

1 (Published in the Topeka Metro News December 28, 2009)
2

3 **ORDINANCE NO. 19362**
4

5 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. adopting a
6 neighborhood revitalization plan and designating a revitalization
7 area, all as provided for in K.S.A. 12-17, 114 *et seq.*, Neighborhood
8 Revitalization Act.
9

10 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:
11

12 **Section 1. Hearing.**

13 The Council of the City of Topeka pursuant to Notice of Public Hearing as set
14 forth in City of Topeka Resolution No. 8216 did hold a public hearing on December 8,
15 2009 to hear and consider public comment on the neighborhood revitalization plan as
16 required by K.S.A. 12-17, 114 *et seq.*

17 **Section 2. Neighborhood Revitalization Plan.**

18 The Council of the City of Topeka does hereby adopt the neighborhood
19 revitalization plan, attached hereto, labeled Exhibit A and incorporated by reference as if
20 fully set forth herein as provided for by K.S.A. 12-17, 114 *et seq.*

21 **Section 3. Designation of Neighborhood Revitalization Area.**

22 Pursuant to K.S.A. 12-17, 114 *et seq.*, the Council of the City of Topeka hereby
23 designates the following described property as the neighborhood revitalization area and
24 finds that said area is:

25 1. An area in which there is a predominance of buildings or improvements
26 which by reason of dilapidation, deterioration, obsolescence, inadequate provision for
27 ventilation, light, air, sanitation, or open spaces, high density of population and
28 overcrowding, the existence of conditions which endanger life or property by fire and

29 other causes or a combination of such factors, is conducive to ill health, transmission of
30 disease, infant mortality, juvenile delinquency or crime and which is detrimental to the
31 public health, safety or welfare;

32 2. An area which by reason of the presence of a substantial number of
33 deteriorated or deteriorating structures, defective or inadequate streets, incompatible
34 land use relationships, faulty lot layout in relation to size, adequacy, accessibility or
35 usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements,
36 diversity of ownership, tax or special assessment delinquency exceeding the actual
37 value of the land, defective or unusual conditions of title, or the existence of conditions
38 which endanger life or property by fire and other causes, or a combination of such
39 factors, substantially impairs or arrests the sound growth of a municipality, retards the
40 provision of housing accommodations or constitutes an economic or social liability and
41 is detrimental to the public health, safety or welfare in its present condition and use; or

42 3. An area in which there is a predominance of buildings or improvements
43 which by reason of age, history, architecture or significance should be preserved or
44 restored to productive use.

45 The neighborhood revitalization area is described as follows:

46 PRIMARY AREA

47

48 Beginning at the intersection of the Centerline of US Highway 24 with the Centerline of
49 NW Clay Street; thence easterly, on the Centerline of US Highway 24, to an intersection
50 with the Centerline of NW Topeka Boulevard; thence southerly, on the Centerline of NW
51 Topeka Boulevard, to an intersection with the Centerline of Old Soldier Creek; thence
52 easterly and southerly, down the Centerline of Old Soldier Creek, to an intersection with
53 the Centerline of the Mainline Track of the Union Pacific Railroad; thence southerly, on
54 the centerline of said mainline track, to an intersection with the Centerline of the West
55 Approach to the Sardou Bridge over the Kansas River; thence east-southeasterly, on
56 the centerline of said approach and the Centerline of the Sardou Bridge, to an

57 intersection with the Centerline of the Kansas River; thence southwesterly, up the
58 Centerline of the Kansas River, to an intersection with an extension of the Centerline of
59 NE Chandler Street; thence southerly, on the Centerline of NE Chandler Street, to an
60 intersection with the Centerline of NE Seward Avenue; thence westerly, on the
61 Centerline of NE Seward Avenue, to an intersection with the Centerline of NE Branner
62 Street; thence south-southwesterly, on the Centerline of Branner Street, to an
63 intersection with the Centerline of the Mainline Track of the Burlington Northern – Santa
64 Fe Railway; thence easterly, on the centerline of said mainline track, to an intersection
65 with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16
66 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said
67 Northeast Quarter; thence easterly, on the North line of the Southwest Quarter of
68 Section 34, Township 11 South, Range 16 east of the 6th P.M., to an intersection with
69 the Centerline of Deer Creek; thence southwesterly and southerly, up the Centerline of
70 Deer Creek, to an intersection with the Centerline of SE 6th Avenue; thence westerly, on
71 the Centerline of SE 6th Avenue, to an intersection with the Centerline of SE Deer Creek
72 Parkway; thence southerly, on the Centerline of SE Deer Creek Parkway, to an
73 intersection with the Centerline of Interstate Highway 70; thence easterly, on the
74 Centerline of Interstate Highway 70, to an intersection with the East line of the
75 Southwest Quarter of Section 3, Township 12 South, Range 16 east of the 6th P.M.;
76 thence southerly, on said East line, to the Southeast corner of said Southwest Quarter;
77 thence easterly, on the North line of the Northeast Quarter of Section 10, Township 12
78 South, Range 16 east of the 6th P.M., to the Northeast corner of the West Half of said
79 Northeast Quarter; thence on an assumed bearing of South 00°48'00" West, on the
80 East line of the West Half of said Northeast Quarter, 158.83 feet, to the North line of the
81 Kansas Turnpike Right of Way, thence South 63°15'40" West, on said right of way line,
82 790.86 feet; thence South 69°36'00" West, continuing on said right of way line, 452.77
83 feet; thence North 70°46'40" West, continuing on said right of way line , 337.69 feet, to
84 the Easterly Right of Way line of Service Road "L" of the Kansas Turnpike Authority;
85 thence southwesterly, to the intersection of the Westerly Right of Way line of said
86 Service Road "L" with the Northerly Right of Way line of the Kansas Turnpike; thence
87 southwesterly, on the Northerly Right of Way line of the Kansas Turnpike, to an
88 intersection with the Centerline of SE 37th Street; thence westerly, on the Centerline of
89 37th Street, to an intersection with the Centerline of SW Topeka Boulevard; thence
90 northerly, on the Centerline of SW Topeka Boulevard, to an intersection with the
91 Centerline of SW 29th Street; thence easterly, on the Centerline of 29th Street, to an
92 intersection with the Centerline of SE Adams Street; thence northerly, on the Centerline
93 of SE Adams Street, to an intersection with the Centerline of SE 21st Street; thence
94 westerly, on the Centerline of 21st Street, to an intersection with the Centerline of
95 Washburn Avenue; thence northerly, and north-northeasterly, on the Centerline of
96 Washburn Avenue, to an intersection with the Centerline of SW Willow Avenue; thence
97 easterly, on the Centerline of SW Willow Avenue, to an intersection with the Centerline
98 of Quinton Avenue; thence northerly, on the Centerline of Quinton Avenue, and its
99 extension, to an intersection with the Centerline of Interstate Highway 70; thence
100 southeasterly, on the Centerline of Interstate Highway 70, to an intersection with the
101 Centerline of SW Topeka Boulevard; thence north-northeasterly, on the Centerline of

102 Topeka Boulevard, to an intersection with the Centerline of NW Laurent Street; thence
103 west-northwesterly, on the Centerline of NW Laurent Street, to an intersection with the
104 Centerline of NW Norris Street; thence west-northwesterly, on the Centerline of NW
105 Norris Street, to an intersection with the Centerline of NW Lane Street; thence north-
106 northeasterly, on the Centerline of NW Lane Street, to an intersection with the
107 Centerline of NW Gordon Street; thence east-southeasterly, on the Centerline of NW
108 Gordon Street, to an intersection with the Centerline of NW Buchanan Street; thence
109 northerly, on the Centerline of NW Buchanan Street, to an intersection with the
110 Centerline of NW Grant Street; thence easterly, on the Centerline of NW Grant Street,
111 to an intersection with the Centerline of NW Western Avenue; thence northerly, on the
112 Centerline of NW Western Avenue, to an intersection with the Centerline of NW St.
113 John Street; thence easterly, on the Centerline of NW St. John Street, to an intersection
114 with the Centerline of NW Taylor Street; thence northerly, on the Centerline of NW
115 Taylor Street, to an intersection with the Centerline of NW Lyman Road; thence
116 westerly, on the Centerline of NW Lyman Road, to an intersection with the Centerline of
117 NW Clay Street; thence northerly, on the Centerline of NW Clay Street, to the point of
118 beginning. Contains 12.77 square miles.

119

120 **SOUTHERN HILLS**

121 Southern Hills Subdivision "A", Southern Hills Subdivision "B", and Southern Hills
122 Subdivision "C". Contains approximately 110.8 acres.

123

124 **BELMONT ADDITION**

125 Beginning at the Southwest corner of Lot 574 on Sixth Avenue, in Belmont Addition to
126 the City of Topeka, Shawnee County, Kansas: thence northerly, on the West line of
127 Belmont Addition, to the Northwest corner of Lot 447 on Rogers Street; thence easterly,
128 on the North line of Lot 447 and on the North line of East Third Street, formerly House
129 Street, to the Southwest corner of Lot 181 on Fairfax Street in Belmont Addition; thence
130 northerly, on a West line of Belmont Addition, to an intersection with the Centerline of
131 Deer Creek; thence northeasterly, down the Centerline of Deer Creek, to an intersection
132 with the North line of the Southwest Quarter of Section 34, Township 11 South, Range
133 16 east of the 6th P.M.; thence easterly, on the North line of said Southwest Quarter, to
134 the Northeast corner of Belmont Addition; thence southerly, on the East line of Belmont
135 Addition, to the Southeast corner of Lot 658 on sixth Avenue; thence westerly, on the
136 platted North line of Sixth Avenue, to the point of beginning. Contains 0.10 square mile,
137 more or less.

138

139 (AND IN ADDITION)

140

141 **COWDIN SUBDIVISION NO. 3 PRELIMINARY PLAT AREA**

142 Commencing at the Northeast Corner of the South ½ of the Southeast ¼ of Section 17,
143 Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee
144 County, Kansas; thence South along the East line of said SE ¼ a distance of 299.87
145 feet to the point of beginning; thence continuing South along said East line, a distance
146 of 210.00 feet; thence S 89° 49' W a distance of 215.0 feet; thence S 00° 13' E a

147 distance of 150.00 feet to a point on the North line of Cowdin Subdivision; thence S 90°
148 00' W along the North line of said Subdivision 1402.1 feet to the NW corner of Lot 9,
149 Block A, Cowdin Subdivision, said point also being on the easterly right-of-way of the
150 Kansas Turnpike; thence N 41° 19' E along the easterly right-of-way of the Kansas
151 Turnpike, a distance of 880.0 feet; thence N 89° 54' E a distance of 630.0 feet to a point
152 on the West right-of-way of SE Colorado Avenue, said point also being a common
153 center with Parnell Subdivision; thence S 00° 13' E along said right-of-way a distance of
154 300.0 feet to the SW corner of Noble Subdivision; thence N 89° 54' E along the South
155 line of said Subdivision and said South line extended a distance of 400.0 feet to the
156 point of beginning containing 16.62 acres more or less.

157

158 **DRAKES FARM SUBDIVISION AREA**

159 Drakes Farm Subdivision. Contains approximately 21.01 acres.

160

161 **KANZA BUSINESS AND TECHNOLOGY PARK (OVERALL PUD BOUNDARY)**

162

163 A TRACT OF LAND IN THE SOUTHEAST QUARTER, THE EAST HALF OF THE
164 SOUTHWEST QUARTER, LOT 3 OF THE NORTHWEST QUARTER, AND THE
165 NORTHEAST QUARTER, ALL IN SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15
166 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, MORE
167 PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER
168 OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF
169 NORTH 00°00'22" EAST, 30.00 FEET, ALONG THE EAST LINE OF SAID
170 SOUTHEAST QUARTER; THENCE SOUTH 89°36'04" WEST, 23.50 FEET TO THE
171 POINT OF BEGINNING; THENCE SOUTH 89°36'04" WEST, 2611.74 FEET TO A
172 POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER, 30.00 FEET NORTH
173 OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE
174 NORTH 00°06'23" WEST, 1118.90 FEET ALONG THE WEST LINE OF SAID
175 SOUTHEAST QUARTER; THENCE SOUTH 86°16'38" EAST, 130.48 FEET; THENCE
176 NORTH 42°55'39" EAST, 233.28 FEET; THENCE NORTH 01°25'17" WEST, 497.95
177 FEET; THENCE SOUTH 88°46'41" WEST, 278.01 FEET TO THE WEST LINE OF
178 SAID SOUTHEAST QUARTER; THENCE SOUTH 00°06'23" EAST, 120.24 FEET
179 ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTH LINE
180 OF ARLINGTON HEIGHTS SUBDIVISION; THENCE SOUTH 89°54'32" WEST,
181 1309.28 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE WEST
182 LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH
183 00°11'27" EAST, 953.94 FEET ALONG THE WEST LINE OF THE EAST HALF OF
184 SAID SOUTHWEST QUARTER; THENCE NORTH 00°18'11" EAST, 663.92 FEET
185 ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTHERLY RIGHT-OF-WAY
186 LINE OF INTERSTATE HIGHWAY NO. 70; THENCE NORTH 88°53'30" EAST, 883.63
187 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE ON A CURVE TO THE LEFT,
188 ALONG SAID RIGHT-OF-WAY LINE, A RADIUS OF 1579.22 FEET, AN ARC
189 DISTANCE OF 683.95 FEET, WITH A CHORD WHICH BEARS NORTH 76°29'04"
190 EAST, 678.62 FEET; THENCE NORTH 64°04'38" EAST, 1046.28 FEET, ALONG SAID
191 RIGHT-OF-WAY LINE; THENCE SOUTH 00°08'08" WEST, 213.32 FEET; THENCE

192 SOUTH 78°48'28" EAST, 1483.53 FEET TO THE EAST LINE OF THE NORTHEAST
193 QUARTER OF SAID SECTION; THENCE SOUTH 00°08'53" EAST, 87.25 FEET
194 ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH
195 16°33'51" WEST, 156.49 FEET; THENCE SOUTH 00°08'53" EAST, 539.57 FEET TO
196 A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, 45.00 FEET
197 WEST OF THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE
198 SOUTH 00°00'22" WEST, 35.43 FEET; THENCE SOUTH 89°59'38" EAST, 21.50
199 FEET; THENCE SOUTH 00°00'22" WEST, 2570.01 FEET TO THE POINT OF
200 BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 258.943 ACRES, MORE
201 OR LESS.
202

203 A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 26,
204 TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN,
205 SHAWNEE COUNTY KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
206 COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER
207 OF SECTION 26; THENCE ALONG THE SOUTH LINE OF SAID QUARTER ON AN
208 ASSUMED BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 825.36 FEET;
209 THENCE ON A BEARING OF NORTH 00°24'22" WEST, A DISTANCE OF 40.00 FEET
210 TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE SOUTH LINE OF
211 SAID QUARTER ON A BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF
212 515.96 FEET; THENCE ON A BEARING NORTH 00°25'19" WEST, A DISTANCE OF
213 2033.61 FEET; THENCE ON A BEARING OF NORTH 44°27'37" EAST, A DISTANCE
214 OF 68.73 FEET; THENCE ON A BEARING OF SOUTH 63°56'06" EAST, A DISTANCE
215 OF 18.56 FEET; THENCE ON A BEARING OF NORTH 19°56'13" EAST, A DISTANCE
216 OF 44.30 FEET; THENCE ON A BEARING OF NORTH 34°34'08" EAST, A
217 DISTANCE OF 25.22 FEET; THENCE ON A BEARING OF NORTH 72°13'53" EAST, A
218 DISTANCE OF 27.65 FEET; THENCE ON A BEARING OF SOUTH 37°05'32" EAST, A
219 DISTANCE OF 14.75 FEET; THENCE ON A BEARING OF SOUTH 54°25'19" EAST, A
220 DISTANCE OF 16.30 FEET; THENCE ON A BEARING OF SOUTH 80°46'21" EAST, A
221 DISTANCE OF 23.15 FEET; THENCE ON A BEARING OF SOUTH 87°13'11" EAST, A
222 DISTANCE OF 11.70 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE
223 ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 75.00
224 FEET, A CHORD BEARING OF SOUTH 74°03'00" EAST, AND A CHORD DISTANCE
225 OF 34.18 FEET) A DISTANCE OF 34.48 FEET; THENCE ON A BEARING OF SOUTH
226 60°52'49" EAST, A DISTANCE OF 42.96 FEET; THENCE ON A BEARING OF SOUTH
227 53°28'55" EAST, A DISTANCE OF 108.90 FEET; THENCE ON A BEARING OF
228 SOUTH 31°54'18" EAST, A DISTANCE OF 87.45 FEET; THENCE ON A BEARING OF
229 SOUTH 26°44'08" EAST, A DISTANCE OF 158.72 FEET; THENCE ON A BEARING
230 OF SOUTH 28°30'48" EAST, A DISTANCE OF 137.12 FEET; THENCE ON A
231 BEARING OF SOUTH 35°51'47" EAST, A DISTANCE OF 63.86 FEET; THENCE ON A
232 BEARING OF SOUTH 44°53'50" EAST, A DISTANCE OF 71.01 FEET; THENCE ON A
233 BEARING OF SOUTH 00°10'26" EAST, A DISTANCE OF 305.26 FEET; THENCE ON
234 A BEARING OF SOUTH 41°48'53" WEST, A DISTANCE OF 216.94 FEET TO A
235 POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT
236 (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH

237 19°54'50" EAST, AND A CHORD DISTANCE OF 97.23 FEET) A DISTANCE OF
238 105.78 FEET; THENCE ON A BEARING OF SOUTH 00°01'58" EAST, A DISTANCE
239 OF 78.63 FEET; THENCE ON A BEARING OF SOUTH 34°02'36" EAST, A DISTANCE
240 OF 118.96 FEET; THENCE ON A BEARING OF SOUTH 00°17'22" WEST, A
241 DISTANCE OF 227.41 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE
242 ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 60.00
243 FEET, A CHORD BEARING OF SOUTH 45°46'21" WEST, AND A CHORD DISTANCE
244 OF 77.15 FEET) A DISTANCE OF 83.79 FEET; THENCE ON A BEARING OF SOUTH
245 00°06'58" EAST, A DISTANCE OF 142.97 FEET; THENCE ON A BEARING OF
246 SOUTH 86°22'32" WEST, A DISTANCE OF 30.69 FEET; THENCE ON A BEARING
247 OF SOUTH 01°46'13" EAST, A DISTANCE OF 80.18 FEET; THENCE ON A BEARING
248 OF SOUTH 89°57'22" WEST, A DISTANCE OF 20.82 FEET; THENCE ON A
249 BEARING OF SOUTH 00°15'55" WEST, A DISTANCE OF 130.86 FEET; THENCE ON
250 A BEARING OF SOUTH 89°40'17" EAST, A DISTANCE OF 21.15 FEET; THENCE ON
251 A BEARING OF SOUTH 00°20'17" WEST, A DISTANCE OF 28.30 FEET TO A POINT
252 ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT (SAID
253 CURVE HAVING A RADIUS OF 118.49 FEET, A CHORD BEARING OF SOUTH
254 21°22'45" EAST, A CHORD DISTANCE OF 60.15 FEET) A DISTANCE OF 60.82
255 FEET; THENCE ON A BEARING OF SOUTH 32°29'33" EAST, A DISTANCE OF 24.43
256 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE
257 TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 194.67 FEET, A CHORD
258 BEARING OF SOUTH 12°51'45" EAST, AND A CHORD DISTANCE OF 80.56 FEET)
259 A DISTANCE OF 81.15 FEET; THENCE ON A BEARING OF SOUTH 01°52'31" EAST,
260 A DISTANCE OF 26.20 FEET TO THE POINT OF BEGINNING. THE ABOVE
261 DESCRIBED TRACT OF LAND CONTAINS 24.081 ACRES, MORE OR LESS, AND IS
262 SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, AND
263 COVENANTS OF RECORD, IF ANY.

264

265 (AND IN ADDITION)

266 **KANZA BUSINESS AND TECHNOLOGY PARK SUBDIVISION.** CONTAINS
267 APPROXIMATELY 10.39-ACRES, MORE OR LESS.

268

269 EXCEPT

270 The property commonly known as the 501 Sports Complex and legally described as
271 follows: A tract of land in the Southeast Quarter of Section 26, Township 11 South,
272 Range 15 East of the Sixth Principal Meridian, described as follows: Beginning at a
273 point on the West line, 30.00-foot North of the Southwest Corner of said Quarter Section
274 (said point being on the North right-of-way line of West Sixth Street); thence North 00
275 degrees, 06 minutes, 40 seconds West, along said West Line, 1,118.79-foot; thence
276 South 86 degrees, 14 minutes, 23 seconds East, 130.46-foot; thence North 42 degrees,
277 56 minutes, 08 seconds East, 233.28-foot; thence North 01 degrees, 24 minutes, 28
278 seconds West, 497.95-foot; thence North 88 degrees, 48 minutes, 04 seconds East,
279 120.98-foot; thence on a 302.50-foot radius curve to the left, with a 170.62-foot chord
280 bearing North 72 degrees, 25 minutes, 13 seconds East, an arc distance of 172.97-foot;
281 thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-foot; thence South 20

282 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24
283 minutes, 53 seconds East, 1, 344.97-feet to the North right-of-way line of West Sixth
284 Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-
285 of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres,
286 more or less, all in the City of Topeka, Shawnee County, Kansas.
287

288 Section 4. This Ordinance shall take effect and be in force from and after its
289 passage, approval and publication in the official City newspaper.

290
291 PASSED AND APPROVED by the Council of the City of Topeka December 15, 2009.
292

293
294
295
296
297

CITY OF TOPEKA, KANSAS

298
299
300
301
302
303

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

Exhibit "A"



*Neighborhood
Revitalization
Plan*

City of Topeka, Kansas

effective January 1, 2010

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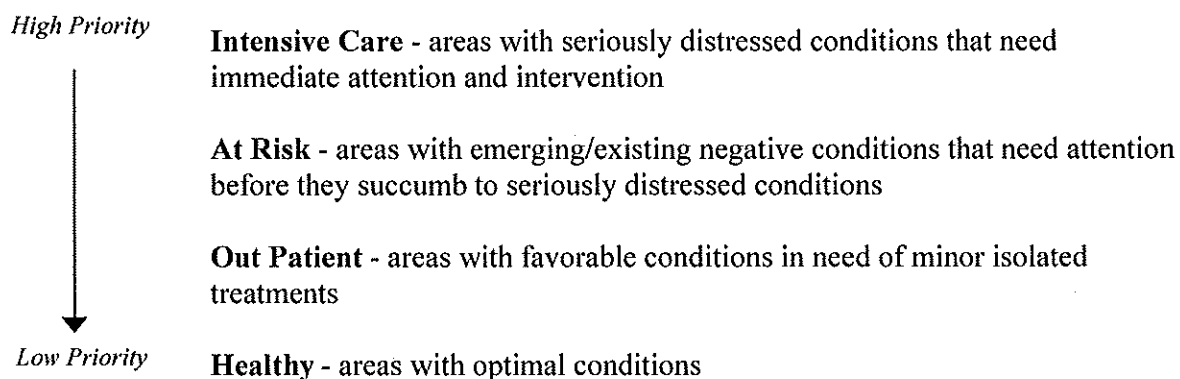
Purpose

This Plan is intended to promote the revitalization of the inner urban area hereinafter described as the "Neighborhood Revitalization Area" of the City of Topeka through the rehabilitation, conservation and redevelopment of the area in order to protect the public health, safety welfare of the residents of the City. More specifically, in accordance with KSA 12-17, 118 (d), a tax rebate incentive will be available to property owners for certain improvements that raise the appraised value of residential property 10% and commercial property 20%.

In accordance KSA (2000 Supp.) 12-17, 114 et. seq., the City Council has held a public hearing and considered the existing conditions and alternatives with respect to the described area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Council has reviewed, evaluated, and found that the described area meets one or more of the conditions contained in KSA (2000 Supp) 12-17,115 (c).

PART 1
DESCRIPTION OF NEIGHBORHOOD REVITALIZATION AREA

The Neighborhood Revitalization Area (Map #1) follows the boundaries of *Intensive Care* and *At Risk* neighborhoods as identified in the Neighborhood Element of the Comprehensive Plan. This element, originally approved in 2000, establishes four (4) health classifications for neighborhoods (intensive care, at risk, out patient, and healthy) to determine priorities for re-investment and planning assistance. They are described below in order of priority:



The four health classifications were based on five (5) vital signs that measured the relative health of all neighborhood areas in Topeka. This neighborhood health assessment was used to develop a “triage” approach to revitalization. Those areas that had more “life-threatening” or urgent needs as measured by the vital signs should receive higher priority for treatment over those areas with less urgent needs. These higher priority areas (*intensive care/at risk*) are the focus for neighborhood planning efforts and public re-investment. A summary of the vital signs include:

Poverty (2000 U.S Census) - High concentrations of poverty are one of the most reliable indicators of performance in school, crime rates, family fragmentation, job readiness, housing conditions, etc.

Public Safety (2001-2002, Topeka Police Dept.) – Public Safety, as measured by number of Part I crimes reported for the last three years, is a symptom indicating the local

environmental conditions conducive to crime and how well a neighborhood is organized to prevent crime from occurring.

Residential Property Values (2002, Shawnee County Appraisers Office) – Property values are in part a reflection of the quality of housing supply and the image of a neighborhood. The median value of a house purchased in Shawnee County was \$79,000 in 1998.

Single Family Housing Tenure (2002 Shawnee County Appraisers Office)
The percentage of homeowners residing in a neighborhood can be an indication of the willingness (or confidence) to invest in the area. The most relevant measure of this is how many single-family dwellings are owner-occupied since these homes were built for individual ownership.

Boarded Houses (2001-2002, City of Topeka Code Compliance) - A boarded-up house is one of the most, if not most, evident physical displays that will undermine confidence in an area for investment and precipitates a downward spiral for the block and/or neighborhood.

Vital Sign Ranges

Neighborhood Condition Level	Number of Part 1 Crimes	% of Persons Below Poverty Level	% Owner Occupied Housing Units	Number of Boarded Houses	Average Residential Property Levels
Worst ↓ Best	High	25-100	0-33	6-12	\$14,700 - \$31,400
	Above Average	15-24	34-49	3-5	\$31,401 - \$53,400
	Below Average	8-14	50-69	1-2	\$53,401 - \$82,100
	Low	0-7	70-100	0	\$82,101 - \$234,622

Area Profile

Health rankings are determined by averaging all vital sign levels for each neighborhood area. *Intensive care* and *at risk* neighborhoods have the lowest vital sign measurements, and hence are being targeted as the Neighborhood Revitalization (NR) Area. Below is a comparison profile of the NR Area and non-NR Area:

Total Primary Neighborhood Revitalization Area (2006)

Neighborhood Health Rating	Number of Part 1 Crimes	% of Persons Below Poverty Level	% Owner Occupied Housing Units	Number of Boarded Houses (by Census Block Group)	Average Residential Property Levels
Intensive Care	High	30%	40%	5	\$22,122
At Risk	Above Average	25%	53%	2	\$32,738
Total Primary NR Area	High	26%	49%	3	\$29,313

Total Non-Neighborhood Revitalization Area (2006)

Neighborhood Health Rating	Number of Part 1 Crimes	% of Persons Below Poverty Level	% Owner Occupied Housing Units	Number of Boarded Houses (by Census Block Group)	Average Residential Property Levels
Out Patient	Above Average	12%	70%	1	\$65,277
Healthy	Below Average	5%	85%	0	\$101,791
Total Non-NR Area	Below Average	7%	81%	0	\$90,698

General Characteristics (2009)

Area	Square Miles	# of Parcels	Estimated Population	Total Housing Units	Real Property Valuation	Vacant Parcels**
NR Area (Primary)	9.7*	14,675	34,125 (2000 Census)	15,817 (2000 Census)	\$1,274,240,540	1,860
Non-NR Area	37.6*	34,503	88,252 (2000 Census)	41,198 (2000 Census)	\$6,615,382,262	1,755

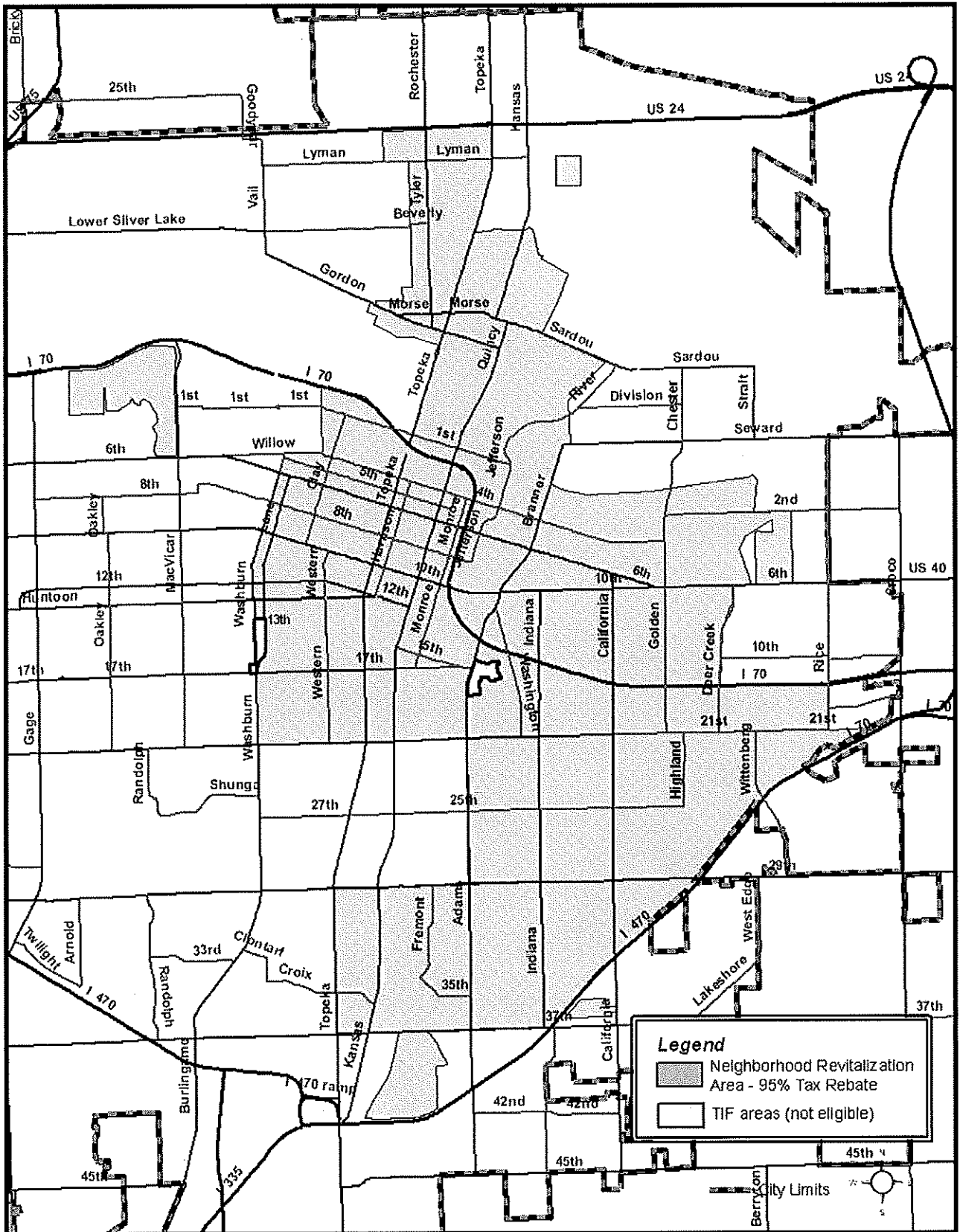
* Excludes street rights-of-way and water bodies.

** Residential, commercial, and industrial parcels only.

Amended Areas Since 2004

Area	Health Rating	Year
Kanza Business Park	Healthy	2004
Belmont Addition	Out-Patient	2004
Southern Hills Sub "B" & "C"	Healthy	2004
Cowdin Sub	Healthy	2004
Drakes Farm Sub	Healthy	2004
Southern Hills Sub "A"	Healthy	2007

Map #1 Neighborhood Revitalization Area - 2010



Legal Description of Neighborhood Revitalization Area

Primary Area

Beginning at the intersection of the Centerline of US Highway 24 with the Centerline of NW Clay Street; thence easterly, on the Centerline of US Highway 24, to an intersection with the Centerline of NW Topeka Boulevard; thence southerly, on the Centerline of NW Topeka Boulevard, to an intersection with the Centerline of Old Soldier Creek; thence easterly and southerly, down the Centerline of Old Soldier Creek, to an intersection with the Centerline of the Mainline Track of the Union Pacific Railroad; thence southerly, on the centerline of said mainline track, to an intersection with the Centerline of the West Approach to the Sardou Bridge over the Kansas River; thence east-southeasterly, on the centerline of said approach and the Centerline of the Sardou Bridge, to an intersection with the Centerline of the Kansas River; thence southwesterly, up the Centerline of the Kansas River, to an intersection with an extension of the Centerline of NE Chandler Street; thence southerly, on the Centerline of NE Chandler Street, to an intersection with the Centerline of NE Seward Avenue; thence westerly, on the Centerline of NE Seward Avenue, to an intersection with the Centerline of NE Branner Street; thence south-southwesterly, on the Centerline of Branner Street, to an intersection with the Centerline of the Mainline Track of the Burlington Northern – Santa Fe Railway; thence easterly, on the centerline of said mainline track, to an intersection with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Northeast Quarter; thence easterly, on the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M., to an intersection with the Centerline of Deer Creek; thence southwesterly and southerly, up the Centerline of Deer Creek, to an intersection with the Centerline of SE 6th Avenue; thence westerly, on the Centerline of SE 6th Avenue, to an intersection with the Centerline of SE Deer Creek Parkway; thence southerly, on the Centerline of SE Deer Creek Parkway, to an intersection with the Centerline of Interstate Highway 70; thence easterly, on the Centerline of Interstate Highway 70, to an intersection with the East line of the Southwest Quarter of Section 3, Township 12 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Southwest Quarter; thence easterly, on the North line of the Northeast Quarter of Section 10, Township 12 South, Range 16 east of the 6th P.M., to the Northeast corner of the West Half of said Northeast Quarter; thence on an assumed bearing of South 00°48'00" West, on the East line of the West Half of said Northeast Quarter, 158.83 feet, to the North line of the Kansas Turnpike Right of Way, thence South 63°15'40" West, on said right of way line, 790.86 feet; thence South 69°36'00" West, continuing on said right of way line, 452.77 feet; thence North 70°46'40" West, continuing on said right of way line, 337.69 feet, to the Easterly Right of Way line of Service Road "L" of the Kansas Turnpike Authority; thence southwesterly, to the intersection of the Westerly Right of Way line of said Service Road "L" with the Northerly Right of Way line of the Kansas Turnpike; thence southwesterly, on the Northerly Right of Way line of the Kansas Turnpike, to an intersection with the Centerline of SE 37th Street; thence westerly, on the Centerline of 37th Street, to an intersection with the Centerline of SW Topeka Boulevard; thence northerly, on the Centerline of SW Topeka Boulevard, to an intersection with the Centerline of SW 29th Street; thence easterly, on the Centerline of 29th Street, to an intersection with the Centerline of SE Adams Street; thence northerly, on the Centerline of SE Adams Street, to an intersection with the Centerline of SE 21st Street; thence westerly, on the Centerline of 21st Street, to an intersection with the Centerline of Washburn Avenue; thence northerly, and north-northeasterly, on the Centerline of Washburn Avenue, to an intersection with the Centerline of SW Willow Avenue; thence easterly, on the Centerline of SW Willow Avenue, to an intersection with the Centerline of Quinton Avenue; thence northerly, on the Centerline of Quinton Avenue, and its extension, to an intersection with the Centerline of Interstate Highway 70; thence southeasterly, on the Centerline of Interstate Highway 70, to an intersection with the Centerline of SW Topeka Boulevard; thence north-northeasterly, on the Centerline of Topeka Boulevard, to an intersection with the Centerline of NW Laurent Street; thence west-northwesterly, on the Centerline of NW Laurent Street, to an intersection with the Centerline of NW Norris Street; thence west-northwesterly, on the Centerline of NW Norris Street, to an intersection with the Centerline of NW Lane Street; thence north-northeasterly, on the Centerline of NW Lane Street, to an intersection with the Centerline of NW Gordon Street; thence east-southeasterly, on the Centerline of NW Gordon Street, to an intersection with the Centerline of NW Buchanan

Street; thence northerly, on the Centerline of NW Buchanan Street, to an intersection with the Centerline of NW Grant Street; thence easterly, on the Centerline of NW Grant Street, to an intersection with the Centerline of NW Western Avenue; thence northerly, on the Centerline of NW Western Avenue, to an intersection with the Centerline of NW St. John Street; thence easterly, on the Centerline of NW St. John Street, to an intersection with the Centerline of NW Taylor Street; thence northerly, on the Centerline of NW Taylor Street, to an intersection with the Centerline of NW Lyman Road; thence westerly, on the Centerline of NW Lyman Road, to an intersection with the Centerline of NW Clay Street; thence northerly, on the Centerline of NW Clay Street, to the point of beginning. Contains 12.77 square miles.

SOUTHERN HILLS

Southern Hills Subdivision "A", Southern Hills Subdivision "B", and Southern Hills Subdivision "C". Contains approximately 110.8 acres.

BELMONT ADDITION

Beginning at the Southwest corner of Lot 574 on Sixth Avenue, in Belmont Addition to the City of Topeka, Shawnee County, Kansas; thence northerly, on the West line of Belmont Addition, to the Northwest corner of Lot 447 on Rogers Street; thence easterly, on the North line of Lot 447 and on the North line of East Third Street, formerly House Street, to the Southwest corner of Lot 181 on Fairfax Street in Belmont Addition; thence northerly, on a West line of Belmont Addition, to an intersection with the Centerline of Deer Creek; thence northeasterly, down the Centerline of Deer Creek, to an intersection with the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M.; thence easterly, on the North line of said Southwest Quarter, to the Northeast corner of Belmont Addition; thence southerly, on the East line of Belmont Addition, to the Southeast corner of Lot 658 on sixth Avenue; thence westerly, on the platted North line of Sixth Avenue, to the point of beginning. Contains 0.10 square mile, more or less.

(AND IN ADDITION)

COWDIN SUBDIVISION NO. 3 PRELIMINARY PLAT AREA

Commencing at the Northeast Corner of the South ½ of the Southeast ¼ of Section 17, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas; thence South along the East line of said SE ¼ a distance of 299.87 feet to the point of beginning; thence continuing South along said East line, a distance of 210.00 feet; thence S 89° 49' W a distance of 215.0 feet; thence S 00° 13' E a distance of 150.00 feet to a point on the North line of Cowdin Subdivision; thence S 90° 00' W along the North line of said Subdivision 1402.1 feet to the NW corner of Lot 9, Block A, Cowdin Subdivision, said point also being on the easterly right-of-way of the Kansas Turnpike; thence N 41° 19' E along the easterly right-of-way of the Kansas Turnpike, a distance of 880.0 feet; thence N 89° 54' E a distance of 630.0 feet to a point on the West right-of-way of SE Colorado Avenue, said point also being a common center with Parnell Subdivision; thence S 00° 13' E along said right-of-way a distance of 300.0 feet to the SW corner of Noble Subdivision; thence N 89° 54' E along the South line of said Subdivision and said South line extended a distance of 400.0 feet to the point of beginning containing 16.62 acres more or less.

DRAKES FARM SUBDIVISION AREA

Drakes Farm Subdivision. Contains approximately 21.01 acres.

KANZA BUSINESS AND TECHNOLOGY PARK (OVERALL PUD BOUNDARY)

A TRACT OF LAND IN THE SOUTHEAST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER, LOT 3 OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER, ALL IN SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 00°00'22" EAST, 30.00 FEET, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89°36'04" WEST, 23.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH

89°36'04" WEST, 2611.74 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER, 30.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°06'23" WEST, 1118.90 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 86°16'38" EAST, 130.48 FEET; THENCE NORTH 42°55'39" EAST, 233.28 FEET; THENCE NORTH 01°25'17" WEST, 497.95 FEET; THENCE SOUTH 88°46'41" WEST, 278.01 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00°06'23" EAST, 120.24 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTH LINE OF ARLINGTON HEIGHTS SUBDIVISION; THENCE SOUTH 89°54'32" WEST, 1309.28 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°11'27" EAST, 953.94 FEET ALONG THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°18'11" EAST, 663.92 FEET ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE NORTH 88°53'30" EAST, 883.63 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE ON A CURVE TO THE LEFT, ALONG SAID RIGHT-OF-WAY LINE, A RADIUS OF 1579.22 FEET, AN ARC DISTANCE OF 683.95 FEET, WITH A CHORD WHICH BEARS NORTH 76°29'04" EAST, 678.62 FEET; THENCE NORTH 64°04'38" EAST, 1046.28 FEET, ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 00°08'08" WEST, 213.32 FEET; THENCE SOUTH 78°48'28" EAST, 1483.53 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°08'53" EAST, 87.25 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 16°33'51" WEST, 156.49 FEET; THENCE SOUTH 00°08'53" EAST, 539.57 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, 45.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°00'22" WEST, 35.43 FEET; THENCE SOUTH 89°59'38" EAST, 21.50 FEET; THENCE SOUTH 00°00'22" WEST, 2570.01 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 258.943 ACRES, MORE OR LESS.

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 26; THENCE ALONG THE SOUTH LINE OF SAID QUARTER ON AN ASSUMED BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 825.36 FEET; THENCE ON A BEARING OF NORTH 00°24'22" WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE SOUTH LINE OF SAID QUARTER ON A BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 515.96 FEET; THENCE ON A BEARING NORTH 00°25'19" WEST, A DISTANCE OF 2033.61 FEET; THENCE ON A BEARING OF NORTH 44°27'37" EAST, A DISTANCE OF 68.73 FEET; THENCE ON A BEARING OF SOUTH 63°56'06" EAST, A DISTANCE OF 18.56 FEET; THENCE ON A BEARING OF NORTH 19°56'13" EAST, A DISTANCE OF 44.30 FEET; THENCE ON A BEARING OF NORTH 34°34'08" EAST, A DISTANCE OF 25.22 FEET; THENCE ON A BEARING OF NORTH 72°13'53" EAST, A DISTANCE OF 27.65 FEET; THENCE ON A BEARING OF SOUTH 37°05'32" EAST, A DISTANCE OF 14.75 FEET; THENCE ON A BEARING OF SOUTH 54°25'19" EAST, A DISTANCE OF 16.30 FEET; THENCE ON A BEARING OF SOUTH 80°46'21" EAST, A DISTANCE OF 23.15 FEET; THENCE ON A BEARING OF SOUTH 87°13'11" EAST, A DISTANCE OF 11.70 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 74°03'00" EAST, AND A CHORD DISTANCE OF 34.18 FEET) A DISTANCE OF 34.48 FEET; THENCE ON A BEARING OF SOUTH 60°52'49" EAST, A DISTANCE OF 42.96 FEET; THENCE ON A BEARING OF SOUTH 53°28'55" EAST, A DISTANCE OF 108.90 FEET; THENCE ON A BEARING OF SOUTH 31°54'18" EAST, A DISTANCE OF 87.45 FEET; THENCE ON A BEARING OF SOUTH 26°44'08" EAST, A DISTANCE OF 158.72 FEET; THENCE ON A BEARING OF SOUTH 28°30'48" EAST, A DISTANCE OF 137.12 FEET; THENCE ON A BEARING OF SOUTH 35°51'47" EAST, A DISTANCE OF 63.86 FEET; THENCE ON A BEARING OF SOUTH 44°53'50" EAST, A DISTANCE OF 71.01 FEET; THENCE ON A BEARING OF SOUTH 00°10'26" EAST, A DISTANCE OF 305.26 FEET; THENCE ON A BEARING OF SOUTH 41°48'53" WEST, A DISTANCE OF 216.94 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 19°54'50" EAST, AND A CHORD DISTANCE OF 97.23 FEET) A

DISTANCE OF 105.78 FEET; THENCE ON A BEARING OF SOUTH 00°01'58" EAST, A DISTANCE OF 78.63 FEET; THENCE ON A BEARING OF SOUTH 34°02'36" EAST, A DISTANCE OF 118.96 FEET; THENCE ON A BEARING OF SOUTH 00°17'22" WEST, A DISTANCE OF 227.41 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 60.00 FEET, A CHORD BEARING OF SOUTH 45°46'21" WEST, AND A CHORD DISTANCE OF 77.15 FEET) A DISTANCE OF 83.79 FEET; THENCE ON A BEARING OF SOUTH 00°06'58" EAST, A DISTANCE OF 142.97 FEET; THENCE ON A BEARING OF SOUTH 86°22'32" WEST, A DISTANCE OF 30.69 FEET; THENCE ON A BEARING OF SOUTH 01°46'13" EAST, A DISTANCE OF 80.18 FEET; THENCE ON A BEARING OF SOUTH 89°57'22" WEST, A DISTANCE OF 20.82 FEET; THENCE ON A BEARING OF SOUTH 00°15'55" WEST, A DISTANCE OF 130.86 FEET; THENCE ON A BEARING OF SOUTH 89°40'17" EAST, A DISTANCE OF 21.15 FEET; THENCE ON A BEARING OF SOUTH 00°20'17" WEST, A DISTANCE OF 28.30 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 118.49 FEET, A CHORD BEARING OF SOUTH 21°22'45" EAST, A CHORD DISTANCE OF 60.15 FEET) A DISTANCE OF 60.82 FEET; THENCE ON A BEARING OF SOUTH 32°29'33" EAST, A DISTANCE OF 24.43 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 194.67 FEET, A CHORD BEARING OF SOUTH 12°51'45" EAST, AND A CHORD DISTANCE OF 80.56 FEET) A DISTANCE OF 81.15 FEET; THENCE ON A BEARING OF SOUTH 01°52'31" EAST, A DISTANCE OF 26.20 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 24.081 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, AND COVENANTS OF RECORD, IF ANY.

(AND IN ADDITION)

KANZA BUSINESS AND TECHNOLOGY PARK SUBDIVISION. CONTAINS APPROXIMATELY 10.39-ACRES, MORE OR LESS.

EXCEPT

The property commonly known as the 501 Sports Complex and legally described as follows: A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, described as follows: Beginning at a point on the West line, 30.00-feet North of the Southwest Corner of said Quarter Section (said point being on the North right-of-way line of West Sixth Street); thence North 00 degrees, 06 minutes, 40 seconds West, along said West Line, 1,118.79-feet; thence South 86 degrees, 14 minutes, 23 seconds East, 130.46-feet; thence North 42 degrees, 56 minutes, 08 seconds East, 233.28-feet; thence North 01 degrees, 24 minutes, 28 seconds West, 497.95-feet; thence North 88 degrees, 48 minutes, 04 seconds East, 120.98-feet; thence on a 302.50-foot radius curve to the left, with a 170.62-foot chord bearing North 72 degrees, 25 minutes, 13 seconds East, an arc distance of 172.97-feet; thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-feet; thence South 20 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24 minutes, 53 seconds East, 1,344.97-feet to the North right-of-way line of West Sixth Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres, more or less, all in the City of Topeka, Shawnee County, Kansas.

PART 2

APPRAISED VALUATION OF REAL PROPERTY

The appraised valuation of the real estate contained in the Neighborhood Revitalization Area as of January 4, 2010 for each parcel by land and building values is on file in the Topeka Planning Department. The 2009 appraised valuation for the 14,675 parcels contained in the area is:

Land	\$ 200,095,330
<u>Improvements</u>	<u>\$1,104,145,210</u>
Total Appraised Valuation	\$1,274,240,540

PART 3

LISTING OF OWNERS OF RECORD IN AREA

Each owner of record of each parcel of land is listed together with the corresponding address on file in the Topeka Planning Department.

PART 4

**EXISTING ZONING BOUNDARIES
&
EXISTING/PROPOSED LAND USES**

Descriptions of zoning districts, current boundaries, existing land uses, and future land use maps within the Neighborhood Revitalization Area are all found on file in the Topeka Planning Department.

PART 5
MAJOR IMPROVEMENTS
PROPOSED FOR NEIGHBORHOOD REVITALIZATION AREA

A list of the proposed major improvements within the Neighborhood Revitalization Area are identified within the City Council-adopted neighborhood and area plans of the Comprehensive Plan. Copies of those plans are on file with the Topeka Planning Department and to date include:

- Central Park Neighborhood Plan (1998/2008)
- Chesney Park Neighborhood Plan (1998/2009)
- Holliday Park Neighborhood Plan (1998/2008)
- Historic North Topeka Revitalization Plan (1999)
- Elmhurst Neighborhood Plan (2001)
- Tennessee Town (2001)
- Downtown Topeka Redevelopment Plan (2001)
- Ward-Meade Neighborhood Plan (2001/2010)
- Wasburn-Lane Parkway Plan (2001)
- East Topeka Neighborhood Revitalization Plan (2002)
- Old Town Neighborhood Plan (2003)
- Hi-Crest Neighborhood Plan (2003)
- Oakland Neighborhood Plan (2004)

Proposed housing, infrastructure, and public facility improvements within these plans are intended to guide the City's future resource allocation as targeted within the Neighborhood Revitalization Area. Actual approved resource allocations are found with the City's Capital Improvement Budget and Consolidated Plan.

PART 6
STATEMENT SPECIFYING THE ELIGIBILITY REQUIREMENTS
FOR A TAX REBATE

Residential New Construction/Rehabilitation

All residential improvements legally permitted by applicable zoning regulations and building codes within the Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 10%. Improvement projects that are not eligible without City Council approval include:

- New construction renter-occupied single-family dwellings.
- Conversion of single-family dwellings to two (2) or more dwelling units.

Commercial New Construction/Rehabilitation

Commercial, office and institutional, and industrial projects legally permitted by applicable zoning regulations and building codes within the Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 20%.

PART 7

CRITERIA FOR DETERMINATION OF ELIGIBILITY

- (a) Construction of an improvement must have begun on or after January 1, 2010 the date of designation of the neighborhood revitalization area by the City under Ordinance No. 19362. Such improvement project shall remain eligible in the event of any re-adoption of the 2010 Neighborhood Revitalization Program by a subsequent ordinance. An improvement project constructed pursuant to a building permit and an application for tax rebate filed before January 1, 2010, may be eligible for a rebate under the Neighborhood Revitalization Program created by City Ordinance No. 18847 as amended by City Ordinance No. 19034.
- (b) A rebate application must be filed within sixty (60) days of the issuance of a building permit or initiation of work (if no building permit is required) as determined by the Planning Director. An application determined to be "out-of-time" shall be accepted by the Planning Director if the applicant can demonstrate that prior to commencing the improvements, he or she intended to use the program's benefits for the specific improvement proposed in the application. Some factors that may be used to determine the intent and prior knowledge of the program include previous written or verbal communication with city staff, contractors, or other interested parties in the project. The fact that the applicant was not made aware of the program by city staff shall not be used as a factor in this determination. An application shall not be accepted "out-of-time" if the building permit was issued to correct a past zoning or building code violation. The applicant must submit all evidence in writing that supports the above criteria to the Planning Department within one (1) year of the issuance of the building permit. The applicant may appeal the Planning Director's decision to the City Manager who has final authority over the matter.
- (c) The improvements must conform with the Comprehensive Plan, including design guidelines within applicable Neighborhood Plans, and Zoning Regulations in effect at the time the improvements are made.
- (d) New and existing improvements on property must conform with all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- (e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.

- (f) Commercial or industrial property eligible for tax incentives under any adopted Neighborhood Revitalization Plan and Topeka's existing tax abatement program pursuant to Article 11, Section 13 of the Kansas Constitution and Topeka Ordinance 17270, may receive one exemption/rebate per project from the City as a tax incentive.
- (g) Any property that fronts a public street boundary of the Neighborhood Revitalization Area shall be eligible for the rebate, except those properties that front a public highway.
- (h) Projects completed or eligible to be approved after two (2) years from the issuance of a building permit or initiation of eligible work items shall not be eligible for a tax rebate.

PART 8

CONTENTS OF APPLICATION FOR TAX REBATE

Part 1 - General Information

- (a) Owner's Name
- (b) Owner's Mailing Address.
- (c) School District No.
- (d) Parcel I.D. No.
- (e) Building Permit No.
- (f) Address of Property.
- (g) Legal Description of Property
- (h) Day Phone Number.
- (i) Proposed Property Use.
- (j) Improvements
- (k) Estimated Cost of Improvements.
- (l) Proof of Historical Register Listing.
- (m) List of Buildings proposed to be or actually demolished.
- (n) Date of commencement of construction.
- (o) Estimated date of completion of construction.

Part 2 - Status of Construction/Completion

- (a) County Appraiser's Statement of Percentage Test.
- (b) County Clerk's Statement of Tax Status.
- (c) Planning's Statement of Application Conformance for Tax Rebate.

PART 9
APPLICATION PROCEDURE

- (a) The applicant shall obtain an Application for Tax Rebate from Topeka Planning Department (Planning) or the City's Development Services Office concurrent with obtaining a building permit application.
- (b) The applicant shall complete and sign the application and file the original with Planning, within sixty (60) days of issuance of the building permit or as permitted under Part 7(b).
- (c) Planning shall forward the application to the Shawnee County Appraiser's Office for determination of the appraised valuation of the improvements and when necessary, shall indicate the base tax year in order to determine the property's pre-demolition value for historic resources or landmarks that were demolished to make way for the improvements.
- (d) On or about January 1, the County Appraiser shall conduct an on-site inspection of the construction project, determine the new valuation of the real-estate, complete his portion of the application, and report the new valuation to the Shawnee County Clerk by June 1 of that same year. The tax records on the project shall be revised by the County Clerk's Office.
- (e) Upon determination by the Appraiser's office that the improvements meet the percentage test for rebate and the Clerk's office has determined the status of the taxes on the property, Planning shall certify to the County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.
- (f) Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Shawnee County to the other taxing units, a tax rebate in the amount of the tax increment (less any fees as specified in the Interlocal Agreement) shall be made to the applicant.

The tax rebate amount will be based on the appraised property value increment between the application year and the completion year directly attributable to the improvement itself. The actual rebate may vary year to year depending upon the approved mill levy for all participating taxing jurisdictions. The tax rebate shall be made by Audit and Finance, Shawnee County through the Neighborhood Revitalization Fund established in conjunction with the City of Topeka and the other taxing units participating in an Interlocal Agreement.

PART 10
STANDARDS AND CRITERIA FOR APPROVAL

- (a) Project improvements shall be 100% complete.
- (b) The appraised value of residential property must be increased by a minimum of 10%.
- (c) The appraised value of commercial and industrial property must be increased by a minimum of 20%.
- (d) New improvements must conform with all applicable codes, rules, and regulations in effect at the time the improvements are made, including design guidelines of the Comprehensive Plan, for the length of the rebate.
- (e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.

PART 11

STATEMENT SPECIFYING REBATE FORMULA

Program Period:

The Neighborhood Revitalization Fund and tax rebate incentive program shall expire on December 31, 2012.

Rebate Period:

All Eligible Uses 10 years

Properties on National/State Register, or properties designated as Historic Landmarks by the City of Topeka 15 years

Rebate Amount:

All Eligible Uses 95%*

Properties on National/State Register, or properties designated as Historic Landmarks by the City of Topeka 100%

*5 % to remain in Neighborhood Revitalization Fund for administrative costs.

Part 12

OTHER MATTERS

1. A comprehensive marketing effort shall be initiated to introduce and reinforce this program to the general public. Potential actions include, but are not limited to:
 - Notice of the program included in pre-development applications by Planning, Housing and Neighborhood Development, and Development Services.
 - Informational packet distributed annually to realtors, builders, financial institutions, and neighborhood groups.
 - Recurring advertisements on Government Access Cable Channel.

2. The governing body may declare a structure outside of a neighborhood revitalization area eligible if it satisfies the conditions set forth in subsection (a) of KSA 12-17, 115 as a “dilapidated structure” due to its deteriorated conditions and/or is worthy of preservation. As a matter of course, the governing body shall forward said declaration to the participating taxing entities for their approval as well.

SHAWNEE COUNTY TAX LEVY SCHEDULE 2009

Tax Levies per \$1,000 Assessed Valuation

	<u>Mill Levy</u>	<u>% of Total Levy</u>
<u>Taxing Jurisdiction (within USD 501 area)</u>		
1. Shawnee County	40.965	28.1%
2. City of Topeka	32.592	22.3%
3. USD 501 (Topeka)	54.429	37.3%
4. Washburn University	3.316	2.3%
5. Topeka-Shawnee County Public Library	9.018	6.2%
6. MTTA (Transit)	4.404	3.0%
7. MTAA (Airport)	1.293	0.9%
Total	146.017	100%

	<u>Mill Levy</u>	<u>% of Total Levy</u>
<u>Taxing Jurisdiction (within USD 345 area)</u>		
1. Shawnee County	40.965	28.7%
2. City of Topeka	32.592	22.8%
3. USD 345 (Seaman)	51.320	35.9%
4. Washburn University	3.316	2.3%
5. Topeka-Shawnee County Public Library	9.018	6.3%
6. MTTA (Transit)	4.404	3.1%
7. MTAA (Airport)	1.293	0.9%
Total	142.908	100%

Note: State of Kansas mill levy = 1.500

Source: Shawnee County Clerk's Office