

1 (Published in the Topeka Metro News February 17, 2006)

2
3 ORDINANCE NO. 18566

4
5 AN ORDINANCE introduced by City Manager Neil Dobler establishing a
6 Redevelopment District for the Washburn Lane College Hill area
7 pursuant to K.S.A. 12-1773 *et seq.*, as amended.
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9 WHEREAS, the Council of the City of Topeka, Kansas did hold a public hearing on
10 the advisability of establishing a Redevelopment District for the Washburn Lane College Hill
11 area, said public hearing was held on February 14, 2006, in the City Council Chambers of
12 City Hall, 214 E. 8th Street, at 7:00 p.m., as required by K.S.A. 12-1770 *et seq.*, as
13 amended; and

14 WHEREAS, said public hearing was adjourned on the 14th day of February 2006;
15 and

16 WHEREAS, notice of said public hearing was duly provided as required by K.S.A.
17 12-1772, as amended.

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
19 TOPEKA, KANSAS:

20 Section 1. That it finds the following described development district to be
21 advisable and does hereby authorize and order said Redevelopment District to be made
22 established with its findings as follows:

23 The legal description of the Redevelopment District is set forth as Exhibit "A," which
24 is attached hereto and specifically incorporated herein. Additionally, the area contained
25 therein is specifically established as the College Hill Redevelopment District.

26 Section 2. The College Hill Redevelopment District is a "blighted area" as defined
27 under K.S.A. 12-1770a, as amended, in that the following factors are present in the District:

- 28 A. A substantial number of deteriorating structures;
- 29 B. Predominance of defective or inadequate street layout;
- 30 C. Unsanitary and unsafe conditions;
- 31 D. Deterioration of site improvements;
- 32 E. Improper Subdivision or Obsolete Platting or Land Uses;
- 33 F. Existence of Conditions Which Endanger Life or Property by
- 34 Fire or Other Causes; and
- 35 G. Conditions which create economic obsolescence.

36 Section 3. That the presence of the aforementioned factors in the College Hill
37 Redevelopment District substantially impairs or arrests the development and growth of the
38 City of Topeka, constitutes an economic or social liability of the City of Topeka, or is a
39 menace to the public health, safety, morals or welfare in its present condition and use.

40 Section 4. That because the College Hill Redevelopment District is a “blighted
41 area,” it constitutes an eligible area for redevelopment under K.S.A. 12-1770, *et seq.*, as
42 amended.

43 Section 5. That the redevelopment of the College Hill Redevelopment District is
44 necessary to promote the general and economic welfare of the City of Topeka.

45 Section 6. That the College Hill Redevelopment District Plan is hereby approved
46 and described as follows:

47 The plan for the District would allow the acquisition of the property in the
48 District by the City and the private developer Washburn-Lane Parkway
49 Renovation, L.L.C. Further the District Plan would permit the City of Topeka
50 to issue full faith and credit tax increment bonds (“TIF”) funds to finance all or
51 a portion thereof, the acquisition of the real estate and improvements
52 thereon, such as demolition, site work, parking lots and lighting as more
53 specifically permitted by Kansas statute to allow the Developer to then

54 construct buildings and other improvements thereon including approximately
55 24,000 square feet of retail space, 141 housing units with 318 bedrooms, 28
56 lofts with 56 bedrooms and 26 town homes with 52 bedrooms, including
57 approximately 644 parking spaces in said District.
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59 Section 7. That the Clerk is hereby directed to forthwith after the effective date of
60 this Ordinance to provide a copy of this Ordinance by certified mail, return receipt requested,
61 to the Board of Commissioners of Shawnee County, Kansas and Board of Education of
62 Unified School District 501.

63 Section 8. That the Redevelopment District, established pursuant to Sections 1
64 through 6 above, shall be abolished if the City Council fails to adopt a Redevelopment
65 Project Plan for the College Hill Redevelopment District by June 1, 2006.

66 Section 9. This Ordinance shall take effect and be in force from and after its
67 passage, approval and publication in the official City newspaper.

68 PASSED and APPROVED by the City Council February 14, 2006.

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ATTEST:

73 Iris E. Walker
74 Iris E. Walker, City Clerk



William W. Bunten
William W. Bunten, Mayor

APPROVED AS TO FORM AND LEGALITY
DATE <u>1/25/06</u> BY <u>BBC</u>
TO BE CODIFIED _____
NOT TO BE CODIFIED <input checked="" type="checkbox"/>

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EXHIBIT "A"

LEGAL DESCRIPTION FOR LOT 1 BLOCK A:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., INCLUDING LOTS 1,2,3,4,5,6, OF HARRISON PLACE SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AZIMUTH (WORLD GEODETIC SYSTEM 1984) 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1135.22 FEET; THENCE ON AZIMUTH 90 DEGREES 24 MINUTES 41 SECONDS A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE EAST LINE OF WASHBURN AVENUE AND THE NORTH LINE OF 15TH STREET, AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 815.62 FEET TO THE SOUTH LINE OF 13TH STREET; THENCE ON AZIMUTH 89 DEGREES 47 MINUTES 22 SECONDS, COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 276.19 FEET TO THE WEST LINE OF LANE STREET; THENCE ON AZIMUTH 180 DEGREES 20 MINUTES 48 SECONDS, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 816.50 FEET TO THE NORTH LINE OF 15TH STREET; THENCE ON AZIMUTH 269 DEGREES 58 MINUTES 30 SECONDS, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 277.10 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINING 5.18 ACRES MORE OR LESS.

LEGAL DESCRIPTION FOR LOT 1 BLOCK B:

LOTS 570,572,574,576,578,580,582, IN THROOPS SECOND ADDITION, CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS

LEGAL DESCRIPTION FOR LOT 1 BLOCK C:

LOTS 598,600,602,604,606,608,610,612,614 IN CHAMBERLAIN'S SUBDIVISION, AND LOTS 597, 599, 601, 603, 605, 607, 609, 611, 613, 615, AND FRACTIONAL LOTS 617,619,621, IN BATTEY AND JANSEN'S SUBDIVISION AND FRACTIONAL LOT 8 IN

RURAL HOMES SUBDIVISION, ALL IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M. IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS (WORLD GEODETIC SYSTEM 1984), COINCIDENT WITH THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1055.29 FEET; THENCE ON AZIMUTH 90 DEGREES 24 MINUTES 41 SECONDS, A DISTANCE OF 40.00 FEET TO THE NORTHWEST CORNER OF LOT 598 IN CHAMBERLAIN'S SUBDIVISION AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 89 DEGREES 58 MINUTES 30 SECONDS, COINCIDENT WITH THE SOUTH LINE OF 15TH STREET, A DISTANCE OF 267.19 FEET (266.87 PLAT) TO THE NORTHEAST CORNER OF LOT 597 IN BATTEY AND JANSEN'S SUBDIVISION AND THE WEST LINE OF LANE STREET; THENCE ON AZIMUTH 180 DEGREES 20 MINUTES 48 SECONDS COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 259.51 FEET TO A POINT 12.5 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 617 IN BATTEY AND JANSEN'S SUBDIVISION; THENCE ON AZIMUTH 212 DEGREES 50 MINUTES 37 SECONDS, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 14.89 FEET TO A POINT ON THE NORTH LINE AND 8 FEET WEST OF THE NORTHEAST CORNER OF LOT 619 IN BATTEY AND JANSEN'S SUBDIVISION; THENCE ON AZIMUTH 204 DEGREES 32 MINUTES 07 SECONDS, COINCIDENT WITH SAID WEST LINE A DISTANCE OF 29.05 FEET TO THE NORTH LINE OF 16TH STREET; THENCE ON AZIMUTH 264 DEGREES 40 MINUTES 20 SECONDS, COINCIDENT WITH SAID NORTH LINE A DISTANCE OF 248.87 FEET TO THE EAST LINE OF WASHBURN AVENUE; THENCE ON AZIMUTH 0 DEGREES 24 MINUTES 41 SECONDS, COINCIDENT WITH SAID EAST LINE A DISTANCE OF 321.44 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.89 ACRES MORE OF LESS.

LEGAL DESCRIPTION FOR LOT 1 **BLOCK D:**
TRACT I

LOT 9 (FRACTIONAL) IN RURAL HOMES ADDITION TO THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT WHICH IS 72 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF LOT 9 TO THE SOUTH LINE OF 16TH STREET; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF 16TH STREET, 119.28 FEET, MORE OF LESS, TO THE NORTHEAST CORNER OF LOT 9; THENCE SOUTH ALONG THE EAST LINE OF LOT 9, TO A POINT 167 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 9, AS FORMERLY PLATTED; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF PROPERTY CONVEYED TO THE CITY OF TOPEKA FOR STREET, TO A POINT 72 FEET NORTH OF THE SOUTH LINE OF LOT 9 AS FORMERLY PLATTED; THENCE WEST TO THE POINT OF BEGINNING, IN SHAWNEE COUNTY, KANSAS, ALSO THE NORTH AND SOUTH ALLEY LYING EAST OF AND ADJACENT TO SAID TRACT, NOW VACATED.

TRACT II

A PART OF LOT 10 ON 16TH STREET, IN RURAL HOMES ADDITION TO THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 108.75 FEET WEST AND 175.6 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE EAST LINE OF A NORTH AND SOUTH ALLEY; THENCE NORTH ALONG THE EAST LINE OF SAID NORTH AND SOUTH ALLEY TO THE SOUTH LINE OF 16TH STREET; THENCE EAST ALONG THE SOUTH LINE OF 16TH STREET, TO A POINT 30.5 FEET WEST OF THE EAST LINE OF SAID LOT 10; THENCE SOUTHWESTERLY TO A POINT 37.5 FEET WEST AND 271.6 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 10; THENCE CONTINUING SOUTHWESTERLY TO A POINT 75 FEET WEST AND 213.6 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 10; THENCE CONTINUING SOUTHWESTERLY TO THE POINT OF BEGINNING; ALSO THE NORTH AND SOUTH ALLEY LYING WEST OF AND ADJACENT TO THE ABOVE TRACT, NOW VACATED, BEING ALL OF SAID LOT 10, LYING NORTH AND WEST OF LANE STREET EXTENSION, SHAWNEE COUNTY, KANSAS.

TAX ROLL SHOWS PROPERTY ADDRESS AS: 1600 SW WASHBURN AVENUE, TOPEKA, KANSAS 66604

LEGAL DESCRIPTION FOR LOT 1 BLOCK E:

LOT 2, BLOCK A, WASHBURN NORTH SUBDIVISION, AND ALSO A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING 40 FEET NORTH AND 40 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WEST 107 FEET; THENCE NORTH 150 FEET; THENCE WEST 50 FEET; THENCE NORTH 37.5 FEET; THENCE EAST 7 FEET; THENCE NORTH 37.5 FEET; THENCE EAST 150 FEET; THENCE SOUTH 225 FEET TO THE POINT OF BEGINNING.

TAX ROLL SHOWS PROPERTY ADDRESS AS: 1510 SW 17TH STREET, TOPEKA, KANSAS 66604.