AN ORDINANCE introduced by Acting City Manager Neil Dobler establishing a redevelopment district within the City of Topeka, Kansas consisting of all real property owned by the City at Heartland Park of Topeka as more specifically described herein, all pursuant to K.S.A. 12-1770 et seq. and amendments thereto.

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

Section 1. Upon conclusion of the public hearing held pursuant to notice as required by law and otherwise in accordance with City of Topeka, Kansas Resolution No. 7676 (adopted on August 23, 2005) and K.S.A. 2004 Supp. 12-1771(a) (as amended by Section 2 of Senate Substitute for House Bill No. 2144 (2005)), the Governing Body of the City of Topeka, Kansas finds and concludes as follows:

A. Necessity of Redevelopment:

The proposed redevelopment district is an eligible area which includes a major motorsports complex and the redevelopment of such area is necessary to promote the general and economic welfare of the City.

B. District Plan for Redevelopment:

The district plan, as originally described in Exhibit B to City of Topeka, Kansas Resolution No. 7676, contemplates redevelopment of the district through the establishment, operation and maintenance of Heartland Park of Topeka as a major motorsports complex in Shawnee County. This undertaking reasonably requires comprehensive capital improvements to the infrastructure and facilities of Heartland Park of Topeka including, but not limited to, racetracks, paddock areas, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality
facilities, but excluding hotels, motels, restaurant and retail facilities not directly related to or necessary to the operation of a major motorsports complex. The district plan, which is annexed as Appendix A to this Ordinance and fully incorporated by reference herein, identifies the proposed redevelopment project area and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in the redevelopment project area, all in accordance with K.S.A. 2004 Supp. 12-1771(b), as amended by Section 2(b) of Senate Substitute for House Bill No. 2144 (2005). The district plan should be and is hereby approved.

C. Establishment and Description of the Redevelopment District:

A redevelopment district should be and is hereby established within the City of Topeka, Kansas consisting entirely of real property owned by the City in the Heartland Park Topeka Subdivision as set forth in the Legal Description annexed as Appendix B to this Ordinance and hereby fully incorporated by reference. This redevelopment district is located in the vicinity commonly known and referred to as Heartland Park Topeka near 7530 S.W. Topeka Boulevard, Topeka, Kansas and shall be designated as the Heartland Park Topeka Redevelopment District.

Section 2. Heartland Park of Topeka is hereby designated and established as a major motorsports complex within the meaning of K.S.A. 12-1770 et seq. and amendments thereto, including Section 2(uu) of Senate Substitute for House Bill No. 2144 (2005) (amending K.S.A. 2004 Supp. 12-1770a). The boundaries of this major motorsports complex shall be coextensive with the entire geographical area of the Heartland Park Topeka Redevelopment District. At a minimum, the complex shall be utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair.
Section 3. 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 ____SEP 8, 2005____.

[Seal]

William W. Bunten, Mayor

ATTEST:

[Signature]

Iris E. Walker, City Clerk

[Stamp]

APPROVED AS TO FORM & LEGALITY JRD

SEP 08 2005

CITY ATTORNEY'S OFFICE