ORDINANCE NO. 18/28

AN ORDINANCE introduced by Deputy Mayor Duane F. Pomeroy adopting a neighborhood revitalization plan and designating a revitalization area, all as provided for in K.S.A. 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. 7408 did hold a public hearing on November 18, 2003 to hear and consider public comment on the neighborhood revitalization plan as required by K.S.A. 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. 12-17, 117(a).

Section 3. Designation of Neighborhood Revitalization Area.

Pursuant to K.S.A. 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 is:

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
land 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.

The neighborhood revitalization area is described as follows:

**PRIMARY AREA**

Beginning at the intersection of the Centerline of US Highway 24 with the
Centerline of NW Clay Street; thence easterly, on the Centerline of US
Highway 24, to an intersection with the Centerline of NW Topeka
Boulevard; thence southerly, on the Centerline of NW Topeka Boulevard,
to an intersection with the Centerline of Old Soldier Creek; thence easterly
and southerly, down the Centerline of Old Soldier Creek, to an intersection
with the Centerline of the Mainline Track of the Union Pacific Railroad;
thence southerly, on the centerline of said mainline track, to an
intersection with the Centerline of the West Approach to the Sardou
Bridge over the Kansas River; thence east-southeasterly, on the centerline of said approach and the Centerline of the Sardou Bridge, to an intersection with the Centerline of the Kansas River; thence southwesterly, up the Centerline of the Kansas River, to an intersection with an extension of the Centerline of NE Chandler Street; thence southerly, on the Centerline of NE Chandler Street, to an intersection with the Centerline of NE Seward Avenue; thence westerly, on the Centerline of NE Seward Avenue, to an intersection with the Centerline of NE Branner Street; thence south-southwesterly, on the Centerline of Branner Street, to an intersection with the Centerline of the Mainline Track of the Burlington Northern – Santa Fe Railway; thence easterly, on the centerline of said mainline track, to an intersection with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Northeast Quarter; thence easterly, on the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M., to an intersection with the Centerline of Deer Creek; thence southwesterly and southerly, up the Centerline of Deer Creek, to an intersection with the Centerline of SE 6th Avenue; thence westerly, on the Centerline of SE 6th Avenue, to an intersection with the Centerline of SE Deer Creek Parkway; thence southerly, on the Centerline of SE Deer Creek Parkway, to an intersection with the Centerline of Interstate Highway 70; thence easterly, on the Centerline of Interstate Highway 70, to an intersection with the East line of the Southwest Quarter of Section 3, Township 12 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Southwest Quarter; thence easterly, on the North line of the Northeast Quarter of Section 10, Township 12 South, Range 16 east of the 6th P.M., to the Northeast corner of the West Half of said Northeast Quarter; thence on an assumed bearing of South 00°48'00" West, on the East line of the West Half of said Northeast Quarter, 158.83 feet, to the North line of the Kansas Turnpike Right of Way, thence South 63°15'40" West, on said right of way line, 790.86 feet; thence South 69°36'00" West, continuing on said right of way line, 452.77 feet; thence North 70°46'40" West, continuing on said right of way line, 337.69 feet, to the Easterly Right of Way line of Service Road "L" of the Kansas Turnpike Authority; thence southwesterly, to the intersection of the Westerly Right of Way line of said Service Road "L" with the Northerly Right of Way line of the Kansas Turnpike; thence southwesterly, on the Northerly Right of Way line of the Kansas Turnpike, to an intersection with the Centerline of SE 37th Street; thence westerly, on the Centerline of 37th Street, to an intersection with the Centerline of SW Topeka Boulevard; thence northerly, on the Centerline of SW Topeka Boulevard, to an intersection with the Centerline of SW 29th Street; thence easterly, on the Centerline of 29th Street, to an intersection with the Centerline of SE Adams Street; thence northerly, on
the Centerline of SE Adams Street, to an intersection with the Centerline of SE 21st Street; thence westerly, on the Centerline of 21st Street, to an intersection with the Centerline of Washburn Avenue; thence northerly, and north-northeasterly, on the Centerline of Washburn Avenue, to an intersection with the Centerline of SW Willow Avenue; thence easterly, on the Centerline of SW Willow Avenue, to an intersection with the Centerline of Quinton Avenue; thence northerly, on the Centerline of Quinton Avenue, and its extension, to an intersection with the Centerline of Interstate Highway 70; thence southeasterly, on the Centerline of Interstate Highway 70, to an intersection with the Centerline of Topeka Boulevard; thence north-northeasterly, on the Centerline of Topeka Boulevard, to an intersection with the Centerline of NW Laurent Street; thence west-northwesterly, on the Centerline of NW Laurent Street, to an intersection with the Centerline of NW Norris Street; thence west-northwesterly, on the Centerline of NW Norris Street, to an intersection with the Centerline of NW Lane Street; thence north-northeasterly, on the Centerline of NW Lane Street, to an intersection with the Centerline of NW Gordon Street; thence east-southeasterly, on the Centerline of NW Gordon Street, to an intersection with the Centerline of NW Buchanan Street; thence northerly, on the Centerline of NW Buchanan Street, to an intersection with the Centerline of NW Grant Street; thence easterly, on the Centerline of NW Grant Street, to an intersection with the Centerline of NW Western Avenue; thence northerly, on the Centerline of NW Western Avenue, to an intersection with the Centerline of NW St. John Street; thence easterly, on the Centerline of NW St. John Street, to an intersection with the Centerline of NW Taylor Street; thence northerly, on the Centerline of NW Taylor Street, to an intersection with the Centerline of NW Lyman Road; thence westerly, on the Centerline of NW Lyman Road, to an intersection with the Centerline of NW Clay Street; thence northerly, on the Centerline of NW Clay Street, to the point of beginning. Contains 12.77 square miles.

Kansa Business and Technology Park (Overall PUD Boundary) Area:

A tract of land in the southeast quarter, the east half of the southwest quarter, lot 3 of the northwest quarter, and the northeast quarter, all in Section 26, Township 11 south, Range 15 east of the sixth principal meridian, Shawnee County, Kansas, more particularly described as: commencing at the southeast corner of said southeast quarter; thence on an assumed bearing of north 00°00'22" east, 30.00 feet, along the east line of said southeast quarter; thence south 89°36'04" west, 23.50 feet to the point of beginning; thence south 89°36'04" west, 2611.74 feet to a point on the west line of said southeast quarter, 30.00 feet north of the southwest corner of said southeast quarter; thence north 00°06'23" west, 1118.90 feet along the west line of said southeast quarter; thence south
86°16'38" east, 130.48 feet; thence north 42°55'39" east, 233.28 feet; thence north 01°25'17" west, 497.95 feet; thence south 88°46'41" west, 278.01 feet to the west line of said southeast quarter; thence south 00°06'23" east, 120.24 feet along the west line of said southeast quarter to the north line of arlington heights subdivision; thence south 89°54'32" west, 1309.28 feet along the north line of said subdivision to the west line of the east half of said southwest quarter; thence north 00°11'27" east, 953.94 feet along the west line of the east half of said southwest quarter; thence north 00°18'11" east, 663.92 feet along the west line of said lot 3 to the southerly right-of-way line of Interstate Highway No. 70; thence north 88°53'30" east, 883.63 feet along said right-of-way line; thence on a curve to the left, along said right-of-way line, a radius of 1579.22 feet, an arc distance of 683.95 feet, with a chord which bears north 76°29'04" east, 678.62 feet; thence north 64°04'38" east, 1046.28 feet, along said right-of-way line; thence south 78°48'28" east, 1483.53 feet to the east line of the northeast quarter of said section; thence south 00°08'53" east, 87.25 feet along the east line of said northeast quarter; thence south 16°33'51" west, 156.49 feet; thence south 00°08'53" east, 539.57 feet to a point on the south line of said northeast quarter, 45.00 feet west of the southeast corner of said northeast quarter; thence south 00°00'22" west, 35.43 feet; thence south 89°59'38" east, 21.50 feet; thence south 00°00'22" west, 2570.01 feet to the point of beginning. The above described tract contains 258.943 acres, more or less.

A tract of land situated in the southeast quarter of Section 26, Township 11 south, Range 15 east of the sixth principal meridian, Shawnee County, Kansas, more particularly described as follows: commencing at the southeast corner of the southeast quarter of section 26; thence along the said line of said quarter on an assumed bearing of south 89°35'38" west, a distance of 825.36 feet; thence on a bearing of north 00°24'22" west, a distance of 40.00 feet to the point of beginning; thence parallel with the south line of said quarter on a bearing of south 89°35'38" west, a distance of 515.96 feet; thence on a bearing north 00°25'19" west, a distance of 2033.61 feet; thence on a bearing of north 44°27'37" east, a distance of 68.73 feet; thence on a bearing of south 63°56'06" east, a distance of 18.56 feet; thence on a bearing of north 19°56'13" east, a distance of 44.30 feet; thence on a bearing of north 34°34'08" east, a distance of 25.22 feet; thence on a bearing of north 72°13'53" east, a distance of 27.65 feet; thence on a bearing of south 37°05'32" east, a distance of 14.75 feet; thence on a bearing of south 54°25'19" east, a distance of 16.30 feet; thence on a bearing of south 80°46'21" east, a distance of 23.15 feet; thence on a bearing of south 87°13'11" east, a distance of 11.70 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 75.00 feet, a chord bearing of south
74°03'00" east, and a chord distance of 34.18 feet) a distance of 34.48 feet; thence on a bearing of south 60°52'49" east, a distance of 42.96 feet; thence on a bearing of south 53°28'55" east, a distance of 108.90 feet; thence on a bearing of south 31°54'18" east, a distance of 87.45 feet; thence on a bearing of south 26°44'08" east, a distance of 158.72 feet; thence on a bearing of south 28°30'48" east, a distance of 137.12 feet; thence on a bearing of south 35°51'47" east, a distance of 63.86 feet; thence on a bearing of south 44°53'50" east, a distance of 71.01 feet; thence on a bearing of south 00°10'26" east, a distance of 305.26 feet; thence on a bearing of south 41°48'53" west, a distance of 216.94 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 75.00 feet, a chord bearing of south 19°54'50" east, and a chord distance of 97.23 feet) a distance of 105.78 feet; thence on a bearing of south 00°01'58" east, a distance of 78.63 feet; thence on a bearing of south 34°02'36" east, a distance of 118.96 feet; thence on a bearing of south 00°17'22" west, a distance of 227.41 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 60.00 feet, a chord bearing of south 45°46'21" west, and a chord distance of 77.15 feet) a distance of 83.79 feet; thence on a bearing of south 00°06'58" east, a distance of 142.97 feet; thence on a bearing of south 86°22'32" west, a distance of 30.69 feet; thence on a bearing of south 01°46'13" east, a distance of 80.18 feet; thence on a bearing of south 89°57'22" west, a distance of 20.82 feet; thence on a bearing of south 00°15'55" west, a distance of 130.86 feet; thence on a bearing of south 89°40'17" east, a distance of 21.15 feet; thence on a bearing of south 00°20'17" west, a distance of 28.30 feet to a point on a curve to the left; thence along said curve to the left (said curve having a radius of 118.49 feet, a chord bearing of south 21°22'45" east, a chord distance of 60.15 feet) a distance of 60.82 feet; thence on a bearing of south 32°29'33" east, a distance of 24.43 feet to a point on a curve to the right; thence along said curve to the right (said curve having a radius of 194.67 feet, a chord bearing of south 12°51'45" east, and a chord distance of 80.56 feet) a distance of 81.15 feet; thence on a bearing of south 01°52'31" east, a distance of 26.20 feet to the point of beginning. The above described tract of land contains 24.081 acres, more or less, and is subject to all rights-of-way, easements, restrictions, and covenants of record, if any.

(and in addition)

Kanza Business and Technology Park Subdivision. Contains approximately 10.39-acres, more or less.

Except:

The property commonly known as the 501 Sports Complex and legally described as follows: 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 on the West line, 30.00-feet North of the Southwest Corner of said Quarter Section (said point being on the North right-of-way line of West Sixth Street); thence North 00 degrees, 06 minutes, 40 seconds West, along said West Line, 1,118.79-feet; thence South 86 degrees, 14 minutes, 23 seconds East, 130.46-feet; thence North 42 degrees, 56 minutes, 08 seconds East, 233.28-feet; thence North 01 degrees, 24 minutes, 28 seconds West, 497.95-feet; thence North 88 degrees, 48 minutes, 04 seconds East, 120.98-feet; thence on a 302.50-foot radius curve to the left, with a 170.62-foot chord bearing North 72 degrees, 25 minutes, 13 seconds East, an arc distance of 172.97-feet; thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-feet; thence South 20 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24 minutes, 53 seconds East, 1,344.77-feet to the North right-of-way line of West Sixth Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres, more or less, all in the City of Topeka, Shawnee County, Kansas.

SOUTHERN HILLS AREA

Southern Hills Subdivision B and Southern Hills Subdivision C. Contains approximately 72 acres.

COWDIN SUBDIVISIONS AREA

Cowdin Subdivision and Cowdin Subdivision No. 2. Contains approximately 15 acres.

BELMONT ADDITION AREA

Beginning at the Southwest corner of Lot 574 on Sixth Avenue, in Belmont Addition to the City of Topeka, Shawnee County, Kansas: thence northerly, on the West line of Belmont Addition, to the Northwest corner of Lot 447 on Rogers Street; thence easterly, on the North line of Lot 447 and on the North line of East Third Street, formerly House Street, to the Southwest corner of Lot 181 on Fairfax Street in Belmont Addition; thence northerly, on a West line of Belmont Addition, to an intersection with the Centerline of Deer Creek; thence northeasterly, down the Centerline of Deer Creek, to an intersection with the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M.; thence easterly, on the North line of said Southwest Quarter, to the Northeast corner of Belmont Addition; thence southerly, on the East line of Belmont Addition, to the Southeast corner of Lot 658 on sixth Avenue; thence
westerly, on the platted North line of Sixth Avenue, to the point of
beginning. Contains 0.10 square mile, more or less.

Section 4. 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 Council of the City of Topeka Nov. 25, 2003.

Duane F. Pomeroy, Deputy Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 12/11/03 BY
TO BE CODIFIED
NOT TO BE CODIFIED
Neighborhood Revitalization Plan

Topeka, Kansas

January 1, 2004

Approved by City of Topeka: November 25, 2003
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<th>Title</th>
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Purpose

This Plan is intended to promote the revitalization of the inner urban area hereinafter described as the "Neighborhood Revitalization Area" 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, in accordance with KSA 12-17, 118 (d), a tax rebate incentive will be available to property owners for certain improvements that raise the appraised value of residential property 10% and commercial property 20%.

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 reviewed, evaluated, and found that the described area meets one or more of the conditions contained in KSA (2000 Supp) 12-17,115 (c).
PART 1
DESCRIPTION OF NEIGHBORHOOD REVITALIZATION AREA

The Neighborhood Revitalization Area (Map #1) follows the boundaries of Intensive Care and At Risk neighborhoods as identified in the Neighborhood Element of the Comprehensive Plan. This element, originally approved in 2000, establishes four (4) health classifications for neighborhoods (intensive care, at risk, out patient, and healthy) to determine priorities for re-investment and planning assistance. They are described below in order of priority:

High Priority

**Intensive Care** - areas with seriously distressed conditions that need immediate attention and intervention

**At Risk** - areas with emerging/existing negative conditions that need attention before they succumb to seriously distressed conditions

**Out Patient** - areas with favorable conditions in need of minor isolated treatments

Low Priority

**Healthy** - areas with optimal conditions

The four health classifications were based on five (5) vital signs that measured the relative health of all neighborhood areas in Topeka. This neighborhood health assessment was used to develop a “triage” approach to revitalization. Those areas that had more “life-threatening” or urgent needs as measured by the vital signs should receive higher priority for treatment over those areas with less urgent needs. These higher priority areas (intensive care/at risk) are the focus for neighborhood planning efforts and public re-investment. A summary of the vital signs include:

**Poverty (2000 U.S Census)** - High concentrations of poverty are one of the most reliable indicators of performance in school, crime rates, family fragmentation, job readiness, housing conditions, etc.
Public Safety (2001-2002, Topeka Police Dept.) – Public Safety, as measured by number of Part I crimes reported for the last three years, is a symptom indicating the local environmental conditions conducive to crime and how well a neighborhood is organized to prevent crime from occurring.

Residential Property Values (2002, Shawnee County Appraisers Office) – Property values are in part a reflection of the quality of housing supply and the image of a neighborhood. The median value of a house purchased in Shawnee County was $79,000 in 1998.

Single Family Housing Tenure (2002 Shawnee County Appraisers Office) The percentage of homeowners residing in a neighborhood can be an indication of the willingness (or confidence) to invest in the area. The most relevant measure of this is how many single-family dwellings are owner-occupied since these homes were built for individual ownership.

Boarded Houses (2001-2002, City of Topeka Code Compliance) - A boarded-up house is one of the most, if not most, evident physical displays that will undermine confidence in an area for investment and precipitates a downward spiral for the block and/or neighborhood.

### Vital Sign Ranges

<table>
<thead>
<tr>
<th>Neighborhood Condition Level</th>
<th>Number of Part 1 Crimes</th>
<th>% of Persons Below Poverty Level</th>
<th>% Owner Occupied Housing Units</th>
<th>Number of Boarded Houses</th>
<th>Average Residential Property Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Best</td>
<td>Low</td>
<td>0-7</td>
<td>70-100</td>
<td>0</td>
<td>$82,101 - $234,622</td>
</tr>
<tr>
<td></td>
<td>Below Average</td>
<td>8-14</td>
<td>50-69</td>
<td>1-2</td>
<td>$53,401 - $82,100</td>
</tr>
<tr>
<td></td>
<td>Above Average</td>
<td>15-24</td>
<td>34-49</td>
<td>3-5</td>
<td>$31,401 - $53,400</td>
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<tr>
<td>Worst</td>
<td>High</td>
<td>25-100</td>
<td>0-33</td>
<td>6-12</td>
<td>$14,700 - $31,400</td>
</tr>
</tbody>
</table>

**Area Profile**

Health rankings are determined by averaging all vital sign levels for each neighborhood area. *Intensive care* and *at risk* neighborhoods have the lowest vital sign measurements, and hence are being targeted as the Neighborhood Revitalization (NR) Area. Below is a comparison profile of the NR Area and non-NR Area:
<table>
<thead>
<tr>
<th>Neighborhood Health Rating</th>
<th>Number of Part 1 Crimes</th>
<th>% of Persons Below Poverty Level</th>
<th>% Owner Occupied Housing Units</th>
<th>Number of Boarded Houses (by Census Block Group)</th>
<th>Average Residential Property Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intensive Care</td>
<td>High</td>
<td>30%</td>
<td>40%</td>
<td>5</td>
<td>$22,122</td>
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<tr>
<td>At Risk</td>
<td>Above Average</td>
<td>25%</td>
<td>53%</td>
<td>2</td>
<td>$32,738</td>
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<tr>
<td>Total NR Area</td>
<td>High</td>
<td>26%</td>
<td>49%</td>
<td>3</td>
<td>$29,313</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Neighborhood Health Rating</th>
<th>Number of Part 1 Crimes</th>
<th>% of Persons Below Poverty Level</th>
<th>% Owner Occupied Housing Units</th>
<th>Number of Boarded Houses (by Census Block Group)</th>
<th>Average Residential Property Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out Patient</td>
<td>Above Average</td>
<td>12%</td>
<td>70%</td>
<td>1</td>
<td>$65,277</td>
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<tr>
<td>Healthy</td>
<td>Below Average</td>
<td>5%</td>
<td>85%</td>
<td>0</td>
<td>$101,791</td>
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<tr>
<td>Total Non-NR Area</td>
<td>Below Average</td>
<td>7%</td>
<td>81%</td>
<td>0</td>
<td>$90,698</td>
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</tbody>
</table>

The following table compares other general characteristics of the NR Area and the Non-NR Area.

<table>
<thead>
<tr>
<th>Area</th>
<th>Square Miles</th>
<th># of parcels of land</th>
<th>Estimated Population</th>
<th>Total Housing Units</th>
<th>Real Property Valuation</th>
<th>Vacant Parcels of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>NR Area</td>
<td>8.6</td>
<td>14,185</td>
<td>32,867</td>
<td>15,303</td>
<td>$1,190,507,775</td>
<td>1,925</td>
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<tr>
<td>Non-NR Area</td>
<td>43.9</td>
<td>34,626</td>
<td>89,510</td>
<td>41,715</td>
<td>$4,643,560,675</td>
<td>2,318</td>
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Legal Description of
Neighborhood Revitalization Area

Primary Area
Beginning at the intersection of the Centerline of US Highway 24 with the Centerline of NW Clay Street; thence easterly, on the Centerline of US Highway 24, to an intersection with the Centerline of NW Topeka Boulevard; thence southerly, on the Centerline of NW Topeka Boulevard, to an intersection with the Centerline of Old Soldier Creek; thence easterly and southerly, down the Centerline of Old Soldier Creek, to an intersection with the Centerline of the Mainline Track of the Union Pacific Railroad; thence southerly, on the centerline of said mainline track, to an intersection with the Centerline of the West Approach to the Sardou Bridge over the Kansas River; thence east-southeasterly, on the centerline of said approach and the Centerline of the Sardou Bridge, to an intersection with the Centerline of the Kansas River; thence southwesterly, up the Centerline of the Kansas River, to an intersection with an extension of the Centerline of NE Chandler Street; thence southerly, on the Centerline of NE Chandler Street, to an intersection with the Centerline of NE Seward Avenue; thence westerly, on the Centerline of NE Seward Avenue, to an intersection with the Centerline of NE Branner Street; thence south-southwesterly, on the Centerline of Branner Street, to an intersection with the Centerline of the Mainline Track of the Burlington Northern – Santa Fe Railway; thence easterly, on the centerline of said mainline track, to an intersection with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Northeast Quarter; thence easterly, on the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M., to an intersection with the Centerline of Deer Creek; thence southwesterly and southerly, up the Centerline of Deer Creek, to an intersection with the Centerline of SE 6th Avenue; thence westerly, on the Centerline of SE 6th Avenue, to an intersection with the Centerline of SE Deer Creek Parkway; thence southerly, on the Centerline of SE Deer Creek Parkway, to an intersection with the Centerline of Interstate Highway 70; thence easterly, on the Centerline of Interstate Highway 70, to an intersection with the East line of the Southwest Quarter of Section 3, Township 12 South, Range 16 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said Southwest Quarter; thence easterly, on the North line of the Northeast Quarter of Section 10, Township 12 South, Range 16 east of the 6th P.M., to the Northeast corner of the West Half of said Northeast Quarter; thence on an assumed bearing of South 00º48'00" West, on the East line of the West Half of said Northeast Quarter, 158.83 feet, to the North line of the Kansas Turnpike Right of Way, thence South 63º15'40" West, on said right of way line, 790.86 feet; thence South 69º36'00" West, continuing on said right of way line, 452.77 feet; thence North 70º46'40" West, continuing on said right of way line, 337.69 feet, to the Easterly Right of Way line of Service Road "L" of the Kansas Turnpike Authority; thence southwesterly, to the intersection of the Westerly Right of Way line of said Service Road "L" with the Northerly Right of Way line of the Kansas Turnpike; thence southwesterly, on the Northerly Right of Way line of the Kansas Turnpike, to an intersection with the Centerline of SE 37th Street; thence westerly, on the Centerline of 37th Street, to an intersection with the Centerline of SW Topeka Boulevard; thence northerly, on the Centerline of SW Topeka Boulevard, to an intersection with the Centerline of SW 29th Street; thence easterly, on the Centerline of 29th Street, to an intersection with the Centerline of SE Adams Street; thence northerly, on the Centerline of SE Adams Street, to an intersection with the Centerline of SE 21st Street; thence westerly, on the Centerline of 21st Street, to an intersection with the Centerline of Washburn Avenue; thence northerly, and north-northeasterly, on the Centerline of Washburn Avenue, to an intersection with the Centerline of SW Willow Avenue; thence easterly, on the Centerline of SW Willow Avenue, to an intersection with the Centerline of Quinton Avenue; thence northerly, on the Centerline of Quinton Avenue, and its extension, to an intersection with the Centerline of Interstate Highway 70; thence southerly, on the Centerline of Interstate Highway 70, to an intersection with the Centerline of SW Topeka Boulevard; thence north-northeasterly, on the Centerline of Topeka Boulevard, to an intersection with the Centerline of NW Laurent Street; thence west-northwesterly, on the Centerline of NW Laurent Street, to an intersection with the Centerline of NW Norris Street; thence west-northwesterly, on the Centerline of NW Norris Street, to an intersection with the Centerline of NW Lane Street; thence north-northeasterly, on the Centerline of NW Lane Street, to an intersection with the Centerline of NW Gordon Street; thence east-southeasterly, on the Centerline of NW Gordon Street, to an intersection with the Centerline of NW Buchanan Street; thence northerly, on the
Centerline of NW Buchanan Street, to an intersection with the Centerline of NW Grant Street; thence easterly, on the Centerline of NW Grant Street, to an intersection with the Centerline of NW Western Avenue; thence northerly, on the Centerline of NW Western Avenue, to an intersection with the Centerline of NW St. John Street; thence easterly, on the Centerline of NW St. John Street, to an intersection with the Centerline of NW Taylor Street; thence northerly, on the Centerline of NW Taylor Street, to an intersection with the Centerline of NW Lyman Road; thence westerly, on the Centerline of NW Lyman Road, to an intersection with the Centerline of NW Clay Street; thence northerly, on the Centerline of NW Clay Street, to the point of beginning. Contains 12.77 square miles.

Area 1: KANZA BUSINESS AND TECHNOLOGY PARK (OVERALL PUD BOUNDARY)

A TRACT OF LAND IN THE SOUTHEAST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER, LOT 3 OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER, ALL IN SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 00°00'22" EAST, 30.00 FEET, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89°36'04" WEST, 23.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°36'04" WEST, 2611.74 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER, 30.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°06'23" WEST, 1118.90 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 86°16'38" EAST, 130.48 FEET; THENCE NORTH 42°55'39" EAST, 233.28 FEET; THENCE NORTH 01°25'17" WEST, 497.95 FEET; THENCE SOUTH 88°46'41" WEST, 278.01 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00°06'23" EAST, 120.24 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTH LINE OF ARLINGTON HEIGHTS SUBDIVISION; THENCE SOUTH 89°54'32" WEST, 1309.28 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°11'27" EAST, 953.94 FEET ALONG THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°18'11" EAST, 663.92 FEET ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE NORTH 88°53'30" EAST, 883.63 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE ON A CURVE TO THE LEFT, ALONG SAID RIGHT-OF-WAY LINE, A RADIUS OF 1579.22 FEET, AN ARC DISTANCE OF 683.95 FEET, WITH A CHORD WHICH BEARS NORTH 76°29'04" EAST, 678.62 FEET; THENCE NORTH 64°04'38" EAST, 1046.28 FEET, ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 00°08'08" WEST, 213.32 FEET; THENCE SOUTH 78°48'28" EAST, 1483.53 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°08'53" EAST, 87.25 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 16°33'51" WEST, 156.49 FEET; THENCE SOUTH 00°08'53" EAST, 539.57 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, 45.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°00'22" WEST, 35.43 FEET; THENCE SOUTH 89°59'38" EAST, 21.50 FEET; THENCE SOUTH 00°00'22" WEST, 2570.01 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 258.943 ACRES, MORE OR LESS.

A TRACT OF LAND Situated in the SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 26; THENCE ALONG THE SOUTH LINE OF SAID QUARTER ON AN ASSUMED BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 825.36 FEET; THENCE ON A BEARING OF NORTH 00°24'22" WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE SOUTH LINE OF SAID QUARTER ON A BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 515.96 FEET; THENCE ON A BEARING NORTH 00°25'19" WEST, A DISTANCE OF 2033.61 FEET; THENCE ON A BEARING OF NORTH 44°27'37" EAST, A DISTANCE OF 68.73 FEET; THENCE ON A BEARING OF SOUTH 63°56'06" EAST, A DISTANCE OF 18.56 FEET; THENCE ON A

Neighborhood Revitalization Plan
11/25/2003
8
BEARING OF NORTH 19°56'13" EAST, A DISTANCE OF 44.30 FEET; THEN ON A BEARING OF NORTH 34°34'08" EAST, A DISTANCE OF 25.22 FEET; THEN ON A BEARING OF NORTH 72°13'53" EAST, A DISTANCE OF 27.65 FEET; THEN ON A BEARING OF SOUTH 37°05'32" EAST, A DISTANCE OF 14.75 FEET; THEN ON A BEARING OF SOUTH 54°25'19" EAST, A DISTANCE OF 16.30 FEET; THEN ON A BEARING OF SOUTH 80°46'21" EAST, A DISTANCE OF 23.15 FEET; THEN ON A BEARING OF SOUTH 87°13'11" EAST, A DISTANCE OF 11.70 FEET TO A POINT ON A CURVE TO THE RIGHT; THEN ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 74°03'00" EAST, AND A CHORD DISTANCE OF 34.18 FEET) A DISTANCE OF 34.48 FEET; THEN ON A BEARING OF SOUTH 60°52'49" EAST, A DISTANCE OF 42.96 FEET; THEN ON A BEARING OF SOUTH 53°28'55" EAST, A DISTANCE OF 108.90 FEET; THEN ON A BEARING OF SOUTH 31°54'18" EAST, A DISTANCE OF 87.45 FEET; THEN ON A BEARING OF SOUTH 26°44'08" EAST, A DISTANCE OF 158.72 FEET; THEN ON A BEARING OF SOUTH 28°30'48" EAST, A DISTANCE OF 137.12 FEET; THEN ON A BEARING OF SOUTH 35°51'47" EAST, A DISTANCE OF 63.86 FEET; THEN ON A BEARING OF SOUTH 44°53'50" EAST, A DISTANCE OF 71.01 FEET; THEN ON A BEARING OF SOUTH 00°10'26" EAST, A DISTANCE OF 305.26 FEET; THEN ON A BEARING OF SOUTH 41°48'53" WEST, A DISTANCE OF 216.94 FEET TO A POINT ON A CURVE TO THE LEFT; THEN ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 19°54'50" EAST, AND A CHORD DISTANCE OF 97.23 FEET) A DISTANCE OF 105.78 FEET; THEN ON A BEARING OF SOUTH 00°01'58" EAST, A DISTANCE OF 78.63 FEET; THEN ON A BEARING OF SOUTH 34°02'36" EAST, A DISTANCE OF 118.96 FEET; THEN ON A BEARING OF SOUTH 00°17'22" WEST, A DISTANCE OF 227.41 FEET TO A POINT ON A CURVE TO THE RIGHT; THEN ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 60.00 FEET, A CHORD BEARING OF SOUTH 45°46'21" WEST, AND A CHORD DISTANCE OF 77.15 FEET) A DISTANCE OF 83.79 FEET; THEN ON A BEARING OF SOUTH 00°06'58" EAST, A DISTANCE OF 142.97 FEET; THEN ON A BEARING OF SOUTH 86°22'32" WEST, A DISTANCE OF 30.69 FEET; THEN ON A BEARING OF SOUTH 89°57'22" WEST, A DISTANCE OF 20.82 FEET; THEN ON A BEARING OF SOUTH 00°15'55" WEST, A DISTANCE OF 130.86 FEET; THEN ON A BEARING OF SOUTH 89°40'17" EAST, A DISTANCE OF 21.15 FEET; THEN ON A BEARING OF SOUTH 00°20'17" WEST, A DISTANCE OF 28.30 FEET TO A POINT ON A CURVE TO THE LEFT; THEN ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 118.49 FEET, A CHORD BEARING OF SOUTH 21°22'45" EAST, A CHORD DISTANCE OF 60.15 FEET) A DISTANCE OF 60.82 FEET; THEN ON A BEARING OF SOUTH 32°29'33" EAST, A DISTANCE OF 24.43 FEET TO A POINT ON A CURVE TO THE RIGHT; THEN ALONG SAID CURVE TO THE RIGHT(SAID CURVE HAVING A RADIUS OF 194.67 FEET, A CHORD BEARING OF SOUTH 12°51'45" EAST, AND A CHORD DISTANCE OF 80.56 FEET) A DISTANCE OF 81.15 FEET; THEN ON A BEARING OF SOUTH 01°52'31" EAST, A DISTANCE OF 26.20 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 24.081 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, AND COVENANTS OF RECORD, IF ANY.

AND IN ADDITION

KANZA BUSINESS AND TECHNOLOGY PARK SUBDIVISION. CONTAINS APPROXIMATELY 10.39-ACRES, MORE OR LESS.

EXCEPT

The property commonly known as the 501 Sports Complex and legally described as follows: 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 on the West line, 30.00-feet North of the Southwest Corner of said Quarter Section (said point being on the North right-of-way line of West Sixth Street); thence North 00 degrees, 06 minutes, 40 seconds West, along said West line, 1,118.79-feet; thence South 86 degrees, 14 minutes, 23 seconds East, 130.46-feet; thence North 42 degrees, 56 minutes, 08 seconds East, 233.28-feet; thence North 01 degrees, 24 minutes, 28 seconds West, 497.95-feet; thence North 88 degrees, 48 minutes, 04 seconds East, 120.98-feet; thence on a 302.50-
foot radius curve to the left, with a 170.62-foot chord bearing North 72 degrees, 25 minutes, 13 seconds East, an arc distance of 172.97-feet; thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-feet; thence South 20 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24 minutes, 53 seconds East, 1, 344.97-feet to the North right-of-way line of West Sixth Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres, more or less, all in the City of Topeka, Shawnee County, Kansas.

**Area 2: SOUTHERN HILLS**
Southern Hills Subdivision B and Southern Hills Subdivision C. Contains approximately 72 acres.

**Area 3: COWDIN SUBDIVISIONS**
Cowdin Subdivision and Cowdin Subdivision No. 2. Contains approximately 15 acres.

**Area 4: BELMONT ADDITION**
Beginning at the Southwest corner of Lot 574 on Sixth Avenue, in Belmont Addition to the City of Topeka, Shawnee County, Kansas: thence northerly, on the West line of Belmont Addition, to the Northwest corner of Lot 447 on Rogers Street; thence easterly, on the North line of Lot 447 and on the North line of East Third Street, formerly House Street, to the Southwest corner of Lot 181 on Fairfax Street in Belmont Addition; thence northerly, on a West line of Belmont Addition, to an intersection with the Centerline of Deer Creek; thence northeasterly, down the Centerline of Deer Creek, to an intersection with the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M.; thence easterly, on the North line of said Southwest Quarter, to the Northeast corner of Belmont Addition; thence southerly, on the East line of Belmont Addition, to the Southeast corner of Lot 658 on sixth Avenue; thence westerly, on the platted North line of Sixth Avenue, to the point of beginning. Contains 0.10 square mile, more or less.
distance of 172.97-feet; thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-feet; thence South 20 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24 minutes, 53 seconds East, 1, 344.97-feet to the North right-of-way line of West Sixth Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres, more or less, all in the City of Topeka, Shawnee County, Kansas.

Option Area 2: SOUTHERN HILLS
Southern Hills Subdivision B and Southern Hills Subdivision C. Contains approximately 72 acres.

Option Area 3: COWDIN SUBDIVISIONS
Cowdin Subdivision and Cowdin Subdivision No. 2. Contains approximately 15 acres.

Option Area 4: BELMONT ADDITION
Beginning at the Southwest corner of Lot 574 on Sixth Avenue, in Belmont Addition to the City of Topeka, Shawnee County, Kansas: thence northerly, on the West line of Belmont Addition, to the Northwest corner of Lot 447 on Rogers Street; thence easterly, on the North line of Lot 447 and on the North line of East Third Street, formerly House Street, to the Southwest corner of Lot 181 on Fairfax Street in Belmont Addition; thence northerly, on a West line of Belmont Addition, to an intersection with the Centerline of Deer Creek; thence northeasterly, down the Centerline of Deer Creek, to an intersection with the North line of the Southwest Quarter of Section 34, Township 11 South, Range 16 east of the 6th P.M.; thence easterly, on the North line of said Southwest Quarter, to the Northeast corner of Belmont Addition; thence southerly, on the East line of Belmont Addition, to the Southeast corner of Lot 658 on Sixth Avenue; thence westerly, on the platted North line of Sixth Avenue, to the point of beginning. Contains 0.10 square mile, more or less.
PART 2

APPRaised VALUATION OF REAL PROPERTY

The appraised valuation of the real estate contained in the Neighborhood Revitalization Area as of July 1, 2003 is listed for each parcel, for land and building values separately, in Appendix 1 on file in the Topeka Planning Department. The 2003 appraised valuation for the 13,257 parcels contained in the area is:

Land $211,349,980
Improvements $1,104,773,358
Total Appraised Valuation $1,316,123,338

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 Topeka Planning Department.

PART 4

EXISTING ZONING BOUNDARIES & EXISTING/PROPOSED LAND USES

Descriptions of zoning districts, current boundaries, existing land uses, and future land use maps within the Neighborhood Revitalization Area are all found in Appendix 3 on file in the Topeka Planning Department.
PART 5

MAJOR IMPROVEMENTS

PROPOSED FOR NEIGHBORHOOD REVITALIZATION AREA

A list of the proposed major improvements within the Neighborhood Revitalization Area are identified within the City Council-adopted neighborhood and area plans of the Comprehensive Plan. Copies of those plans are on file with the Topeka Planning Department and to date include:

- Chesney Park Neighborhood Land Use Plan (1998)
- Holliday Park Neighborhood Land Use Plan (1998)
- Historic North Topeka Revitalization Plan (1999)
- Elmhurst Neighborhood Plan (2001)
- Tennessee Town (2001)
- Downtown Topeka Redevelopment Plan (2001)
- Ward-Meade Neighborhood Plan (2001)
- Wasburn-Lane Parkway Plan (2001)
- East Topeka Neighborhood Revitalization Plan (2002)
- Old Town Neighborhood Plan (2003)
- Hi-Crest Neighborhood Plan (2003)

Proposed housing, infrastructure, and public facility improvements within these plans are intended to guide the City’s future resource allocation as targeted within the Neighborhood Revitalization Area. Actual approved resource allocations are found with the City’s Capital Improvement Budget and Consolidated Plan.
PART 6
STATEMENT SPECIFYING THE ELIGIBILITY REQUIREMENTS
FOR A TAX REBATE

Residential New Construction/Rehabilitation

All residential improvements legally permitted by applicable zoning regulations and building codes within the Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 10%. Improvement projects that are not eligible include:

- New construction renter-occupied single-family dwellings.
- Conversion of single-family dwellings to two (2) or more dwelling units.

Commercial New Construction/Rehabilitation

Commercial, office and institutional, and industrial projects legally permitted by applicable zoning regulations and building codes within the Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 20%.
PART 7
CRITERIA FOR DETERMINATION OF ELIGIBILITY

(a) Construction of an improvement must have begun on or after January 1, 2004 the date of designation of the neighborhood revitalization area by the City. An improvement project constructed pursuant to a building permit and an application for tax rebate filed before January 1, 2004, may be eligible for a rebate under the Neighborhood Revitalization Program created by City ordinance No. 17694.

(b) A rebate application must be filed within sixty (60) days of the issuance of a building permit (if required) or initiation of work on the eligible improvement.

(c) The improvements must conform with the Comprehensive Plan, including design guidelines within applicable Neighborhood Plans, and Zoning Regulations in effect at the time the improvements are made.

(d) New and 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.

(e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.

(f) 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 receive one exemption/rebate per project from the City as a tax incentive.

(g) Any property that fronts the boundary of the Neighborhood Revitalization Area shall be eligible for the rebate.

(h) Projects completed after two (2) years from the issuance of a building permit or initiation of eligible work items shall not be eligible for a tax rebate.
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 Cost of Improvements.
(l) Proof of Historical Register Listing.
(m) List of Buildings proposed to be or actually demolished.
(n) Date of commencement of construction.
(o) Estimated date of completion of construction.

Part 2 - Status of Construction/Completion

(a) County Appraiser's Statement of Percentage Test.
(b) County Clerk's Statement of Tax Status.
(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 Planning Department (Planning) or the City's Development Services 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 Metropolitan Planning, within sixty (60) days of issuance of the building permit.

(c) Metropolitan Planning shall forward the application to the Shawnee County Appraiser's Office for determination of the appraised valuation of the improvements and when necessary, shall indicate the base tax year in order to determine the property's pre-demolition value for historic resources or landmarks that were demolished to make way for the improvements.

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

(e) 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, Metropolitan 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.

(f) 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 any fees as specified in the Interlocal Agreement) shall be made to the applicant.

The tax rebate amount will be based on the appraised property value increment between the application year and the completion year directly attributal to the improvement itself. The actual rebate may vary year to year depending upon the approved mill levy for all participating taxing jurisdictions. 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.
PART 10
STANDARDS AND CRITERIA FOR APPROVAL

(a) Project improvements shall be 100% complete.

(b) The appraised value of residential property must be increased by a minimum of 10%.

(c) The appraised value of commercial and industrial property must be increased by a minimum of 20%.

(d) New improvements must conform with all applicable codes, rules, and regulations in effect at the time the improvements are made, including design guidelines of the Comprehensive Plan, for the length of the rebate.

(e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.
PART 11

STATEMENT SPECIFYING REBATE FORMULA

Program Period:

The Neighborhood Revitalization Fund and tax rebate incentive program shall expire on December 31, 2006.

Rebate Period:

All Eligible Uses 10 years

Properties on National/State Register, or properties designated as Historic Landmarks by the City of Topeka 15 years

Rebate Amount:

All Eligible Uses
  -- Primary Area 80 % *
  -- Area 1 80 % *
  -- Area 2 80 % *
  -- Area 2 80 % *
  -- Area 2 80 % *

Properties on National/State Register, or properties designated as Historic Landmarks by the City of Topeka 100 %

*20% to remain in Neighborhood Revitalization Fund for infrastructure, housing, or redevelopment improvements that implement approved Neighborhood Plans, or other plans approved by the governing bodies within the Neighborhood Revitalization Area (15%) and for administrative costs (5%).
Part 12
OTHER MATTERS

1. A comprehensive marketing effort shall be initiated to introduce and reinforce this program to the general public. Potential actions include, but are not limited to:
   - Notice of the program included in pre-development applications by Planning, Housing and Neighborhood Development, and Development Services.
   - Informational packet distributed annually to realtors, builders, financial institutions, and neighborhood groups.
   - Recurring advertisements on Government Access Cable Channel.

1. The governing body may declare a structure outside of a neighborhood revitalization area eligible if it satisfies the conditions set forth in subsection (a) of KSA 12-17, 115 as a “dilapidated structure” due to its deteriorated conditions and/or is worthy of preservation (see KSA statute in appendix). As a matter of course, the governing body shall forward said declaration to the participating taxing entities for their approval as well.

2. Create a Special Fund for infrastructure, housing, and redevelopment improvements to implement approved Neighborhood Plans or other improvement plans approved by the governing bodies within the Neighborhood Revitalization Area. State law provides the flexibility for cities to enact and enforce additional laws and regulations that are not in conflict with the provisions of the Neighborhood Revitalization Act (KSA 12-114).

A committee consisting of a representative from each participating taxing entity shall make specific project recommendations to the City Council consistent with the intent of the Special Fund. The City Council shall make final decisions in the appropriation of
such fund for neighborhood improvement projects occurring within the City. The Special Fund shall not be used as a substitute funding source for existing programs or projects.

3. The tax rebate period for properties/projects approved for 10-year rebates beginning in the tax years 1996, 1997, and 1998 shall be extended an extra year whereas 50% of the amount equal to the tax rebate will be distributed to all taxing entities and 50% set-aside for the Special Fund as described in Part 12 of this Plan.
# SHAWNEE COUNTY TAX LEVY SCHEDULE 2003

Tax Levies Per $1,000 Assessed Valuation

<table>
<thead>
<tr>
<th>Taxing Jurisdictions (within USD 501 area)</th>
<th>Mill Levy</th>
<th>% of Total Levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shawnee County</td>
<td>40.043</td>
<td>29.3</td>
</tr>
<tr>
<td>2. City of Topeka</td>
<td>33.224</td>
<td>24.3</td>
</tr>
<tr>
<td>3. U.S.D. 501 (Topeka)</td>
<td>46.198</td>
<td>33.8</td>
</tr>
<tr>
<td>4. Washburn University</td>
<td>3.308</td>
<td>2.4</td>
</tr>
<tr>
<td>5. Topeka-Shawnee County Public Library</td>
<td>10.519</td>
<td>7.7</td>
</tr>
<tr>
<td>6. MTTA (Transit Authority)</td>
<td>2.361</td>
<td>1.7</td>
</tr>
<tr>
<td>7. MTAA (Airport Authority)</td>
<td>1.087</td>
<td>0.8</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>136.74</td>
<td>100 %</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Taxing Jurisdictions (within USD 345 area)</th>
<th>Mill Levy</th>
<th>% of Total Levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shawnee County</td>
<td>40.043</td>
<td>30.6</td>
</tr>
<tr>
<td>2. City of Topeka</td>
<td>33.224</td>
<td>25.4</td>
</tr>
<tr>
<td>3. U.S.D. 345 (Seaman)</td>
<td>40.422</td>
<td>30.9</td>
</tr>
<tr>
<td>4. Washburn University</td>
<td>3.308</td>
<td>2.5</td>
</tr>
<tr>
<td>5. Topeka-Shawnee County Public Library</td>
<td>10.519</td>
<td>8.0</td>
</tr>
<tr>
<td>6. MTTA (Transit Authority)</td>
<td>2.361</td>
<td>1.8</td>
</tr>
<tr>
<td>7. MTAA (Airport Authority)</td>
<td>1.087</td>
<td>0.8</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>130.964</td>
<td>100</td>
</tr>
</tbody>
</table>
NEIGHBORHOOD REVITALIZATION ACT

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

BUILDINGS, STRUCTURES AND GROUNDS 12-17,117

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.

History: L. 1994, ch. 242, § 10; July 1.

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 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 land 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 progress 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. 96-34.

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. 96-34.

12-17,117. Same; revitalization plan, contents; notice and hearing. (a) Prior to designating an area as a neighborhood revitalization plan...
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. 1996 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.


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:
Municipal Corporations = 207.
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. 94-45.
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. 92-59.
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,