ORDINANCE NO. 7694

AN ORDINANCE introduced by Mayor Felker adopting an amendment to neighborhood revitalization plan as provided for in K.S.A. (2000 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. 7155 did hold a public hearing on June 5, 2001 to hear and consider public comment on the adoption of an amended neighborhood revitalization plan as adopted by City of Topeka Ordinance No. 17455 as required by K.S.A. (2000 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. (2000 Supp.) 12-17,117(a).

Section 3. Designation of Neighborhood Revitalization Area.

Pursuant to K.S.A. (2000 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 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 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. 46199 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 its point of intersection with S.E. 17th Street; thence west, following S.E. 17th Street to its 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 its northerly most direction to its point of intersection with S.W. 10th Street; thence westerly along S.W. 10th Street to its point of intersection with S.W. Western Avenue; thence northerly along S.W. Western Avenue to its point of intersection with S.W. 6th Avenue; thence easterly along S.W. 6th Avenue to its 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 its extension to its point of intersection with Interstate no. 70; thence easterly along Interstate No. 70 to its 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 its 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 East along the centerline of 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; hence South
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
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 Water Tower Place
Redevelopment District as described in City of Topeka Ordinances No. 16199 and No.
46463.

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 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 Interstate 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
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_______June 19, 2001_______

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 5/14/01 BY ---
TO BE CODIFIED X
NOT TO BE CODIFIED ---
NEIGHBORHOOD REVITALIZATION PLAN

THE CAPITAL CITY OF KANSAS

CITY OF TOPEKA

(DRAFT)
AMENDED June 1, 2001
# Table of Contents

<table>
<thead>
<tr>
<th>Part</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purpose</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Part 1</td>
<td>Legal Description of Neighborhood Revitalization Area,</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Multi Family Residential Districts, and Special Districts</td>
<td></td>
</tr>
<tr>
<td>Part 2</td>
<td>Assessed Valuation of Real Property</td>
<td>8</td>
</tr>
<tr>
<td>Part 3</td>
<td>Listing of Owners of Record in Area</td>
<td>8</td>
</tr>
<tr>
<td>Part 4</td>
<td>Summary Description of Zoning Districts</td>
<td>9</td>
</tr>
<tr>
<td>Part 5</td>
<td>Capital Improvements Planned for the Area</td>
<td>13</td>
</tr>
<tr>
<td>Part 6</td>
<td>Statement Specifying the Eligibility Requirements for a Tax Rebate</td>
<td>14</td>
</tr>
<tr>
<td>Part 7</td>
<td>Criteria for Determination of Eligibility</td>
<td>18</td>
</tr>
<tr>
<td>Part 8</td>
<td>Contents of Application for Tax Rebate</td>
<td>19</td>
</tr>
<tr>
<td>Part 9</td>
<td>Application Procedure</td>
<td>20</td>
</tr>
<tr>
<td>Part 10</td>
<td>Standards and Criteria for Review</td>
<td>22</td>
</tr>
<tr>
<td>Part 11</td>
<td>Statement Specifying Rebate Formula</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Statement of Findings</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shawnee County Tax Levy Schedule</td>
<td>29</td>
</tr>
<tr>
<td>Maps</td>
<td></td>
<td></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 (2000 Supp.) 12-17, 114 et. seq., the City Council has held a public hearing and considered the existing conditions and alternatives with respect to the described area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Council has carefully reviewed, evaluated and determined the described area meets one or more of the conditions contained in KSA (2000 Supp) 12-17,115 to be designated as a "Neighborhood Revitalization area" (hereinafter referred to as area).

General Profile of Neighborhood Revitalization Area (as of 1/99):

- square miles - 25.3399
- parcels of land - 24,491 (May, 2001)
- 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 DESCRIPTIONS OF
GENERAL NEIGHBORHOOD REVITALIZATION AREA,
MULTI FAMILY RESIDENTIAL DISTRICTS,
AND SPECIAL DISTRICTS

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 with
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 Water Tower Place Redevelopment District as described in City of Topeka Ordinances No. 16199 and No. 16453.

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.

And

All of Lot 2, Block A, in Washburn North Subdivision; Also, a tract described as: Beginning at a point 40 feet north and 40 feet west of the Southeast corner of the Northwest Quarter of Section 1, Township 12 South, Range 15 east of the 6th P.M.; thence westerly, parallel with the South line of said Northwest Quarter, 107 feet; thence northerly, on the East line of Washburn North Subdivision, a described distance of 150 feet; thence westerly, on the North line of Lot 2, Block A in Washburn North Subdivision, a described distance of 50 feet; thence northerly, on the East line of Lot 1, Block A in Washburn North Subdivision, a described distance of 37 1/2 feet; thence easterly, 7 feet; thence northerly, parallel with the East line of Lot 1, Block A in Washburn North Subdivision, 37 1/2 feet; thence easterly, 150 feet; thence southerly, parallel with the East line of said Northwest Quarter, 225 feet, to the point of beginning. All in the City of Topeka, Shawnee County, Kansas. Contains 0.83 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.
Contains 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.

Neighborhood Revitalization Plan
The following describes the block commonly referred to as the Curtis Junior High School block: Lots 1 through 33 odd on Central Avenue and Lots 2 through 34 even on Jackson Street, in Wineberger's Addition to North Topeka; Also: Lot 84 on Jackson Street and Lot 123 on Central Avenue, in Firey's Addition to North Topeka, all in the City of Topeka, Shawnee County, Kansas. Contains 3.24 acres more or less.

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.

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
Water Tower Place Redevelopment District as described in City of Topeka Ordinances No. 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 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

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

APPRaised VALUATION OF REAL PROPERTY

The appraised valuation of the real estate contained in the Neighborhood Revitalization area as of January 1, 2000 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 2000 appraised valuation for the 24,491 parcels contained in the area is:

Land $272,628,560
Improvements $1,600,605,982
Total Appraised Valuation $1,873,234,542

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.

Neighborhood Revitalization Plan
8
PART 4
SUMMARY DESCRIPTION OF ZONING DISTRICTS
within
Neighborhood Revitalization Area

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 uses 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 "R1" 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 per mit. 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.

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 than 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.

1-1 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.

1-2 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.

X MIXED USE DISTRICTS

The mixed use districts are unique to the North Topeka area and encourage a compatible mixed used environment utilizing the historic character of the area. The three district levels accommodate low density residential, medium density residential, high density residential, office, civic, commercial, cultural, entertainment, and light industrial uses that are in keeping with the site and building design characteristics of the area.

OS-1 OPEN SPACE DISTRICT

This district is intended to preserve and protect existing and potential public park land, open land, greenways, recreational space, floodways, trails, and lands that have other physical, aesthetic or cultural characteristics which preclude their inclusion in other less restrictive districts.
PART 5
CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

Public Safety
New Fire Trucks
Refurbish Fire Station #4
Refurbish Fire Station #9

Community Projects
Affordable Housing Projects
Washburn-Lane Parkway

Transportation-Streets
Deer Creek Trafficway: 1-70 to E 6th
Curb Repair - ADA
N. Kansas Avenue, Soldier to U.S. 24
South Topeka: 11th to 15th Streets
E 6th: Golden to Market
Signal Replacement
W. 6th: McVicar to Gage

Transportation - Garages
9th and Jackson
N. Capital

Water Projects
Mains, Valves, Hydrants
2nd Golden-Seward/Strait
29th Street, Golden to Grainger
SE 10th: Adams to Shunga
N Topeka: Elm to Reo

Transportation - Bridges
Swygart over Shunga Creek
W. 2nd over Ward Creek

Stormwater
Downtown Van Buren System
N. Topeka Improvements
Mulvane System
N. Topeka Fairchild System

Parks and Recreation
Zoo Improvements
Park Playground Equipment
Trail Development
Central Park Center Roof
Oakland Center Roof
Garfield Center Roof
Reuger Park Ring Road
Gage Park Improvements

Water Pollution Control
N. Topeka Pump Station
Central Park Pump
Stormont-Vail Rehabilitation
Deer Creek Pump Station & Interceptor
Oakland Plant Rehabilitation
Roosevelt Interceptor
Adams Interceptor
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 June 1, 1999 2001 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 June 1, 1999 2001 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 June 1, 2000 2001 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 multifamily 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 multifamily 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 rebate 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 Water Tower 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) (a) County Appraiser's Statement of Percentage Test.
(d) (b) County Clerk's Statement of Tax Status.
(e) (c) Planning's Statement of Application Conformance for Tax Rebate.
PART 9
APPLICATION PROCEDURE

(a) The applicant shall obtain an Application for Tax Rebate from Topeka-Shawnee County Metropolitan Planning Department (Planning) 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, 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) Planning 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 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. (Blank)

(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

Neighborhood Revitalization Plan
20
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, Planning shall certify to the County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.

(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) Planning 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.

(ii) 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 June 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 June 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 June 1, 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 Waterfront 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 Plan.
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 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 I 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, Barry Beagle, Acting 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 3rd day of May, 2001, 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.

Barry T. Beagle, AICP
Acting Secretary to the Planning Commission
### SHAWNEE COUNTY TAX LEVY SCHEDULE 2000

Tax Levies Per $1,000 Assessed Valuation

<table>
<thead>
<tr>
<th>TAXING JURISDICTION</th>
<th>MILL LEVY</th>
<th>% OF TOTAL LEVY</th>
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</thead>
<tbody>
<tr>
<td>1. Shawnee County Levy</td>
<td>35.971</td>
<td>26.6</td>
</tr>
<tr>
<td>2. City of Topeka Levy</td>
<td>32.574</td>
<td>24.1</td>
</tr>
<tr>
<td>4. Washburn University</td>
<td>3.311</td>
<td>2.4</td>
</tr>
<tr>
<td>5. Library</td>
<td>9.8</td>
<td>7.2</td>
</tr>
<tr>
<td>6. MTTA</td>
<td>2.408</td>
<td>1.8</td>
</tr>
<tr>
<td>7. MTAA</td>
<td>1.611</td>
<td>1.2</td>
</tr>
<tr>
<td><strong>SUB TOTALS</strong></td>
<td><strong>135.285</strong></td>
<td><strong>100.00%</strong></td>
</tr>
<tr>
<td>8. U.S.D. 450 (Shawnee Heights)</td>
<td>43.059</td>
<td></td>
</tr>
<tr>
<td>9. U.S.D. 345 (Seaman)</td>
<td>50.409</td>
<td></td>
</tr>
</tbody>
</table>
Multi-Family Residential District No. 3
Block "A" Seaman Square Subdivision

Lot 1

Lot 2  Lot 3  Lot 4

Unplatted

West Property Line

Lot 8 Block A KAW Valley Plaza Subdivision

NW Lyman RD

SOLDIER CREEK

US 24 Hwy

Topeka-Shawnee County Metropolitan Planning Department
MULTI-FAMILY RESIDENTIAL DISTRICT No. 4

Multi-Family Residential District No. 4 (Shaded Area)