**RESOLUTION NO. 7677**

A RESOLUTION INTRODUCED BY NEIL DOBLER RELATING TO NOTICE OF A PUBLIC HEARING CONCERNING A REDEVELOPMENT PROJECT PLAN FOR THE HEARTLAND PARK REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1772

WHEREAS, K.S.A. 12-1770 *et seq.*, as amended (the "Act"), provides for the creation of redevelopment districts and the approval of redevelopment project plans, including project plans for a major motorsports complex; and

WHEREAS, the City has adopted a Resolution expressing its intent to establish the Heartland Park Redevelopment District; and

WHEREAS, the boundaries of the proposed Heartland Park Redevelopment District are set forth in Resolution No. 7676; and

WHEREAS, pursuant to the Act, the City must adopt a resolution stating that the City is considering the approval of a Redevelopment Project Plan for a major motorsports complex and giving notice that a public hearing will be held to consider such Redevelopment Project Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, AS FOLLOWS:

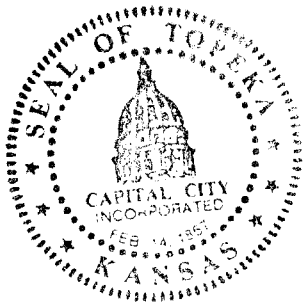
Section 1. A public hearing will be held to consider the adoption of the Redevelopment Project Plan for a major motorsports complex in the proposed Heartland Park Redevelopment District, at the Topeka Municipal Building, located at 214 SE 8th Street, Topeka, Kansas on September 27, 2005, beginning at 7:00 p.m.

Section 2. The boundaries of the major motor sports complex covered by the Redevelopment Project Plan are coextensive with the boundaries of the proposed Heartland Park Redevelopment District set forth in Exhibit A, attached hereto and incorporated herein by reference. Said area lies within the boundaries of an eligible area; subject, however, to the determination by the Kansas Secretary of Commerce that the Redevelopment District is a major motorsports complex within the requirements of the Act.

Section 3. The Redevelopment Project Plan for the major motorsports complex in the Heartland Park Redevelopment District, including a summary of the feasibility study, financial guarantees, and a description and map of the area to be developed are available for inspection during regular office hours in the office of the City Clerk, at the Office of the City Clerk, 215 SE 7th Street, Topeka, Kansas.

Section 4. Notice of the public hearing shall be given as provided in K.S.A. 12-1780c.

THIS RESOLUTION is hereby adopted by the Governing Body of the City of Topeka, Kansas this 23rd day of August, 2005.




CITY OF TOPEKA, KANSAS

By: _____
William W. Bunten
Mayor

By: _____
Iris Walker
City Clerk

By: _____
Brenden Long
City Attorney

APPROVED AS TO FORM & LEGALITY
JRD
AUG 1 2 2005
CITY ATTORNEY'S OFFICE

EXHIBIT A

REDEVELOPMENT DISTRICT LEGAL DESCRIPTION
AUGUST 12, 2005
PREPARED BY M. W. BERRY, L.S. #946



A PORTION OF HEARTLAND PARK TOPEKA SUBDIVISION, LYING IN THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER SECTION 7, THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 8, AND THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP 13 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER SECTION 7, T-13-S, R-16-E, SHAWNEE COUNTY, KANSAS;
THENCE N 88 DEGREES 07'18" E 213.70 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE EASTERLY RIGHT-OF-WAY OF TOPEKA BOULEVARD (FORMERLY KNOWN AS US HIGHWAY NO. 75) AND THE POINT OF BEGINNING;
THENCE N 88 DEGREES 07' 18" E ALONG THE NORTH LINE OF HEARTLAND PARK TOPEKA SUBDIVISION, SHAWNEE COUNTY, KANSAS 2268.55 FT TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER;
THENCE N 88 DEGREES 07' 18" E ALONG THE NORTH LINE OF SAID SUBDIVISION 1409.90 FT TO THE NORTHEAST CORNER OF LOT 1, BLOCK B, OF SAID SUBDIVISION;
THENCE S 02 DEGREES 04' 31" E ALONG THE BOUNDARY OF SAID SUBDIVISION 650.00 FT TO THE MOST SOUTHERLY POINT OF SAID LOT 1, BLOCK B;
THENCE N 88 DEGREES 07' 18" E ALONG THE BOUNDARY OF SAID SUBDIVISION 1240.00 FT TO THE CENTERLINE OF SOUTHEAST ADAMS STREET;
THENCE CONTINUING ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO COURSES:
N 88 DEGREES 27' 18" E 1147.85 FEET;
S 63 DEGREES 25' 07" E 1670.29 FEET TO THE LINE COMMON TO LOTS 1 AND 2, BLOCK D IN SAID SUBDIVISION;
THENCE CONTINUING ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING THREE COURSES:
S 63 DEGREES 25' 07" E 900.22 FEET;
N 86 DEGREES 16' 27" E 1053.80 FEET;
N 55 DEGREES 11' 33" E 910.15 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, T-13-S, R-16-E;
THENCE S 02 DEGREES 32' 18" E ALONG THE BOUNDARY OF SAID SUBDIVISION 1318.30 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 8;
THENCE S 88 DEGREES 14' 08" W ALONG THE BOUNDARY OF SAID SUBDIVISION 2612.01 FEET TO THE SOUTHWEST CORNER, SOUTHEAST QUARTER OF SAID SECTION 8;

THENCE S 88 DEGREES 19′ 21″ W ALONG THE BOUNDARY OF SAID SUBDIVISION 2621.19 FT TO THE SOUTHWEST CORNER THE SOUTHWEST QUARTER OF SAID SECTION 8;
THENCE S 02 DEGREES 22′ 39″ E ALONG THE BOUNDARY OF SAID SUBDIVISION 2638.05 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 18, T-13-S, R-16-E;
THENCE S 02 DEGREES 22′ 27″ E ALONG THE BOUNDARY OF SAID SUBDIVISION 1318.96 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18;
THENCE S 88 DEGREES 00′ 15″ W ALONG THE BOUNDARY OF SAID SUBDIVISION 2638.04 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF;
THENCE N 02 DEGREES 18′ 32″ W ALONG THE BOUNDARY OF SAID SUBDIVISION 1319.82 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 18;
THENCE N 02 DEGREES 18′ 22″ W ALONG THE BOUNDARY OF SAID SUBDIVISION 2629.66 FT TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER;
THENCE S 88 DEGREES 23′ 32″ W ALONG THE BOUNDARY OF SAID SUBDIVISION 2146.71 FEET TO A POINT 361.50 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, T-13-S, R-16-E;
THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING FOUR COURSES:
N 01 DEGREES 52′ 44″ W 361.50 FEET;
S 88 DEGREES 23′ 32″ W 216.30 FEET;
N 01 DEGREES 52′ 44″ W 299.83 FEET;
S 88 DEGREES 23′ 32″ W 94.74 FEET;
THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION, (SAID BOUNDARY BEING THE EASTERLY RIGHT-OF-WAY OF TOPEKA BOULEVARD, FORMERLY KNOWN AS US HIGHWAY NO. 75) THE FOLLOWING FOUR COURSES:
N 01 DEGREES 55′ 59″ W 906.14 FEET;
N 88 DEGREES 07′ 18″ E 9.90 FEET;
N 04 DEGREES 18′ 42″ E 288.60 FEET;
N 06 DEGREES 49′ 42″ E 813.00 FEET TO THE POINT OF BEGINNING;

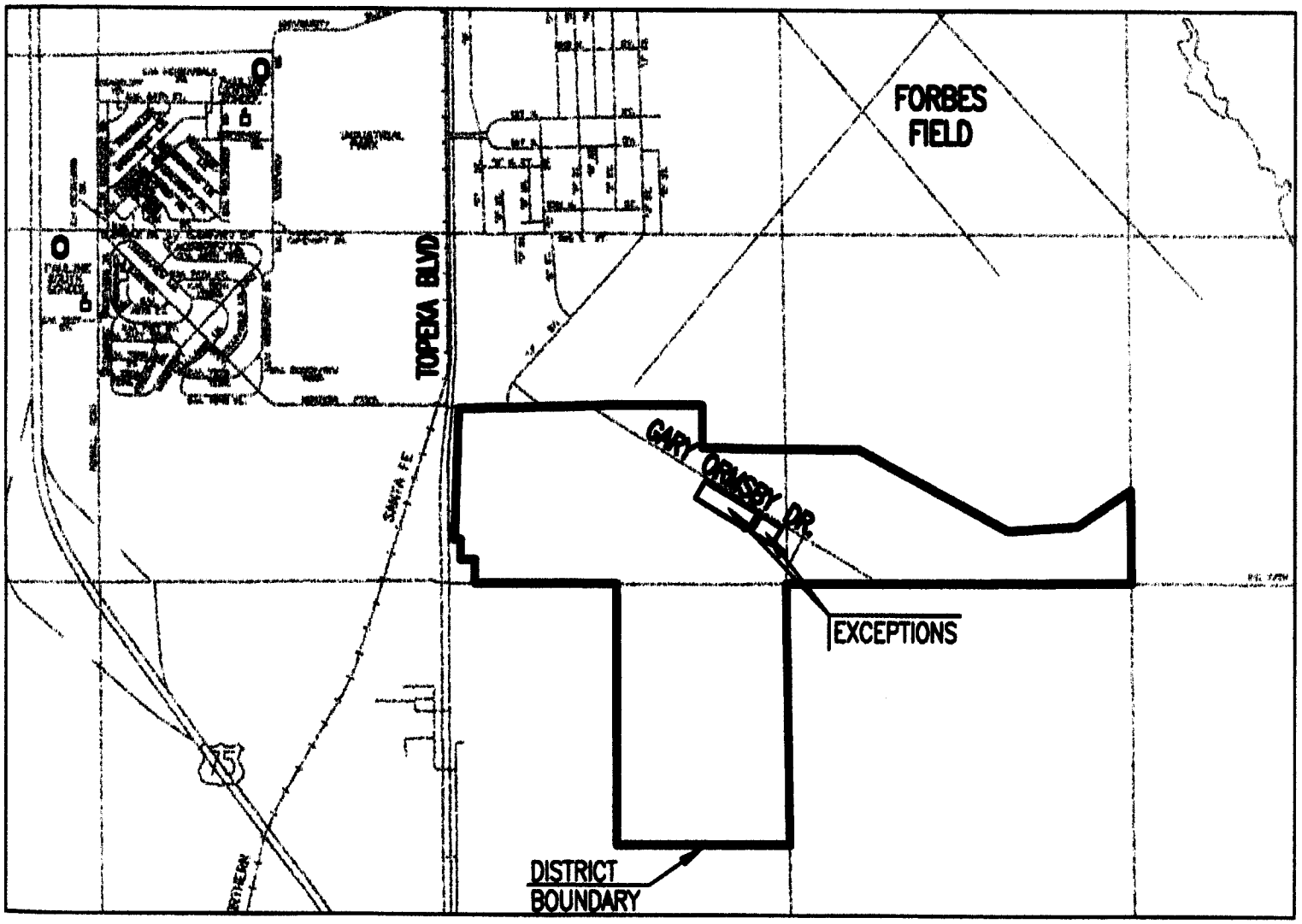
EXCEPT THE FOLLOWING TWO PARCELS:

<u>EXCEPTION PARCEL 1</u>

LOT 1, BLOCK I, HEARTLAND PARK TOPEKA SUBDIVISION, SHAWNEE COUNTY, KANSAS;

<u>AND</u>

EXCEPTION PARCEL NO. 2

A PART OF LOT 1, BLOCK H, HEARTLAND PARK TOPEKA SUBDIVISION, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHERNMOST CORNER OF SAID LOT 1;
THENCE S 46 DEGREES 52′ 42″ E ALONG THE SOUTH LINE OF HEARTLAND PARKWAY (NOW KNOWN AS GARY ORMSBY DRIVE) 364.05 FEET;
THENCE S 43 DEGREES 07′ 18″ W 295.00 FEET TO THE NORTH LINE OF PADDOCK DRIVE;
THENCE N 46 DEGREES 52′ 42″ W ALONG THE NORTH LINE OF PADDOCK DRIVE 364.05 FEET;
THENCE N 43 DEGREES 07′ 18″ E ALONG THE EAST LINE OF DENISE MCCLUGGAGE 295.00 FEET TO THE POINT OF BEGINNING.

HEARTLAND PARK TOPEKA
REDEVELOPMENT
DISTRICT