



CITY OF TOPEKA

Legal Department
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MEMORANDUM

To: Mayor Padilla; City Councilmembers; Robert M. Perez, Ph.D., City Manager

From: Nick Jefferson, Interim City Attorney

Re: Marney Properties, L.L.C.

Date: September 16, 2025

The item on the September 16, 2025 Agenda for discussion and possible action addressing an Ordinance creating an Agreement of the Governing Body with Marney Properties L.L.C. to abate the special assessment penalties on three lots in Lauren's Bay Estates Subdivision.

In consideration of the City and Governing Body to agree to abate the special assessment penalties on the three lots, Marney Properties L.L.C. agrees to make full payment on all unpaid property taxes and special assessments. The proposed Ordinance is not forgiving any back due property taxes or special assessments, only the penalties associated with the unpaid special assessments.

The City will receive its proportionate share of the past due property taxes less interest in the amount of \$10,416.42. Additionally the City will receive the past due specials in the amount of \$82,593.81. The City will be waiving penalties on the past due special assessments in the amount of \$47,775.01, this amount if not waived and paid in full would be retained by the County and not disbursed to the City

In order for the County to waive the special assessment penalties, the Governing Body must pass an Ordinance directing the County to do so. The Public Infrastructure Committee moved to approve the Ordinance for Governing Body action. Action requires five votes of the City Council and the Ordinance involves a matter of home rule on which the Mayor has veto authority.

cc: Braxton Copley, Deputy City Manager