

1 (Published in the Topeka Metro News October 29, 2012)

2
3 **ORDINANCE NO. 19771**

4
5 AN ORDINANCE introduced by City Manager Jim Colson adopting a neighborhood
6 revitalization plan and designating a revitalization area, all as
7 provided for in K.S.A. 12-17, 114 *et seq.*, Neighborhood
8 Revitalization Act.
9

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

11
12 **Section 1. Hearing.**

13 The Council of the City of Topeka pursuant to Notice of Public Hearing as set
14 forth in City of Topeka Resolution No. 8472 did hold a public hearing on October 23,
15 2012 to hear and consider public comment on the neighborhood revitalization plan as
16 required by K.S.A. 12-17, 114 *et seq.*

17 **Section 2. Neighborhood Revitalization Plan.**

18 The Council of the City of Topeka does hereby adopt the neighborhood
19 revitalization plan, attached hereto, labeled Exhibit A and incorporated by reference as if
20 fully set forth herein as provided for by K.S.A. 12-17, 114 *et seq.*

21 **Section 3. Designation of Neighborhood Revitalization Area.**

22 Pursuant to K.S.A. 12-17, 114 *et seq.*, the Council of the City of Topeka hereby
23 designates the following described property as the neighborhood revitalization area and
24 finds that said area is:

25 1. An area in which there is a predominance of buildings or improvements
26 which by reason of dilapidation, deterioration, obsolescence, inadequate provision for
27 ventilation, light, air, sanitation, or open spaces, high density of population and
28 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

57 intersection with the Centerline of the Kansas River; thence southwesterly, up the
58 Centerline of the Kansas River, to an intersection with an extension of the Centerline of
59 NE Chandler Street; thence southerly, on the Centerline of NE Chandler Street, to an
60 intersection with the Centerline of NE Seward Avenue; thence westerly, on the
61 Centerline of NE Seward Avenue, to an intersection with the Centerline of NE Branner
62 Street; thence south-southwesterly, on the Centerline of Branner Street, to an
63 intersection with the Centerline of the Mainline Track of the Burlington Northern – Santa
64 Fe Railway; thence easterly, on the centerline of said mainline track, to an intersection
65 with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16
66 east of the 6th P.M.; thence southerly, on said East line, to the Southeast corner of said
67 Northeast Quarter; thence easterly, on the North line of the Southwest Quarter of
68 Section 34, Township 11 South, Range 16 east of the 6th P.M., to an intersection with
69 the Centerline of Deer Creek; thence southwesterly and southerly, up the Centerline of
70 Deer Creek, to an intersection with the Centerline of SE 6th Avenue; thence westerly, on
71 the Centerline of SE 6th Avenue, to an intersection with the Centerline of SE Deer Creek
72 Parkway; thence southerly, on the Centerline of SE Deer Creek Parkway, to an
73 intersection with the Centerline of Interstate Highway 70; thence easterly, on the
74 Centerline of Interstate Highway 70, to an intersection with the East line of the
75 Southwest Quarter of Section 3, Township 12 South, Range 16 east of the 6th P.M.;
76 thence southerly, on said East line, to the Southeast corner of said Southwest Quarter;
77 thence easterly, on the North line of the Northeast Quarter of Section 10, Township 12
78 South, Range 16 east of the 6th P.M., to the Northeast corner of the West Half of said
79 Northeast Quarter; thence on an assumed bearing of South 00°48'00" West, on the
80 East line of the West Half of said Northeast Quarter, 158.83 feet, to the North line of the
81 Kansas Turnpike Right of Way, thence South 63°15'40" West, on said right of way line,
82 790.86 feet; thence South 69°36'00" West, continuing on said right of way line, 452.77
83 feet; thence North 70°46'40" West, continuing on said right of way line , 337.69 feet, to
84 the Easterly Right of Way line of Service Road "L" of the Kansas Turnpike Authority;
85 thence southwesterly, to the intersection of the Westerly Right of Way line of said
86 Service Road "L" with the Northerly Right of Way line of the Kansas Turnpike; thence
87 southwesterly, on the Northerly Right of Way line of the Kansas Turnpike, to an
88 intersection with the Centerline of SE 37th Street; thence westerly, on the Centerline of
89 37th Street, to an intersection with the Centerline of SW Topeka Boulevard; thence
90 northerly, on the Centerline of SW Topeka Boulevard, to an intersection with the
91 Centerline of SW 29th Street; thence easterly, on the Centerline of 29th Street, to an
92 intersection with the Centerline of SE Adams Street; thence northerly, on the Centerline
93 of SE Adams Street, to an intersection with the Centerline of SE 21st Street; thence
94 westerly, on the Centerline of 21st Street, to an intersection with the Centerline of
95 Washburn Avenue; thence northerly, and north-northeasterly, on the Centerline of
96 Washburn Avenue, to an intersection with the Centerline of SW Willow Avenue; thence
97 easterly, on the Centerline of SW Willow Avenue, to an intersection with the Centerline
98 of Quinton Avenue; thence northerly, on the Centerline of Quinton Avenue, and its
99 extension, to an intersection with the Centerline of Interstate Highway 70; thence
100 southeasterly, on the Centerline of Interstate Highway 70, to an intersection with the
101 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.

(AND IN ADDITION)

DRAKES FARM SUBDIVISION AREA

Drakes Farm Subdivision. Contains approximately 21.01 acres.

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 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, 344.97-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.

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 October 23, 2012.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk