

**RESOLUTION NO. 1964**

**A RESOLUTION OF THE CITY OF GARDNER, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF A DEVELOPER'S AGREEMENT RELATING TO CERTAIN INCENTIVES, INCLUDING INDUSTRIAL REVENUE BONDS AND PROPERTY TAX EXEMPTION, FOR A DEVELOPMENT PROJECT WITHIN THE CITY (HAMPTON INN).**

**WHEREAS**, the City of Gardner, Kansas (the "City"), is authorized and empowered pursuant to the provisions of K.S.A. 12-1740 to 12-1749d, inclusive, as amended, to acquire, construct and equip certain facilities for the stated statutory purposes, to enter into leases or lease-purchase agreements with any person, firm or corporation for said facilities and to issue revenue bonds for the purpose of paying the cost of such facilities;

**WHEREAS**, Gardner Hospitality LLC, a Kansas limited liability company (together with its assigns, as approved by the City, the "Company"), has requested the City issue its industrial revenue bonds in the approximate principal amount of \$14,000,000 (the "Bonds") to finance a portion of the costs of acquiring, constructing and equipping of an approximately 52,500 square foot, 84-unit new hotel, including real estate, buildings, improvements and equipment (collectively, the "Project"), generally located west of the intersection of Interstate 35 and 175<sup>th</sup> Street within the City; and

**WHEREAS**, the Governing Body of the City finds it is necessary and desirable for the City to enter into a Developer's Agreement with the Company (the "Developer's Agreement") to set forth the parties' understanding relating to issuance of the Bonds and certain other economic development incentives, all as further described therein;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:**

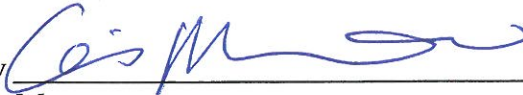
**Section 1.** The City is hereby authorized to enter into the Developer's Agreement by and between the City and the Company in substantially the form presented to and reviewed by the City Council on the date of this Resolution (copies of this document shall be on file in the records of the City) with such changes therein as shall be approved by Special Counsel, Bond Counsel, the City Attorney, the City Administrator and other officials of the City, such officials' signatures thereon being conclusive evidence of their approval thereof and the same are hereby approved in all respects.

**Section 2.** The City Administrator and City Clerk are hereby authorized and directed to execute, seal, attest and deliver the Developer's Agreement and 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 City.

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

ADOPTED by the Governing Body of the City of Gardner, Kansas, on March 20, 2017.

CITY OF GARDNER, KANSAS

By   
Mayor

(Seal)



Attest:

  
City Clerk