RESOLUTION NO. 8405

A RESOLUTION introduced by Daniel R. Stanley, Interim City Manager, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) for Holliday Square located at SW 29th Street and SW Topeka Boulevard, as more specifically described herein.

WHEREAS, K.S.A. 12-6a26 et seq., as amended establishes the Community Improvement District Act (the “Act”) for economic development and any other purpose for which public money may be expended; and

WHEREAS, cities are authorized to create a community improvement district (CID) to assist with the financing of eligible projects provided cities comply with the procedures set forth in the Act; and

WHEREAS, the City received a petition from the owners of record of more than 55% of the land within the proposed CID district and the owners collectively owning more than 55% by assessed value of the land area within the proposed CID district generally described as Holliday Square located at 29th and Topeka Boulevard and legally described in Section B herein; and

WHEREAS, in order to assist in the development and redevelopment of the Holliday Square commercial retail area, the City desires to consider the establishment of a CID as requested by Petitioners and in accordance with the Act; and

WHEREAS, K.S.A. 12-6a29 provides that any city proposing to establish a CID must adopt a resolution stating that the city is considering the establishment of a CID and include in such resolution notice that a public hearing will be held to consider the establishment of the CID.
NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, that a public hearing shall be held to consider the advisability of creating a Community Improvement District ("CID district"), in the City Council Chambers of City Hall, 214 SE 8th Street, on April 10, 2012, at 6:00 p.m.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council shall meet for the purpose of holding a public hearing in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m. on April 10, 2012, to consider the advisability of creating a Community Improvement District, more specifically described as follows:

A. GENERAL NATURE OF IMPROVEMENT:

The general nature of the proposed project is to construct exterior improvements to the Holliday Square Shopping Center and to make certain improvements to the buildings within the District.

B. PROPOSED IMPROVEMENT DISTRICT:

The Holliday Square is located at SW 29th Street and Topeka Boulevard. A map of the proposed CID district is included in Exhibit A and attached to this Resolution. The legal description of the proposed CID district includes two tracts and is as follows:

TRACT 1: Part of the Northeast quarter of Section 13, Township 12 South, Range 15 East of the 6th P.M. in the City of Topeka, Shawnee County, Kansas, describes as follows: The North 47 ½ rods of the east 40 rods of said quarter section, except the north 40 feet thereof, and except the east 70.9 feet thereof, more or less, taken for highway AND

TRACT 2: Part of the Northeast quarter of the Northeast quarter of Section 13, Township 12 South, Range 15 East of the 6th P.M. in the City of Topeka, Shawnee County, Kansas, described as follows: beginning 4.365 chains north and 381.08 feet west of the Southeast corner thereof; Thence West 391.08 feet; thence North 248.16 feet; Thence East 391.08 feet; Thence South 248.16 feet to the point of beginning.
C. **ESTIMATED OR PROBABLE COST:**

$2,700,000.00

D. **PROPOSED METHOD OF FINANCING:**

The proposed method of financing the proposed project is through private financing with the project costs being reimbursed through a CID sales tax. The proposed amount of the CID sales tax to be levied is one percent (1%) which shall be levied upon all sales of tangible personal property at retail or services taxable pursuant to the Kansas Retailers' Sales Tax Act.

The hearing may be adjourned from time to time and until the Governing Body shall have made findings by resolution as to the advisability of establishing a Community Improvement District and levying a 1% sales tax within the District. All persons desiring to be heard with reference to the creation of the District shall be heard at this hearing.

Upon adoption of this Resolution, a copy shall be mailed by certified mail, return receipt requested, to each owner within the proposed District at least 10 days prior to the date of the public hearing. The City Clerk shall publish this resolution at least once each week for two consecutive weeks in the official city newspaper with the second publication occurring at least seven days prior to the date fixed for the public hearing.

**ADOPTED and APPROVED by the City Council on March 20, 2012.**

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

**ATTEST:**

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Brenda Younger, City Clerk
HOLLIDAY SQUARE REMODEL

SITE VICINITY MAP

MD Management
03.02.12

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