

(Published in the Topeka Metro News May 15, 2023, and May 22, 2023)

RESOLUTION NO. 9407

A RESOLUTION introduced by City Manager Stephen Wade, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) at the corner of SW 32nd Terrace and SW Topeka Boulevard pursuant to K.S.A.12-6a26 et seq.

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 100% of the land within the proposed CID district who also own 100% of the assessed value of the land area within the proposed CID district generally described as SW 32nd Terrace and SW Topeka Boulevard; and

WHEREAS, in order to assist in the redevelopment of this 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 GOVERNING BODY that a public

hearing shall be held to consider the advisability of creating a Community Improvement District ("CID district").

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body shall meet for the purpose of holding a public hearing in the City Council Chambers, 214 SE 8th St., Topeka, Kansas, at 6:00 p.m on June 6, 2023, 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 CID Project is to promote the commercial redevelopment and revitalization at the corner of SW 32nd Terrace and SW Topeka Boulevard by constructing two new pad restaurants and a strip retail center, collectively comprising approximately 20,000 square feet of newly constructed commercial space.

B. ESTIMATED OR PROBABLE COST:

\$15,093,890.00

C. PROPOSED METHOD OF FINANCING:

The proposed method of financing the CID Project is a CID sales tax in the amount of 2.0% through a Pay-as-You-Go financing

D. MAP OF THE PROPOSED CID DISTRICT.

The map of the proposed district is contained in **Exhibit A** which is attached herein and incorporated by reference.

E. LEGAL DESCRIPTION OF THE PROPOSED CID DISTRICT.

A legal description of the proposed district is contained in **Exhibit B** which is attached herein and incorporated by reference.

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 2.0% sales tax within the District. All persons desiring

65 to be heard with reference to the creation of the District shall be heard at this hearing.

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

71 ADOPTED and APPROVED by the Governing Body on May 2, 2023.

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73 CITY OF TOPEKA, KANSAS
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79 Michael A. Padilla, Mayor

80 ATTEST:
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Brenda Younger, City Clerk

EXHIBIT A



EXHIBIT B

LEGAL DESCRIPTION

Part of Lot 1, Nellie M. Mays Subdivision, located in the Northeast Quarter of Section 13, Township 12 South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, written by Michael A. Adams, P.S. 1126 on this 8th day of June, 2022, described as follows:

Beginning at the Southwest corner of said Lot 1, thence North 00 degrees 29 minutes 37 seconds East a distance of 413.46 feet to a point of curvature; thence on a curve to the left, having a radius of 360.00 feet, a chord which bears North 14 degrees 47 minutes 16 seconds West a distance of 189.77 feet, an arc distance of 192.04 feet to the Southwest corner of a property described in City of Topeka Ordinance No. 15830, Book 2445, Page 071, filed at the Office of the Shawnee County Clerk; thence on the South line of said property described in Book 2445, Page 071 for the following three courses: South 89 degrees 58 minutes 34 seconds East a distance of 41.92 feet; thence North 42 degrees 30 minutes 24 seconds East a distance of 36.17 feet; thence South 89 degrees 58 minutes 34 seconds East a distance of 340.00 feet to the West line of Lot 3, Arlan's Subdivision in the City of Topeka; thence South 00 degrees 34 minutes 47 seconds West a distance of 158.76 feet to the Southwest corner of said Lot 3; thence North 90 degrees 00 minutes 00 seconds East a distance of 127.32 feet to the Southeast corner of said Lot 3; thence South 00 degrees 32 minutes 51 seconds West a distance of 30.00 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 29.71 feet; thence South 00 degrees 28 minutes 11 seconds West a distance of 209.22 feet to the North line of Lot 1, Block 'A', Perkins Subdivision in the City of Topeka; thence South 89 degrees 58 minutes 44 seconds West a distance of 126.50 feet to the Northwest corner of said Lot 1; thence South 00 degrees 27 minutes 50 seconds West a distance of 225.17 feet to the Southwest corner of said Lot 1; thence South 89 degrees 57 minutes 42 seconds West a distance of 386.59 feet to the point of beginning. This tract contains 6.16 acres of land more or less. Said tract to be recorded as Lot 1, Block A, Nellie M. Mays Subdivision No. 2, City of Topeka, Shawnee County, Kansas.

Part of Lot 1, Nellie M. Mays Subdivision, a Replat, located in the Northeast Quarter of Section 13, Township 12 South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, Kansas, written by Travis L. Haizlip, P.S. 1724 on this 31st day of October, 2022, described as follows:

Beginning on the Northeast corner of Lot 1, Nellie M. Mays Subdivision, a Replat; thence South 00 degrees 28 minutes 11 seconds West on the East line of said Lot 1 a distance of 209.06 feet to the Northeast corner of Lot 1, Block 'A', Perkins Subdivision, thence South 89 degrees 58 minutes 44 seconds West on the North line of Lot 1, Perkins Subdivision a distance of 438.52 feet; thence North 00 degrees 28 minutes 11 seconds East a distance of 209.22 feet to the North line of Lot 1, Nellie M. Mays Subdivision, a Replat; thence North 90 degrees 00 minutes 00 seconds East on said North line a distance of 438.52 feet to the point of beginning. This tract contains 2.11 acres of land more or less. Said tract to be platted as Lot 2, Block A, Nellie M. Mays Subdivision No. 2, City of Topeka, Shawnee County, Kansas.

Lot 1, Block A, Perkins Subdivision, in the City of Topeka, Shawnee County, Kansas.