ORDINANCE NO. 17455

AN ORDINANCE introduced by Mayor Joan Wagnon adopting an amendment to neighborhood revitalization plan as provided for in K.S.A. (1998 Supp.) 12-17,114 et seq., Neighborhood Revitalization Act.

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

Section 1. Hearing.

The Council of the City of Topeka pursuant to Notice of Public Hearing as set forth in City of Topeka Resolution No. 7021 did hold a public hearing on January 4, 2000 to hear and consider public comment on the adoption of an amended neighborhood revitalization plan as adopted by City of Topeka Ordinance No. 17248 as required by K.S.A. (1998 Supp.) 12-17,117(c).

Section 2. Neighborhood Revitalization Plan.

The Council of the City of Topeka does hereby adopt the amended neighborhood revitalization plan, attached hereto, labeled Exhibit A and incorporated by reference as if fully set forth herein as provided for by K.S.A. (1998 Supp.) 12-17,117(a).

Section 3. Designation of Neighborhood Revitalization Area.

Pursuant to K.S.A. (1998 Supp.) 12-17,116, the Council of the City of Topeka hereby designates the following described property as the neighborhood revitalization area and finds that said area contains: 1) a predominance of buildings which by reason of dilapidation are detrimental to public health, safety and welfare; 2) a substantial number of deteriorating structures which impairs sound growth of the city and retards provision of

HORD/NRA-991 1/4/00
housing and; 3) a predominance of buildings which are significant and should be restored to productive use.

The neighborhood revitalization area is described as follows:

PART 1

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA AND SPECIAL DISTRICT

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA

Beginning at a point on the East line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point being 1070.00 feet more or less North of the Southeast corner of said Section 17 and more commonly known as the Northwest corner of Laurent Tract; thence North along said East line of said Section to its intersection with the established corporate boundary the same being the North right-of-way line of the Soldier Creek Cutoff; thence easterly along said North right-of-way line to a point that is on the East line of the Southwest Quarter Section and on the North line of Indian Creek; thence South along said established corporate boundary to the North bank of the Kansas River; thence Northwesterly along said North bank to its intersection with the East line of Section 16, Township 11 South, Range 16 East of the 6th P.M.; thence South to the Northeast corner of Section 21; thence Southerly along the East line of said Section 21 to the Southeast corner thereof; said point also being the Northeast corner of Section 28, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas; thence Southerly along the East line of said Section 28 to the Southeast corner thereof; said point also being the Northwest corner of Section 34, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas; thence Easterly along the North line of said Section 34 the Northeast corner of the Northwest Quarter of said Section 34; said point being the intersection of N.E. Seward Avenue and N.E. Rice Road and lying on the established corporate boundary of the City of Topeka, Shawnee County, Kansas; thence Southerly along N.E. Rice Road and the corporate boundary to its intersection with S.E. 6th Avenue; thence Easterly along S.E. 6th Avenue and the established corporate boundary to a point 288.06 feet more or less West of S.E. Croco Road; thence continuing along the Southerly and Easterly meandering of the corporate boundary of the City of Topeka to its point of intersection with S.E. 21st Street; thence continuing Southerly and Westerly along the established corporate boundary to its intersection with the Kansas Turnpike; thence continuing along the North right-of-way of the Kansas Turnpike in a Southwesterly direction to its point of intersection with Interstate Highway No. 470; thence Northwesterly along Interstate Highway No. 470 to its intersection with S.W. Burlingame Road; said point being in the Northwest Quarter of Section 24, Township 12 South, Range 15 East of the 6th P.M. in Shawnee County, Kansas; thence Northerly along S.W. Burlingame Road to its intersection with S.W. 29th Street; thence
Easterly along S.W. 29th Street to its intersection with S. Topeka Boulevard; thence Northerly along said South Topeka Boulevard to its intersection with S.W. 27th Street; thence Westerly along said S.W. 27th Street to its intersection with S.W. Washburn Avenue; thence Northerly along said S.W. Washburn Avenue to its intersection with S.W. 17th Street; thence westerly along said S.W. 17th Street to its intersection with S.W. Mulvane Street; thence northerly along said S.W. Mulvane Street to its intersection with S.W. 12th Street; thence Westerly along said S.W. 12th Street to its intersection of S.W. Randolph Avenue; thence Northerly along said S.W. Randolph Avenue to its intersection with S.W. 6th Avenue; the Easterly along said S.W. 6th Avenue to its intersection with S.W. MacVicar Avenue; thence Northerly along S.W. MacVicar Avenue and its Northerly extension to the center of the Kansas River; thence Easterly along the center of the Kansas River to its intersection with the Southerly extension of N.W. Vail Avenue; thence Northerly along said Southerly extension of N.W. Vail Avenue to its intersection with N.W. Gordon Street; thence continuing Northerly along N.W. Vail Avenue and its Northerly extension to its intersection with the center of U.S. Highway No. 24; thence Easterly along said center U.S. Highway No. 24 to a point on the East line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point lying due North of the Northwest corner of Laurent Tract; thence Southerly along the East line of the Southeast Quarter of said Section 17 to the Northwest corner of Laurent Tract and the point of beginning. And also a tract of land bounded by S.W. 6th Avenue on the South, S.W. Frazier Avenue on the West, Interstate Highway 70 on the North, and MacVicar Avenue on the East. All of the above-described tracts of land lie within the City of Topeka, Shawnee County, Kansas. Containing 25.3399 square miles, except the Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.

MULTI FAMILY RESIDENTIAL DISTRICTS

MULTI FAMILY RESIDENTIAL DISTRICT NO. 1

Beginning at a point at the intersection of S.E. Adams Street, S.E. 10th Street, and the Atchison-Topeka and Santa Fe Railroad; thence southwesterly following the said railroad tracks to it's point of intersection with S.E. 17th Street; thence west, following S.E. 17th Street to it's point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence following the said alley in it's northerly most direction to it's point of intersection with S.W. 10th Street; thence westerly along S.W. 10th Street to it's point of intersection with S.W. Western Avenue; thence northerly along S.W. Western Avenue to it's point of intersection with S.W. 6th Avenue; thence easterly along S.W. 6th Avenue to it's point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence northerly along said alley and it's extension to it's point of intersection with Interstate no. 70; thence easterly along Interstate No. 70 to it's point of intersection with the northerly projection of the alley lying between S.W. Topeka Boulevard and S.W. Tyler Street; thence northerly along said extended alley to it's point of intersection with the assumed center of the Kansas River; thence easterly along said
center of river to its point of intersection with the northerly extension of S.E. Adams Street; thence southerly along said extension of Adams Street and S.E. Adams Street as platted to the point of beginning.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 2

All of the following recorded Lots in the Southeast one quarter of Section 1, Township 12 South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, Kansas.

In Martin and Dennis Subdivision: Even numbered Lots 694 thru 732 inclusive in Block 21.

In Steel's Addition: Even numbered Lots 734 thru 768 inclusive in Block 7; even numbered Lots 770 thru 800 inclusive in Block 8.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 3

Lots 1, 2, 3, and 4 Block "A" of Seaman Square Subdivision, City of Topeka, Shawnee County, Kansas, containing 15.05 acres more or less.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 4

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 which is South 89 degrees 35 minutes 38 seconds West, along the South line of said quarter section, 1401.31 feet, and North 00 degrees 25 minutes 19 seconds West, 30.00 feet from the Southeast corner of said quarter section, said point being the intersection of the North right-of-way line of 6th Street with the West line of a 60 foot right-of-way easement; thence South 89 degrees 35 minutes 38 seconds West, along said North right-of-way line, 1233.71 feet, more or less, to the East right-of-way line of Oakley Avenue; thence North 00 degrees 06 minutes 49 seconds West, along said East right-of-way line, 844.71 feet; thence North 89 degrees 34 minutes 41 seconds East, 442.17 feet; thence North 00 degrees 25 minutes 19 seconds West, 232.60 feet; thence North 89 degrees 34 minutes 41 seconds East, 307.38 feet; thence North 36 degrees 54 minutes 32 seconds East, 281.46 feet; thence North 89 degrees 34 minutes 41 seconds East, 308.93 feet, more or less, to the West line of said 60 foot right-of-way easement; thence South 00 degrees 25 minutes 19 seconds East, along said West line, 1301.44 feet, more or less, to the point of beginning. The above contains 30.112 acres, more or less, all in the City of Topeka, Shawnee County, Kansas. The above is subject to rights-of-way, easements, and restrictions of record.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 5

A tract of land in the Southeast Quarter of Section 33, Township 11 South, Range 16 East of the Sixth Principal Meridian, City of Topeka, Shawnee County, Kansas, described as follows: Beginning at the intersection of S.E. Market Street and S.E. 6th Avenue; thence
Southeasterly along the centerline of S.E. 6th Avenue approximately 1,000-feet; thence 157
East along the centerline of S.E. 6th Avenue approximately 1,390-feet to the intersection 158
of S.E. 6th Avenue and S.E. Woodland Avenue; thence North along the centerline of S.E. 159
Woodland Avenue approximately 1,870-feet to the intersection of S.E. 3rd Street and S.E. 160
Woodland Avenue; thence East along the centerline of S.E. 3rd Street approximately 220- 161
feet to the intersection of S.E. 3rd Street and S.E. Woodland Avenue; thence North along 162
the centerline of S.E. Woodland Avenue to the South levee right-of-way line of the 163
Shunganunga Creek levee to the centerline of S.E. Market Street; thence South 164
approximately 1,800-feet to the Point of Beginning.

LEGAL DESCRIPTION OF SPECIAL DISTRICTS

SPECIAL DISTRICT NO. 1

Beginning at the intersection of N.W. Morse Street and North Topeka Boulevard; thence 171
Easterly along N.W. Morse Street to its intersection with N.E. Quincy Street; thence 172
Southerly along N.E. Quincy Street to its intersection with N.E. Laurent Street; thence 173
Easterly along N.E. Laurent Street to its intersection with the Union Pacific Railroad; thence 174
Southerly and projecting across the Kansas River to a point of intersection with N.E. 175
Adams Street; thence Southerly along N.E. Adams Street to its point of intersection with 176
S.E. 10th Avenue and the Atchison-Topeka and Santa Fe Railroad; thence continuing 177
Southerly along said railroad to its intersection with the eastern extension of S.E. 13th 178
Street; thence Westerly along said S.E. 13th Street to its intersection with S.E. Monroe 179
Street; thence Southerly along S.E. Monroe Street to its intersection with S.E. 14th Street; 180
thence Westerly along S.E. 14th Street to its point of intersection with the platted alley lying 181
West of South Topeka Boulevard and East of S.W. Tyler Street; thence following said 182
platted alley North to its intersection of S.W. 4th Street; thence Easterly along S.W. 4th 183
Street to its intersection with S.W. Van Buren Street; thence Northerly along S.W. Van 184
Buren Street to its intersection with S.W. 2nd Street; thence West along S.W. 2nd Street 185
to its point of intersection with the platted alley lying West of South Topeka Boulevard and 186
East of S.W. Tyler Street; thence Northerly along said platted alley and its extension to the 187
center of the Kansas River; thence Easterly along the center of the Kansas River to its 188
intersection with North Topeka Boulevard; thence Northerly along North Topeka Boulevard 189
to its intersection with N.W. Morse Street and the point of beginning, except the 190
Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 191
16199 and No. 16453.

SPECIAL DISTRICT NO. 2

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East 196
of the Sixth Principal Meridian, in Shawnee County, Kansas, described as follows: 197
Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 198
08 minutes 12 seconds West, 776.62 feet along the East line of said Quarter for the Point 199
of Beginning; thence North 00 degrees 08 minutes 12 seconds West, 559.88 feet to a point
on the South right-of-way of I-70 Highway; thence North 31 degrees 50 minutes 28
seconds West, 88.10 feet; thence North 82 degrees 50 minutes 52 seconds West, 664.50
feet; thence North 89 degrees 20 minutes 22 seconds West, 196.00 feet; thence on a
2720.37 foot radius curve left 595.40 feet, along said right-of-way, said curve having a long
chord bearing South 68 degrees 26 minutes 21 seconds West, 594.22 feet; thence South
00 degrees 08 minutes 12 seconds East, 213.10 feet; thence South 78 degrees 47
minutes 47 seconds East, 1483.53 feet to the Point of Beginning. Containing 17.19 acres,
more or less.

AND

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East
of the Sixth Principal Meridian, in Shawnee County, Kansas, described as follows:
Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 degrees
08 minutes 12 seconds West, 776.62 feet along the East line of said Quarter for the Point
of Beginning; thence North 00 degrees 08 minutes 12 seconds West, 559.88 feet to a point
on the South right-of-way of I-70 Highway; thence North 31 degrees 50 minutes 28
seconds West, 88.10 feet; thence North 82 degrees 50 minutes 52 seconds West, 196.00
feet; thence on a 2720.37 foot radius curve left 595.40 feet, along said right-of-way, said
curve having a long chord bearing South 68 degrees 26 minutes 21 seconds West, 594.22
feet; thence South 00 degrees 08 minutes 12 seconds East, 213.10 feet; thence South 78
degrees 47 minutes 47 seconds East, 1483.53 feet to the Point of Beginning. Containing
17.19 acres, more or less.

AND

The North Half of Lot 135; all of Lots 137, 139, 141, 143, 147, 149, 151, 153, and 155; and
a part of Lots 157, 159, 161, 163, 165, and 167 described as follows: Beginning at the
Northwest corner of Lot 167; thence Easterly along the North line of Lot 167, a distance
of 40 feet; thence Southeasterly 157.08 feet, more of less, to a point on the South line of
Lot 157, point being 73.33 feet more or less. Westerly of the Southeast corner of said Lot
157; thence Northerly to the place of beginning. All Lots being on Storey Street in Sam
Cross Addition to the City of Topeka, Shawnee County, Kansas, except that part of said
Lots taken by condemnation in District Court Case No. 83886 to provide a controlled
access facility of a connecting link within said City to Interstae Highway U.S. 70.

Section 4. This ordinance describing an amendment to the adopted Neighborhood
Revitalization Plan shall take effect and be in force after its passage, approval and

HORD/NRA-991 1/4/00
publication in the official city newspaper, and upon adoption by each participating taxing
entity pursuant to interlocal agreement.

PASSED and APPROVED by the City Council

JAN 18 2000

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE: 1/19/2000 BY

TO BE CODIFIED

NOT TO BE CODIFIED X

HOLD/NRA-991 1/4/00

7
NEIGHBORHOOD REVITALIZATION PLAN

CITY OF TOPEKA

AMENDED January 1, 2000
<table>
<thead>
<tr>
<th>PART</th>
<th>TITLE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1</td>
<td>Legal Description of Neighborhood Revitalization Area, Special District and Multi Family Residential Districts</td>
<td>2</td>
</tr>
<tr>
<td>Part 2</td>
<td>Assessed Valuation of Real Property</td>
<td>17</td>
</tr>
<tr>
<td>Part 3</td>
<td>Listing of Owners of Record in Area</td>
<td>18</td>
</tr>
<tr>
<td>Part 4</td>
<td>Summary Description of Zoning Districts</td>
<td>19</td>
</tr>
<tr>
<td>Part 5</td>
<td>Capital Improvements Planned for the Area</td>
<td>23</td>
</tr>
<tr>
<td>Part 6</td>
<td>Statement Specifying the Eligibility Requirements for a Tax Rebate</td>
<td>24</td>
</tr>
<tr>
<td>Part 7</td>
<td>Criteria for Determination of Eligibility</td>
<td>27</td>
</tr>
<tr>
<td>Part 8</td>
<td>Contents of Application for Tax Rebate</td>
<td>28</td>
</tr>
<tr>
<td>Part 9</td>
<td>Application Procedure</td>
<td>29</td>
</tr>
<tr>
<td>Part 10</td>
<td>Standards and Criteria for Review</td>
<td>31</td>
</tr>
<tr>
<td>Part 11</td>
<td>Statement Specifying Rebate Formula</td>
<td>35</td>
</tr>
</tbody>
</table>
Neighborhood Revitalization Plan

Purpose:

This Plan is intended to promote the revitalization of the inner urban area hereinafter described 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, a tax rebate incentive will be available to property owners for certain improvements within the area.

In accordance KSA (1997 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 carefully reviewed, evaluated and determined the described area meets one or more of the conditions contained in KSA (1997 Supp) 12-17,115 to be designated as a "Neighborhood Revitalization area" (hereinafter referred to as area).

General Profile of Neighborhood Revitalization Area:

- square miles - 25.3399
- parcels of land - 25,113
- estimated population - 50,737
- total housing units -27,669
- vacant parcels of land - 2,680
- persons below the poverty level - 8,285
- Section 8 housing units 951
- parcels that are tax delinquent - 3,731
- real property valuation $1,731,132,936
PART 1

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA AND SPECIAL DISTRICT

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA

Beginning at a point on the East line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point being 1070.00 feet more or less North of the Southeast corner of said Section 17 and more commonly known as the Northwest corner of Laurent Tract; thence north along said East line of said Section to its intersection with the established corporate boundary the same being the North right-of-way line of the Soldier Creek Cutoff; thence easterly along said North right-of-way line to a point that is on the East line of the Southwest Quarter Section and on the North line of Indian Creek; thence South along said established corporate boundary to the North bank of the Kansas River; thence Northwesterly along said North bank to its intersection with the East line of Section 16, Township 11 South, Range 16 East of the 6th P.M.; thence South to the Northeast corner of Section 21; thence Southerly along the East line of said Section 21 to the Southeast corner thereof; said point also being the Northeast corner of Section 28, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas; thence Southerly along the East line of said Section 28 to the Southeast corner thereof; said point also being the Northwest corner of Section 34, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas; thence Easterly along the North line of said Section 34 the Northeast corner of the Northwest Quarter of said Section 34; said point being the intersection of N.E. Seward Avenue and N.E. Rice Road and lying on the established corporate boundary of the City of Topeka, Shawnee County, Kansas; thence Southerly along N.E. Rice Road and the corporate boundary to its intersection with S.E. 6th Avenue; thence Easterly along S.E. 6th Avenue and the established corporate boundary to a point 288.06 feet more or less West of S.E. Croco Road; thence continuing along the Southerly and Easterly meandering of the corporate boundary of the City of Topeka to its point of intersection with S.E. 21st Street; thence continuing Southerly and Westerly along the established corporate boundary to its intersection with the Kansas Turnpike; thence continuing along the North right-of-way of the Kansas Turnpike in a Southwesterly direction to its point of intersection with Interstate Highway No. 470; thence Northwesterly along Interstate Highway No. 470 to its intersection with S.W. Burlingame Road; said point being in the Northwest Quarter of Section 24, Township 12 South, Range 15 East of the 6th P.M. in Shawnee County, Kansas; thence Northerly along S.W. Burlingame Road to its intersection with S.W. 29th Street; thence Easterly along S.W. 29th Street to its intersection with S. Topeka Boulevard; thence Northerly along said South Topeka Boulevard to its intersection with S.W. 27th Street; thence Westerly along said S.W. 27th Street to its intersection with S.W. Washburn Avenue; thence Northerly along said S.W. Washburn Avenue to its intersection with S. W. 17th Street; thence westerly along said S.W. 17th Street to its intersection with S.W. Mulvane Street; thence northerly along said S.W. Mulvane Street to its intersection with S.W. 12th Street; thence Westerly along said S.W. 12th Street to its inter-
section of S.W. Randolph Avenue; thence Northerly along said S.W. Randolph Avenue to its intersection with S.W. 6th Avenue; the Easterly along said S.W. 6th Avenue to its intersection with S.W. MacVicar Avenue; thence Northerly along S.W. MacVicar Avenue and its Northerly extension to the center of the Kansas River; thence Easterly along the center of the Kansas River to its intersection with the Southerly extension of N.W. Vail Avenue; thence Northerly along said Southerly extension of N.W. Vail Avenue to its intersection with N.W. Gordon Street; thence continuing Northerly along N.W. Vail Avenue and its Northerly extension to its intersection with the center of U.S. Highway No. 24; thence Easterly along said center U.S. Highway No. 24 to a point on the East line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point lying due North of the Northwest corner of Laurent Tract; thence Southerly along the East line of the Southeast Quarter of said Section 17 to the Northwest corner of Laurent Tract and the point of beginning. And also a tract of land bounded by S.W. 6th Avenue on the South, S.W. Frazier Avenue on the West, Interstate Highway 70 on the North, and MacVicar Avenue on the East. All of the above described tracts of land lie within the City of Topeka, Shawnee County, Kansas. Containing 25.3399 square miles, except the Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.

MULTI FAMILY RESIDENTIAL DISTRICTS

MULTI FAMILY RESIDENTIAL DISTRICT NO. 1

Beginning at a point at the intersection of S.E. Adams Street, S.E. 10th Street, and the Atchison-Topeka and Santa Fe Railroad; thence southwesterly following the said railroad tracks to it’s point of intersection with S.E. 17th Street; thence west, following S.E. 17th Street to it’s point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence following the said alley in it’s northerly most direction to it’s point of intersection with S.W. 10th Street; thence westerly along S.W. 10th Street to it’s point of intersection with the alley lying between S.W. Western Avenue and S.W. Fillmore Street, thence northerly along said alley to it’s point of intersection with S.W. 6th Avenue; thence easterly along S.W. 6th Avenue to it’s point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence northerly along said alley and it’s extension to it’s point of intersection with Interstate no. 70; thence easterly along Interstate no. 70 to it’s point of intersection with the northerly projection of the alley lying between S.W. Topeka Boulevard and S.W. Tyler Street; thence northerly along said extended alley to it’s point of intersection with the assumed center of the Kansas River; thence easterly along said center of river to it’s point of intersection with the northerly extension of S.E. Adams Street; thence southerly along said extension of Adams Street and S.E. Adams Street as platted to the point of beginning.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 2

All of the following recorded Lots in the Southeast one quarter of Section 1, Township 12 South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, Kansas.

In Martin and Dennis Subdivision: Even numbered Lots 694 thru 732 inclusive in Block 21.
In Steel's Addition: Even numbered Lots 734 thru 768 inclusive in Block 7; Even numbered Lots 770 thru 800 inclusive in Block 8.
Contains 3.14 acres more or less.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 3

Lots 1, 2, 3, and 4 Block “A” of Seaman Square Subdivision, City of Topeka, Shawnee County, Kansas, containing 15.05 acres more or less.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 4

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 which is South 89 degrees 35 minutes 38 seconds West, along the South line of said Quarter Section, 1401.31 feet, and North 00 degrees 25 minutes 19 seconds West, 30.00 feet from the Southeast corner of said Quarter Section, said point being the intersection of the North right-of-way line of 6th Street with the West line of a 60 foot right-of-way easement; thence South 89 degrees 35 minutes 38 seconds West, along said North right-of-way line 1233.71 feet, more or less, to the East right-of-way line of Oakley Avenue; thence North 00 degrees 06 minutes 49 seconds West, along said East right-of-way line, 844.71 feet; thence North 89 degrees 34 minutes 41 seconds East, 442.71 feet; thence North 00 degrees 25 minutes 19 seconds West, 232.60 feet; thence North 89 degrees 34 minutes 41 seconds East, 307.38 feet; thence North 36 degrees 54 minutes 32 seconds East, 281.46 feet; thence North 89 degrees 34 minutes 41 seconds East, 308.93 feet, more or less, to the West line of said 60 foot right-of-way easement; thence South 00 degrees 25 minutes 19 seconds East, along said West line, 1301.44 feet, more or less, to the Point of Beginning. The above contains 30.112 acres, more or less, all in the City of Topeka, Shawnee County, Kansas. The above is subject to rights-of-way, easements, and restrictions of record.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 5

A tract of land in the Southeast Quarter of Section 33, Township 11 South, Range 16 East of the Sixth Principal Meridian, City of Topeka, Shawnee County, Kansas, described as follows: Beginning at the intersection of S.E. Market Street and S.E. 6th Avenue; thence Southeasterly along the centerline of S.E. 6th Avenue approximately 1,000-feet; thence East along the centerline S.E. 6th Avenue approximately 1,390-feet to the intersection of S.E. 6th Avenue and S.E. Woodland Avenue; thence North along the centerline of S.E. Woodland Avenue approximately 1,870-feet to the intersection of S.E. 3rd Street and S.E. Woodland Avenue; thence East along the centerline of S.E. 3rd Street approximately 220-feet to the intersection of S.E. 3rd Street and S.E. Woodland Avenue; thence North along the centerline of S.E. Woodland Avenue to the South levee right-of-way line of the Shunganunga Creek levee to the centerline of S.E. Market Street; thence South approximately 1,800-feet to the Point of Beginning.
LEGAL DESCRIPTION OF SPECIAL DISTRICT NO. 1

Beginning at the intersection of N.W. Morse Street and North Topeka Boulevard; thence Easterly along N.W. Morse Street to its intersection with N.E. Quincy Street; thence Southerly along N.E. Quincy Street to its intersection with N.E. Laurent Street; thence Easterly along N.E. Laurent Street to its intersection with the Union Pacific Railroad; thence Southerly and projecting across the Kansas River to a point of intersection with N.E. Adams Street; thence Southerly along N.E. Adams Street to its point of intersection with S.E. 10th Avenue and the Atchison-Topeka and Santa Fe Railroad; thence continuing Southerly along said railroad to its intersection with the eastern extension of S.E. 13th Street; thence Westerly along said S.E. 13th Street to its intersection with S.E. Monroe Street; thence Southerly along S.E. Monroe Street to its intersection with S.E. 14th Street; thence Westerly along S.E. 14th Street to its point of intersection with the platted alley lying West of South Topeka Boulevard and East of S.W. Tyler Street; thence following said platted alley North to its intersection of S.W. 4th Street; thence Easterly along S.W. 4th Street to its intersection with S.W. Van Buren Street; thence Northerly along S.W. Van Buren Street to its intersection with S.W. 2nd Street; thence West along S.W. 2nd Street to its point of intersection with the platted alley lying West of South Topeka Boulevard and East of S.W. Tyler Street; thence Northerly along said platted alley and its extension to the center of the Kansas River; thence Easterly along the center of the Kansas River to its intersection with North Topeka Boulevard; thence Northerly along North Topeka Boulevard to its intersection with N.W. Morse Street and the point of beginning, except the Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.
LEGAL DESCRIPTION OF SPECIAL DISTRICT NO. 2

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, in Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 08 minutes 12 seconds West, 776.62 feet along the East line of said Quarter for the Point of Beginning; thence North 00 degrees 08 minutes 12 seconds West, 559.88 feet to a point on the South right-of-way of I-70 Highway; thence North 31 degrees 50 minutes 28 seconds West, 88.10 feet; thence North 82 degrees 50 minutes 52 seconds West, 664.50 feet; thence North 89 degrees 20 minutes 22 seconds West, 196.00 feet; thence on a 2720.37 foot radius curve left 595.40 feet, along said right-of-way, said curve having a long chord bearing South 68 degrees 26 minutes 21 seconds West, 594.22 feet; thence South 00 degrees 08 minutes 12 seconds East, 213.10 feet; thence South 78 degrees 47 minutes 47 seconds East, 1483.53 feet to the Point of Beginning. Containing 17.19 acres, more or less.

AND

A tract of land in the Northeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, in Shawnee County, Kansas, described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 08 minutes 12 seconds West, 776.62 feet along the East line of said Quarter for the Point of Beginning; thence North 00 degrees 08 minutes 12 seconds West, 559.88 feet to a point on the South right-of-way of I-70 Highway; thence North 31 degrees 50 minutes 28 seconds West, 88.10 feet; thence North 82 degrees 50 minutes 52 seconds West, 196.00 feet; thence on a 2720.37 foot radius curve left 595.40 feet, along said right-of-way, said curve having a long chord bearing South 68 degrees 26 minutes 21 seconds West, 594.22 feet; thence South 00 degrees 08 minutes 12 seconds East, 213.10 feet; thence South 78 degrees 47 minutes 47 seconds East, 1483.53 feet to the Point of Beginning. Containing 17.19 acres, more or less.

AND

The North Half of Lot 135; all of Lots 137, 139, 141, 143, 147, 149, 151, 153, and 155; and a part of Lots 157, 159, 161, 163, 165, and 167 described as follows: Beginning at the Northwest corner of Lot 167; thence Easterly along the North line of Lot 167, a distance of 40 feet; thence Southeasterly 157.08 feet, more or less, to a point on the South line of Lot 157, point being 73.33 feet more or less, Westerly of the Southeast corner of said Lot 157; thence Northerly to the place of beginning; All Lots being on Storey Street in Sam Cross Addition to the City of Topeka, Shawnee County, Kansas, except that part of said Lots taken by condemnation in District Court Case No. 83886 to provide a controlled access facility for a connecting link within said City to Interstate Highway U.S. 70.
PART 2

ASSESSED APPRAISED VALUATION OF REAL PROPERTY

The assessed appraised valuation of the real estate contained in the Neighborhood Revitalization area as of January 1, 1999 is listed for each parcel, for land and building values separately, in Appendix 1 on file in the Shawnee County Information and Technology Department.

The 1998 appraised valuation for the 25,113 parcels contained in the area is:

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$269,725,073 $267,451,425</td>
</tr>
<tr>
<td>Improvements</td>
<td>$1,461,443,163 $1,467,522,350</td>
</tr>
<tr>
<td>Total Appraised Valuation</td>
<td>$1,731,168,236</td>
</tr>
</tbody>
</table>
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 in Appendix 2 on file in the Shawnee County Information and Technology Department.
COMPREHENSIVE ZONING REGULATIONS
for
City of Topeka and Unincorporated Shawnee County, Kansas

SUMMARY DESCRIPTION OF ZONING DISTRICTS

RA-1 RURAL AGRICULTURE DISTRICT:
This district is intended to provide for the conservation, preservation and protection of farmland and to protect agricultural activities from encroachment of non-agricultural activities which are primarily urban in character and lacking essential utility and community services. Permits numerous agricultural associated commercial uses and other rural oriented uses as conditional use permits, and single family dwellings on three (3) acre minimum sites. Height limit: 42 feet.

RR-1 RESIDENTIAL RESERVE DISTRICT:
This district is intended to provide a transitional area between urbanized development and rural-agricultural areas, and is expected to become urbanized in subsequent planning periods upon the availability and extension of municipal services and facilities. Provides for uses similar to "RA-1" District including single-family dwellings on three (3) acre minimum sites. Height limit: 42 feet.

R-1 SINGLE FAMILY DWELLING DISTRICT:
This district is intended to provide for development of single-family detached neighborhoods and to permit other uses customarily associated with residential neighborhoods such as group homes, parks, schools, religious assemblies, day care facilities, among others; and, numerous non-residential uses such as recreation fields, cultural facilities, community centers, bed and breakfast inns, and other uses as conditional use permits. Establishes a minimum lot area of 6,500 square feet for single-family dwellings and maximum height limit of 42 feet.

R-2 SINGLE FAMILY DWELLING DISTRICT:
This district provides for the same uses and dimensional requirement as the "R-1" District except there is a minimum lot area of 5,000 square feet for dwellings.

R-3 SINGLE FAMILY DWELLING DISTRICT:
This district is intended to provide flexibility in the location and siting of single-family dwellings to promote compact housing development at affordable levels through reduced site area requirements, and optional public improvement design standards. The District permits similar to the "R-1" District with a minimum lot area requirement of 4,000 square feet for dwellings including an option for zero-lot-line side yard setbacks.

R-4 SINGLE FAMILY DWELLING DISTRICT:
This district provides for the development of on-site constructed homes and manufactured homes together as a platted residential subdivision. Requires a minimum district size of 8,000 square feet with 4,000 square foot minimum lot sizes.

M-1 TWO FAMILY DWELLING DISTRICT:
This district provides for the development of single-family detached and two-family (duplex) dwellings with other uses similar to the "R-1" District. Requires a minimum lot area of 4,000 square feet for single-family dwellings and 4,500 square feet for two-family dwellings, and sets a maximum height of 45 feet.

M-2 MULTIPLE FAMILY DWELLING DISTRICT:
This district provides for the development of single-family detached, two-family, and multiple-family dwellings and other related uses such as boarding and lodging houses, parks (public and private), schools, residential and medical care facilities, group homes, sororities and fraternities. Non-residential uses customarily associated with residential neighborhoods are also permitted by conditional use permit. Establishes minimum lot area requirements of 3,500 square feet for single-family dwellings; 4,000 square feet for a two-family dwelling; and, 1,500 square feet per dwelling unit for multi-family dwellings. Sets a maximum height of 50 feet.

M-3 MULTIPLE FAMILY DWELLING DISTRICT:
This district provides for uses similar to that of the "M-2" District except minimum lot area requirements are decreased to 3,500 square feet for single-family dwellings; 4,000 square feet for two-family dwellings; and, 600 square feet per dwelling unit for multi-family dwellings. Sets a maximum height of 100 feet.

M-4 MULTIPLE FAMILY DWELLING DISTRICT:
This district is designed exclusively for multi-family dwellings which are in the moderate to high density range and at heights which allow for high intensity of use and development. Continues to provide for compatible non-residential uses as permitted uses and by conditional use permit. Establishes a minimum lot area requirement of 400 square feet per dwelling unit and sets a maximum height limit of 160 feet.

O&I-1 OFFICE AND INSTITUTIONAL DISTRICT:
This district is intended to provide for a limited range of general-purpose office uses of low to moderate intensity to encourage compatibility with adjacent residential development. Other permitted uses include cultural facilities, broadcasting studios, schools, and parks, and other compatible uses such as churches, bed & breakfast inns, small animal hospitals or clinics, community centers, and dwellings located above the ground floor. The district establishes a maximum ground floor area of 7,500 square feet and a total building area of 15,000 square feet. Maximum height permitted is 42 feet.

19
Summary Description of Zoning Districts
(continued)

O&I-2 OFFICE AND INSTITUTIONAL DISTRICT:
This district provides for an expanded listing of office, institutional, business and service types of uses such as funeral homes, community living facilities, business or vocational schools, private membership associations, and other compatible uses similar to the “O&I-1” District. Establishes a maximum ground floor area of 20,000 square feet and a maximum height limit of 75 feet.

O&I-3 OFFICE AND INSTITUTIONAL DISTRICT:
This district provides for a broad range of office, institutional, business, and service type uses and is intended to provide for a high intensity of use of considerable magnitude, located on a sufficient land area to accommodate the factors of employment, transportation, and other land use considerations. There is no height limitation except when in conflict with Airport Hazard Zone Regulations.

C-1 COMMERCIAL DISTRICT
This district provides for limited commercial facilities which are to serve as convenient services to a residential neighborhood or limited geographic area of the community. Requires an increased building setback or screening when located adjacent to an “R” District; establishes a maximum gross floor area of 4,000 square feet for single tenant businesses; a maximum gross floor area of 15,000 square feet for multi-tenant structures; prohibits outdoor storage and display of goods and merchandise; and, sets a maximum height limit of 35 feet.

C-2 COMMERCIAL DISTRICT:
This district is intended to provide for a wide variety of retail goods and services which serve a major segment of the total community population. Establishes a maximum ground floor area of 50,000 square feet and maximum height limit of 60 feet.

C-3 COMMERCIAL DISTRICT:
This district permits a broad range of commercial uses considered more intensive then those permitted in the “C-2” District. Permits the outdoor storage and display of supplies, materials, products and equipment only in relation to gardening and yard supplies and vehicle sales. Not subject to a maximum ground floor area but does establish a maximum building height of 70 feet.

C-4 COMMERCIAL DISTRICT:
This district is intended to provide for commercial uses and activities which serve as community or regional service areas. Uses and activities are characterized by outdoor display, storage and/or sale of merchandise, by repair of motor vehicles, by outdoor commercial amusement and recreational activities, or by activities conducted in buildings not completely enclosed. Establishes a maximum height limit of 70 feet.

C-5 COMMERCIAL DISTRICT:
This district provides for all “C-3” District uses plus certain additional uses which are contained in the Central Business or Core Area of the community. Establishes no setback or maximum floor area coverage requirements. Maximum permitted height is variable dependent upon width of adjoining street(s) and whether located within the State Zoning Area.

I-1 LIGHT INDUSTRIAL DISTRICT:
This district provides for all “C-4” District uses and a wide range of light industrial uses which are not considered obnoxious or offensive by reason of odor, dust, smoke, gas or noise. There are no minimum yard requirements unless abutting a dwelling district and no maximum height requirement except subject to Airport Hazard Zone Regulations.

I-2 HEAVY INDUSTRIAL DISTRICT:
This district provides for all “I-1” District uses including additional heavy industrial uses subject to approval by the Governing Body following a report from the applicable Fire Department and Health Agency. Dimensional requirements are the same as the “I-1” District.

U-1 UNIVERSITY DISTRICT:
This district applies to colleges or universities and the related uses pertaining thereto, such as educational, recreational, housing, administrative, and any other use consistent with the operation of such institutions.

M-S MEDICAL SERVICE DISTRICT:
This district is intended to accommodate a regional medical center together with related human health care facilities, supporting ancillary-service uses, including all types of residential dwellings. Permitted intensity of use comparable to the “M-3” District with a maximum permitted height of 160 feet dropping to 50 feet for any structure within 150 feet of an “M-S” District boundary.

PUD PLANNED UNIT DEVELOPMENT
This district is intended to provide flexibility in the use and design of land and structures to encourage more creative and innovative development; promote efficient land use with smaller networks of utilities and streets; encourage the preservation and best use of the natural features of the site; and, to accommodate the integration of multiple uses into a single development. All development to be in accordance with approved Master and Final Plans.
PART 5

CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

Public Safety
New Fire Trucks
Refurbish Fire Station
New #1 Fire Station
Hazard Materials/Light Air Truck
Refurbish Fire Dept. HQ

Community Projects
Affordable Housing Projects

Transportation-Streets
Deer Creek Trafficway: I-70 to E 6th
Street Repair - ADA
N. Kansas Avenue, Soldier to U.S. 24
South Topeka: 11th to 15th Streets
E 6th: Golden to Market

Transportation - Signals
10th and Madison
STP Safety
29th and Burlingame
Lyman and Kansas
Croix and Topeka
37th and Topeka
Topeka and Gordon
Lyman and Tyler
Lyman and Topeka
Kansas and Paramore
6th and Monroe
10th and Monroe
12th and Kansas
37th and Burlingame
10th & Mulvane
33rd and Burlingame

Transportation - Garages
Quincy Street
N Capital

Transportation - Bridges
Oakland Expressway
W. 2nd over Ward Creek
Willow Creek over Ward Creek
Swagart over Shunga Creek

Stormwater
Downtown Jackson Improvements
N Topeka Improvements
N Topeka Fairchild System

Parks and Recreation
Ngorogoro Crater Exhibit
Central Park Renovation
Animal Health Center
Parking Lots Baseball Field
Jogging Trail Roof, Hillcrest Ctr
Lakewood Park Shelter, Renovation
Oakland Pool, Renovation
Blaisdell Pool Renovation
Gage Park Renovation

Water Pollution Control
N. Topeka Pump Station
Central Park Pump
Stormont-Vail Rehabilitation
Deer Creek Pump Station and Interceptor Sewer
Oakland Plant Rehabilitation
Roosevelt Interceptor
Adams Interceptor
Ash Street Pump Station

Water Projects
Plant Rehabilitation
Mains, Valves, Hydrants
Golden Ave, Norwood to Seward
29th Street, Golden to Grand
Oakland Expressway River Crossing
Watertower Place
SE 10th: Adams to Shunga
N Topeka: Elm to Reo
PART 6
STATEMENT SPECIFYING THE ELIGIBILITY REQUIREMENTS FOR A TAX REBATE

NEW CONSTRUCTION/RESIDENTIAL

New single family dwelling structures, owner occupied, as may be permitted in the Comprehensive Zoning Regulations are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-family Residential District No. 1 excluding the Watertower Place Redevelopment District are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 2 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 3 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 4 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 5 are eligible for rebate provided the new assessed valuation is increased by 5%.

New single family rental dwelling structures no matter where constructed are not eligible for the rebate.

A contract-for-deed single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

EXISTING STRUCTURES/RESIDENTIAL

The rehabilitation, renovation or additions to residential dwelling structures located anywhere within the Neighborhood Revitalization area will be eligible for the rebate, provided the new assessed valuation is increased by 5%.
Effective January 1, 1999 to December 31, 2003, the rehabilitation, renovation or additions to multi-family, two (2) or more family, structures located within the Designated Multi-Family Residential District No. 1 excluding the Watertower Place Redevelopment District will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 2 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 4 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 5 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 3 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

The rehabilitation, renovation or additions to multi-family, two (2) or more family structures excluding the Watertower Place Redevelopment District will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

The conversion of single family dwelling structures into two (2) or more dwelling units as may be permitted by the Comprehensive Zoning Regulations shall not be eligible for the rebate.

NEW CONSTRUCTION, EXISTING STRUCTURES/COMMERCIAL

Rehabilitation, additions or new construction of any office and institution, or commercial structure(s) as may be permitted by the Comprehensive Zoning Regulations may be eligible for the rebate provided the new assessed valuation is increased by 15%.

NEW CONSTRUCTION, EXISTING STRUCTURES/INDUSTRIAL

Rehabilitation additions or new construction of any industrial structure located in the Special Districts No. 1 and No. 2 and as many be permitted by the Comprehensive Zoning Regulations and as may be defined by a Standard Industrial Classification code, may be eligible for the rebate, provided the new assessed valuation is increased by 15%.
Effective January 5, 2000, to December 31, 2003, rehabilitation, additions or new construction of any industrial structure located in the Special District No. 2 and as may be permitted by the Comprehensive Zoning Regulations and as may be defined by a Standard Industrial Classification code, may be eligible for the rebated, provided the new assessed valuation is increased by 15%.

SPECIAL DISTRICT NO. 1

Rehabilitation, additions or new construction of any office and institutional; commercial or industrial structure(s) as may be permitted by the Comprehensive Zoning Regulations and as may be defined by the Standard Industrial Classification, may be eligible for the rebate provided the new assessed valuation is increased by 15%. New multi-family dwelling structure(s) shall not be eligible for a tax rebate. Effective January 1, 1999 to December 31, 2003, construction of new privately owned multi-level parking garages within the Special District No. 1 are eligible for rebate provided the new assessed valuation is increased by 15%.

SPECIAL DISTRICT NO. 2

Effective January 5, 2000, to December 31, 2003, rehabilitation, additions or new construction of any office and institutional; commercial or industrial structure(s) as may be permitted by the Comprehensive Zoning Regulations and as may be defined by the Standard Industrial Classification, may be eligible for the rebate provided the new assessed valuation is increased by 15%. New multi-family dwelling structure(s) shall not be eligible for a tax rebate.
PART 7

CRITERIA FOR DETERMINATION OF ELIGIBILITY

(a) Construction of an improvement must have begun on or after January 1, 1999 the date of designation of the neighborhood revitalization area by the City.

An improvement project constructed pursuant to a building permit issued and an application for tax rebate filed before January 1, 1999, may be eligible for a rebate under the Neighborhood Revitalization Program created by prior City ordinances.

(b) An application for rebate must be filed within sixty (60) days of the issuance of a building permit, subject to Part 9(b), Application Procedure.

(c) The assessed value of residential property must be increased by 5%.

(d) The assessed value of commercial and industrial property must be increased by 15%.

(e) The improvements must conform with Topeka’s Comprehensive Land Use Plan and Zoning Ordinance in effect at the time the improvements are made.

(f) The new, as well as the 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.

(g) Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.

(h) Properties in the Watertower Place Redevelopment District, as defined in Ordinances No. 16199 and No. 16453 as adopted by the City Council, and any future Redevelopment Districts shall not be eligible for a tax rebate.

(i) 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 only submit one application per project to the City for a tax incentive.

(j) Beginning January 1, 1999, renovation of any property on a national, state or City of Topeka historical register or properties designated as Historic Landmarks by the City of Topeka the rebate will be 100%.

If an application for a rebate is made for property listed on the national, state, or City of Topeka historic register or designated as an Historic Landmark by the City of Topeka evidence of such must accompany the application.
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 Date of Completion.
(l) Estimated Cost of Improvements.
(m) Proof of Historical Register Listing.
(n) List of Buildings proposed to be or actually demolished.
(o) If Residential Rental Property, a list of tenants occupying the building when purchased (or present tenants if unknown) date of tenant occupancy or relocation.
(p) County Appraiser's Statement of Assessed Valuation.

Commencement of Construction

(a) Date of commencement of construction.
(b) Estimated date of completion of construction.

Part 2 - Status of Construction/Completion

(a) Incomplete project as of January 1 following commencement
(b) Complete project as of January 1 following commencement
(c) County Appraiser's Statement of Percentage Test.
(d) County Clerk's Statement of Tax Status.
(e) Planning's HND's Statement of Application Conformance for Tax Rebate.
PART 9
APPLICATION PROCEDURE

(a) The applicant shall obtain an Application for Tax Rebate from Topeka-Shawnee County Metropolitan Planning Department (Planning) the Housing & Neighborhood Development Department (HND) or the City's Development Coordination Office concurrent with obtaining a building permit application.

(b) The applicant shall complete and sign PART 1 of the application and file the original with Planning HND, within sixty (60) days of issuance of the building permit.

An applicant whose application is closed out due to an initial determination of no increase in value by the County Appraiser in accordance with (e) and (f) below, may make a written request to the Chief Administrative Officer of the City of Topeka requesting authorization to file a second application out of time. Upon a finding by the Chief Administrative Officer that the County Appraiser subsequently determined there was an increase in value during the next two (2) calendar years, the second application shall be filed and processed in accordance with the provisions of the Neighborhood Revitalization Plan. In no event shall a tax rebate be authorized retroactively.

An applicant who misses the filing deadline may file an appeal to the Chief Administrative Officer requesting the application be filed and processed out of time. Upon a finding by the Chief Administrative officer of extenuating circumstances, the applicant may be given permission to file an application out of time not to exceed two (2) years from the date of issuance of the building permit. In no event shall a tax rebate be authorized retroactively.

(c) The Planning Housing & Neighborhood Development Department shall forward the application to the Shawnee County Appraiser's Office for determination of the assessed valuation of the improvements.

(d) Upon completion by the Shawnee County Appraiser's Office, Planning HND will return the application to the applicant. The applicant will notify the Shawnee County Appraiser's Office of the project status by completing PART 2 of the application as follows:

For any improvement that is only partially completed as of January 1 following the commencement of construction, complete and sign PART 2 indicating the status of the project as of January 1. File the application with the appraiser's office on or before December 15, preceding the commencement of the tax rebate period.

For any improvement that is completed on or before January 1 following commencement of construction, complete and sign PART 2 and file the application with the appraiser's office before December 1, preceding the commencement of the tax rebate period.

(e) On January 1, the County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real-estate and shall complete his portion of the application and shall report the new valuation to the Shawnee County Clerk by June 1. The tax records on the project shall be revised by the County Clerk's Office.

(f) 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, HND 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.
(g) 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 an administrative fee as specified in the Interlocal Agreement) be made to the applicant. 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. The City Financial Department shall make periodic reports on the tax rebate program to the City Council and other taxing units accordingly.

(h) The Planning Housing & Neighborhood Development Department shall inform the County Clerk and City Financial Department thirty (30) days prior to the expiration of the final rebate period for each property receiving a tax rebate.
PART 10
STANDARDS AND CRITERIA FOR REVIEW

(a) Construction of an improvement must have begun on or after January 1, 1999 the date of designation of the neighborhood revitalization area by the City.

An improvement project constructed pursuant to a building permit issued and an application for tax rebate filed before January 1, 1999, may be eligible for a rebate under the Neighborhood Revitalization Program created by prior City ordinances.

(b) An application for rebate must be filed within sixty (60) days of the issuance of a building permit, subject to Part 9(b) Application Procedures.

(c) The assessed value of residential property must be increased by 5%.

(d) The assessed value of commercial and industrial property must be increased by 15%.

(e) The improvements must conform with Topeka's Comprehensive Land Use Plan and Zoning Ordinance in effect at the time the improvements are made.

(f) The new, as well as the 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.

(g) Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.

(h) Properties in the Watertower Place Redevelopment District, as defined in Ordinances No. 16199 and No. 16453 as adopted by the City Council, and any future Redevelopment Districts shall not be eligible for a tax rebate.

(i) 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 only submit one application per project to the City for a tax incentive.

(j) Beginning January 1, 1999, renovation of property listed on a national, state or City of Topeka historical register or designated as Historic Landmarks by the City of Topeka the rebate will be 100%.

If an application for a rebate is made for property on the national, state, or City of Topeka historic register or designated as an Historic Landmark by the City of Topeka evidence of such must accompany the application.
NEW CONSTRUCTION

New single family dwelling structures, owner occupied, as may be permitted in the Comprehensive Zoning Regulations are eligible for rebate provided the new assessed valuation is increased by 5%.

Construction of new multi-family, two (2) or more family, dwelling structures only within the Designated Multi-family Residential Districts excluding the Watertower Place Redevelopment District No. 1 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-family Residential District No. 1 excluding the Watertower Place Redevelopment District are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 2 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 3 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 4 are eligible for rebate provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, construction of new multi-family, two (2) or more family, dwelling structures within the Designated Multi-Family Residential District No. 5 are eligible for rebate provided the new assessed valuation is increased by 5%.

New single family rental dwelling structures no matter where constructed are not eligible for the rebate.

A contract-for-deed single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

EXISTING STRUCTURES

The rehabilitation, renovation or additions to residential dwelling structures located anywhere within the General Neighborhood Revitalization area will be eligible for the rebate, provided the new assessed valuation is increased by 5%.
Effective January 1, 1999 to December 31, 2003, the rehabilitation, renovation or additions to multi-family, two (2) or more family, structures located within the Designated Multi-Family Residential District No. 1 excluding the Watertower Place Redevelopment District will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 2 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 1, 1999 to December 31, 2003 the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 3 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 4 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

Effective January 5, 2000, to December 31, 2003, the rehabilitation, renovation or additions to multi-family two (2) or more family, structures located within the Designated Multi-Family Residential District No. 5 will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

The conversion of single family dwelling structures into two (2) or more dwelling units as may be permitted by the Comprehensive Zoning Regulations shall not be eligible for the rebate.

**Commercial Improvements:**

Rehabilitation, additions or new construction of any office and institution, or commercial structure(s) as may be permitted by the Comprehensive Zoning Regulations may be eligible for the rebate provided the new assessed valuation is increased by 15%.

**Industrial Improvements:**

Rehabilitation additions or new construction of any industrial structure located only in the Special Districts and as may be permitted by the Comprehensive Zoning Regulations and as may be defined by a Standard Industrial Classification code, may be eligible for the rebate, provided the new assessed valuation is increased by 15%.

Effective January 5, 2000, to December 31, 2003, rehabilitation, additions or new construction of any industrial structure located in the Special District No. 2 and as may be permitted by the Comprehensive Zoning Regulations and as may be defined by a Standard Industrial Classification code, may be eligible for the rebate, provided the new assessed valuation is increased by 15%.
The Director of the Planning Housing & Neighborhood Development Department shall have the authority and discretion to approve or reject applications based upon the foregoing criteria. The Director shall file a report with the City Administration and City Council identifying the basis for denying said application. The owner-applicant shall have the right to appeal said determination with the City Council.

SPECIAL DISTRICTS ONLY

Rehabilitation, additions or new construction of any office and institutional; commercial or industrial structure(s) as may be permitted by the Comprehensive Zoning Regulations and as may be defined by the Standard Industrial Classification, may be eligible for the rebate provided the new assessed valuation is increased by 15%. New multi-family dwelling structure(s) shall not be eligible for a tax rebate.

Effective January 1, 1999 to December 31, 2003, construction of new privately owned multi-level parking garages within the Special District No. 1 only are eligible for rebate provided the new assessed valuation is increased by 15%.
PART 11

STATEMENT SPECIFYING REBATE FORMULA

Program Period:

The Neighborhood Revitalization Fund and tax rebate incentive program shall expire on December 31, 2003.

Rebate Period:

Residential ................................................................. 10 years

Commercial and Industrial ........................................... 10 years

Effective January 1, 1999 properties on National, state, or City of Topeka Historical Register and properties designated As Historic Landmarks by the City of Topeka ........................................... 15 years

Effective January 1, 1999 new construction of privately owned multi-level parking garages in the Special District No. 1 only ................................................................. 25 years

Rebate Amount:

Residential ................................................................. 95% (*)

Commercial and Industrial ........................................... 95% (*)

Effective January 1, 1999 properties on National, state, or City of Topeka Historical Register and properties designated As Historic Landmarks by the City of Topeka ........................................... 100%

(*) 5% to remain in Neighborhood Revitalization Fund to cover administrative costs.
Statement of Findings

I, John M. Dugan, Secretary to the Planning Commission, Topeka-Shawnee County Metropolitan Planning Department, do hereby certify that in my opinion the Neighborhood Revitalization Area as designated by the City Council, City of Topeka, contains the following conditions: (1) that there is a predominance of buildings and/or improvements, which by reason of the presence of certain conditions, are found to be detrimental to the public health, safety, or welfare; (2) that there is a presence of a substantial number of deteriorated and deteriorating structures and other conditions that substantially impairs or arrests the sound growth of the City of Topeka; the same retards the provision of housing and constitutes an economic or social liability; is detrimental to the public health, safety, or welfare in its present condition and use; and (3) that there is a predominance of buildings and improvements which because of age, history, architecture or other significance should be preserved or restored to productive use accordingly.

Further, the U.S. Bureau of the Census Report, 1990, together with the User Defined Area Profile sets forth both quantitatively and qualitatively, a detailed description of the physical and social conditions that are present in the Area, and such report has been carefully examined and evaluated and found that it evidences and demonstrates the presence of a substantial number of factors such as vacant housing, tax delinquency, overcrowding, age, incompatible land use relationship, lot design, unsanitary conditions, substandard infrastructure, and other similar conditions, thereby creating a social liability to the Area and to the entire City of Topeka. It is therefore, the opinion, position and conclusion of the Secretary to the Planning Commission, on this 29th day of September, 1998, that the Neighborhood Revitalization Area as defined, is dependent upon rehabilitation, conservation and/or redevelopment measures, in order to protect the public health, safety or welfare of the residents of the City of Topeka.

John M. Dugan
Secretary to the Planning Commission
### SHAWNEE COUNTY TAX LEVY SCHEDULE

1997 Total Levy Per $1,000 Valuation 164,216 138,445 Mills

<table>
<thead>
<tr>
<th>TAXING JURISDICTION</th>
<th>MILL LEVY</th>
<th>% OF TOTAL LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shawnee County Levy</td>
<td>37.193</td>
<td>23.5</td>
</tr>
<tr>
<td>2. City of Topeka Levy</td>
<td>22.588</td>
<td>20.6</td>
</tr>
<tr>
<td>4. Washburn University</td>
<td>17.847</td>
<td>11.3</td>
</tr>
<tr>
<td>5. Library</td>
<td>6.588</td>
<td>4.1</td>
</tr>
<tr>
<td>6. MTA MTTA</td>
<td>2.596</td>
<td>1.6</td>
</tr>
<tr>
<td>7. MTAA</td>
<td>1.632</td>
<td>1.0</td>
</tr>
<tr>
<td><strong>SUB TOTALS</strong></td>
<td><strong>157.245</strong></td>
<td><strong>100.00%</strong></td>
</tr>
<tr>
<td>8. U.S.D. 450 (Shawnee Heights)</td>
<td>45.568</td>
<td>28.3</td>
</tr>
<tr>
<td>9. U.S.D. 345 (Seaman)</td>
<td>46.843</td>
<td>28.6</td>
</tr>
</tbody>
</table>


NEIGHBORHOOD REVITALIZATION ACT

K.S.A. 12-17,114.

12-17,113.  

NEIGHBORHOOD REVITALIZATION

12-17,114. Neighborhood revitalization; title of act. This act shall be known and may be cited as the Kansas neighborhood revitalization act.


12-17,115. Same; definitions. As used in this act:

(a) "Dilapidated structure" means a residence or other building which is in deteriorating condition by reason of obsolescence, inadequate provision of ventilation, light, air or structural integrity or is otherwise in a condition detrimental to the health, safety or welfare of its inhabitants or a residence or other building which is in deteriorating condition and because of age, architecture, history or significance is worthy of preservation.

(b) "Municipality" means any municipality as defined by K.S.A. 10-1101, and amendments thereto.

(c) "Neighborhood revitalization area" means:

(1) An area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare;

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

(3) an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

(d) "Governing body" means the governing body of any municipality.

(e) "Increment" means that amount of ad valorem taxes collected from real property located within the neighborhood revitalization area or from dilapidated structures outside the revitalization area that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the neighborhood revitalization area was established or the structure was declared dilapidated pursuant to this act.


Attorney General's Opinions:
Neighborhood revitalization act, designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.
Tax rebate payable to person liable for payment of taxes on property; portion of A.G. opinion 96-38 withdrawn. 96-44.

12-17,116. Same; designation of revitalization area; findings. The governing body of any municipality may designate any area within such municipality as a neighborhood revitalization area if the governing body finds that one or more of the conditions as described in subsection (c) of K.S.A. 1998 Supp. 12-17,115, and amendments thereto, exist and that the rehabilitation, conservation or redevelopment of the area is necessary to protect the public health, safety or welfare of the residents of the municipality. The governing body may declare a building outside of a neighborhood revitalization area to be a dilapidated structure if the structure satisfies the conditions set forth in subsection (a) of K.S.A. 1998 Supp. 12-17,115.


Attorney General's Opinions:
Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.
Tax rebate payable to person liable for payment of taxes on property; portion of A.G. opinion 96-38 withdrawn. 96-44.

12-17,117. Same; revitalization plan, contents; notice and hearing. (a) Prior to designating an area as a neighborhood revitalization
area or a structure to be a dilapidated structure, the governing body shall adopt a plan for the revitalization of such area or designation of a dilapidated structure. Such plan shall include:

(1) A legal description of the real estate forming the boundaries of the proposed area and a map depicting the existing parcels of real estate;

(2) the existing assessed valuation of the real estate in the proposed area, listing the land and building values separately;

(3) a list of names and addresses of the owners of record of real estate within the area;

(4) the existing zoning classifications and district boundaries and the existing and proposed land uses within the area;

(5) any proposals for improving or expanding municipal services within the area including, but not limited to, transportation facilities, water and sewage systems, refuse collection, road and street maintenance, park and recreation facilities and police and fire protection;

(6) a statement specifying what property is eligible for revitalization and whether rehabilitation and additions to existing buildings or new construction or both is eligible for revitalization;

(7) the criteria to be used by the governing body to determine what property is eligible for revitalization;

(8) the contents of an application for a rebate of property tax increments authorized by K.S.A. 1998 Supp. 12-17,118 and amendments thereto;

(9) the procedure for submission of an application for a rebate of property tax increments authorized by K.S.A. 1998 Supp. 12-17,118 and amendments thereto;

(10) the standards or criteria to be used when reviewing and approving applications for a rebate of property tax increments authorized by K.S.A. 1998 Supp. 12-17,118 and amendments thereto;

(11) a statement specifying the maximum amount and years of eligibility for a rebate of property tax increments authorized by K.S.A. 1998 Supp. 12-17,118; and

(12) any other matter deemed necessary by the governing body.

(b) Prior to declaring a building to be a dilapidated structure, the governing body shall do the following:

(1) Obtain a legal description of the property to be declared dilapidated;

(2) determine the assessed value of the property to be declared a dilapidated structure, with separate values established for the land and structure;

(c) Prior to adopting a plan pursuant to this section, the governing body shall call and hold a hearing on the proposal. Notice of such hearing shall be published at least once each week for two consecutive weeks in a newspaper of general circulation within the municipality. Following such hearing, or the continuation thereof, the governing body may adopt such plan.


Attorney General's Opinions:

12-17,113. Same; neighborhood revitalization fund; application for tax rebates; impact on state aid to school districts. (a) Following adoption of a plan pursuant to K.S.A. 1998 Supp. 12-17,117 and amendments thereto, the governing body shall create a neighborhood revitalization fund to finance the redevelopment of designated revitalization areas and dilapidated structures and to provide rebates authorized by this section. Moneys may be budgeted and transferred to such fund from any source which may be lawfully utilized for such purposes. Any municipality may expend money from the general fund of such municipality to accomplish the purposes of this act.

(b) Moneys credited to such fund from annually budgeted transfers shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budget of the municipality, the amounts credited to, and the amount on hand in, such neighborhood revitalization fund and the amount expended therefrom shall be shown thereon for the information of taxpayers. Moneys in such fund may be invested in accordance with K.S.A. 10-131, and amendments thereto with the interest credited to the fund.

(c) If the governing body determines that money which has been credited to such fund or any part thereof is not needed for the purposes for which so budgeted or transferred, the governing body may transfer such amount not needed to the fund from which it came and such retransfer and expenditure shall be subject to the provisions
of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(d) Any increment in ad valorem property taxes levied by the municipality resulting from improvements by a taxpayer to property in a neighborhood revitalization area or to a dilapidated structure may be credited to the fund for the purpose of returning all or a part of the property increment to the taxpayer in the form of a rebate. Applications for rebates shall be submitted in the manner and subject to the conditions provided by the revitalization plan adopted under K.S.A. 1998 Supp. 12-17,117 and amendments thereto. Upon approval of an application received hereunder the municipality shall rebate all or a part of incremental increases in ad valorem property tax resulting from the improvements. Upon payment of taxes by the taxpayer, the rebate must be made within 30 days after the next distribution date as specified in K.S.A. 12-1678a, and amendments thereto.

(e) No later than November 1 of each year the county clerk of each county shall certify to the state commissioner of education the assessed valuation amount of any school district therein for which tax increment rebates have been made by the school district during the previous year in accordance with an interlocal agreement approved by the board of education of such district under the provisions of K.S.A. 1998 Supp. 12-17,119 and amendments thereto. The amount of the assessed valuation shall be determined by dividing the total amount of tax increment rebates paid by the district during the preceding 12 months by the total of the ad valorem tax levy rates levied by or on behalf of the district in the previous year. The commissioner of education shall annually deduct the certified amounts of assessed valuation for such rebates from the total assessed valuation of the district in determining the total and per pupil assessed valuations used in the allocation of state aid payments to school districts.


Attorney General’s Opinions:
Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 95-38.
Tax rebate payable to person liable for payment of taxes on property; portion of A.G. opinion 96-38 withdrawn. 96-84.

12-17,119. Same; interlocal agreements. Any two or more municipalities may agree pursuant to K.S.A. 12-2901 et seq., and amendments thereto, to exercise the powers and duties authorized by this act.


12-17,120. Same; act not exclusive authority for revitalization. This is enabling legislation for the revitalization of neighborhood areas and is not intended to prevent cities and counties from enacting and enforcing additional laws and regulations on the same subject which are not in conflict with the provisions of this act.

History: L. 1994, ch. 242, § 16; July 1.

Article 19.—PUBLIC RECREATION AND PLAYGROUNDS

12-1922.
Research and Practice Aids:
C.J.S. Municipal Corporations § 1035.
Attorney General’s Opinions:
Open public meeting defined; quorum change; recreation commission. 93-140.
Recreation commission; membership; removal; authority of individual commission member. 94-48.
Notice of meetings of bodies and committees of bodies subject to open meetings act. 95-112.

12-1923.
Attorney General’s Opinions:
Recreation commission; annual budget; tax levy; creation under home rule power. 94-72.

12-1924.
Attorney General’s Opinions:
Public recreation and playgrounds; participation in recreation commission. 92-69.
Authority of recreation commission to make lease agreement with unified school district. 93-129.
Recreation commission; membership; removal; authority of individual commission member. 94-48.
Dissolution of system. 96-70.

12-1925.
Attorney General’s Opinions:
Recreation commission annual mill levy increase is limited to one mill above the current mill levy. 91-58.
Dissolution of system. 96-70.

12-1926. Recreation commission; membership; selection; terms; removal; vacancies; existing commissions; treasurer. (a) Except as provided by this section, recreation commissions shall consist of five members to be appointed as follows: (1) Upon the adoption of the provisions of this act by the city or school district acting independently, the governing body of such city or school district shall appoint four persons who are residents of the taxing district to serve as members of the recreation commission, the first appointee to serve for four years, the second for three years,
RESOLUTION NO. 6979

A RESOLUTION introduced by Mayor Joan Wagonon, establishing a date for a public hearing concerning the adoption of a plan pursuant to the Neighborhood Revitalization Act, K.S.A. (1997 Supp.) 12-17,114 et seq.

WHEREAS, the City of Topeka, Kansas, may pursuant to K.S.A. (1997 Supp.) 12-17,114 et seq. adopt a plan to assist in the rehabilitation, conservation or redevelopment of any area within the City of Topeka which meets the conditions provided in said law; and

WHEREAS, the City of Topeka is desirous of adopting a plan in order to rehabilitate, conserve or redevelop certain designated areas in the City of Topeka.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka, Kansas in accordance with K.S.A. (1997 Supp.) 12-17,114 et seq. the following notice is hereby given:

NOTICE

The City Council will consider adoption of a Neighborhood Revitalization Plan, pursuant to K.S.A. (1997 Supp.) 12-17,114 et seq., at a public hearing at 7:00 p.m. on October 6, 1998, in the City Council Chambers, 214 E. 8th Street, Topeka, Kansas.

The proposed Neighborhood Revitalization Plan and a description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of City Clerk, Room 166, 215 E. 7th Street, Topeka, Kansas.

MRES/NRA PUBLIC HEARING 09/18
At the conclusion of the hearing, the Council of the City of Topeka will consider findings necessary for the adoption of the proposed Neighborhood Revitalization Plan.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Shawnee County, Kansas.

BE IT FURTHER RESOLVED that the City Clerk shall cause this resolution to be published in the official city newspaper at least once each week for two consecutive weeks prior to the hearing.

ADOPTED and APPROVED by City Council SEP 22 1998

CITY OF TOPEKA, KANSAS

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE 9/18/98 BY
ORDINANCE NO. 17312

AN ORDINANCE introduced by Councilmembers Duane Pomeroy, Jim Reardon, and Pete Tavares adopting a neighborhood revitalization plan as provided for in K.S.A. 1997 Supp. 12-17,114 et seq., Neighborhood Revitalization Act.

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

Section 1. Hearing.

The Council of the City of Topeka pursuant to Notice of Public Hearing as set forth in City of Topeka Resolution No. 6929 did hold a public hearing on October 6, 1998 to hear and consider public comment on the adoption of the neighborhood revitalization plan as required by K.S.A. 1997 Supp. 12-17,117(c).

Section 2. Neighborhood Revitalization Plan.

The Council of the City of Topeka does hereby adopt the neighborhood revitalization plan, attached hereto, labeled Exhibit A and incorporated by reference as if fully set forth herein as provided for by K.S.A. 1997 Supp. 12-17,117(a).

Section 3. Designation of Neighborhood Revitalization Area.

Pursuant to K.S.A. 1997 Supp. 12-17,116, the Council of the City of Topeka hereby designates the following described property as the neighborhood revitalization area and finds that said area contains: 1) a predominance of buildings which by reason of dilapidation are detrimental to public health, safety and welfare; 2) a substantial number of deteriorating structures which impairs sound growth of the city and retards provision of

RECEIVED

LORD/NRA 9/30/98

HOUSING & NEIGHBORHOOD DEVELOPMENT DEPT.
housing and; 3) a predominance of buildings which are significant and should be restored
to productive use.

The neighborhood revitalization area is described as follows:

PART 1

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA
AND SPECIAL DISTRICT

LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA

Beginning at a point on the East line of the Southeast Quarter of Section 17, Township 11
South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point being
1070.00 feet more or less North of the Southeast corner of said Section 17 and more
commonly known as the Northwest corner of Laurent Tract; thence north along said East
line of said Section to its intersection with the established corporate boundary the same
being the North right-of-way line of the Soldier Creek Cutoff; thence easterly along said
North right-of-way line to a point that is on the East line of the Southwest Quarter Section
and on the North line of Indian Creek; thence South along said established corporate
boundary to the North bank of the Kansas River; thence Northwesterly along said North
bank to its intersection with the East line of Section 16, Township 11 South, Range 16 East
of the 6th P.M.; thence South to the Northeast corner of Section 21; thence Southerly
along the East line of said Section 21 to the Southeast corner thereof; said point also being
the Northeast corner of Section 28, Township 11 South, Range 16 East of the 6th P.M. in
Shawnee County, Kansas; thence Southerly along the East line of said Section 28 to the
Southeast corner thereof; said point also being the Northwest corner of Section 34,
Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas; thence
Easterly along the North line of said Section 34 the Northeast corner of the Northwest
Quarter of said Section 34; said point being the intersection of N.E. Seward Avenue and
N.E. Rice Road and lying on the established corporate boundary of the City of Topeka,
Shawnee County, Kansas; thence Southerly along N.E. Rice Road and the corporate
boundary to its intersection with S.E. 6th Avenue; thence Easterly along S.E. 6th Avenue
and the established corporate boundary to a point 288.06 feet more or less West of S.E.
Croco Road; thence continuing along the Southerly and Easterly meandering of the
corporate boundary of the City of Topeka to its point of intersection with S.E. 21st Street;
thence continuing Southerly and Westerly along the established corporate boundary to its
intersection with the Kansas Turnpike; thence continuing along the North right-of-way of
the Kansas Turnpike in a Southwesterly direction to its point of intersection with Interstate
Highway No. 470; thence Northwesterly along Interstate Highway No. 470 to its
intersection with S.W. Burlingame Road; said point being in the Northwest Quarter of
Section 24, Township 12 South, Range 15 East of the 6th P.M. in Shawnee County,
Kansas; thence Northerly along S.W. Burlingame Road to its intersection with S.W. 29th Street; thence Easterly along S.W. 29th Street to its intersection with S. Topeka Boulevard; thence Northerly along said South Topeka Boulevard to its intersection with S.W. 27th Street; thence Westerly along said S.W. 27th Street to its intersection with S.W. Washburn Avenue; thence Northerly along said S.W. Mulvane Street to its intersection with S.W. 17th Street; thence westerly along said S.W. 17th Street to its intersection with S.W. MacVicar Avenue; thence Northerly along S.W. MacVicar Avenue and its Northerly extension to the center of the Kansas River; thence Easterly along the center of the Kansas River to its intersection with the Southerly extension of N.W. Vail Avenue; thence Northerly along said Southerly extension of N.W. Vail Avenue to its intersection with N.W. Gordon Street; thence continuing Northerly along N.W. Vail Avenue and its Northerly extension to its intersection with the center of U.S. Highway No. 24; thence Easterly along said center U.S. Highway No. 24 to a point on the East line of the Southeast Quarter of Section 17, Township 11 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, said point lying due North of the Northwest corner of Laurent Tract; thence Southerly along the East line of the Southeast Quarter of said Section 17 to the Northwest corner of Laurent Tract and the point of beginning. And also a tract of land bounded by S.W. 6th Avenue on the South, S.W. Frazier Avenue on the West, Interstate Highway 70 on the North, and MacVicar Avenue on the East. All of the above-described tracts of land lie within the City of Topeka, Shawnee County, Kansas. Containing 24.88 square miles, except the Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.

MULTI FAMILY RESIDENTIAL DISTRICTS

MULTI FAMILY RESIDENTIAL DISTRICT NO. 1

Beginning at a point at the intersection of S.E. Adams Street, S.E. 10th Street, and the Atchison-Topeka and Santa Fe Railroad; thence southwesterly following the said railroad tracks to it's point of intersection with S.E. 17th Street; thence west, following S.E. 17th Street to it's point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence following the said alley in it's northerly most direction to it's point of intersection with S.W. 10th Street; thence westerly along S.W. 10th Street to it's point of intersection with S.W. Western Avenue; thence northerly along S.W. Western Avenue to it's point of intersection with S.W. 6th Avenue; thence easterly along S.W. 6th Avenue to it's point of intersection with the north-south alley lying between S.W. Polk Street and S.W. Taylor Street; thence northerly along said alley and it's extension to it's point of intersection with Interstate no. 70; thence easterly along Interstate no. 70 to it's point of intersection with the northerly projection of the alley lying between S.W. Topeka Boulevard

LORD/NRA 09/30/98

3
and S.W. Tyler Street; thence northerly along said extended alley to it's point of
intersection with the assumed center of the Kansas River; thence easterly along said
center of river to it's point of intersection with the northerly extension of S.E. Adams Street;
thence southerly along said extension of Adams Street and S.E. Adams Street as platted
to the point of beginning.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 2

All of the following recorded Lots in the Southeast one quarter of Section 1, Township 12
South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, Kansas.

In Martin and Dennis Subdivision: Even numbered Lots 694 thru 732 inclusive in Block 21.

In Steel's Addition: Even numbered Lots 734 thru 768 inclusive in Block 7; Even numbered
Lots 770 thru 800 inclusive in Block 8.

MULTI FAMILY RESIDENTIAL DISTRICT NO. 3

Lots 1, 2, 3, and 4 Block "A" of Seaman Square Subdivision, City of Topeka, Shawnee
County, Kansas, containing 15.05 acres more or less.

LEGAL DESCRIPTION OF SPECIAL DISTRICT

Beginning at the intersection of N.W. Morse Street and North Topeka Boulevard; thence
Easterly along N.W. Morse Street to its intersection with N.E. Quincy Street; thence
Southerly along N.E. Quincy Street to its intersection with N.E. Laurent Street; thence
Easterly along N.E. Laurent Street to its intersection with the Union Pacific Railroad; thence
Southerly and projecting across the Kansas River to a point of intersection with N.E.
Adams Street; thence Southerly along N.E. Adams Street to its point of intersection with
S.E. 10th Avenue and the Atchison-Topeka and Santa Fe Railroad; thence continuing
Southerly along said railroad to its intersection with the eastern extension of S.E. 13th
Street; thence Westerly along said S.E. 13th Street to its intersection with S.E. Monroe
Street; thence Southerly along S.E. Monroe Street to its intersection with S.E. 14th Street;
then Westerly along S.E. 14th Street to its point of intersection with the platted alley lying
West of South Topeka Boulevard and East of S.W. Tyler Street; thence following said
platted alley North to its intersection of S.W. 4th Street; thence Easterly along S.W. 4th
Street to its intersection with S.W. Van Buren Street; thence Northerly along S.W. Van
Buren Street to its intersection with S.W. 2nd Street; thence West along S.W. 2nd Street
to its point of intersection with the platted alley lying West of South Topeka Boulevard and
East of S.W. Tyler Street; thence Northerly along said platted alley and its extension to the
center of the Kansas River; thence Easterly along the center of the Kansas River to its
intersection with North Topeka Boulevard; thence Northerly along North Topeka Boulevard
to its intersection with N.W. Morse Street and the point of beginning, except the
Watertower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.

Section 4. This ordinance designating the neighborhood revitalization area and adopting the Neighborhood Revitalization Plan shall take effect and be in force after its passage, approval and publication in the official city newspaper, and on January 1, 1999 and upon adoption by each participating taxing entity pursuant to interlocal agreement.

PASSED and APPROVED by the City Council

JOAN WAGNON
Mayor

ATTEST:

IRIS E. WALKER
City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 10/4/98
TO BE CODIFIED
NOT TO BE CODIFIED X

LORD/NRA 09/30/98