

RESOLUTION NO. 7382

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4 A RESOLUTION introduced by Mayor Harry Felker and Councilmember John Alcalá,
5 expressing support for The Gardens at Soldier Creek Development
6 Project.

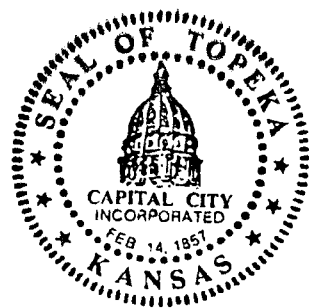
7 WHEREAS, the City of Topeka, Kansas, has been informed by Hersh Development
8 Company, Inc., the developer of The Gardens at Soldier Creek, a mixed use, affordable
9 housing complex with units set aside for Seniors and for Families, that a housing tax credit
10 application will be filed with the Kansas Housing Resources Corporation for the acquisition
11 of land located at the Southeast corner of North Topeka Blvd and Menninger Road and
12 the construction of three hundred and twenty four (324) housing units, Seventy five percent
13 (75%) of which will be reserved for residents whose earned income is sixty percent (60%)
14 of the Area Median Income in order to provide clean, safe, modern, and affordable family
15 rental housing to be located in North Topeka, Kansas, with a legal description as
16 evidenced in the attached Exhibit A; and

17 WHEREAS, this development will be a new construction housing project in an area
18 that has not yet been fully developed with modern multifamily apartment complexes and
19 will provide residences for Seniors and for families with seventy five percent (75%) of the
20 units being reserved for residents whose earned income is sixty percent (60%) or less of
21 the Area Median Income, the development will involve the investment of more than
22 \$35,000,000 that will produce a number of short term and long term jobs while also
23 generating additional sales taxes, additional income taxes, and an increase in the Real
24 Estate Tax base; and

25 WHEREAS, the property will have the following amenities: a tot lot with play
26 equipment, abundant green space, a community meeting room, covered parking, parking
27 garages, and a hot meal program for Seniors.

28 NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka,
29 Kansas, that it supports the development of the aforesaid housing project in our
30 community, subject to City ordinances, and the building permit process. This Resolution
31 is effective until December 31, 2004. In the event that any of the above recitations should
32 change prior to the issuance of a building permit, this Resolution is null and void.

33 ADOPTED and APPROVED by the City Council AUG 19 2003



CITY OF TOPEKA, KANSAS

Harry Felker

Harry Felker, Mayor

41 ATTEST:

42
43
44 *Iris E. Walker*
45 _____
46 Iris E. Walker, City Clerk
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APPROVED AS TO FORM AND LEGALITY
DATE 8/7/03 BY IME

Exhibit "A"

TRACT I:

Part of the East half of the Northwest Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows:

Beginning at the Northwest corner of the Northeast Quarter of said Northwest Quarter;
 thence East, along the North line of said Quarter Section, 663.46 feet to a point 40 rods West of the Northeast corner thereof;
 thence South, parallel with the East line of said Quarter Section, 28 rods;
 thence East, parallel with the North line of said Quarter Section, 10 ½ rods;
 thence South, parallel with the East line of said Quarter Section, 21 rods and 12 feet
 thence East, parallel with the North line of said Quarter Section, 29 ½ rods to the East line thereof;
 thence South, along said East line, 29.39 feet;
 thence South 82 degrees 1 minute 10 seconds West, 632.63 feet;
 thence Southerly along a curve with a radius of 477.41 feet, a distance of 313.13 feet;
 thence South 44 degrees 27 minutes 20 seconds West, 136.94 feet;
 thence Southwesterly along a curve with a radius of 300.44 feet, a distance of 120.33 feet;
 thence North 1 degree 27 minutes 30 seconds West, 184.96 feet;
 thence South 88 degrees 32 minutes 30 seconds West, 215 feet;
 thence North, along the West line of the Northeast Quarter of said Northwest Quarter, to the point of beginning, EXCEPT the following parcels.

EXCEPTED Parcel 1:

Any portion of Lot 1, Block "A", Amoco Subdivision No. 2, lying within said tract.

EXCEPTED Parcel 2:

Beginning at a point on the West line of the East half of said Quarter Section 493.75 feet South of the Northwest corner of the East half of said Quarter Section;
 thence North 88 degrees 59 minutes 09 seconds East, 215.00 feet;
 thence South 01 degrees 27 minutes 30 seconds East, 259.80 feet;
 thence South 88 degrees 32 minutes 30 seconds West, 215.00 feet to a point on the West line of the East half of said Quarter Section;
 thence North 01 degrees 27 minutes 30 seconds West, along said West line to the point of beginning,
 except the West 40 feet thereof.

EXCEPTED Parcel 3:

Commencing at the Northwest corner of the East Half of said Quarter Section;
 thence South on Az 180 degrees 48 minutes 26 seconds, 458.90 feet coincident with the West line of the East half of said Quarter Section;
 thence on Az 89 degrees 48 minutes 26 seconds, 215.00 feet to the point of beginning;
 thence on Az 90 degrees 59 minutes 42 seconds, 480.25 feet;
 thence 181 degrees 11 minutes 52 seconds, 303.14 feet;
 thence 270 degrees 48 minutes 26 seconds, 478.13 feet;
 thence on Az 00 degrees 48 minutes 26 seconds, 296.32 feet to the point of beginning.

TRACT II:

Part of the East half of the Northwest Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows:

Commencing at the Southwest corner of Amoco Subdivision No. 2, said point of commencement being on the East right-of-way of NW Topeka Avenue;
thence South on Az 180 degrees 48 minutes 27 seconds, 258.73 feet coincident with said East right-of-way; thence on Az 90 degrees 48 minutes 26 seconds, 186.56 feet to the point of beginning;
thence on Az 0 degrees 48 minutes 26 seconds, 222.77 feet;
thence on Az 339 degrees 44 minutes 46 seconds, 31.78 feet;
thence 130.57 feet on a curve to the left having a radius of 300.00 feet;
thence on Az 46 degrees 45 minutes 09 seconds, 134.96 feet;
thence 316.19 feet on a curve to the right having a radius of 477.46 feet;
thence on Az 84 degrees 41 minutes 46 seconds, 592.16 feet to a point on the West right-of-way of North Kansas Avenue;
thence on Az 180 degrees 11 minutes 52 seconds, 286.24 feet coincident with said West right-of-way; thence on Az 271 degrees 11 minutes 52 seconds, 5.00 feet coincident with said West right-of-way;
thence on Az 181 degrees 11 minutes 52 seconds, 296.00 feet coincident with said West right-of-way; thence on Az 271 degrees 43 minutes 04 seconds, 201.45 feet;
thence on Az 270 degrees 48 minutes 46 seconds, 262.77 feet described, 254.40 feet measured;
thence on Az 180 degrees 48 minutes 26 seconds, 15.0 feet described, 20.0 feet measured;
thence on Az 270 degrees 48 minutes 26 seconds, 576.56 feet to the point of beginning.