



CITY OF TOPEKA

REC'D TOPEKA CITY CLERK
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Application for Creation of a RHID District

APPLICANT: Dultmeier-Rollenhagen LLC

ADDRESS: 3938 SW Colly Creek Dr, Topeka, KS 66610

PHONE #: 785-845-1905 785-554-4528

E-MAIL ADDRESS: chuck@dultmeierhomes.com jon@dultmeierhomes.com

CONTACT PERSON: Chuck Dultmeier Jon Rollenhagen

PROJECT NAME: Miller's Reserve Subdivision

Please complete the following items.

1. As **Exhibit A**, provide a cover letter formally requesting the creation of a district, including a general description of the housing development expected to occur within the districts, the names of the housing developer or developers expected to construct such housing, the expected timing of such housing development, a narrative describing how the district is likely to address the policy goals of the Housing Study and discussion of how the use of RHID is consistent with the City's but-for principle.
2. As **Exhibit B**, provide a legal description of the proposed district and a map depicting the existing parcels of real estate in the proposed district.
3. As **Exhibit C**, provide evidence of site control or a detailed plan for which the developer intends to secure site control.
4. As **Exhibit D**, provide certification that neither the developer entity nor any of its shareholders/ partners/members is delinquent on its property tax or special assessment payments on any property it owns or controls in Shawnee County. (*Exhibit D of this document is a form that must be completed by the Shawnee County Treasurer.*)
5. Applicant with support of the city needs to provide certification that neither the developer entity nor any of its shareholders/ partners/members has any outstanding utility bills, zoning or property maintenance, or other code cases pending with the city.



Exhibit A

Dultmeier Homes Co
3938 SW Colly Creek Dr
Topeka, KS 66610

City of Topeka

Review Committee of RHID Program
Millers' Cove Reserve Subdivision

Chuck Dultmeier and Jon Rollenhagen of Dultmeier-Rollenhagen LLC are requesting for the creation of a district for the purpose of participation in the RHID Program. We believe our subdivisions locations are prime and will assist in the need for housing, as identified by the City of Topeka. Our initial plans are to develop 22 single family residential lots in Miller's Reserve Subdivision No 2. The homes in the Miller's Reserve Subdivision will be quality homes 1800 to 2400 sq ft. The success of our Developments, start at the top, we are still on the job site homebuilders / developers. Topeka stand-alone Developers have been historically slow to move lots. Our developments are the full package, we have in house Architects, Designers, Framers, Painters, Plumbers... throughout our process. More importantly our developments offer final product. Typically, we will stage a model in our subdivision. We have earned the trust of the homebuyer's investment with consistent, well-built homes.

The target final price for Miller's Reserve Subdivision would be \$450,000 to \$600,000. When completed, over \$10 million of improvements. The tax revenues will be in the \$8,000 yearly tax revenues per site. We have, had a 100% success rate on all our previous developments. We had no current plans to start the Development of this city subdivision, but with the RHID Program incentives, we are interested in consideration to develop now.

The development of our previous subdivisions has been exclusive sales by Dultmeier Homes. We will open, all subdivisions to address a shortage of lot inventory by the Topeka area builders. We will manage the subdivision and will require; immediate housing starts from interested homebuilders. Miller's Reserve Subdivision Final Plat is ready, and the engineering requirements are close to completion for Development bids. The Millers Reserve project is recognized as continuance of city subdivisions and have common boundaries as required by the City Resolution. We believe we could initiate the start of the development of Millers' Reserve this summer.

Some of the challenges ahead of Developing is the inflated cost of infrastructure. In the last 3 years, different aspects, of the infrastructure have doubled in cost. Streets and Storm sewers are \$50,000 per lot, our last development cost was \$23,000 to \$27,000. Sanitary sewers were \$6000 per lot, the bid on our latest sewer was \$17,500, plus \$6500 Sherwood Fee. Water Mains were \$1500, the current cost is in the \$5,000 range per lot. The marketing price on Topeka area lots were \$35,000 to \$40,000, plus street Specials. Engineers understand that the developer is responsible to build and fund the entire

million worth of value to the subdivision. We own 500 platted, undeveloped lots, county wide. The county development has been more cost effective to build, but for RHID Program, the incentives to develop our 2 Topeka subdivisions is convincing.

We believe the city is offering a great opportunity to our industry. Topeka has always been a great partner with Developers and their Bond Program. The City Administration leadership on the RHID Resolution has been very aggressive and accessible to move developments forward.

The RHID Resolution discourages the use of Bond Funding and specifies a minimum of \$3 million. I appreciate the City Bond Program and believe there is a need for the bond funding in the RHID Resolution and less than a \$3 million Benefit District. We have always used the City Bond in financing the streets only. We kept the Bonds In the \$125- \$150 per month, to match an appropriate assessment, with the value of the home. The public views, the property taxes and specials assessments as taxes. Homebuyers are sensitive to tax values and the fact is they will be expected, to qualify for both. Our developments assessments are reasonably balanced. The Bond Program in the development of Laurens' Bay Subdivision Phase I failed. The Phase I of Laurens Bay Subdivision exceeded the \$ 3 million-dollar minimum bond. In fact, 7 years since the Laurens' Bay bond was sold, the Developer/owner of Phase I, has failed in marketing and management of the bonds, owed to the City. The failure is reflected with over \$6 million in delinquencies due to the city. This city bonding was abused and leveraged against the Topeka Community. The very program that offered incentives, to preserve capital for its' Developers. Phase I, with any simple plan of marketing, should have sold out in the awesome real estate market of 2021 to present day. I worked with the city to limit the bond funding of infrastructure and safeguards were reinstated.

We plan on developing our two subdivisions in the city, Millers' Reserve and Laurens' Bay Phase II and Phase III with RHID incentives. Phase II and Phase III could possibly revitalize the development of improvements in Phase I and may create a positive influence on this location. Possibly, with different ownership, Phase I could move forward in an orderly development of homes. The finance of Millers Reserve Subdivision street's infrastructure will be applied for through the City Bond Program. The streets will not be double leveraged.

We have always, reinvested in lot development and will never capitulate to any attempt to compromise lot market value. We stand by our developments, homebuyers invest in our developments and the RHID Resolution will, stimulate our developments.

We are, at this time applying for Millers' Reserve Subdivision No.2 to be considered for a District in the RHID Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Dultmeier". The signature is fluid and cursive, with a large initial "C" and "D".

Chuck Dultmeier
Jon Rollenhagen

EXHIBIT "C" B

A tract of land in the East half of the Northeast Quarter of Section 12, Township 12 South, Range 14 East of the 6th P.M., in Shawnee County, Kansas, being described as follows:

Commencing at the Northeast corner of said Northeast Quarter;

thence South along the East line of said Quarter on and assumed bearing of South 00° 01' 32" West, a distance of 2443.91 feet;

thence North 89° 58' 28" West along the South line of Miller's Reserve Subdivision, 127.50 feet;

thence continuing along the South line of said Miller's Reserve Subdivision, North 50° 15' 08" West, 185.34 feet;

thence continuing along the South line of said Miller's Reserve Subdivision, North 88° 48' 49" West,

633.35 feet to the Southwest corner of said Miller's Reserve Subdivision and the Point of Beginning;

thence continuing North 88° 48' 49" West, 421.33 feet to a point on the West line of said East half of the Northeast Quarter;

thence North 00° 04' 03" East along the West line of said East half, 649.62 feet to the Southwest corner of Miller's Glen Subdivision;

thence North 45° 01' 32" East, along the South line of said Miller's Glen Subdivision, 472.50 feet;

thence continuing along the South line of said Miller's Glen Subdivision, North 71° 26' 12" East, 411.40 feet;

thence continuing along the South line of said Miller's Glen Subdivision, South 89° 58' 28" East, 125.00 feet;

thence South 00° 01' 32" West, 130.00 feet to the Northwest corner of Lot 14, Block A, Miller's Reserve Subdivision;

thence South 33° 27' 18" East along the West line of said Lot 14, 212.84 feet;

thence South 39° 16' 09" West along the West line of said Miller's Reserve Subdivision, 86.96 feet;

thence continuing along the West line of said Miller's Reserve Subdivision, South 47° 35' 05" West, 411.41 feet;

thence continuing along the West line of said Miller's Reserve Subdivision, South 38° 32' 32" West, 108.14 feet;

thence continuing along the South line of said Miller's Reserve Subdivision, South 28° 02' 18" West, 263.84 feet;

thence continuing along the West line of said Miller's Reserve Subdivision, South 01° 32' 26" East, 153.41 feet to the Point

of Beginning.

LESS AND EXCEPT A tract of land in the East half of the Northeast Quarter of Section 12, Township 12 South, Range 14 East of the 6th P.M., in Shawnee County, Kansas, adjacent to Miller's Glen Subdivision, in the City of Topeka, being described as follows:

Commencing at the Southwest corner of said Miller's Glen Subdivision;

thence on an Azimuth 45 degrees 01 minute 32 seconds, coincident with the South line of said Subdivision, a distance of 438.80 feet to the point of beginning;

thence on an Azimuth 45 degrees 01 minutes 32 seconds, a distance of 33.70 feet;

thence on an Azimuth 71 degrees 26 minutes 12 seconds, a distance of 86.99 feet;

thence on an Azimuth 244 degrees 08 minutes 46 seconds, a distance of 118.13 feet to the point of beginning,

said tract being adjacent to Tract B-4 of Miller's Glen Subdivision.



Exhibit C

MAY 28 2021

Agreed

258269

2021R11568

SHAWNEE COUNTY, KANSAS
REGISTER OF DEEDS
REBECCA J. NIOCE
DATE RECORDED:
05/28/2021 03:09:01 PM

WARRANTY DEED
(Statutory)

Kansas Secured Title, Inc. - Topeka
SN055912

Miller's Glen Development Company, LLC, a Kansas limited liability company,

a limited liability company existing under the laws of the State of Kansas, and its principal place of business in the State of Kansas, hereby conveys and warrants to

Dultmeier-Rollenhagen LLC, a Kansas limited liability company,

all the following REAL ESTATE in the County of SHAWNEE, and the State of Kansas, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

Dated this 28 day of May, 2021.

Miller's Glen Development Company, LLC

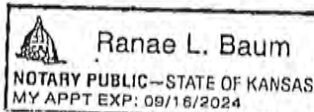
BY: *William Rowland*
William Rowland, President of
Rowco, Inc., Managing Member

State of Kansas, County of SHAWNEE §

The foregoing instrument was acknowledged before me this 28 day of May, 2021 by William L. Rowland, President of Rowco, Inc., Managing Member of Miller's Glen Development Company, LLC, a Kansas limited liability company, on behalf of said company.

My appointment expires:

9/16/24



Ranae L. Baum
Notary Public

EXHIBIT "A"

A tract of land in the East half of the Northeast Quarter of Section 12, Township 12 South, Range 14 East of the 6th P.M., in Shawnee County, Kansas, being described as follows:

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thence continuing along the South line of said Miller's Reserve Subdivision, South 28° 02' 18" West, 263.84 feet;

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thence on an Azimuth 71 degrees 26 minutes 12 seconds, a distance of 86.99 feet;

thence on an Azimuth 244 degrees 08 minutes 46 seconds, a distance of 118.13 feet to the point of beginning,

said tract being adjacent to Tract B-4 of Miller's Glen Subdivision.

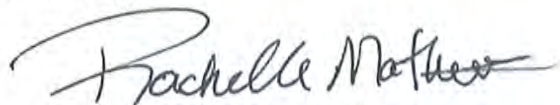
EXHIBIT D

Shawnee County Treasurer
200 SE 7th, Room 101
Topeka KS 66603

Dear Shawnee County Treasurer:

The City of Topeka requires any entity applying for a Rural Housing Incentive District to be in good standing with Shawnee County and all outstanding taxes paid. For your convenience, we have developed the template below to be filled out on the applicant. All completed forms can be sent directly to Rhiannon Friedman at rmfriedman@topeka.org or mailed to City of Topeka Economic Development, 621 SE Madison / Unit 11, Topeka KS 66607.

Sincerely,



Rachelle Mathews
Deputy Director of Financial Services

Taxpayer Name: Dultmeier-Rollenhagen

Date: 2/22/23

Does the Entity listed above owe any outstanding and unpaid taxes as of the date above?

☐ Yes ☒ N Amount owed (if any): _____

Name and Title: Penny Peterson AC II

Signature: Penny Peterson

Date: 2/22/23

6. A non-refundable application fee of \$5,000 will be required upon submission of the application of the RHID district to the City Clerk. If the Developer withdraws the application, the City Governing Body elects not to create the District or does not approve the Housing Plan, or Kansas Secretary of Commerce elects to not approve the application, the City shall keep the application fee to reimburse it for the costs of processing and reviewing the application. The Developer shall not be entitled to any refund of the fee.

CERTIFICATION OF APPLICANT

APPLICANT HAS RECEIVED AND REVIEWED THE CITY'S RURAL HOUSING INCENTIVE DISTRICT POLICY (RESOLUTION NO. 9379). THE APPLICANT UNDERSTANDS AND AGREES TO THE TERMS OF THE POLICY AND PROCEDURES, INCLUDING PAYMENT OF THE REQUIRED FEES. THE APPLICANT UNDERSTANDS THAT A SUBMISSION OF A HOUSING DEVELOPMENT PLAN APPLICATION WILL BE REQUIRED SHOULD THE CREATION OF A RHID DISTRICT APPLICATION BE APPROVED.

AS OF THE DATE OF APPLICANT'S EXECUTION OF THIS APPLICATION, TO THE BEST OF THE APPLICANT'S KNOWLEDGE, THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE AND CORRECT.

By: Charles F. Dultmeier
Signature of Authorized Agent for Entity

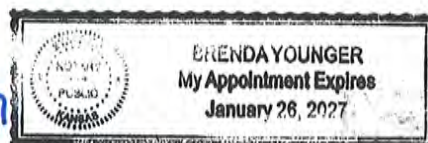
Title: Partner

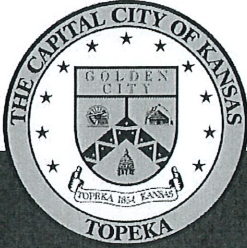
Date: 2/22/23

STATE OF Kansas
COUNTY OF Shawnee

This document was acknowledged before me on Feb 22, 2023 by Charles F. Dultmeier

Notary Public
My commission expires: Jan 28, 2027





CITY OF TOPEKA

Brenda Younger, City Clerk M.M.C.
City Hall, 215 SE 7th St., Room 166
Topeka, KS 66603

byounger@topeka.org
Tel: 785-368-3940
www.topeka.org

Rural Housing Incentive District (RHID) Pre-Application Check List

EXHIBIT A: APPLICATION & COVER LETTER requesting the creation of a district, including a general description of the housing development expected to occur within the district, the names of the housing developer or developers expected to construct such housing, the expected timing of such housing development, a narrative describing how the district is likely to address the policy goals of the Housing Study and discussion of how the use of RHID is consistent with the City's but-for principle.

EXHIBIT B: LEGAL DESCRIPTION of the proposed district & MAP depicting the existing parcels of real estate in the proposed district.

EXHIBIT C: Evidence of SITE CONTROL or a detailed plan for which the developer intends to secure site control.

EXHIBIT D: CERTIFICATION: (*Shawnee County*) that neither the developer entity nor any of its shareholders/partners/members is delinquent on its property tax or special assessment payments on any property it owns or controls in Shawnee County; **and CERTIFICATION** (*City of Topeka*) that neither the developer entity nor any of its shareholders/partners/members has any outstanding utility bills, zoning or property maintenance, or other code cases pending with the city.

APPLICATION FEE of \$5,000: If the Developer withdraws the application, the City Governing Body elects not to create the District or does not approve the Housing Plan, or Kansas Secretary of Commerce elects to not approve the application, the City shall keep the application fee to reimburse it for the costs of processing and reviewing the application. **The Developer shall not be entitled to any refund of the fee.**

License Fee: \$5,000 Cash ☐ Charge ☐ Check ☒ Check No. 2010

Date Paid: 02/22/2023

Brenda Younger
Brenda Younger, City Clerk

2-22-23
Date