

1 (Published in the Topeka Metro News \_\_\_\_\_ & \_\_\_\_\_)  
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3 RESOLUTION NO. \_\_\_\_\_  
4

5 A RESOLUTION introduced by City Manager Brent Trout, setting the public  
6 hearing to consider the advisability of establishing a  
7 Community Improvement District (CID) at SW 17<sup>th</sup> Street and  
8 SW Wanamaker Road, pursuant to K.S.A. 12-6a26 et seq.  
9

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

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

16 WHEREAS, the City received a petition from the owners of record of more than 55%  
17 of the land within the proposed CID district and the owners collectively owning more than  
18 55% by assessed value of the land area within the proposed CID district; and

19 WHEREAS, in order to assist in the redevelopment of this area , the City desires to  
20 consider the establishment of a CID as requested by Petitioners and in accordance with  
21 the Act; and

22 WHEREAS, K.S.A. 12-6a29 provides that any city proposing to establish a CID  
23 must adopt a resolution stating that the city is considering the establishment of a CID and  
24 include in such resolution notice that a public hearing will be held to consider the  
25 establishment of the CID.

26 NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY that a public  
27 hearing shall be held to consider the advisability of creating a Community Improvement  
28 District ("CID district") in the City Council Chambers of City Hall, 214 SE 8th Street, on

April 9, 2019 at 6:00 p.m.

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 of City Hall, 214 E. 8th Street, at 6:00 p.m. on April 9, 2019, 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 redevelopment and revitalization of a shopping center located at the southeast corner of 17<sup>th</sup> Street and Wanamaker Road, including filling a former K-Mart space with multiple tenants.

B. ESTIMATED OR PROBABLE COST:

\$31,400,000.00

C. PROPOSED METHOD OF FINANCING:

The proposed method of financing the CID Project is from a CID sales tax in the amount of 1.0% 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 1.0% 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, the City Clerk shall mail a copy, 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 Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT A (Map)



## **EXHIBIT B (Legal Description)**

### **TRACT I:**

Lot 1, Block A, TOPEKA CROSSING SUBDIVISION NO. 2 in the City of Topeka, Shawnee County, Kansas.

### **TRACT II:**

Lot 2, Block A, TOPEKA CROSSING SUBDIVISION NO. 2 in the City of Topeka, Shawnee County, Kansas.

### **TRACT III:**

Lot 3, Block A, TOPEKA CROSSING SUBDIVISION NO. 2 in the City of Topeka, Shawnee County, Kansas, with the following exceptions:

EXCEPT Commencing at the Southwest corner of said Lot 3; thence on a bearing of North 01 degree 59 minutes 10 seconds West, along the West line of said Lot 3, a distance of 40.00 feet to the POINT OF BEGINNING; thence continuing on a bearing of North 01 degree 59 minutes 10 seconds West, along the West line of said Lot 3, a distance of 234.45 feet; thence on a bearing of North 88 degrees 00 minutes 50 seconds East, a distance of 199.21 feet; thence on a bearing of South 72 degrees 07 minutes 16 seconds East, a distance of 89.19 feet; thence on a bearing of South 45 degrees 16 minutes 47 seconds West, a distance of 52.75 feet; thence on a bearing of South 01 degree 59 minutes 10 seconds East, a distance of 168.35 feet; thence on a bearing of South 88 degrees 00 minutes 50 seconds West, a distance of 244.35 feet to the point of beginning,

AND ALSO EXCEPT Commencing at the Southwest corner of said Lot 3; thence on a bearing of North 01 degree 59 minutes 10 seconds West, along the West line of said Lot 3, a distance of 340.45 feet; thence on a bearing of North 88 degrees 00 minutes 50 seconds East, a distance of 20.82 feet to the POINT OF BEGINNING; thence on a bearing of North 01 degree 59 minutes 10 seconds West, a distance of 192.31 feet; thence on a bearing of North 88 degrees 00 minutes 50 seconds East, a distance of 260.00 feet to the point of beginning.

### **TRACT IV:**

Lot 1, Block A, TOPEKA CROSSING SUBDIVISION in the City of Topeka, Shawnee County, Kansas.

TRACT V: The East 8.59 feet of the North 211.66 feet of Lot 2 and the South 26 feet of said Lot 2 and the North 26 feet of Lot 3, Block A, TOPEKA CROSSING SUBDIVISION in the City of Topeka, Shawnee County, Kansas.

### **TRACT VI:**

Non-Exclusive Easements for the passage (including ingress/egress to public streets) and parking of vehicles and for the passage and accommodation of pedestrians over and across the Common Area (as defined in said instrument), including the parking, driveways, roadways and sidewalk areas as created in the Declaration of Covenants, Conditions, Restrictions and Reciprocal Easements recorded December 3, 1992, in Book 2767, Page 792, subject, however, to the terms and provisions thereof.