

(Published in the Topeka Metro News August 28, 2023)

ORDINANCE NO. 20448

An Ordinance introduced by Interim City Manager Richard U. Nienstedt establishing a Reinvestment Housing Incentive District ("RHID") for the Eastgate Subdivision No. 4 and adopting a plan for the development of housing and public facilities in the RHID

WHEREAS, on April 28, 2023, the Kansas Secretary of Commerce determined that the findings by the Governing Body articulated in Resolution No. 9398 meet the requirements of K.S.A. 12-5244(c) and that the Governing Body could proceed with considering the establishment of the RHID; and

WHEREAS, pursuant to K.S.A. 12-5245(b), the Governing Body, on August 22, 2023, held a public hearing to consider public comment concerning the establishment of the RHID and adoption of a plan for the development of housing and public facilities; and

WHEREAS, upon considering the information provided by the developer, A&P Property Management LLC, City staff and comments from the public, the Governing Body deems it advisable to make certain findings to establish the proposed RHID and to adopt the proposed plan.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. Establishment of the Eastgate Subdivision No. 4 RHID. The Eastgate Subdivision No. 4 RHID will be established within the boundaries of the real estate legally described and attached in Exhibits A and B. The boundaries of the RHID do not contain any property not referenced in Resolution No. 9444 which provided notice of the public hearing.

28 Section 2. Approval of Development Plan ("Plan"). The Plan for the development of
29 housing and public facilities presented on August 22, 2023 to the Governing Body contains
30 the requirements specified in K.S.A. 12-5245(a) and is hereby approved.

31 Section 3. Development Agreement. Pursuant to the RHID Policy adopted in
32 Resolution No. 9379, the Governing Body approves the development agreement.

33 Section 4. Adverse Effect on Other Governmental Units. If, within 30 days following
34 the conclusion of the public hearing, any of the following actions occur, this ordinance shall
35 be null and void.

36 a. The Board of Education for USD 450/Shawnee Heights determines, by
37 resolution, that the proposed RHID will have an adverse effect on the school district.

38 b. The Board of Commissioners for Shawnee County determines, by resolution,
39 that the proposed RHID will have an adverse effect on the county.

40 Section 5. Transmission of Documents. The City Clerk is directed to transmit a
41 copy of the description of the land within the RHID, a copy of this ordinance adopting the
42 Plan and a map or plat indicating the boundaries of the RHID to: (a) the County Clerk; (b)
43 the County Appraiser; (c) County Treasurer; and (d) the governing bodies of any taxing
44 subdivision which levies taxes upon any property in the RHID.

45 Section 6. Effective Date. This ordinance shall take effect after its passage and
46 approval by the Governing Body and publication in the official City newspaper.

48 ADOPTED and APPROVED by the Governing Body on August 21, 2023.

49 CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

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56 ATTEST:

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Brenda Younger, City Clerk

EXHIBIT A
(Legal Description)

I. LEGAL DESCRIPTION OF DISTRICT AND EXISTING PARCELS

A replat of Lots 1, 5, and 6, block "F", part of Lot 2, block "G", part of Lot 25, block "E", Eastgate Subdivision No. 2, and part of vacated East Seventh Street, and vacated Hackberry Drive; all as further described:

Beginning at the S.E. corner of the W. 1/2 of the N.E. 1/4 of section 3-12-16; thence S 88°39'03" W, 390.37 feet along the South line of said 1/4 section; thence N 00°00'00" E, 309.86 feet along the East lines of Lots 2, 3, and 4, block "F", Eastgate Subdivision No. 2, to a point on the centerline of Hackberry Drive; thence N 90°00'00" E, 135.00 feet along said centerline; thence 157.08 feet northeasterly along said centerline around a curve to the left having a radius of 100.00 feet and a central angle of 90°00'00"; thence N 00°00'00" E, 100.00 feet along said centerline; thence 157.08 feet northwesterly along said centerline around a curve to the left having a radius of 100.00 feet and a central angle of 90°00'00"; thence N 90° W, 130.00 feet along said centerline; thence N 0° E, 150.00 feet to the N.E. corner of Lot 24, block "E"; thence N 90°00'00" W, 120.00 feet to the S.E. corner of Lot 21; thence N 00°00'00" E, 992.49 feet to the N.E. corner of Lot 5; thence N 60°00'00" W, 115.02 feet along the N.E. lines of Lots 5 and 4 to a point; thence N 90°00'00" W, 96.63 feet along the North line of Lot 4; thence N 15°08'04" E, 124.31 feet to a point on the South right-of-way line of East Seventh Street; thence N 00°00'00" E, 30.00 feet to the centerline of said street; thence N 90°00'00" E, 15.83 feet along said centerline; thence 99.43 feet southeasterly along said centerline around a curve to the right having a radius of 379.79 feet and a central angle of 15°00'00"; thence S 75°00'00" E, 73.87 feet along said centerline; thence 77.48 feet easterly along said centerline around a curve to the left having a radius of 379.79 feet and a central angle of 11°41'20"; thence N 03°18'40" E, 30.00 feet to a point on the North right-of-way of said street; thence N 00°00'00" E, 121.91 feet to the North line of Eastgate Subdivision No. 2; thence N 88°39'06" E, 399.70 feet to a point on the East line of the W. 1/2 of the N.E. 1/4 of section 3-12-16; thence S 00°09'46" E, 2067.58 feet along the said East line to the point of beginning.

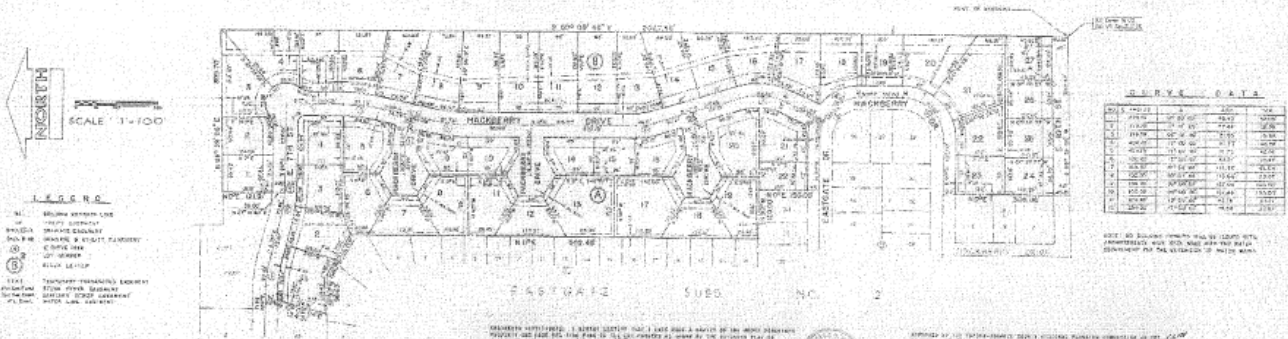
Said project area plan is laid out in the attached final plat.

(Map; Existing Parcels in Proposed RHID)

Book 25 Page 87

EAST GATE SUBDIVISION NO. 4

A REPLAT OF PARTS OF EASTGATE SUBDIVISION NO. 2 LOCATED
IN THE NORTHEAST ONE-QUARTER, SECTION 3-12-36, CITY OF TOPEKA,
SHAWNEE COUNTY KANSAS



I E G C R O	
01	BRIDGE NUMBER LINE
02	BRIDGE CATEGORY
03	BRIDGE CATEGORY
04	BRIDGE & CULVERT MATERIAL
05	CULVERT TYPE
06	CULVERT NUMBER
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[illegible]

GRANDPARENTS: MOTHER: FATHER: CHILDREN: Aunts: Uncles: Siblings: Other: *John J. ...*
 ADDRESS: *...*
 CITY: *...* STATE: *...* ZIP: *...*
 PHONE: *...*

14-00000. THIS REPORT IS BEING FORWARDED TO THE MEMBERSHIP OF THE NEW YORK
STATE BAR ASSOCIATION FOR THEIR INFORMATION AND FOR THE PURPOSES OF THE
NEW YORK STATE BAR ASSOCIATION. THE NEW YORK STATE BAR ASSOCIATION IS
NOT RESPONSIBLE FOR THE CONTENTS OF THIS REPORT. THE NEW YORK STATE BAR
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STATE BAR ASSOCIATION IS NOT RESPONSIBLE FOR THE CONTENTS OF THIS REPORT.

IF TESTIFIED HEREON, THE SIGNATURE OF A. M. JONES, JR., A NATURAL BORN CITIZEN, SHALL
CONSTITUTE SUFFICIENT EVIDENCE TO THE PRESIDENT AND JOINTS OF ITS SIGNATURE
AND THE SIGNATURE SHALL BE VALID FOR ALL PURPOSES.

A. M. JONES, JR., A. M. JONES, JR.
PRESIDENT, JOINTS, WASHINGTON

Richard D. Jones *Richard D. Jones*

WITNESSES: *Richard D. Jones* *Richard D. Jones*

TYPE OF INFORMATION
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DATE OF INFORMATION
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APPROVED BY THE TRIANGLE-TRIANGLE TRADES UNION, TRIANGLE COMMISSIONER OF THE
 MAY 17, 1910. AND HEREBY IN THE NAME OF THE TRIANGLE
 IS ISSUED BY THE TRIANGLE, UNTIL THE TRIANGLE OF THE TRIANGLE
 IS APPROVED.

And B. H. H. *James H. H.*

MAILED TO THE DIRECTOR BY THE ASSISTANT AT THE U.S. MARSHAL SERVICE
JAN 10 1968

Robert M. McInnis *W. M. McInnis*

APPROVED BY THE BOARD OF COUNTY CLERKS TO BE FILED IN THE COUNTY OF WYOMING
 201602 1017 BY 001 IN WILMINGTON DT

Marlene M. Tinsley John P. Miller
 CLERK DEPUTY CLERK

1942-43 ANNUAL REPORT OF THE BOARD OF DIRECTORS, 1942-43, p. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 85

1-26-00-00100 IS THE SERIAL OF THE CONTACT TRUCK REGISTERED IN ALABAMA
82 - 907 - October, 1971 at 4:40 P.M.
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James O'Brien

BARTLETT & WEST . consulting engineers p.c. TOPEKA, KANSAS

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