 3 and 4 in the Northwest Quarter of
Section 19, Township 11, Range 16: Beginning 32 rods
South of the Northeast corner of the Northwest Quarter;
thence West 264 feet; thence South 165 feet to the center
of Howard Avenue extended in White Oak Grove Addition;
thence East 264 feet; thence North to place of beginning.

Section 4. That Section 1 A, B, C, E, and Section 2 F, G,
H, I, and Section 3 C, D, and E are hereby assigned to the First
Ward.

Section 5. That Section 1 D, E, and the same is hereby,
assigned to the Eighth Ward.

Section 6. That Section 2 A, B, D and Section 3 A and B,
E, and they are hereby, assigned to the Fifth Ward.

Section 7. That Section 2 C E, and the same is hereby,
assigned to the Ninth Ward.

Section 8. That Section 2 E, E, and the same is hereby,
assigned to the Seventh Ward.

Section 9. Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the section, clause or provision so declared to be invalid.

Section 10. This ordinance shall be in full force and effect from and after its passage, approval and publication in the official city paper.

PASSED by the Board of Commissioners _____

JAN 20 1959

APPROVED _____ JAN 20 1959

Harriet Schumacher
Mayor

ATTEST:

Edwin L. Jones
City Clerk

CLERK OF BOARD OF COMMISSIONERS
CITY OF MEMPHIS

1959 JAN 23 AM 3 41 7

RECORDED OF CITY
CLERK

ESP

The final vote on this ordinance is recorded at Page _____ Journal _____

Lynne

STATE OF KANSAS
DEPARTMENT OF PUBLIC INSTRUCTION
W. C. Kampschroeder, Superintendent
Topeka, Kansas

ORDER APPROVING AGREEMENT FOR TRANSFER OF
TERRITORY BETWEEN UNIFIED DISTRICTS

TO: The Within Named Boards of Education
and All Other Persons Concerned

Now on this 2nd day of June, 1967, the State Superintendent of Public Instruction makes the within order in accordance with authority conferred by House Bill 1338 of the 1967 Session of the Legislature.

1. The State Superintendent of Public Instruction has received the duly executed agreement for transfer of territory between unified districts between the board of education of Unified School District No. 501, Shawnee County, State of Kansas, and the board of education of Unified School District No. 345, Shawnee County, State of Kansas. Such agreement is found to be complete, sufficient, and in compliance with law. Such agreement is approved by the State Superintendent of Public Instruction as provided in this order.

2. Territory transfer is made as provided in the agreement from Unified School District No. 501 to Unified School District No. 345 as follows:

See attached Exhibit A

3. The provisions of House Bill 1338 of the 1967 Session of the Legislature apply to the effective date of transfer provided in this order.

4. This order is effective on March 1, 1967, for tax purposes, and on June 15, 1967, for all other purposes.

W. C. Kampschroeder
W. C. Kampschroeder
State Superintendent of
Public Instruction

0-2

AGREEMENT FOR TRANSFER OF TERRITORY FROM
UNIFIED SCHOOL DISTRICT NO. 501 TO
UNIFIED SCHOOL DISTRICT NO. 345

THIS AGREEMENT made and entered into this 17th day of May, 1967, in triplicate, by and between Board of Education of Unified School District No. 501, Shawnee County, State of Kansas, hereinafter called "U.S.D. No. 501" and Board of Education of Unified School District No. 345, Shawnee County, State of Kansas, hereinafter called "U.S.D. No. 345."

RECITALS:

A. The City of Topeka, Kansas, a city of the first class, by Ordinance No. 9568, effective January 15, 1959, and by Ordinance No. 9570, effective January 22, 1959, annexed a part of the territory of Common School District No. 59, Shawnee County, Kansas, commonly known and hereinafter referred to as "Lyman School District"; and the same territory so annexed was also a part of the territory of Rural High School District No. 5, Shawnee County, Kansas, commonly known and hereinafter referred to as "Seaman Rural High School District."

B. Pursuant to written Agreement, dated February 27, 1961, between the Board of Education of the City of Topeka of the State of Kansas, being a board of education of a city of the first class, and also designated as Topeka School District No. 23, hereinafter referred to as "Topeka School District," Lyman School District, and Seaman Rural High School District, as authorized by Section 72-5316b of the 1959 Supplement to the General Statutes of 1949, the territory so annexed, became a part of the Topeka School District on June 30, 1962, for common school and high school purposes; and that said territory so annexed, as described in Exhibit "A" hereinafter referred to, is now a part of U.S.D. No. 501.

C. The remainder or balance of the territory of Lyman School District and Seaman Rural High School District which did not become a part of the Topeka School District on June 30, 1962, under said Agreement, dated February 27, 1961, is now a part of the territory of U.S.D. No. 345.

D. The Topeka School District was disorganized and was organized into and succeeded by U.S.D. No. 501, effective July 1, 1966, it being a city unified district under the provisions of K.S.A. 1965 Supp. 72-67,103.

E. Under the provisions of House Bill No. 1338 of the 1967 Session of the Kansas Legislature which became effective on April 28, 1967, the Boards of Education of U.S.D. No. 501 and of U.S.D. No. 345 are authorized to enter into an agreement agreeing that the territory of the Lyman School District which became a part of Topeka School District, effective June 30, 1962, as aforesaid, and subsequently became a part of U.S.D. No. 501, be transferred to U.S.D. No. 345, and the said Boards of Education have each determined that such transfer of territory is to the best interests of said unified school districts.

F. The parties hereto mutually desire to enter into an agreement for the transfer of such territory as so authorized and provided by law, upon the terms and conditions hereinafter set forth.

AGREEMENT:

NOW THEREFORE, as authorized and provided by House Bill No. 1338 of the 1967 Session of the Kansas Legislature, the parties hereto agree, as follows:

1. The territory of Lyman School District which was added to the territory of the Topeka School District effective June 30, 1962, and which became a part of such city unified school district as hereinbefore referred to, be and it is hereby transferred from Unified School District No. 501, Shawnee County, State of Kansas, to Unified School District No. 345, Shawnee County, State of Kansas, effective June 15, 1967; and that the description of said territory so transferred, is attached hereto, marked Exhibit "A" and made a part hereof.

2. Any outstanding bonded indebtedness on bonds issued by the former Common School District No. 59, Shawnee County, Kansas, shall be paid from a tax levy on the territory which comprised said former common school district, as provided by House Bill No. 1338 of the 1967 Session of the Kansas Legislature; and that any

outstanding bonded indebtedness on bonds issued by Rural High School District No. 5, Shawnee County, Kansas, when the territory transferred by this Agreement was a part of said Rural High School District, shall be paid from a tax levy on the property so transferred, together with the other property that was in said Rural High School District at the time such bonds were issued, as provided by said House Bill No. 1338 of the 1967 Session of the Kansas Legislature.

3. An equitable and appropriate adjustment of the property rights between the parties hereto to carry out the purpose and intent of and as authorized by said House Bill 1338 in the event of such transfer of territory, is as follows:

1. Title to the Lyman elementary school site and buildings located in the said territory transferred hereunder and all tangible personal property and equipment contained therein or which is a part thereof, shall be transferred to and vested in Unified School District No. 345 upon the effective date of the transfer of said territory.

2. On July 1, 1967, or within ninety (90) days thereafter, U.S.D. No. 345 shall pay to U.S.D. No. 501 the sum of \$12,612.22, which sum was arrived at by settlement of claims determined by said parties as set forth in the Summary of Considerations, which is hereto attached marked Exhibit "B," including Schedules "A" to "D" inclusive, and made a part hereof.

4. This agreement shall be effective upon June 15, 1967, subject to the approval in writing thereof by the State Superintendent of Public Instruction.

5. This agreement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hands and seals as of the date hereinbefore first set forth.

UNIFIED SCHOOL DISTRICT NO. 501,
Shawnee County, Kansas

By Robert A. Skut
President

(SEAL)

ATTEST:

[Signature]
Clerk

UNIFIED SCHOOL DISTRICT NO. 345,
Shawnee County, State of Kansas

By Robert M. [Signature]
President

(SEAL)

ATTEST:

Elizabeth Jane Prady
Clerk

Approved this _____ day of
_____, 1967

State Superintendent of Public
Instruction of the State of
Kansas

Summary of Considerations in the Settlement
of Claims Between Unified School District #501
and Unified School District #345 in the Matter
of Detachment of the Lyman School Attendance
Area from the Topeka School District

July 1, 1967

Revised 4-28-67

1. Add: Schedule "A" - Amount Invested by Unified School District #501 in Lyman School Properties as of July 1, 1967	\$119,464.28
2. Deduct: Portable building to be retained by Unified School District #501	\$ 4,310.00
3. Deduct: Depreciation @ 2% per year for five years on Item 1. above, less Item 2 above: \$119,464.28 - \$4,310.00 or \$115,154.28 @ 10%	\$ 11,515.43
4. Deduct: Portion of payment to unannexed portion of Lyman District, based on 1962 appraisal, paid by residents of Lyman attendance area: \$59,464.28 X .006 (See Schedule "F")	\$ 356.78
5. Deduct: Schedule "B" - Amount budgeted by Topeka School District for period 7-1-67 to 12-31-67 for pupils residing in annexed area of former Lyman School District	\$ 41,213.19
6. Deduct: Schedule "C" - Equity acquired, by residents of the Lyman School attendance area, in Topeka school properties by payment of Bond and Interest Fund levies and Special Building Fund levies for the years 1962 through 1966	\$ 48,685.99
7. Deduct: Schedule "D" - F.I.C.A. funds budgeted for the period 7-1-67 through 12-31-67 based on the salaries of present personnel employed at Lyman School	\$ 770.67
Net Amount Due Unified School District #501	\$ 12,612.22

LYMAN SCHOOL AREA

Schedule "A"

Revised 4-28-67

Amount invested by Unified School District #501 in Lyman School Properties as of July 1, 1967.

1. Value of real and tangible personal property of Lyman School District June 30, 1962 (See copy of appraiser's report attached)	\$252,412.16
2. Unpaid bonded indebtedness of Lyman School District June 30, 1962	\$126,000.00
3. Net value of all assets of Lyman School District June 30, 1962. (Item #1 above, less Item #2)	\$126,412.16
4. Ratio of assessed valuation of the territory of the Lyman School District which was annexed to the City of Topeka and the territory of the Lyman School District which was not annexed June 30, 1962 was:	
(a) In the annexed area	52.96%
(b) In the unannexed area	47.04%
5. Amount paid by Unified School District #501 to the unannexed portion of Lyman School District:	
47.04% (4(b) above) X \$126,412.16 (3 above)	\$ 59,464.28
6. Amount of Lyman bonds paid off by Unified School District #501, 1963 through 1967.	\$ 60,000.00
7. Total amount invested in Lyman School District properties:	
Item 5 plus Item 6	\$119,464.28

Note: Value of properties of Lyman School District were established by the appraisers appointed by the District Court at time of annexation June 30, 1962.

LYMAN COMMON SCHOOL DISTRICT NO. 59

The land area owned by the Lyman Common School District No. 59 upon which the school building improvements are located consists of approximately 3.129 acres in a slightly irregular tract having the following dimensions: 442.5 lineal feet on Lyman Road, 310.5 lineal feet on North Kansas Avenue, 323.1 lineal feet on North Quincy Street, and 438.9 lineal feet on the south property line. The real estate consists of the original school site; all of Lots 3 and 4; the north half of Lot 5; and the north half of Lot 6, all in Garfield Place Addition, Shawnee County, Kansas.

Adjoining property improvements are residential on all sides of the tract except for a service station and a bulk oil station at the intersection of Lyman Road and North Kansas Avenue.

The market value of the land, based on land sales in the area \$ 10,950.00

The market value of the building improvements on the site. See items "A" and "B"

1912 Construction	\$ 9,000.00	
1936 Construction	44,500.00	
1956-57 Construction	156,040.00	
1956 Portable Classroom	4,310.00	213,850.00
Site Improvements - See Item "C"		6,253.57
Value of Personal Property - See Item "D"		21,358.59
Market value of real estate, buildings, site improvement and personal property as of June 30, 1962		<u>\$252,412.16</u>

Attached hereto is descriptive and factual data upon which this value is predicated.

- Item "A" Description and types of building construction.
- Item "B" Replacement cost of buildings.
- Item "C" Description of site improvements and replacement costs adjusted for depreciation.
- Item "D" Personal property values and inventories.

This appraisal is made with the following understanding:

That we have not now, nor ever have had any interest in the property herein appraised.

That the title to the property is good and merchantable.

Respectfully signed and submitted this 17th day of August, 1962.

/s/ Oscar S. Ekdahl
Oscar S. Ekdahl, Commissioner

/s/ Charles L. Marshall
Charles L. Marshall, Commissioner

/s/ Harold Guilliams
Harold Guilliams

ITEM A - DESCRIPTION OF BUILDING CONSTRUCTION

The original building was constructed in 1912 with building additions in 1937 and again in 1956 to make up the existing building used for school purposes. A portable type classroom building was constructed on the site in 1956 which is not attached to the main school building. The site is improved with asphaltic concrete playground surfacing, woven wire fencing and sidewalks. There are two septic tank sewage disposal systems.

The original building contains 4 classrooms; the boiler plant which serves the buildings constructed in 1912 and 1937; and a basement room for miscellaneous school uses. The building addition in 1937 contains 3 classrooms above a gymnasium room; 2 toilet rooms at an intermediate level; 1 office; and a library room at the second floor level.

Exterior walls of both building units (1912 and 1937) are wall bearing masonry faced with brick; stone foundation walls to the first floor line; cut stone trim; wood floor and roof construction; wood stud partitions with plaster; wood windows, doors, and frames; and built-up composition roofing. All interior walls and ceilings have plaster finish except in the gymnasium which has a fiberboard tile ceiling. Steel fire escapes provide the required egress from the 3 classrooms above the gymnasium room and the second floor room on the west side of the original (1912) building. Heating is provided by steam radiation. Lighting in the classrooms is substandard, using fluorescent lamp fixtures. A septic tank sewage disposal system is used for the sanitary sewerage system from this building.

The building addition constructed in 1956-57 is a one-story structure, connected to the prior construction with a closed-in corridor passage. The main building addition contains 4 classrooms; a kindergarten room; toilet rooms; office; kitchen; a large multi-purpose room with a rather well equipped stage; and boiler room. Foundations are reinforced concrete; concrete floor on grade with resilient tile floor coverings in all finished spaces except in the toilet rooms and entry which are terrazzo. The stage floor is wood on wood frame construction. Exterior walls are wall bearing masonry with face brick; interior partitions are masonry exposed and painted; roof construction is laminated beams and 1-5/8 wood sheathing bearing on exterior walls and corridor walls, roof of the multi-purpose room is wood supported on wood laminated beams. Windows are of aluminum projected type sash. Doors and frames are wood. Roof is built-up composition. Heating is with steam, using unit ventilators in classrooms and a fan and coil in the multi-purpose room. Lighting is fluorescent in all classrooms with incandescent lighting in corridors, multi-purpose room, toilet rooms, and miscellaneous rooms. A septic tank and disposal field constructed in 1956 serves the sanitary waste disposal from this building unit.

The temporary or portable type classroom building constructed in 1956 has a single classroom with space heating by an air furnace, a drinking fountain and lavatory, and fluorescent lighting in the classroom. It is of light residential type construction on a concrete wall foundation and concrete floor slab on grade. Exterior walls are 2" x 4" studs with 3/4" plywood facing; trussed rafters with wood sheathing and composition type roofing; wood windows and doors; and resilient tile floor covering.

ITEM B - REPLACEMENT COSTS AND ADJUSTMENTS FOR DEPRECIATION

1. No record of the cost for construction of the original (1912) building can be found. However, assuming that the type of construction, materials, and arrangement of facilities, which present school building codes would not permit, were to be duplicated, the cost for replacement in July 1962 would be \$60,000.00.

2. A factual record of the cost and extent of the construction in 1936-37 was not available. We have estimated the cost of replacement of this building assuming that if the type of construction, materials, and arrangement of facilities were to be duplicated, the cost for replacement in July, 1962 would be \$89,000.

(C O P Y)

LEMAN COMMON SCHOOL DISTRICT NO. 59

ITEM B - (continued)

3. The building addition constructed in 1956-57 for occupancy in 1957 was built for a total cost of \$166,710.00.

4. The portable type building to provide one classroom constructed in 1956 was built for a total cost of \$7,000.00.

Where the original costs of building construction are known, the following replacement costs are computed from Construction Cost indexes for this general area as compiled by E.H. Boeckh and Associates, Consulting Valuation Engineers:

Replacement Cost of 1912 Construction (estimated)		\$ 60,000.00
Replacement Cost of 1937 Construction (estimated)		89,000.00
Replacement Cost of 1956-57 Construction	$\frac{280.1}{270} \times \$166,710.00$	172,942.00
Replacement Cost of 1956 (Portable) Construction	$\frac{276.3}{269.2} \times \$7,000.00$	7,184.00

Depreciation of the buildings is predicated on the observed condition of the structures, their maintenance, obsolescence, and their age life as follows:

1912 Construction - 50 years age life. While a building of this construction can be considered to provide a total of 50 years of use, it is nevertheless being presently used for classroom purposes and has value. We submit that a depreciation of 85% is proper:

Replacement Cost (estimated) \$60,000.00 less 85% Market Value \$ 9,000.00

1936-37 Construction - 25 years. Depreciation 50% Replacement Cost \$89,000 less 50% Market Value 44,500.00

1956-57 Construction - 5 years - Depreciation 10% Replacement Cost \$172,942.00 less 10% Market Value 156,040.00

1956 Portable Construction - 6 years - Depreciation (based on 15 years) Replacement Cost \$7,184.00 less 40% Market Value 4,310.00

Total Replacement Cost Adjusted by Depreciation for Current Market Value \$213,850.00

ITEM C - SITE IMPROVEMENTS AND REPLACEMENT COSTS

1. Asphalt Paving: The school site is improved with 2705 s.y. of 2" asphalt paving on 6" rock base for the playground and parking area. 442 s.y. was installed in 1960 and 2263 s.y. was installed in May, 1962. The cost of the 2263 s.y. was \$4,526.00 and the value of the previous work \$884.00; or a total value of \$5,410.00 for asphalt paving in playground and parking area. Since this paving is all in good condition and of such recent installation, it can be presumed that the value of this work is represented by the 1962 cost of \$5,410.00.

2. Fencing: Fencing around the grounds was replaced after the 1951 flood. It is comprised of a light woven wire fence on steel posts which when new cost approximately \$1.40/l.f. In depreciating this amount over a 20 year period the fencing would have a value of .63/l.f. or a total value of: 1,339 l.f.
@ .63 = \$843.57.

Asphalt surfacing	\$ 5,410.00
Fencing	843.57
Total value of site improvements adjusted for depreciation	<u>\$ 6,253.57</u>

LYMAN SCHOOL AREA

Schedule "B"

Revised 4-28-67

Determination of Operating Expense for the Period 7-1-67 to 12-31-67,
For Education of Children Who Reside in Annexed Portion of the Lyman
School District

1. Topeka School District Operating Budget for 1967:

a. Maximum Operating Budget Allowable -

23,695.5 Pupils @ \$452.52 \$10,722,688.00

b. Deduct:

1. Budget for Practice Teaching \$ 8,000.00

2. " " Summer School 88,370.00

3. " " Adult Education 50,141.00

146,511.00

\$10,576,177.00

2. Topeka School District Enrollment 9-15-66:

a. Grand Total 24,724.

b. Deduct: Half of Kdgn. 1,179.

23,545.

3. Average Budget Appropriation Per Pupil for 1967:

\$10,576,177.00 (#1 above) ÷ 23,545. (#2 above) \$ 449.19

4. Pupils enrolled 9-15-66 from the Annexed Area of
former Lyman School District

183.5

5. Amount budgeted by Topeka School District for period 7-1-67
to 12-31-67 for pupils residing in annexed area of
former Lyman School District:

183.5 Pupils (#4 above) @ \$449.19 (#3 above) ÷ 2 \$ 41,213.19

LYMAN SCHOOL AREA

Schedule "C"

Revised 4-28-67

Determination of Equity Acquired in Topeka School Properties, by Residents of the Annexed Portion of Former Lyman School District

1. Assessed valuation in annexed portion of former Lyman School District:

a. Year 1962	\$823,468.
b. Year 1963	858,472.
c. Year 1964	856,855.
d. Year 1965	922,215.
e. Year 1966	874,116.

2. Topeka School District Tax Levies for Bond and Interest:

a. Year 1962	8.63 Mills
b. Year 1963	8.18 "
c. Year 1964	8.38 "
d. Year 1965	7.94 "
e. Year 1966	7.16 "

3. Topeka School District Tax Levies for Special Building Fund:

<u>Year</u>	<u>Tax Levy</u>	<u>Residue Sales Tax</u>	<u>Total</u>
a. 1962	1.90 Mills	.10 Mills	2.00 Mills
b. 1963	4.91 "	.09 "	5.00 "
c. 1964	4.79 "	.21 "	5.00 "
d. 1965	4.82 "	.18 "	5.00 "
e. 1966	4.83 "	.17 "	5.00 "

4. Equity Acquired in Topeka School Properties by Residents of the Annexed Portion of Former Lyman School District:

a. Year 1962:		
	\$823,468. (1a. above) X 10.63 (2a. & 3a. above)	\$ 8,753.46
b. Year 1963:		
	\$858,472. (1b. above) X 13.18 (2b. & 3b. above)	11,314.66
c. Year 1964:		
	\$856,855. (1c. above) X 13.38 (2c. & 3c. above)	11,464.72
d. Year 1965:		
	\$922,215. (1d. above) X 12.94 (2d. & 3d. above)	11,933.46
e. Year 1966:		
	\$874,116. (1e. above) X 12.16 (2e. & 3e. above)	<u>10,629.25</u>
		\$ 54,095.55
Deduct depreciation @ 2% per year for five years		<u>5,409.56</u>
		\$ 48,685.99

LYMAN SCHOOL AREA

Schedule "D"

Revised 4-28-67

Determination of F.I.C.A. to be Paid by Seaman District During the
 Period 7-1-67 to 12-31-67 on Salaries Paid to School Personnel
 Employed at Lyman School

Dorothy Duncan, Principal		\$ -0-
George Abbott, Teacher	\$1,866.68 @ 4.4%	\$ 82.13
Helen Brammell, Teacher	2,000.00 @ 4.4%	88.00
Mary Dittmore, Teacher	2,333.32 @ 4.4%	102.67
Lola Schulz, Teacher	2,000.00 @ 4.4%	88.00
Karen Horner, Teacher	1,900.00 @ 4.4%	83.60
Ann Runyon, Teacher	1,866.68 @ 4.4%	82.13
Nancy Wallace, Teacher	1,866.68 @ 4.4%	82.13
Betty Palmer, School Secretary	1,120.00 @ 4.4%	49.28
Dorus May, Custodian	2,562.00 @ 4.4%	<u>112.73</u>
		\$770.67

LYMAN SCHOOL AREA

Schedule "E"

Revised 4-28-67

Outstanding Bonded Debt on the Lyman School Building

1. Bonded debt assumed by Topeka School District June 30, 1962		\$126,000.00
2. Payment of Bonds Matured		
(a) May 1, 1963	\$12,000.00	
(b) May 1, 1964	12,000.00	
(c) May 1, 1965	12,000.00	
(d) May 1, 1966	12,000.00	
(e) May 1, 1967	<u>12,000.00</u>	
Total Payments		\$ 60,000.00
3. Bonds Outstanding 7-1-67		\$ 66,000.00

LYMAN SCHOOL AREA

Schedule "F"

Revised 4-28-67

Assessed Valuations

Former Lyman District

<u>Year</u>	<u>Total</u>	<u>Unannexed Area</u>	<u>Annexed Area</u>
1962	\$1,564,038.	\$ 740,570.	\$823,468.
1963	1,939,202.	1,080,730.	858,472.
1964	1,891,742.	1,034,887.	856,855.
1965	1,923,606.	1,001,391.	922,215.
1966	1,900,026.	1,025,910.	874,116.

Assessed Valuations

Topeka School District

<u>Year</u>	<u>Total</u>	<u>Annexed Area of Lyman Dist.</u>	<u>% of Total in Lyman Dist.</u>
1962	\$134,228,128.	\$823,468.	.006134
1963	137,138,716.	858,472.	.006259
1964	139,432,922.	856,855.	.006145
1965	145,390,948.	922,215.	.006343
1966	149,019,075.	874,116.	.005866
Average			.006149