

1 (Published in the Topeka Metro News \_\_\_\_\_)  
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5 RESOLUTION NO. \_\_\_\_\_  
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13 A RESOLUTION introduced by City Manager Stephen Wade making certain findings  
14 pursuant to the Kansas Rural Housing Incentive District Act with  
15 regard to an application submitted by A & P Property Management  
16 LLC to establish a Rural Housing Incentive District and requesting that  
17 the Secretary of Commerce review the Resolution and advise the  
18 Governing Body  
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21 WHEREAS, K.S.A. 12-5241 et seq. ("the Act") authorizes the City of Topeka ("City")  
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23 to establish a Rural Housing Incentive District ("RHID"), the first step of which is to conduct  
24 a housing needs analysis to determine what housing needs exist within the community; and  
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27 WHEREAS, after conducting such analysis, the Governing Body may adopt a  
28 resolution making certain findings regarding the establishment of a RHID and providing the  
29 legal description of the proposed RHID and a map depicting the existing parcels in the  
30 proposed RHID; and  
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33 WHEREAS, after publishing such resolution, the Governing Body shall send a copy  
34 to the Secretary of Commerce ("Secretary") requesting that the Secretary review the  
35 resolution and advise the Governing Body whether the Secretary concurs with the findings;  
36 and  
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39 WHEREAS, the City has performed a housing needs analysis ("the Analysis"); and  
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42 WHEREAS, based upon the Analysis, the Governing Body proposes to commence  
43 proceedings necessary to create the Eastgate Subdivision No. 4 RHID, in accordance with  
44 the Act.  
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47 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
48 CITY OF TOPEKA, KANSAS, that:  
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51 Section 1. The Governing Body adopts and incorporates by reference the  
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30 Analysis, a copy of which is on file in the office of the City Clerk and accessible on the  
31 City's website <https://www.topeka.org/finance/rhid> and based on a review of the  
32 Analysis makes the following findings and determinations.

33 Section 2. The Governing Body finds that there is a shortage of quality housing of  
34 various price ranges in the City despite the best efforts of public and private housing  
35 developers.

36 Section 3. The Governing Body finds that this shortage of quality housing can be  
37 expected to persist and that additional financial incentives are necessary in order to  
38 encourage the private sector to construct or renovate housing in the City.

39 Section 4. The Governing Body finds that the shortage of quality housing is a  
40 substantial deterrent to the future economic growth and development of the City.

41 Section 5. The Governing Body finds that the future economic well-being of the City  
42 depends on the Governing Body providing additional incentives for the construction or  
43 renovation of quality housing in the City.

44 Section 6. Based upon the findings and determinations contained herein, the  
45 Governing Body proposes to establish an RHID pursuant to the Act, within the boundaries  
46 of the real estate legally described in Exhibit A, attached hereto and incorporated by  
47 reference, and as shown on the map depicting the existing parcels of land attached hereto  
48 and incorporated by reference as Exhibit B.

49 Section 7. The City Clerk is directed to publish this resolution one time in the  
50 Topeka Metro News and to send a certified copy of this resolution to the Secretary for the  
51 latter's review and concurrence with the findings herein.

Section 8. This resolution shall take effect after its adoption and publication once in

the Topeka Metro News.

52 ADOPTED and APPROVED by the Governing Body on \_\_\_\_\_.

53 CITY OF TOPEKA, KANSAS

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58 \_\_\_\_\_ Michael A. Padilla, Mayor

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60 ATTEST:

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65 \_\_\_\_\_ 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.

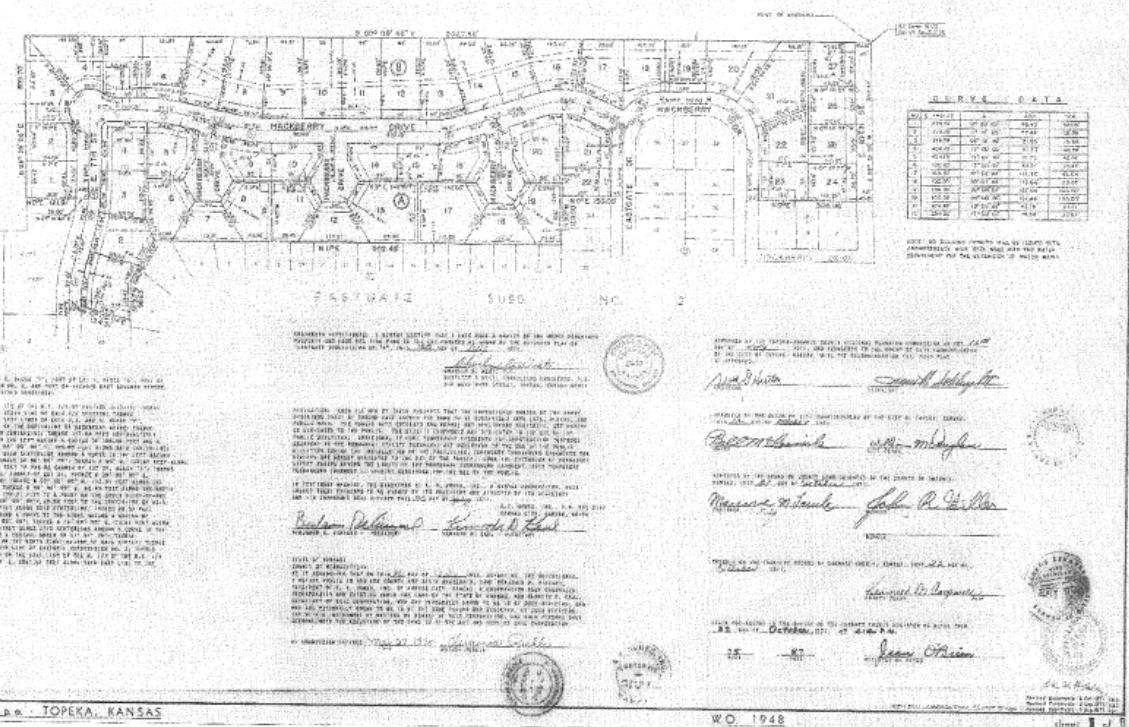
**EXHIBIT B**  
**(Map; Existing Parcels in Proposed RHID)**

RETURN THIS TRACING TO  
THE SHAWNEE COUNTY  
SURVEYOR'S OFFICE

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**EAST GATE SUBDIVISION NO. 4**

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



BARTLETT & WEST, consulting engineers, Inc., TOPEKA, KANSAS

W.O. 1948