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RESOLUTION NO. 8637

A RESOLUTION introduced by City Manager Jim Cosson, relating to the establishment of the time and date for the consideration of a proposed amendment which would expand the present Heartland Park Redevelopment Project District and amend the Heartland Park Redevelopment Project Plan, pursuant to K.S.A. 12-17,160 et seq., as amended, and relating to a request to the Secretary of Commerce for authority to issue additional sales tax and revenue ("STAR") bonds in excess of the amount previously approved, pursuant to K.S.A. 12-17,168, as amended.

WHEREAS, pursuant to K.S.A. 12-17,160 et seq., as amended (the "Act"), the City of Topeka, Kansas (the "City"), is authorized to assist in the development and redevelopment of eligible areas within and without the City in order to promote, stimulate and develop the general and economic welfare of the State of Kansas and its communities; and

WHEREAS, the City Council passed and approved, September 27, 2005, Ordinance No. 18515 of the City, and published the same as required by law, designating Heartland Park of Topeka as a major motorsports complex, the boundaries of which were to be co-extensive with the entire geographical area of the Heartland Park Redevelopment District ("Redevelopment District"); and

WHEREAS, the City Council passed and approved December 6, 2005, by a vote of at least two-thirds of its members, Ordinance 18541 of the City, and published the same as required by law, which approved and adopted the proposed Project Plan ("Project Plan") to facilitate the redevelopment of Heartland Park of Topeka as a major motorsports complex within the Redevelopment District; and

RES/HP Star Bonds 7/2/2014
WHEREAS, subject to certain conditions, K.S.A. 12-17,171, as amended, authorizes a city to make an addition of area to and expand a Star Bond Project District following notice and a public hearing; and

WHEREAS, subject to certain conditions, K.S.A. 12-17,166(k) and K.S.A. 12-17,171, as amended, authorize a city to modify Redevelopment Plans as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto following notice and a public hearing; and

WHEREAS, subject to certain conditions, K.S.A. 12-17,168, as amended, authorizes a city which has received approval for a STAR bond project to request STAR bond issuance authority to issue additional STAR bonds in an amount in excess of the amount previously approved by the Secretary of Commerce; and

WHEREAS, pursuant to the Act, the City must adopt a resolution stating that the City is considering expanding the Redevelopment District and amending the Project Plan and include in such resolution notice that a public hearing will be held to consider the expansion of said Redevelopment District; and

WHEREAS, pursuant to K.S.A. 12-17,166(k), in order to amend the Project Plan in a manner that makes a change to the Project Plan, substantial or otherwise, the City must hold a public hearing following publication of notice thereof at least twice in the official City newspaper; and

WHEREAS, subject to the requirements herein delineated, this Resolution shall constitute an expression of the City's intent to expand the Redevelopment District and modify the Project Plan in accordance with the requirements of the Act and K.S.A. 12-17,160 et seq., as amended.

RES/HP Star Bonds 7/2/2014
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF TOPEKA, KANSAS, that:

Section 1. Notice is hereby given that a public hearing to consider the
expansion of the Heartland Park Redevelopment District, the amendment to the
Heartland Park Redevelopment Project Plan, and the request of the Secretary of
Commerce for authority to issue additional STAR bonds shall be held at the City of
Topeka Municipal Building, 214 SE 8th St., Topeka, Kansas on August 12, 2014,
beginning at 6:00 p.m.

Section 2. A common description of the present boundaries of the
Redevelopment District together with a description of the proposed expansion of the
Redevelopment District are set forth in Attachment A, incorporated herein by reference.

Section 3. A description of the Project Plan, including proposed changes to
the Project Plan, substantial or otherwise, providing one or more projects within the
Redevelopment District heretofore established by the City by its Ordinance No. 18515
passed and approved September 27, 2005, is attached hereto as Attachment B and
incorporated herein by reference.

Section 4. A description and map of the Redevelopment District, including the
proposed additions to the Redevelopment District, are available for public inspection
prior to the public hearing during regular office hours in the Office of the City Clerk, at
215 SE 7th Street, Topeka, Kansas.

Section 5. The Governing Body of the City of Topeka, Kansas has determined
that it may issue full faith and credit tax increment bonds to finance up to 50% of the
aggregate redevelopment project costs in connection with any action by the Governing
Body approving or adopting additions to the Heartland Park Redevelopment District or substantial changes to the Heartland Park Redevelopment Project Plan.

Section 6. At the public hearing, the Governing Body of the City will consider findings necessary for the expansion of the Redevelopment District. The City also shall consider whether to amend the Redevelopment Project Plan and/or to request additional STAR bond issuance authority from the Secretary of Commerce.

Section 7. The City Clerk shall give notice of the public hearing in accordance with the provisions of the Act.

Section 8. This Resolution shall take effect and be in force and effect immediately upon its adoption and approval by the Governing Body of the City of Topeka, Kansas.

ADOPTED AND APPROVED by the Governing Body of the City of Topeka, Kansas, on this 1st day of July, 2014.

CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

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Brenda Younger, City Clerk
ATTACHMENT A

1. Legal description of the boundaries of the Heartland Park Redevelopment District as initially established in City of Topeka Ordinance 18515, effective October 5, 2005.

2. Common description of the proposed boundaries of the Heartland Park Redevelopment District as expanded by the additional area.

3. Sketch of the proposed properties within the Heartland Park Redevelopment District as expanded by the additional area.
A PORTION OF HEARTLAND PARK TOPEKA SUBDIVISION, LYING IN THE
SOUTHWEST QUARTER AND SOUTHEAST QUARTER SECTION 7, THE SOUTHWEST
QUARTER AND SOUTHEAST QUARTER OF SECTION 8, AND THE NORTHEAST
QUARTER AND THE SOUTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP
13 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE
COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER
SECTION 7, T-13-S, R-16-E, SHAWNEE COUNTY, KANSAS;
THENCE N 88 DEGREES 07' 18" E 213.70 FEET ALONG THE NORTH LINE OF
SAID SOUTHWEST QUARTER TO THE EASTERLY RIGHT-OF-WAY OF TOPEKA
BOULEVARD (FORMERLY KNOWN AS US HIGHWAY NO. 75) AND THE POINT OF
BEGINNING;
THENCE N 88 DEGREES 07' 18" E ALONG THE NORTH LINE OF HEARTLAND
PARK TOPEKA SUBDIVISION, SHAWNEE COUNTY, KANSAS 2268.55 FT TO
THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER;
THENCE N 88 DEGREES 07' 18" E ALONG THE NORTH LINE OF SAID
SUBDIVISION 1409.90 FT TO THE NORTHEAST CORNER OF LOT 1, BLOCK
B, OF SAID SUBDIVISION;
THENCE S 02 DEGREES 04' 31" E ALONG THE BOUNDARY OF SAID
SUBDIVISION 650.00 FT TO THE MOST SOUTHERLY POINT OF SAID LOT 1,
BLOCK B;
THENCE N 88 DEGREES 07' 18" E ALONG THE BOUNDARY OF SAID
SUBDIVISION 1240.00 FT TO THE CENTERLINE OF SOUTHEAST ADAMS
STREET;
THENCE CONTINUING ALONG THE BOUNDARY OF SAID SUBDIVISION THE,
FOLLOWING TWO COURSES:
N 88 DEGREES 27' 18" E 1147.85 FEET;
S 63 DEGREES 25' 07" E 1670.29 FEET TO THE LINE COMMON TO LOTS 1
AND 2, BLOCK D IN SAID SUBDIVISION;
THENCE CONTINUING ALONG THE BOUNDARY OF SAID SUBDIVISION THE
FOLLOWING THREE COURSES:
S 63 DEGREES 25' 07" E 900.22 FEET;
N 86 DEGREES 16' 27" E 1053.80 FEET;
N 55 DEGREES 11' 33" E 910.13 FEET TO THE SOUTHEAST CORNER OF
THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, T-13-S, R-
16-E;
THENCE S 01 DEGREES 12' 13" E ALONG THE BOUNDARY OF SAID
SUBDIVISION 1313.70 FEET TO THE SOUTHEAST CORNER OF SAID SECTION
3;
THENCE S 33 DEGREES 14' 18" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 1441.11 FEET TO THE SOUTHWEST CORNER, SOUTHEAST
QUARTER OF SAID SECTION 3;
REDEVELOPMENT DISTRICT LEGAL DESCRIPTION
AUGUST 12, 2004
PREPARED BY M. W. BERRY, L.S. #946

THENCE S 88 DEGREES 19' 21" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 2621.19 FT TO THE SOUTHWEST CORNER THE SOUTHWEST
QUARTER OF SAID SECTION 8;
THENCE S 02 DEGREES 22' 39" E ALONG THE BOUNDARY OF SAID
SUBDIVISION 2638.05 FEET TO THE SOUTHEAST CORNER OF THE
NORTHEAST QUARTER OF SECTION 18, T-13-S, R-16-E;
THENCE S 02 DEGREES 22' 27" E ALONG THE BOUNDARY OF SAID
SUBDIVISION 1318.96 FEET TO THE SOUTHEAST CORNER OF THE NORTH
HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18;
THENCE S 88 DEGREES 00' 15" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 2638.04 FEET TO THE SOUTHWEST CORNER OF SAID NORTH
HALF;
THENCE N 02 DEGREES 18' 32" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 1319.82 FEET TO THE NORTHWEST CORNER OF THE
SOUTHEAST QUARTER OF SAID SECTION 18;
THENCE N 02 DEGREES 18' 22" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 2629.66 FT TO THE NORTHWEST CORNER OF SAID NORTHEAST
QUARTER;
THENCE S 88 DEGREES 23' 32" W ALONG THE BOUNDARY OF SAID
SUBDIVISION 2146.71 FEET TO A POINT 361.50 FEET FROM THE
SOUTHWEST CORNER OF SECTION 7, T-13-S, R-16-E;
THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING FOUR
COURSES:
N 01 DEGREES 52' 44" W 361.50 FEET;
S 88 DEGREES 23' 32" W 216.30 FEET;
N 01 DEGREES 52' 44" W 299.83 FEET;
S 88 DEGREES 23' 32" W 94.74 FEET;
THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION, (SAID BOUNDARY
BEING THE EASTERLY RIGHT-OF-WAY OF TOPEKA BOULEVARD, FORMERLY
KNOWN AS US HIGHWAY NO. 75) THE FOLLOWING FOUR COURSES:
N 01 DEGREES 55' 59" W 906.14 FEET;
N 88 DEGREES 07' 18" E 9.90 FEET;
N 04 DEGREES 10' 42" E 288.60 FEET;
N 06 DEGREES 49' 42" E 813.00 FEET TO THE POINT OF BEGINNING;
EXCEPT THE FOLLOWING TWO PARCELS:

EXCEPTION PARCEL 1

LOT 1, BLOCK 7, HEARTLAND PARK TOPEKA SUBDIVISION, SHAWNEE
COUNTY, KANSAS;

AND
EXCEPTION PARCEL NO. 2

A PART OF LOT 1, BLOCK H, HEARTLAND PARK TOPEKA SUBDIVISION, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHERNMOST CORNER OF SAID LOT 1;
THENCE S 46 DEGREES 52’ 42” E ALONG THE SOUTH LINE OF HEARTLAND PARKWAY (NOW KNOWN AS GARY ORMSBY DRIVE) 364.05 FEET;
THENCE S 43 DEGREES 07’ 18” W 295.00 FEET TO THE NORTH LINE OF Paddock Drive;
THENCE N 46 DEGREES 52’ 42” W ALONG THE NORTH LINE OF Paddock Drive 364.05 FEET;
THENCE N 43 DEGREES 07’ 18” E ALONG THE EAST LINE OF DENISE MCLUGGAGE 295.00 FEET TO THE POINT OF BEGINNING.

[Signature]
AN AREA WITHIN THE CITY OF TOPEKA AND UNINCORPORATED SHAWNEE COUNTY, KANSAS AS DEPICTED ON THE ON THE PARCEL MAP AND GENERALLY DESCRIBED AS FOLLOWS:


THE SOUTHWEST QUARTER OF SECTION 31, T-12-S, R-16-E EXCEPT CERTAIN PORTIONS OF FORBES FIELD SUBDIVISION; AND

THE NORTHWEST QUARTER OF SECTION 31, T-12-S, R-16-E EXCEPT CERTAIN PORTIONS OF FORBES FIELD SUBDIVISION, AND EXCEPT SOUTH TOPEKA INDUSTRIAL PLAZA NO. 3 SUBDIVISION, AND EXCEPT CERTAIN PORTIONS OF SOUTH TOPEKA INDUSTRIAL PLAZA NO. 2 SUBDIVISION; AND

ALL THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30, T-12-S, R-16-E LYING SOUTH AND WEST OF THE ABANDONED RAILROAD RIGHT-OF-WAY; AND

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30, T-12-S, R-16-E LYING SOUTH AND WEST OF THE ABANDONED RAILROAD RIGHT-OF-WAY EXCEPT LOTS 1 THROUGH 98 AND LOTS 102 THROUGH 105 OF TERRA HEIGHTS SUBDIVISION; AND

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 30, T-12-S, R-16-E LYING WEST OF THE OF THE ABANDONED RAILROAD RIGHT-OF-WAY; AND

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, T-12-S, R-16-E LYING WEST OF THE BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT-OF-WAY; AND

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, T-12-S, R-16-E BOUNDED ON THE NORTH BY THE KTA/I-470 RIGHT-OF-WAY, ON THE EAST BY THE BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT-OF-WAY, AND ON THE WEST BY SOUTH TOPEKA BOULEVARD; AND

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, T-12-S, R-16-E BOUNDED ON THE NORTH BY SW 37TH STREET, ON THE EAST AND SOUTH BY SOUTH KANSAS AVENUE, AND ON THE WEST BY SOUTH TOPEKA BOULEVARD; AND

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 18, T-12-S, R-16-E BOUNDED ON THE WEST BY SOUTH TOPEKA BOULEVARD, ON THE NORTH BY SW CROIX STREET, ON THE EAST BY SOUTH KANSAS AVENUE, AND ON THE SOUTH BY SW 37TH STREET; AND

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 24, T-12-S, R-15-E LYING NORTH OF I-470 EXCEPT CERTAIN PORTIONS THEREOF; AND
EXHIBIT A

DISTRICT BOUNDARY
JUNE 26, 2014

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 24, T-12-S, R-15-E LYING SOUTH OF I-470 EXCEPT SEYMOUR SUBDIVISION AND EXCEPT SEYMOUR SUBDIVISION NO. 3; AND

ALL THAT PART OF SECTION 25, T-12-S, R-15-E LYING EAST OF THE BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT-OF-WAY; AND

THE EAST 800 FEET OF THE NORTHEAST QUARTER OF SECTION 36, T-12-S, R-15-E; AND

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, T-12-S, R-15-E; AND

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 36, T-12-S, R-15-E; AND

THE NORTHEAST QUARTER OF SECTION 1, T-13-S, R-15-E; AND

THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, T-13-S, R-15-E; AND


ALL OF HEARTLAND PARK SUBDIVISION.
ATTACHMENT B

Acquisition of real property and unencumbered interests therein within the Heartland Park Redevelopment District as established by the City of Topeka in Ordinance No. 18515 passed and approved September 27, 2005.