ORDINANCE NO. 17719

AN ORDINANCE introduced by Mayor Felker and Councilmember Duane Pomeroy, exempting certain property, more specifically property owned by Southwest Publishing Corporation from ad valorem taxation for economic development purposes, pursuant to the provisions of the Code of the City of Topeka, Chapter 138, Article III, and located at approximately 2600 NW Topeka Blvd.

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

Section 1. In accordance with § 13 of Article 11 of the Kansas Constitution, and pursuant to the Code of the City of Topeka Chapter 138, Article III, a percentage of the assessed valuation of the following described property, collectively referred to as the Southwest Publishing Corporation, to wit: building, improvements and real property as listed in Attachment A, and tangible personal property as listed in Attachment B, attached hereto and incorporated by reference as if fully set forth herein, is used by Southwest Publishing Corporation exclusively for exempt purposes and is therefore exempt from ad valorem taxation for a maximum term of ten (10) calendar years. Said building, improvements, real property, and tangible personal property are owned by:

Owners: The outstanding shares of Southwest Publishing Corporation are held as follows: David E. Ohse, 80%; Southwest Holding Corporation Employee Stock Option Plan, 20%.

Section 2. The annual amount of the tax payment required of the owners of said property shall not be less than the amount that is determined under Topeka City Code §§ 138-84 and 138-86 and such additional amount that may be set forth in any other ordinance or resolution. Said amounts shall be paid to the County Treasurers at the same time as any ad valorem taxes on such property would be payable.

Section 3. Eligibility for successive years shall be redetermined annually. If Southwest Publishing Corporation (hereinafter the Company) fails to meet eligibility
requirements for any one (1) year, no exemption shall be granted for that year. However, this will not jeopardize eligibility for the remaining years.

In order to continue eligibility for the exemption granted herein, the following criteria shall be met by the company:

(a) Continuation of at least one of the new jobs created.
(b) Continue to be a manufacturer.
(c) Continuation of original ownership (exemption is not transferable).
(d) Company remains current on tax payments.
(e) Exemption is contingent upon approval from State Board of Tax Appeals.
(f) Eligibility for successive years shall be redetermined annually.
(g) If the Company fails to meet eligibility requirements in any one year, no exemption shall be granted for that year. However, this would not jeopardize eligibility for the remaining years.

Section 4. Determination of exemption.

(a) The actual percentage of assessed valuation exempted shall be determined by the City in accordance with the Code of the City of Topeka, Chapter 138, Article III.
(b) In determining the actual percentage exemption, the City shall require the Company to provide the following:

(1) Certification as to the number of new full time equivalent jobs created.
(2) Certification as to the overall wage rate for the new full time equivalent jobs created.
(3) Any other documentation the City may deem necessary.

Section 5. Responsibilities of the Company:
(a) Submission of complete annual renewal application and payment of annual
renewal application fee of One Hundred Dollars ($100.00) by January 15 of
each year.

(b) Submission of information as required by the City.

(c) Must file claim of exemption with County Appraiser by March 1 of each year.

Section 6. Responsibilities of City.

Review and make determination of application by February 1 of each year.

Section 7. Disclaimer.

City does not guarantee Southwest Publishing Corporation will receive an exemption
of any amount for any or all years that it is eligible.

Section 8. This ordinance shall take effect and be in force from and after its
passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council September 18, 2001

[Signature]

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 8/29/01 BY 
TO BE CODIFIED
NOT TO BE CODIFIED X
Southwest Publishing Corporation request for property tax exemption:

EXHIBIT A

Real Property

LAND

The South 275 feet of Lot 1, Louk Subdivision in the City of Topeka (Legal description attached as A-1.)

Estimated Cost

$37,946

BUILDING AND ASSOCIATED COSTS

A new addition of 14,000 sq. ft. Pre-engineered metal building on a cement slab with loading docks. Building to be built on property described above.

Hot mix asphalt paving for overlay of existing and new addition parking area. (Legal description of existing property is also attached for purposes of identifying overlay of existing parking area. A-2)

Concrete paving for required areas according to Ks. Dept. of Transportation and City of Topeka.
Southwest Publishing Corporation request for property tax exemption:

EXHIBIT B

Personal Property

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<tr>
<th>Estimated Cost</th>
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<td>$1,483,000</td>
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EQUIPMENT

Sanden Quantum 1500 XP 6 color 21” web press, with 22” and 28” cut off capabilities. Press will be installed with the following attachments:

1. CC1 image based registration control
2. Prime Ultra Violet system
3. 3 turn bars
4. Punch unit
5. Perforation Unit
6. Sheeter unit
7. Folding unit
8. Sanden Computer Control System