

LESSOR'S COPY  
 REAL ESTATE LEASE AGREEMENT

Agency Contract No. \_\_\_\_\_

( ) For obligator of previously approved lease only

To be filled in by State Agency only

AGENCY FINANCING INFORMATION: Fund Name									
Status New ( ) Renewal ( ) Amendment ( )	Fund	F	Agency	Account	Contract Enc. No.	Act.	Obj.	Local Agency Sect.	Obligate this yr
NOTICE TO LESSOR AND LESSEE: PURSUANT TO THE REQUIREMENTS OF K.S.A. 75-3730, 1743 and 3738(1) as amended, NO LEASE AGREEMENT IS EFFECTIVE TO OBLIGATE THE STATE UNTIL THE AGREEMENT HAS BEEN SIGNED AND THE REQUIRED APPROVALS AFFIXED HERETO.									Obligate F.Y. _____ \$ _____
Clauses printed in this contract are considered mandatory and may only be supplanted, if at all, by a special condition approved by the Division of Purchases. Fill in blanks accordingly.									Obligate F.Y. _____ \$ _____
									Total Commitment _____ \$ _____

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, between lessor, first party and lessee, second party hereinafter set out:

CONTRACT PARTIES:	LESSOR (FIRST PARTY)	LESSEE ( STATE AGENCY) (SECOND PARTY)
	Firm Name <u>Lyal H. Dudley</u> Office Address <u>124 Fairlawn Road</u> City <u>Topeka,</u> State <u>Kansas</u> Zip <u>66606</u> Type of Firm (x) Individual ( ) Partnership ( ) Corporation Firm's Taxpayer Identification No. <u>500-12-0002</u>	

WITNESSETH, that first party, in consideration of the rents, covenants, and agreements of second party, hereinafter set forth, does let, lease and rent to second party the following described property situated in Topeka, Shawnee County, Kansas, to wit:

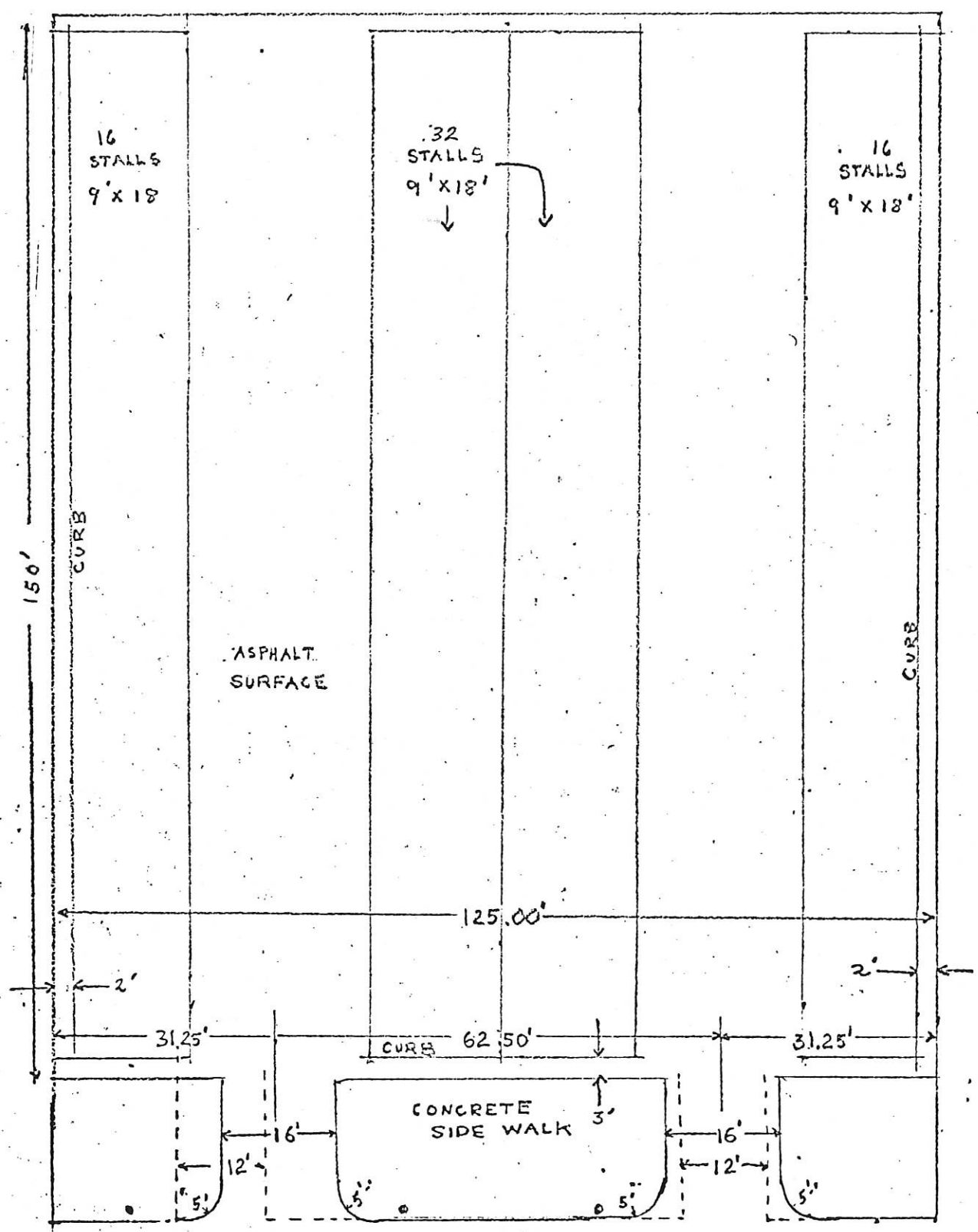
lots 157, 159, 161, 163 and 165 on Jackson Street, Topeka, Shawnee County, Kansas, being commonly known as 519 Jackson Street.

- Term:** To have and hold the same for the term of ( ) (a) indefinite, month to month; ( ) (b) one year; ( ) (c) other (specify) five years, which term is to begin on April 1, 1973.
- Rental Payments:** Second party agrees to pay equal monthly installments of Eight Hundred dollars per month commencing the 1st day of April, 1973, and on the 1st day of each month thereafter until the term of this lease ends, final payment to be adjusted for any partial month's payment that may be due. The space herein above described contains - 0 - square feet of space for office use at the rate of \_\_\_\_\_ dollars per annum per square foot; - 0 - square feet of floor space for records and property storage use to be rented at the rate of \_\_\_\_\_ dollars per square foot per annum; 18,750 (square feet of ~~xxxx~~ space) ~~XXXXXXXXXXXXXXX~~; for other use (specify) automobile parking.
- Use of Premises:** Second party shall have the full and unrestricted use of the premises for the term of this lease, or any renewals thereof, for the following purposes: parking of motor vehicles or open air storage
- Utilities:** Public utilities will be furnished and paid for as follows: (1) water, N/A party; (2) electricity, N/A party; (3) gas, \_\_\_\_\_ party; (4) heat, N/A party; (5) air conditioning, N/A party; (6) telephone, N/A party.
- Repair of Premises:** (if building space, otherwise inapplicable.) First party will maintain in good repair the exterior walls, roof, structural floors, and furnish major repairs to heating, air conditioning, plumbing and wiring. Interior repairs and decoration shall be furnished by \_\_\_\_\_ party.
- Custodial Service:** Custodial service, including cleaning of halls, restrooms, porches, sidewalks and parking areas shall be furnished by second party.
- Subletting:** Second party shall have the right to sublet any of the space herein leased to any other state agency for the same or a comparable use, provided; however, second party may not assign, sublet said premises to any private person without the written consent of first party. If second party sublets to another state agency, second party's obligation to pay the rental herein shall cease; provided, however, any such sub-tenant shall be bound by all conditions of this lease for the balance of the term.
- Untenantable Premises:** (If building space, otherwise not applicable.) If these premises shall be damaged by fire, casualty, natural disaster, or other cause so as to be untenantable, the rental shall abate from the date of such damage and shall not resume until premises are restored to tenantable condition; provided, however, if the damage so caused shall render restoration impossible within sixty days of the time of such damage, second party may elect to void this lease and the obligation to occupy and to pay any unpaid balance of rentals shall cease from the date of said damage.
- Termination for Fiscal Necessity:** Notwithstanding any other provision of this lease, if funds anticipated for the continued fulfillment of this lease agreement are at any time not forthcoming, either through the failure of the legislature to appropriate funds or the discontinuance or material alteration of the program under which funds were provided, then second party shall have the right to terminate this lease by giving first party a reasonable notice specifying the reasons for such necessary termination.
- Automatic Termination; Holding Over:** This lease agreement, if not previously terminated, shall automatically expire at the end of the term specified unless second party shall have renewed the lease pursuant to lease special provision (2); however, if second party shall hold over the end of the term without the benefit of renewal, he shall be a tenant from month to month at the same monthly rental and under the same terms and conditions as contained herein.



# LYAL H. DUDLEY PARKING LOT 519 JACKSON

ALLEY



JACKSON

PERSONAL AND CONFIDENTIAL

FEB. 23, 1973

MEMO TO: Senator Bennett            Representative McGill  
          Senator Doyen               Representative Loux  
          Senator Harder             Representative Hill  
          Senator Rogers

SUBJECT: Acquisition of New England Building and adjacent properties

1. I attach a suggested bill which provides for the acquisition of the property which has been under consideration. Also attached is a map showing in heavy outline, the lots and lot numbers.
2. The purchase price for the lots except the old Martin Lumber Company tract, is \$1,212,000. Because of title difficulties it will be a long and tedious negotiation to buy the lots which have some small, old buildings on them, ie., lots 509, 527 and 529. These lots are not absolutely necessary. If not purchased, the price of \$1,212,000 would be reduced to \$1,032,000.
3. Nothing has been done on examination of titles, etc. I am confident that this could be considered as a completed deal though there have not been hard and fast negotiations. If this project seems reasonable, please advise and let me know how best to procede.

C. Y. Thomas

CYT:jlc  
Attachments

EXHIBIT #13 SHEET 1

ACQUISITION OF BUILDINGS

Acquisition of buildings and grounds in the 500 block of Kansas Ave., of vacant lots in the 500 block of Jackson Street and lease of vacant lots in the 500 block of Jackson Street, all in the City of Topeka.

75-0000 The Secretary of Administration is hereby authorized and directed to acquire the fee simple title by negotiation, of the following tracts of land with office buildings thereon in the City of Topeka, Shawnee County, Kansas, all more particularly described as:

- a. Lots 501, 503, 505 & 507 on Kansas Avenue
- b. Lot 509 on Kansas Avenue
- c. Lot 527 on Kansas Avenue
- d. Lot 529, and; on Kansas Avenue

the following lots without buildings:

- e. Lots 511, 513, 515, 517, 519, 521, 523 & 525 on Kansas Avenue
- f. Lots 146, 418, 150 and 152 on Jackson Street
- g. Lots 154, 156, 158, and; on Jackson Street

to lease on a long term basis:

- h. Lots 157, 159, 161, 163 & 165 on Jackson Street

75-0000 SAME SECRETARY OF ADMINISTRATION, POWERS AND DUTIES, LIMITS OF PURCHASE PRICE.

1,212,000

The Secretary of Administration shall acquire such tracts of land for a total price not to exceed \$ 1,212,000 to be paid from the general fund of the State of Kansas. The annual lease on lots 157, 159, 161, 163 & 165, shall not exceed \$800 per month for a period of 15 years. The lease on these lots shall include an option to purchase same.

75-0000 Upon the approval of merchantable title and a warranty deed to each tract of land by the attorney general as to form and legality, the state comptroller shall issue a warrant to the seller for the purchase price. While the acquisition of all the above described lots is most desirable, this project shall not be abandoned if title or other difficulties made the acquisition of lots 509, 527 and 529 impossible at this time. If not acquired, the purchase price shall be adjusted as follows:

Reduced \$ 65,000 for lot 509  
 Reduced 7115,000 for lot 527  
 Reduced            for lot 529.

\* \* \*



C. Y. THOMAS  
5519 EAST MISSION DRIVE  
SHAWNEE MISSION, KANSAS 66208

1	New England Bldg.	\$ 550,000.
	Remodelling	100,000.
2.	Marchant NB-List	85,000.
3.	Bell Tel Co	200,000.
	Black Top -	20,000.
4.		
4	Gleed Thompson	60,000.
5	Depto Credit Bureau	65,000.
6	Family Center	55,000.
7	Yarker	55,000
		\$ 1,190,000.
	Contingencies	110,000
		1,300,000

If items 5, 6 & 7 (small bldg) which we do not absolutely need,  
the cost would be reduced by \$ 175,000

CYT

RRB

3-2-73

EXHIBIT # 14.

(As Amended by Senate Committee)

[As Amended by House Committee of the Whole]

Session of 1973

## HOUSE BILL No. 1568

By Committee on Ways and Means

3-8

AN ACT relating to the acquisition of certain tracts of land and improvements thereon in the city of Topeka by the state director of architectural services for use of the state of Kansas and agencies thereof; authorizing the issuance of revenue bonds and providing for the retirement thereof; creating a state investment board and prescribing its powers and duties; authorizing the leasing and subleasing of space in the building and grounds so acquired and for rental rates for use thereof; prescribing the powers and duties of the director of architectural services in connection therewith and establishing an advisory committee to advise and consult with such director.

*Be it enacted by the Legislature of the State of Kansas:*

- 1 Section 1. The state director of architectural services is hereby
- 2 authorized and directed to acquire the fee simple title by negotia-
- 3 tion to tracts of land and improvements thereon located in the
- 4 city of Topeka, Shawnee county, Kansas, on the block beginning
- 5 at the southwest corner of the intersection at Fifth street and
- 6 Kansas avenue; thence westward on Fifth street to Fifth and
- 7 Jackson street; thence southward on Jackson to Jackson street and
- 8 Sixth street; thence eastward on Sixth street to Sixth and Kansas
- 9 avenue; thence north on Kansas avenue to the point of beginning,
- 10 all more particularly described as follows: Lots 501, 503, 505, 507,
- 11 509, 511, 513, 515, 517, 519, 521, 523, 525, 527 and 529, 145,
- 12 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171 and 173,
- 13 all on Kansas avenue; Lots 146, 148, 150, 152, 154, 156 and 158, all on
- 14 the east side of Jackson street; all in the city of Topeka, Shawnee

EXHIBIT # 15

1 county, Kansas: *Provided*, If the director of architectural services  
2 is unable to negotiate an agreement for the purchase of any lot or  
3 tract hereinbefore authorized and directed for acquisition, said di-  
4 rector may, after consultation with the advisory committee, dis-  
5 continue all negotiation with the owners of such lots or tracts of  
6 land.

7 To provide for the payment of the costs of acquisition of said  
8 lots or tracts of land and improvements thereon, and to provide  
9 additional funds for acquisition of facilities for use in connection  
10 therewith and for improvements and renovation of the office build-  
11 ing and facilities, and until moneys are available in the operating  
12 fund for such purpose for the maintenance and security of the  
13 building and grounds so acquired, the director of architectural  
14 services is authorized to issue callable revenue bonds in an amount  
15 not to exceed one million three hundred thousand dollars (\$1,300,-  
16 000).

17 Sec. 2. The state board of treasury examiners and the state  
18 treasurer shall be a state investment board for the purpose of this  
19 act and shall have authority to purchase and shall purchase the  
20 bonds issued hereunder by the state director of architectural ser-  
21 vices and for such purpose said board is authorized and directed  
22 to use any moneys in the active accounts or time deposits, open  
23 accounts of the state of Kansas. All bonds so purchased shall be  
24 kept by the treasurer in his office and shall be subject to the inspec-  
25 tion and audit of the state board of treasury examiners at all times.  
26 The bonds shall bear interest at a rate equal to the interest rate be-  
27 ing paid on state inactive account moneys at the time of issuance  
28 of such bonds and such interest when accrued shall be credited to  
29 the state general fund.

30 Sec. 3. The state director of architectural services, in the acqui-  
31 sition of said tract or tracts and improvements thereon and in the



1 operation, management and leasing thereof as well as in the issu-  
2 ance of revenue bonds therefor shall have and exercise and be sub-  
3 ject to all the powers, duties and authority and all the limitations  
4 conferred or placed upon him by K. S. A. 75-3608, 75-3611, 75-3612,  
5 75-3613, 75-3615 and 75-3616. In addition to said powers, he shall  
6 have and exercise all the powers and be subject to all the limitations  
7 conferred or imposed by this act. Such revenue bonds shall mature  
8 within a maximum period of ten (10) years and shall bear interest  
9 at the rate prescribed in section 2 of this act. The director of  
10 architectural services shall acquire such tracts of land for a purchase  
11 price of not to exceed the amount specified in section 1 of this act  
12 to be paid solely from the proceeds of the sale of the revenue  
13 bonds herein authorized. The state treasurer shall deposit the  
14 proceeds received from the sale of revenue bonds as authorized  
15 by this act in the 5th and Kansas avenue bond proceeds fund, which  
16 fund is hereby created. Upon approval of merchantable titles and  
17 warranty deeds to such tracts of land by the attorney general as  
18 to form and legality, the state director of accounts and reports shall  
19 issue warrants to the seller or sellers of such tracts for the purchase  
20 price thereof, such warrants to be paid from moneys in the 5th and  
21 Kansas avenue bond proceeds fund in the state treasury. On  
22 order of the director of architectural services, the state director of  
23 accounts and reports shall transfer any moneys in the bond pro-  
24 ceeds fund which are not and will not be required for acquisition of  
25 lands and improvements provided for in section 1 to the operating  
26 fund created by section 2 [4] of this act.

27 Sec. 4. Funds derived from the leases to state agencies or to  
28 state employees for space in the office building and on parking and  
29 other facilities acquired pursuant to this act, shall be deposited  
30 by the state director of architectural services in the 5th and  
31 Kansas avenue operating fund, which fund is hereby created, and

1 at least annually, on order of the director of architectural services,  
2 the director of accounts and reports in accordance with the cov-  
3 enants contained in the bonds issued hereunder, shall transfer from  
4 said operating fund to the 5th and Kansas avenue bond and interest  
5 sinking fund hereby created, an amount necessary to pay the prin-  
6 cipal and interest then due and unpaid upon said bonds. A 5th  
7 and Kansas avenue depreciation reserve fund is hereby created, to  
8 which shall be credited at least annually amounts sufficient to  
9 provide for installation, repair and replacement of equipment and  
10 facilities of the buildings and grounds acquired and maintained  
11 under this act. The amounts to be so transferred from the operating  
12 fund to the bond and interest sinking fund and to the depreciation  
13 reserve fund, herein created, shall be determined at least annually  
14 by the state director of architectural services.

15 Sec. 5. The state director of architectural services upon ac-  
16 quisition of said lands and improvements is hereby authorized  
17 to enter into leases with any state agency or agencies presently  
18 housed in publicly or privately owned office space in Shawnee  
19 county or with state officers or employees to occupy space in  
20 any building or on facilities acquired under this act at a rental  
21 necessary to defray the pro rata cost of the total project of the  
22 space so occupied, including the cost of purchase of tracts and  
23 improvements thereon, and other costs relating thereto, operation  
24 and maintenance thereof, subject to funding being available in  
25 the appropriations or funds of any such agency. Before any  
26 leases are entered into, the state director of architectural services  
27 shall compute the rental rates by amortizing the purchase price  
28 with the costs of necessary improvements made or to be made  
29 in connection therewith, estimate the cost of operation and main-  
30 tenance thereof, together with interest on the bonded indebted-  
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1 ness and other expenses to determine the actual rate required  
2 so that the bonds can be retired within the ten-year period.

3 Sec. 6. To insure prompt action in the acquisition of the prop-  
4 erty provided for in this act, and to aid in expediting all matters  
5 in connection therewith, including the transfer of state agencies  
6 presently housed in the state capitol and in other public and  
7 privately owned space, to the newly acquired building and fa-  
8 cilities, and to otherwise assist in the prompt implementation of  
9 the provisions of the act, there is hereby established a state  
10 building advisory committee to the director of architectural ser-  
11 vices, to be composed of the president of the senate or his des-  
12 ignee, the speaker of the house of representatives or his designee  
13 and the minority leader of the senate or his designee and the  
14 minority leader of the house of representatives or his designee.  
15 The speaker of the house or his designee shall be the chairman  
16 of the advisory committee which shall meet once each month  
17 at the state capitol building in space provided by the secretary  
18 of the joint committee on legislative services on a date selected  
19 by the committee or on call of the chairman until the office  
20 building is acquired and is fully occupied. Members of such  
21 committee when attending ~~meeting~~ [meetings] thereof shall receive  
22 the same compensation, ~~travel expenses~~ [subsistence expenses or  
23 allowances] and mileage as is provided for members of the legisla-  
24 tive coordinating council when meeting in Topeka. [Such com-  
25 pensation and expenses shall be paid from appropriations for legisla-  
26 tive expenses.] It shall be the duty of the advisory committee so  
27 established to:

28 (a) advise, consult and cooperate with the director of archi-  
29 tectural services in accomplishing the intent and purpose of this  
30 act so that an orderly and expeditious transfer may be made by  
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1 state agencies from their present occupancies to new quarters  
2 provided for in this act;

3 (b) recommend renovations for the newly acquired building  
4 with priorities both as to improvements and as to the occupancy  
5 thereof;

6 (c) make recommendations for coordination of any other ac-  
7 tivities or undertakings directed by the act;

8 (d) issue monthly reports of progress to the legislative coordi-  
9 nating council and to members of the ways and means commit-  
10 tees of the senate and house of representatives.

11 It shall also be the duty of the director of architectural services  
12 to advise, consult with and cooperate with the advisory committee  
13 established by this section.

14 Sec. 7. This act shall take effect and be in force from and after  
15 its publication in the official state paper.

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