

1 (Published in the Topeka Metro News _____)
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3 ORDINANCE NO. _____
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5 AN ORDINANCE introduced by the Public Infrastructure Committee consisting of David
6 Bank, Sylvia Ortiz and Neil Dobler, confirming the Agreement of the
7 Governing Body with the Marney Properties L.L.C. and the City of
8 Topeka to abate City special assessments penalties to certain
9 property in Lauren's Bay Estates when the property taxes and
10 special assessments are paid in full.
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12 WHEREAS, Marney Properties L.L.C. (hereinafter referred to as "Marney") owns
13 certain property in Lauren's Bay Estates in which it intends to develop for single-family
14 dwellings; and

15 WHEREAS, the City of Topeka (hereinafter referred to as "City") is a
16 governmental entity in which it collects property taxes within the City and special
17 assessments for improvements.

18 WHEREAS, the parcels of land Marney owns are legally described as:

19 Lot 19, Block B, Lauren's Bay Estates Subdivision, Shawnee County, Kansas
20 Lot 16, Block B, Lauren's Bay Estates Subdivision, Shawnee County, Kansas
21 Lot 06, Block E, Lauren's Bay Estates Subdivision, Shawnee County, Kansas

22 (hereinafter referred to as the "Marney Parcels"); and

23 WHEREAS, the Marney Parcels are subject to unpaid property taxes, special
24 assessments and penalties; and

25 WHEREAS, Marney wishes to develop single family dwellings on the Marney
26 Parcels and is willing to pay the unpaid property taxes and special assessments in
27 exchange for the special assessment penalties being waived; and

28 WHEREAS, the City encourages development of vacant property and agrees to
29 abate the special assessment penalties on the Marney Parcels in return for full payment
30 of the unpaid property taxes and special assessments.

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32 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

33 Section 1. The Governing Body hereby declares its intent to abate all of the
34 penalties on special assessments against the Marney Parcels to promote development
35 of vacant property within the City in exchange for payment of unpaid property taxes and
36 special assessments attached to the Marney Parcels.

37 Section 2. Upon payment of unpaid property taxes and special assessments,
38 the penalties relating to the special assessments attached to the Marney Parcels are
39 hereby abated.

40 Section 3. The abatement only pertains to penalties assessed to delinquent
41 special assessments.

42 Section 4. The City Clerk is directed to deliver a copy of this Ordinance, upon
43 its effective date, to the Shawnee County Treasurer with directions to remove the
44 penalties for special assessments currently showing on the tax rolls for the Marney
45 Parcels upon payment in full of the unpaid property taxes and special assessments.

46 Section 5. The City Clerk is also directed to deliver a copy of this Ordinance to
47 the Register of Deeds of Shawnee County, Kansas for recording.

48 Section 6. This ordinance shall take effect and be in force from and after its
49 passage, approval and publication in the official City newspaper.

50 Section 7. This ordinance shall supersede all ordinances, resolutions or rules,
51 or portions thereof, which are in conflict with the provisions of this ordinance.

52 Section 8. Should any section, clause or phrase of this ordinance be declared
53 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
54 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

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PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk