

RESOLUTION NO. 7546

A RESOLUTION introduced by Mayor James A. McClinton requesting the Board of Commissioners, Shawnee County, Kansas, to approve annexation of noncontiguous property.

WHEREAS, the City of Topeka has received a written request and consent for annexation (see Exhibits A and B) for property known as RockFire at the Lake Subdivision and described as follows (see Exhibit C, plat of RockFire at the Lake and Exhibit D, map showing location of RockFire at the Lake in relation to existing City boundaries):

A tract in the South Half of Section 22, Township 12 South, Range 16 east of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as: Beginning at the Southeast corner of the Southeast Quarter of said Section 22; thence on an assumed bearing of North 89°52'00" West on the South line of said Southeast Quarter, 2643.81 feet, to the Southwest corner thereof; thence South 89°54'30" West, on the South line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 22, 660.93 feet, to the Southwest corner of said East Half; thence North 00°11'08" West on the West line of said East Half, 1319.23 feet, to the Northwest corner of said East Half; thence North 89°55'34" East, on the North line of said East Half, 661.52 feet, to the Northeast corner of said East Half; thence North 00°09'36" West, on the West line of the Southeast Quarter of said Section 22, 185.85 feet; thence North 14°08'29" East, 588.22 feet; thence North 29°50'56" East, 179.74 feet; thence North 45°33'23" East, 581.97 feet, to a point on the North line of the Southeast Quarter of said Section 22; thence North 89°56'57" East, on the North line of the last said Southeast Quarter, 1998.36 feet, to the Northeast corner of said Southeast Quarter; thence South 00°01'17" East, on the East line of said Southeast Quarter, 2646.58 feet, to the point of beginning. Contains 174.81 acres, more or less.

WHEREAS, the City of Topeka can provide services to the property as evidenced by the attached statements from the various departments of the city (see Exhibit E); and

WHEREAS, the City Council of the City of Topeka desires to annex this area into the corporate limits of the City of Topeka; and

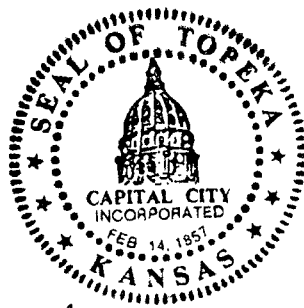
WHEREAS, the property constitutes and "island" annexation requiring review by the Board of Commissioners of Shawnee County.

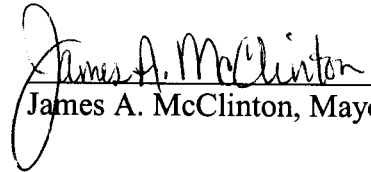
NOW, THEREFORE, BE IT RESOLVED By the Council of the City of Topeka, Kansas, requesting

the Board of Commissioners of Shawnee County to make findings as required under K.S.A. 12-520c(a)(3) that the annexation of the above-described land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city.

PASSED AND APPROVED by the City NOV 09 2004.

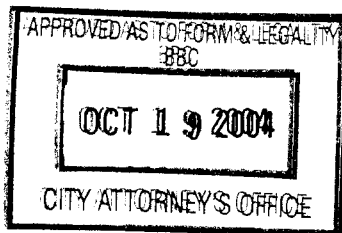
CITY OF TOPEKA, KANSAS



  
James A. McClinton, Mayor

ATTEST:

  
Iris E. Walker, City Clerk



**BARTLETT & WEST**  
**ENGINEERS**  
SERVICE. THE BARTLETT & WEST WAY.

May 4, 2004

Mr. David Thurbon  
Topeka Planning  
515 S Kansas Ave, Ste 404  
Topeka, KS 66603

Re: RockFire at the Lake Subdivision  
Project No.: 14053.000

Dear Mr. Thurbon:

On behalf of RockFire Development, Inc., owner/applicant of the proposed RockFire project, we would like to petition the City of Topeka to consider annexation of this property. A consent to annexation is attached herein that includes the entire proposed subdivision lying west of the west right-of-way of Croco Road and north of the north right-of-way of 45th Street.

We understand that should the City Council desire to annex this land it will need to request the consent of the County Commission since this land is not currently adjacent to the City limits. We encourage the City to request the County's consideration of this proposed annexation.

This property is currently located within the City's proposed Urban Service Boundary and is within the wastewater management plan's preliminary Urban Service Zone.

This project already has been reviewed by all City departments via the platting process and all urban services have been determined available without undue expense to the City at large. Further, this project being within the Urban Service Boundary facilitates orderly expansion of urban services.

The County Commission has expressed past concerns about non-contiguous annexations. Those concerns primarily related to roads, road maintenance, and snow removal. With this petition, both 45th and Croco can be brought into the City when intervening land between RockFire and the current City limits is also annexed, thus making for an orderly transition of roadways from County/Township to City.

RockFire Development, Inc. understands that it will be responsible for acquiring City building permits, City park fund fees, City sewer connection/impact fees, and all other normal and ordinary fees (except water connection/impact fees), including City property taxes.

RockFire Development, Inc. also understands and expects that sewer and water infrastructure will be provided to the project's property line without expense to the developer.

In respect to sewer, they understand that the City will extend, at its cost, the necessary sewer main extension to serve this project. In this case, that will consist of a pump station and a force main. They understand that all interior sewer laterals and secondary pumping facilities will be the project's responsibility.

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1200 SW EXECUTIVE DRIVE ■ TOPEKA KS 66615-3850  
785.272.2252 ■ FAX 785.272.7349 ■ 888.200.6464  
WWW.BARTWEST.COM

Mr. David Thurbon

Page 2

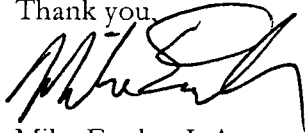
May 4, 2004

In respect to the water, they understand that this area is currently within the Shawnee County Rural Water District No. 8 service boundary. Further, they understand that the project will remain in District No. 8's boundary and that the City and District No. 8 are working on a "cooperative agreement" that will provide water mains to be extended to the project per City standards and policy without expense to the developers. They acknowledge that they will purchase meters from District No. 8 at the District's normal benefit unit cost (considerably higher than the City cost) and that they will pay the usual District No. 8 monthly water rates (also considerably higher than City rates). They also acknowledge that they are responsible for all costs for line extensions into and through the development after mains have been extended to the project through the aforementioned "cooperative agreement."

We would like to take this opportunity to thank both the City and District No. 8 for their approach to water service for this project. The respective governmental units are truly doing their jobs by working together to provide necessary services without slowing progress with "turf battles." Further, it appears that the "cooperative agreement" provides the vehicle for orderly transition from rural to urban without causing any burden on either current or future area residents.

We hope to assist both the City and County in their reviews of this petition. Please advise us of the schedule for its consideration.

Thank you,



Mike Engler, L.A.

attachment

cc: RockFire Development, Inc.  
Braxton Copely, Assistant City Attorney  
Neil Dobler, Public Works Director  
Dennis Schwartz, RWD No. 8  
Ted Ensley, County Commission Chair

## CONSENT TO ANNEXATION

Now on this 4<sup>th</sup> day of MAY 2007 RockFire Development, Inc. as owner of record of the following described real estate, by and through its duly authorized officers, does hereby evidence its complete and irrevocable consent to annexation by the City of Topeka, in accordance with the laws of the State of Kansas, of the following described property to wit:

ALL THAT PART OF THE FOLLOWING DESCRIBED LAND LYING WEST OF THE WEST RIGHT-OF-WAY OF S.E. CROCO ROAD AND LYING NORTH OF THE NORTH RIGHT-OF-WAY OF S.E. 45<sup>TH</sup> STREET:

A TRACT OF LAND IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE, COINCIDENT WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, ON AN AZIMUTH OF 270 DEGREES 08 MINUTES 00 SECONDS, 2643.81 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE COINCIDENT WITH THE SOUTH LINE OF SAID EAST HALF, ON AN AZIMUTH OF 269 DEGREES 54 MINUTES 30 SECONDS, 660.93 FEET TO THE SOUTHWEST CORNER OF SAID EAST HALF; THENCE COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, ON AN AZIMUTH OF 359 DEGREES 48 MINUTES 52 SECONDS, 1319.23 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE COINCIDENT WITH THE NORTH LINE OF SAID EAST HALF, ON AN AZIMUTH OF 89 DEGREES 55 MINUTES 34 SECONDS, 661.52 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF, SAID POINT ALSO BEING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE COINCIDENT WITH SAID WEST LINE, ON AN AZIMUTH OF 359 DEGREES 50 MINUTES 24 SECONDS, 185.85 FEET; THENCE ON AN AZIMUTH OF 14 DEGREES 08 MINUTES 29 SECONDS, 588.22 FEET; THENCE ON AN AZIMUTH OF 29 DEGREES 50 MINUTES 56 SECONDS, 179.74 FEET; THENCE ON AN AZIMUTH OF 45 DEGREES 33 MINUTES 23 SECONDS, 581.97 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE COINCIDENT WITH SAID NORTH LINE, ON AN AZIMUTH OF 89 DEGREES 56 MINUTES 57 SECONDS, 1998.36 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE COINCIDENT WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, ON AN AZIMUTH OF 179 DEGREES 58 MINUTES 43 SECONDS, 2646.58 FEET TO THE POINT OF BEGINNING.

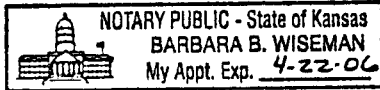
This consent shall run with the land described above and shall be binding upon the heirs, successors and assigns of the undersigned and shall be filed of record with the Shawnee County Register of Deeds Office upon execution.

Joseph E. Santaularia, President

STATE OF KANSAS: )  
                  DOUGLAS )ss:  
COUNTY OF SHAWNEE )

BE IT REMEMBERED, that on this 4<sup>th</sup> day of May A.D., 2007, before me the undersigned, a Notary Public, in and for the County and State aforesaid, came Joseph E. Santaularia who is personally known to me to be the President of RockFire Development, Inc., a Kansas Corporation, who executed the within instrument of writing on behalf of said company, and such person duly acknowledged the execution of the same.

IN TESTIMONY THEREOF, I have hereunto set my hand, and affixed the seal the day and year last above mentioned.

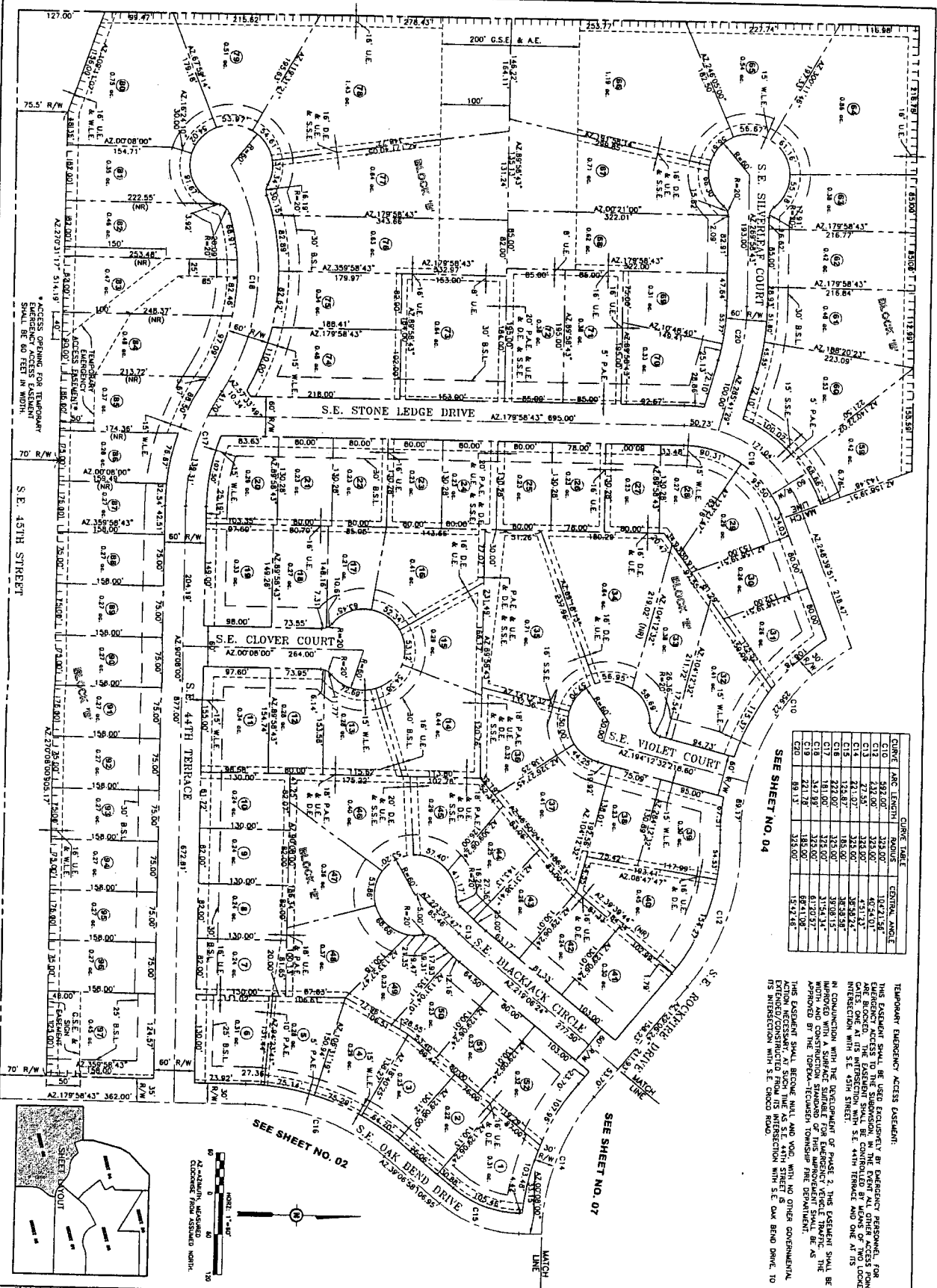


NOTARY PUBLIC BARBARA B. WISEMAN

22<sup>nd</sup> day of April, 2006  
Term Expires







**CURVE DATA**

CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE
C10	582.00'	312.00'	102°41'54"
C11	432.00'	312.00'	40°54'01"
C12	324.00'	312.00'	31°51'32"
C13	421.00'	312.00'	38°58'58"
C14	421.00'	185.00'	38°58'58"
C15	124.87'	185.00'	38°58'58"
C16	222.00'	312.00'	39°08'15"
C17	181.00'	312.00'	31°54'31"
C18	211.92'	312.00'	61°29'37"
C19	211.92'	312.00'	68°41'08"
C20	491.31'	312.00'	152°54'50"

**TEMPORARY EMERGENCY ACCESS EASEMENT:**  
 THIS EASEMENT SHALL BE USED EXCLUSIVELY BY EMERGENCY PERSONNEL FOR EMERGENCY ACCESS TO THE SUBDIVISION. IN THE EVENT ALL OTHER ACCESS POINTS ARE UNAVAILABLE, EMERGENCY PERSONNEL SHALL BE PERMITTED TO ENTER THE SUBDIVISION ONCE AT ITS INTERSECTION WITH S.E. 45TH STREET. IN CONNECTION WITH THE DEVELOPMENT OF PHASE 2 THIS EASEMENT SHALL BE REMOVED WITH A SURFACE SURVEY FOR EMERGENCY VEHICLE TRAFFIC. THE EASEMENT SHALL BE RECORDED WITH THE DEEDS FOR THE SUBDIVISION. THIS EASEMENT SHALL BE APPROVED BY THE TOPICK-TOWNSHIP TOWNSHIP BOARD. THIS EASEMENT SHALL BECOME NULL AND VOID WITH NO OTHER GOVERNMENTAL ACTION NECESSARY, AT SUCH TIME AS S.E. 45TH STREET WITH NO OTHER GOVERNMENTAL ACTION NECESSARY, IS INTERFERED FROM ITS INTERSECTION WITH S.E. OAK BEND DRIVE TO ITS INTERSECTION WITH S.E. CROCK ROAD.

**FINAL PLAT**  
**ROCKFIRE AT THE LAKE**  
 SE 45TH STREET & SE CROCK ROAD  
 SHAWNEE COUNTY, KANSAS

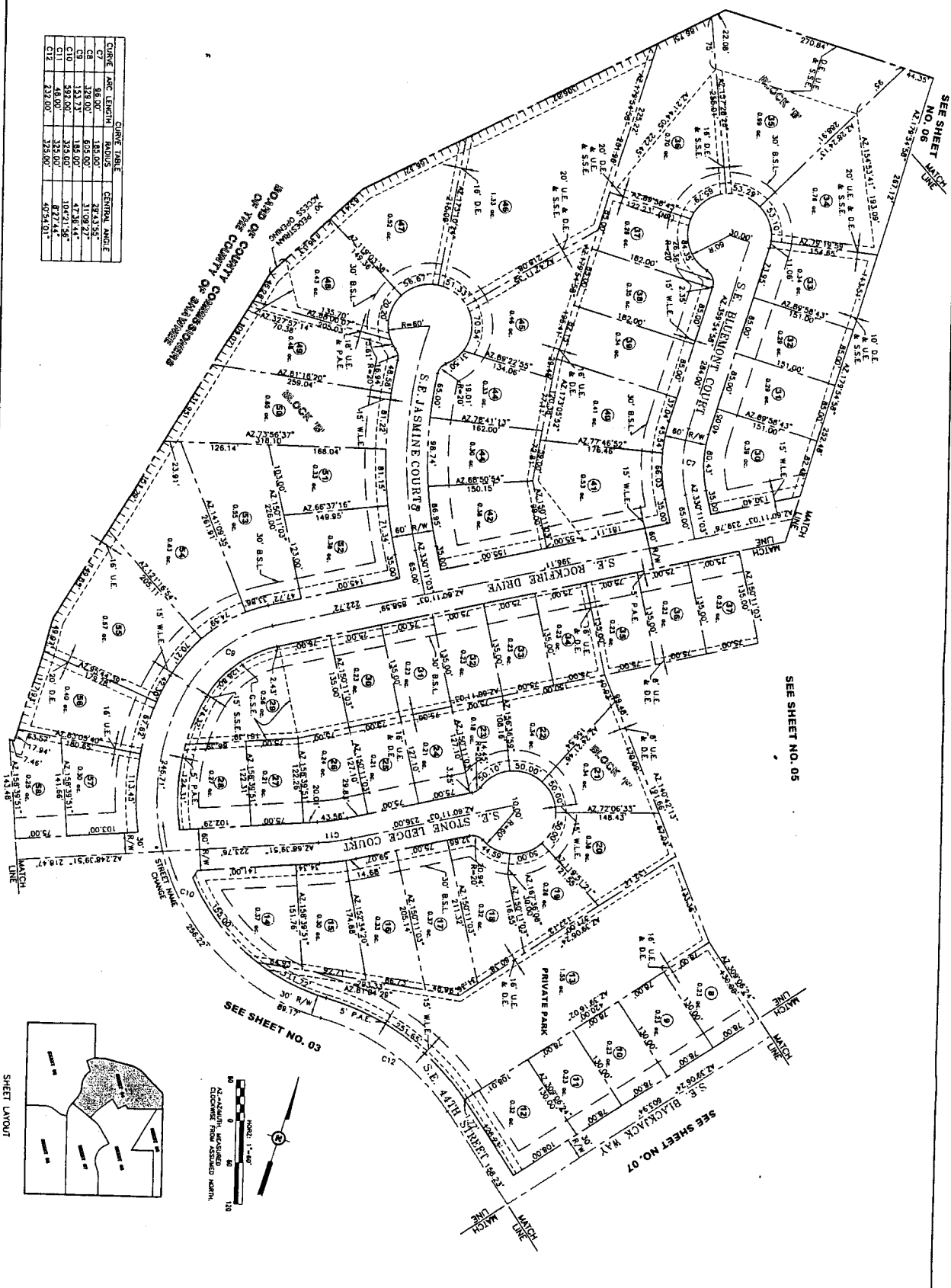
**BARTLETT & WEST**  
**ENGINEERS**

1100 W. UNIVERSITY DRIVE, TOPEKA, KS 66604  
 PHONE: 785-233-2222 FAX: 785-233-2222

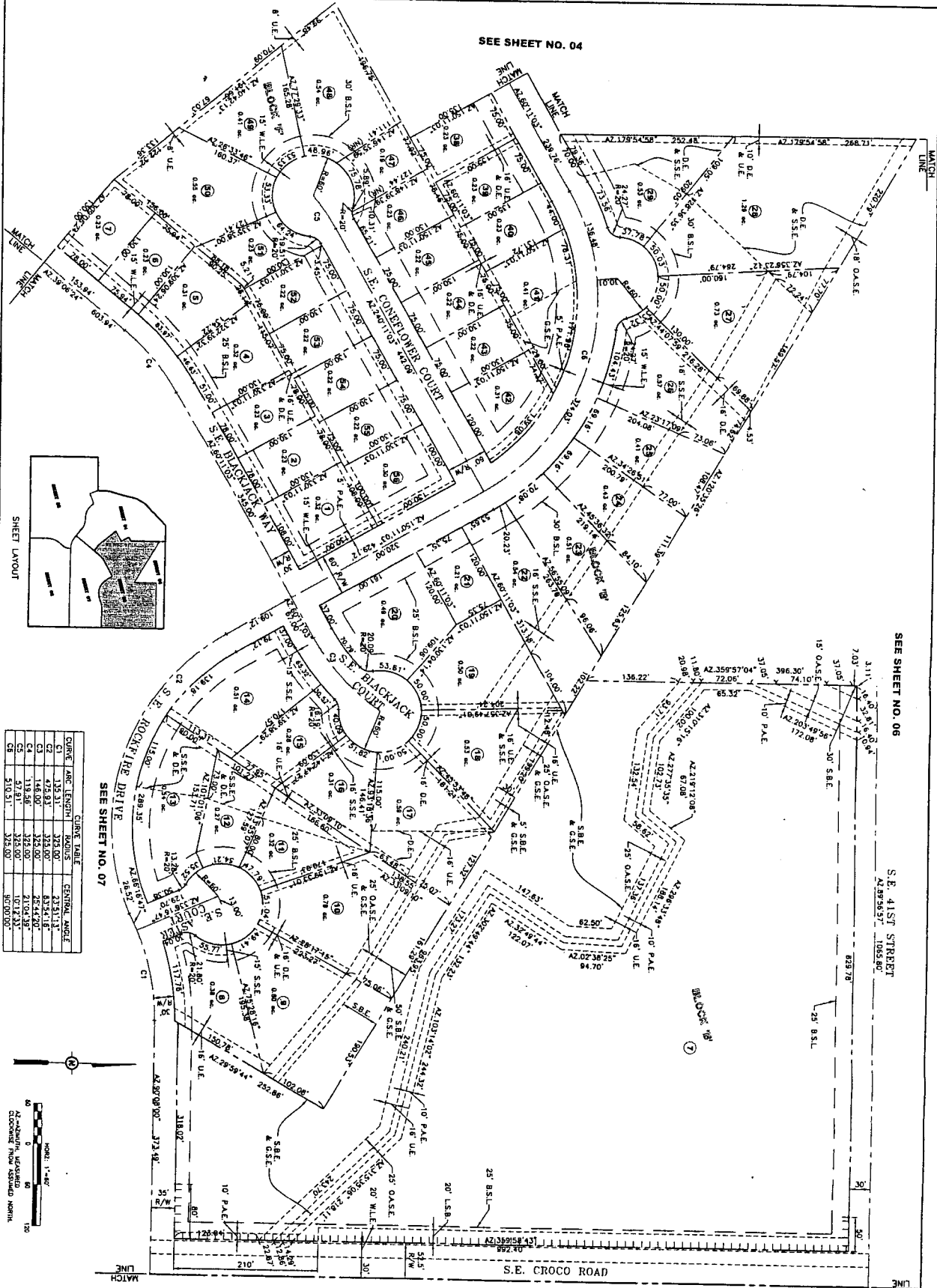
DATE: 06/24/2004  
 TIME: 10:53:00 AM  
 DRAWN BY: M.A./S.C.  
 CHECKED BY: S.C.  
 SCALE: AS SHOWN  
 SHEET NO.: 03 OF 03

PROJECT NO.: 14881

CHORD	ARC LENGTH	RADIUS	CENTRAL ANGLE
C1	328.00'	483.00'	82.1335°
C2	328.00'	483.00'	82.1335°
C3	151.23'	188.00'	42.7874°
C4	593.00'	343.00'	104.2136°
C5	48.00'	343.00'	8.2774°
C6	232.00'	343.00'	40.2401°



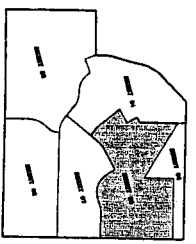
<p><b>FINAL PLAT</b>  <b>ROCKFIRE AT THE LAKE</b>                  SE 45th STREET &amp; SE CROCO ROAD                  SHAWNEE COUNTY, KANSAS</p>	<p><b>BARTLETT &amp; WEST</b>  <b>ENGINEERS</b></p> <p>1800 W. UNIVERSITY DRIVE, THURSDAY, KS 66684                  PHONE: (785) 942-1111 FAX: (785) 942-1112                  WWW.BARTLETTWEST.COM</p>	<p>DATE: 05/20/2004</p>	<p>SCALE: AS SHOWN</p>
		<p>PROJECT NO.: 04-013</p>	<p>DATE: 05/20/2004</p>



SEE SHEET NO. 04

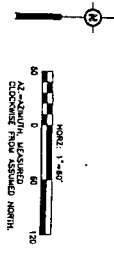
SEE SHEET NO. 06

S.E. 41ST STREET  
A2.89537' 105.80'



CHURCH TABLE

CURVE	ARC LENGTH	POINTS	CENTRAL ANGLE
C1	135.31'	329.00'	233°11'13"
C2	472.83'	329.00'	83°54'15"
C3	146.60'	329.00'	252°44'07"
C4	57.83'	329.00'	171°51'31"
C5	57.83'	329.00'	171°51'31"
C6	510.51'	329.00'	80°00'00"

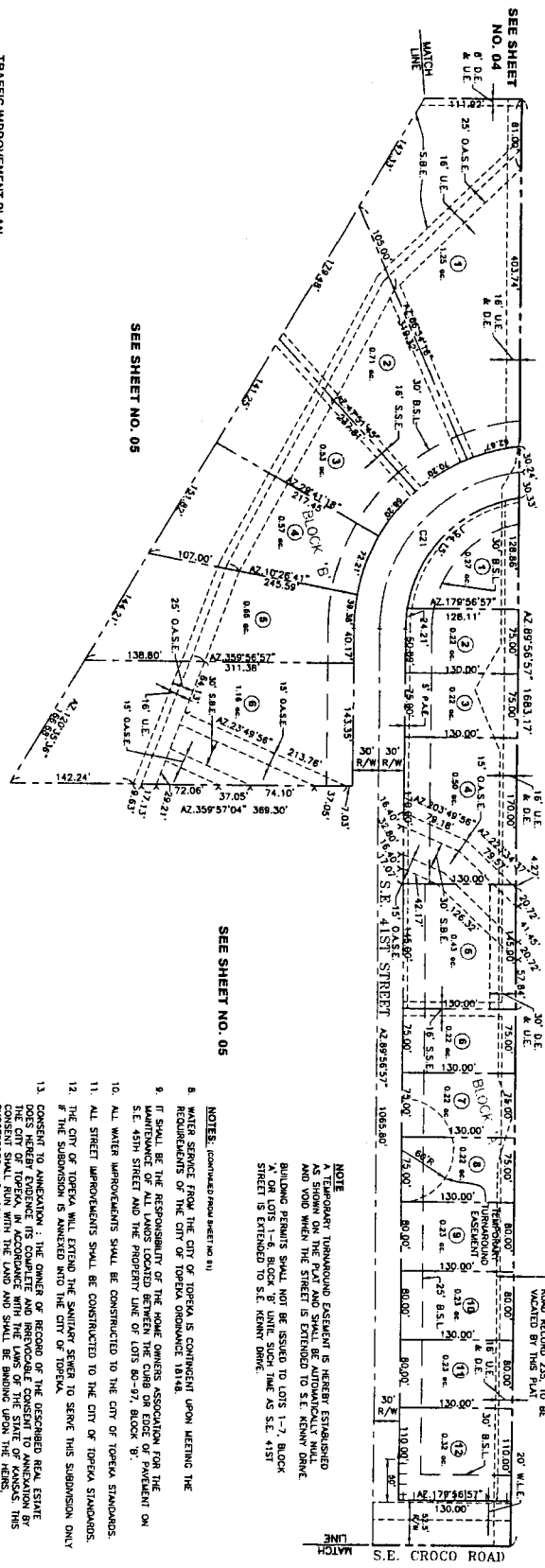


**FINAL PLAT**  
**ROCKFIRE AT THE LAKE**  
SE 45th STREET & SE CROCO ROAD  
SHAWNEE COUNTY, KANSAS

**BARTLETT & WEST**  
**ENGINEERS**  
1100 W. UNIVERSITY BLVD. - SUITE 200 - OMAHA, NE 68102  
PHONE: 781-2222 FAX: 781-2222  
WWW.BARTLETTWEST.COM

NO.	DATE	REVISION

PROJECT NO.: 05 of 07  
DATE: FEB 2004  
SCALE: 1"=40'



**TRAFFIC IMPROVEMENT PLAN**

PHASE 1 - NO TRAFFIC IMPROVEMENTS NECESSARY

PHASE 1, 2 & 3 - IN CONJUNCTION WITH THE CONSTRUCTION OF S.E. 41ST STREET ADJACENT TO LOTS 2-13, BLOCK 'D', S.E. 44TH STREET SHALL BE EXTENDED TO INTERSECT WITH S.E. CROCO ROAD AND BUILDING PERMITS SHALL BE ISSUED UNTIL IMPROVEMENTS ARE MADE TO THE TEMPORARY EMERGENCY ACCESS EASEMENT ON LOTS 83, 84 & 85, BLOCK 'B' AND APPROVED BY THE PLANNING DEPARTMENT AND TORPEA-TECHNICAL TOWNSHIP FIRE DEPARTMENT.

PHASE 1, 2 & 3 - S.E. 44TH STREET SHALL BE IMPROVED TO HAVE TWO (2) EASTBOUND LANES AT THE INTERSECTION WITH S.E. CROCO ROAD, ONE LEFT TURN LANE AND ONE RIGHT TURN LANE.

PHASE 1, 2, 3 & 4 - INTERSECTION OF S.E. CROCO ROAD AND S.E. 45TH STREET TO HAVE TORPEA STANDARD, AND LEFT TURN LANES ON NORTHBOUND, SOUTHBOUND, AND WESTBOUND APPROACHES.

PHASE 1, 2, 3, 4 & 5 - S.E. CROCO ROAD TO HAVE NORTHBOUND LEFT TURN LANE AND SOUTHBOUND RIGHT TURN LANE, EACH WITH 200 FEET OF STORAGE, AT ITS INTERSECTION WITH S.E. 44TH STREET. ONE DRIVE ACCESS FOR LOT 1, BLOCK 'D', TO S.E. 45TH STREET SHALL BE ALLOWED WITH 200 FEET OF STORAGE. ALSO HAVE EASTBOUND LEFT TURN LANE AND WESTBOUND RIGHT TURN LANE, EACH WITH 200 FEET OF STORAGE.

NOTE: NO BUILDING PERMIT SHALL BE ISSUED FOR EACH PHASE OF THE DEVELOPMENT UNTIL THE REQUIRED STREET IMPROVEMENTS ARE PROVIDED FOR, AS FOLLOWS:

PHASE 1 - IMPROVEMENT CONTRACT SHALL HAVE BEEN ENTERED AND BETWEEN THE PRIVATELY FUNDED PROJECTS.

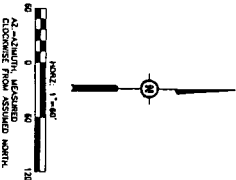
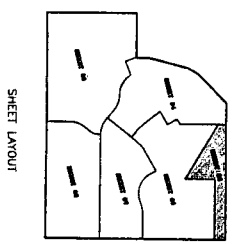
PHASE 2 - IMPROVEMENT CONTRACT SHALL HAVE BEEN ENTERED AND BETWEEN THE PRIVATELY FUNDED PROJECTS.

PHASE 3 - IMPROVEMENT CONTRACT SHALL HAVE BEEN ENTERED AND BETWEEN THE PRIVATELY FUNDED PROJECTS.

PHASE 4 - IMPROVEMENT CONTRACT SHALL HAVE BEEN ENTERED AND BETWEEN THE PRIVATELY FUNDED PROJECTS.

PHASE 5 - IMPROVEMENT CONTRACT SHALL HAVE BEEN ENTERED AND BETWEEN THE PRIVATELY FUNDED PROJECTS.

CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE
C21	280.88'	185.00'	90°07'02"



**SEE SHEET NO. 05**

NOTE: (CONTINUED FROM SHEET NO. 01)

A TEMPORARY TURNAROUND EASEMENT IS HEREBY ESTABLISHED AND VOID WHEN THE PERIOD SHALL BE AUTOMATICALLY NULL AND VOID WHEN THE PERIOD SHALL BE EXTENDED TO S.E. KENNY DRIVE.

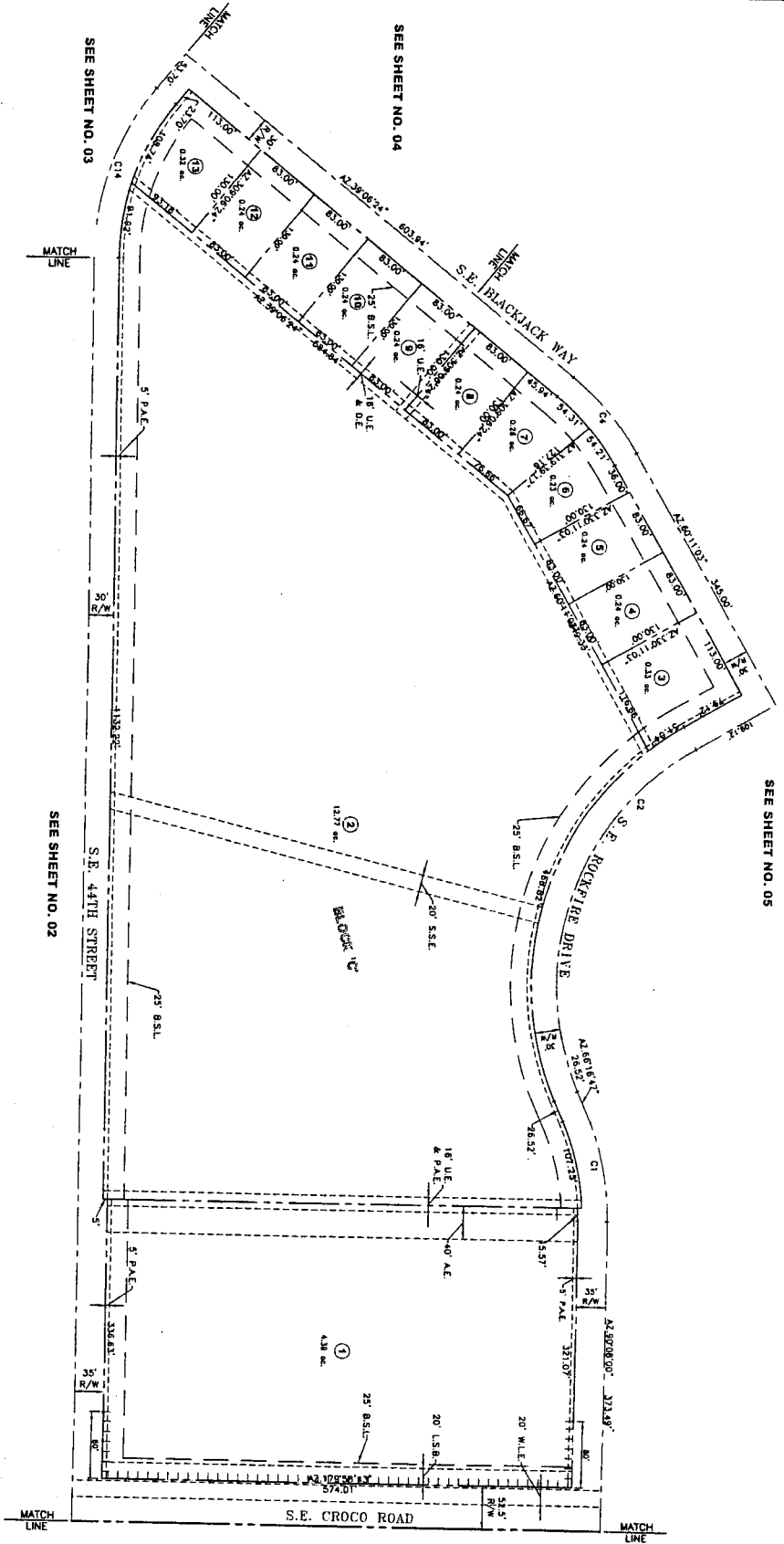
BUILDING PERMITS SHALL NOT BE ISSUED TO LOTS 1-7, BLOCK 'D' OF S.E. KENNY DRIVE, FROM THE DATE THIS STREET IS EXTENDED TO S.E. KENNY DRIVE.

1. ALL STREET IMPROVEMENTS SHALL BE CONSTRUCTED TO THE CITY OF TORPEA STANDARDS.
2. THE CITY OF TORPEA WILL EXTEND THE SANITARY SEWER TO SERVE THIS SUBDIVISION ONLY.
3. THE SUBDIVISION IS AMEXED INTO THE CITY OF TORPEA.
4. THE OWNER OF RECORD OF THE DESCRIBED REAL ESTATE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE CITY OF TORPEA, THE PLANNING DEPARTMENT, THE TORPEA-TECHNICAL TOWNSHIP FIRE DEPARTMENT, AND ASSONS OF THE UNDERSEED.
5. ALL INFRASTRUCTURE MUST BE PROVIDED FOR PRIOR TO ISSUANCE OF BUILDING PERMITS PER STANDARD CITY AND COUNTY POLICES.
6. CONSTRUCTION PHASING FOR STREETS SHALL BE APPROVED BY THE PLANNING DEPARTMENT.
7. NO BUILDING PERMITS SHALL BE ISSUED FOR LOTS 2-13 BLOCK 'D' UNTIL SUCH TIME AS S.E. 41ST STREET BECOMES A THROUGH STREET.
8. THE PROPOSED SUBDIVISION IS NOT IN A FEMA DESIGNATED FLOOD PLAIN.

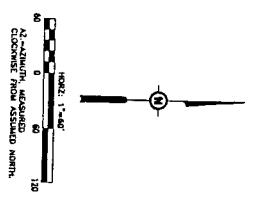
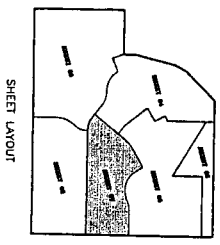
**FINAL PLAT**  
**ROCKFIRE AT THE LAKE**  
 SE 45th STREET & SE CROCO ROAD  
 SHAWNEE COUNTY, KANSAS

**BARTLETT & WEST**  
**ENGINEERS**

DATE: 10/10/2004  
 SHEET NO. 05 OF 07



CURVE TABLE			
CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE
C1	135.31'	325.00'	232.11°
C2	475.93'	325.00'	83.8418°
C3	118.55'	325.00'	21.0438°
C14	221.07'	325.00'	35.2824°



<p><b>FINAL PLAT</b>  <b>ROCKFIRE AT THE LAKE</b>                  SE 45th STREET &amp; SE CROCO ROAD                  SHAWNEE COUNTY, KANSAS</p>		<p><b>BARTLETT &amp; WEST</b>  <b>ENGINEERS</b></p> <p>1700 W. 21ST AVENUE, SUITE 1000                  LAWRENCE, KANSAS 66044-1000                  PHONE: (785) 842-2222                  FAX: (785) 842-2223</p>	
<p>DESIGNED BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>DATE: FEB 2004</p>	<p>PROJECT NO. 07 OF 07</p>	<p>DATE: 02/20/04</p>	<p>SCALE: AS SHOWN</p>

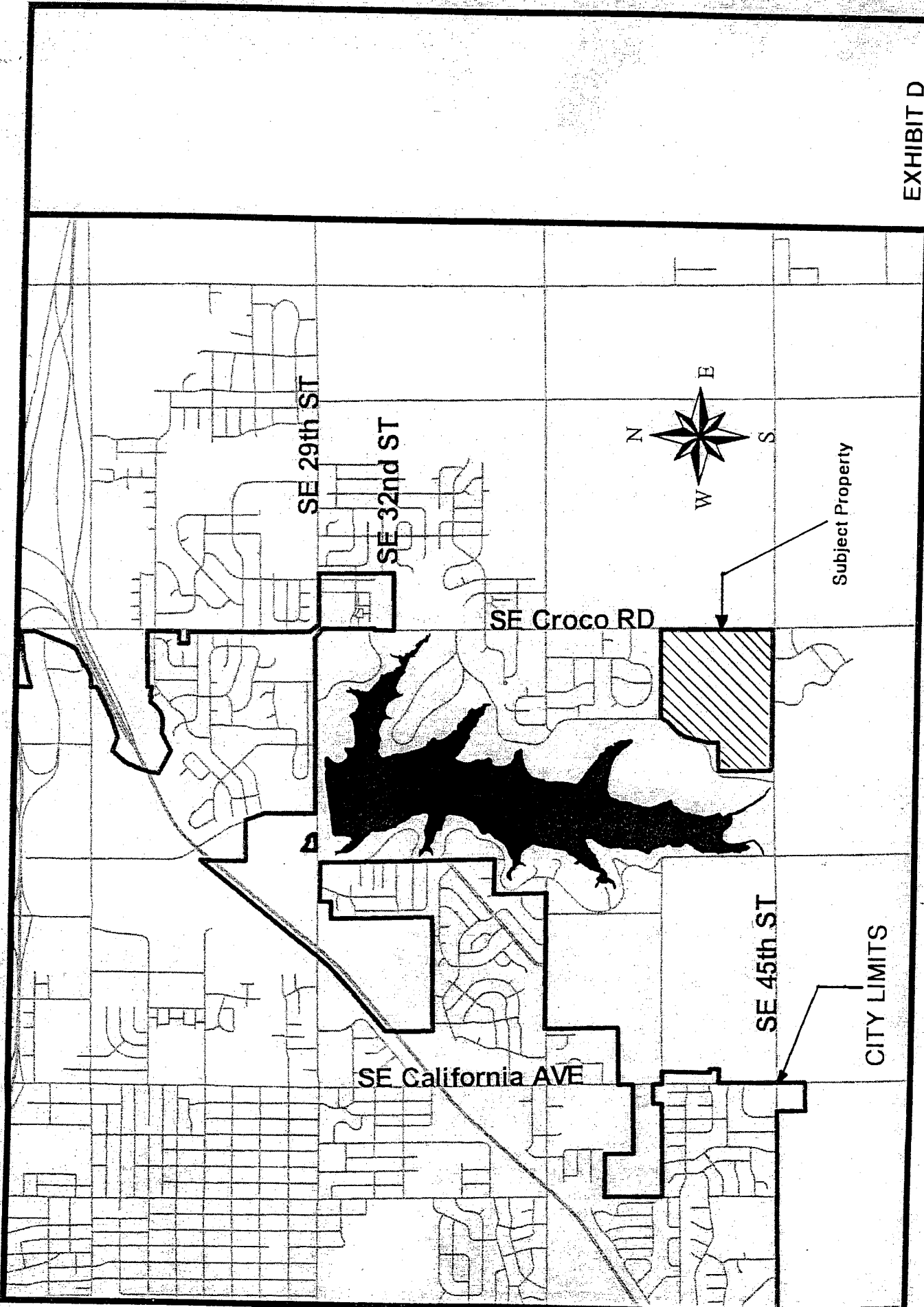


EXHIBIT D

# A04/6 Rockfire at the Lake

**ROCKFIRE AT THE LAKE – PROPOSED ANNEXATION  
DEPARTMENT COMMENTS**

**Wastewater**

This area will be service by the City of Topeka Water Pollution Control. The area is within the Municipal Services Boundary and, as such is eligible for assistance from Sewer Extension Funding for extension of a main to the development. The City Engineering and Water Pollution Control are currently working on a plan to service this growth area and anticipate it will be eligible for funding scheduled in 2005.

**Water**

This area is currently served by Shawnee County Rural Water District No. (RWD) 8. The City of Topeka (City) and RWD 8 are currently working out an agreement that would allow RWD 8 to provide service for this area even after it becomes part of the City. At a later date, when it becomes feasible for both parties, the City will assume service for the area. Cooperation between the City and RWD 8 may also include joint ownership of some major water lines and storage facilities with the goal being to provide the best possible water service for the area without duplicating efforts.

**Street Maintenance**

Construction of the interior streets will be the responsibility of the Developer and the City will assume long-term maintenance responsibility. Typical services the City provides include pothole repair and mill and overlay and snow removal. The major arterials will be maintained either by the City or Shawnee County under our joint maintenance agreement. The area will be included in a Transportation Impact Fee District and, at some point, when traffic volumes dictate, 45<sup>th</sup> Street and Croco Road will be improved.

**Traffic Operations**

1. The Traffic Operations Section maintains traffic signals, streetlights, and traffic signing and pavement markings on roadways. The proposed new development is a residential development. The Traffic Operations Section will be able to maintain the added infrastructure in the areas we maintain.
2. If the proposed annexation is successful and development moves forward, the development would need to be responsible for some initial infrastructure costs as indicated below, prior to the Traffic Operations Section being able to maintain them.

3. The initial street name signs will need to be provided at the cost of the Developer or financing authority. The City can fabricate and install the signs for the cost of materials. Costs can be determined at the time of permitting or financing of the street and storm construction, or at the time of final platting as the needs of the Developer dictate. A determination of the number and location can be made at the time of preliminary platting. After the initial installation of street name signs, the City will provide the ongoing maintenance for them for all public streets.
4. The City will provide, at City cost, any required initial and ongoing stop, speed limit, and related traffic signing for all public streets.
5. The Developer will be required to furnish and install end of roadway markers or barricades at the roadways, which are dead end without standard cul-de-sacs.
6. The City of Topeka Code § 134-175 requires the Developer of a subdivision to pay for and provide for any costs of street lighting above the City standard aerial secondary system. This means that in subdivisions where utilities are underground, a conduit system may need to be designed and installed for use by the future street lighting system. A street lighting conduit system will need to be designed in coordination with the City Traffic Operations Section and Westar Energy to provide for future street lighting needs and to minimize the conduit system length. The costs of the conduit system and design will need to be borne by the Developer or financing authority as appropriate.
7. Future public street access considerations should be a consideration for the City Traffic Engineer.
8. The Developer will be required to make all improvements in the July of 2004 Traffic Impact Analysis for the construction of Rock Fire West and Rock Fire East. In addition, the City will require a westbound left turn lane on 45th Street at Croco Road.

### **Police Department**

1. This geographical area consisting at 174.81 acres presents no special terrain that would require equipment not already possessed by Topeka Police Department. The area is very accessible by both SE 45<sup>th</sup> Street and SE Croco Road. Both roads are paved and maintained during inclement weather.
2. The area is not contiguous with current City limits but is only a short driving distance to get there (approximately 1½ to 2 minutes from the east end of current City limit). Annexation of this land would provide orderly growth for the City and the proposed layout of the lots will be easily patrolled by car and by helicopter.

3. Police radio reception in the area is excellent and no additional equipment would be needed to operate police radios in area.
4. Emergency 911-telephone service will be made available to the area when developed consistent with service provided to residents inside the City limits.
5. As the area is developed and houses are added, the call rate will gradually increase each year. Developments similar in size to this proposed development around 45<sup>th</sup> & California have not added significantly to the police call load.
6. If annexation of this area were to occur the annexed area would be absorbed by Patrol Territory 450. Once annexed, 24-hour police service would begin immediately. Unit 450 already provides police services closest to the area under consideration for annexation. This area would fall under the East Command structure with supervision provided by 403.

### **Fire Department**

1. The fire department has two stations that would provide fire protection to this area. Fire station No. 9 is 3.7 miles away and fire station No. 10 is 5.9 miles away. The response time that we determined from driving to 45<sup>th</sup> and Croco from Station No. 9 on 29<sup>th</sup> Street was 5 minutes and 30 seconds. The preferred goal is to arrive in 4 minutes or less, but there are other areas like this one, where the 4 minute arrival time is not achieved. Station No. 9 and Station No. 10 both are two company stations, consisting of an engine company and a truck company.
2. These companies could provide adequate fire protection to this area. Each fire company is assigned four firefighters per shift (a total of 8 firefighters per station) and never operates with less than three firefighters per company. Topeka Tecumseh Fire Department, which provides fire protection at this time, has one full time firefighter per shift and the rest of their firefighters are volunteers.

### **Park and Recreation**

This project should it result in annexation, will not result in any parkland maintenance responsibilities to the City forestry section. There appear to be a significant number of trees within the right-of-way along Tomahawk and Croco that may require additional funding for ongoing maintenance of these trees.