

**RESOLUTION NO. 0001**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE LAND BANK OF THE CITY OF GARDNER, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF A LAND BANK AGREEMENT IN CONNECTION WITH A DEVELOPMENT PROJECT WITHIN THE CITY (STONE CREEK).**

**WHEREAS**, the City of Gardner, Kansas (the “City”), is a city of the second class duly organized and existing under the laws of the State of Kansas;

**WHEREAS**, pursuant to K.S.A. 12-5901 *et seq.* and Ordinance No. 2593 of the Governing Body of the City, passed on November 5, 2018, the City created a Land Bank (the “Land Bank”);

**WHEREAS**, The Bristol Groupe LLC, a Kansas limited liability company, and Bristol Partners XVIII, LLC, a Kansas limited liability company (together, the “Developer Affiliates”), have proposed to develop certain commercial, industrial, and residential improvements (the “Stone Creek Project”) along North Stone Creek Drive, north of East Lincoln Lane, within the City;

**WHEREAS**, the property comprising the Stone Creek Project is presently subject to tax and special assessment delinquencies making development difficult; and

**WHEREAS**, pursuant to K.S.A. 12-5901 *et seq.*, the Board of Trustees of the Land Bank (the “Board”) and the Developer Affiliates have determined it necessary and desirable to enter a Land Bank Agreement (the “Land Bank Agreement”), by and among the City, the Developer Affiliates, and the Land Bank, to address the tax delinquencies and to abate a portion of the special assessments on the property comprising the Stone Creek Project to facilitate development;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE LAND BANK OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:**

**Section 1.** Pursuant to K.S.A. 12-5901 *et seq.*, the Land Bank is hereby authorized to enter into the Land Bank Agreement in substantially the form presented to and reviewed by the Board on the date of this Resolution (a copy of such document is on file in the records of the City), with such changes therein as shall be approved by the Chairperson, with the Chairperson’s signature thereon being conclusive evidence of his approval thereof, and the same are hereby approved in all respects.

**Section 2.** The Chairperson, Treasurer, and other officers and representatives of the Land Bank are hereby authorized and directed to execute, seal, attest, and deliver the Land Bank Agreement, together with such other documents, certificates, and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of and as the act and deed of the Land Bank.

**Section 3.** This Resolution shall be in full force and effect from and after its adoption by the Board.

*[remainder of page left blank intentionally]*

**ADOPTED** by the Board of Trustees of the Land Bank of the City of Gardner, Kansas,  
on July 3, 2023.

**LAND BANK OF THE CITY OF  
GARDNER, KANSAS**

\_\_\_\_\_/s/ Todd Winters\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_/s/ Matthew Wolff\_\_\_\_\_  
Treasurer