

RESOLUTION NO. 1994

A RESOLUTION PROVIDING FOR NOTICE TO BE GIVEN FOR A PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT IN THE CITY OF GARDNER, KANSAS PURSUANT TO K.S.A. 12-1770 ET SEQ., AS AMENDED.

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the City of Gardner, Kansas (the “City”), is authorized to assist in the development and redevelopment of eligible areas within the City in order to promote, stimulate and develop the general and economic welfare of the State of Kansas and its communities; and

WHEREAS, the City hereby finds and determines it desirable to encourage the development and redevelopment of certain real property generally located at the northwest corner of E. Main Street and N. Moonlight Road within the City and to consider the establishment of a redevelopment district at such location (the “Redevelopment District”); and

WHEREAS, pursuant to the Act, the City must adopt a resolution stating that the City is considering the establishment of the Redevelopment District and include in such resolution notice that a public hearing will be held to consider the establishment of said Redevelopment District.

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

Section 1. Notice is hereby given that a public hearing to consider the establishment of the Redevelopment District shall be held at a City Council meeting on October 15, 2018, at 7:00 p.m., Central Daylight Saving Time, in the Council Chambers at Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

Section 2. The proposed district plan is described on **Exhibit A** attached to this Resolution and incorporated herein by reference.

Section 3. A map depicting the proposed boundaries of the Redevelopment District is set forth on **Exhibit A-1** attached to this Resolution and incorporated herein by reference. A legal description describing the proposed boundaries of the Redevelopment District is set forth on **Exhibit A-2** attached to this Resolution and incorporated herein by reference.

Section 4. A description and map of the proposed Redevelopment District are available for inspection prior to the public hearing during regular office hours in the office of the City Clerk at City Hall.

Section 5. Following the public hearing, the Governing Body will consider findings necessary for the establishment of the proposed Redevelopment District.

Section 6. A copy of this Resolution shall be mailed by certified mail, return receipt requested, to the Board of County Commissioners of Johnson County, Kansas, and the Board of Education of any school district levying taxes on the property within the proposed Redevelopment District. Copies of this Resolution also shall be mailed by certified mail, return receipt requested, to each owner and occupant of land within the proposed Redevelopment District not more than 10 days following the date of adoption of this Resolution. This Resolution, including its exhibits, shall be published once in the official City newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing.

Section 7. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the Governing Body of the City of Gardner, Kansas, on September 4, 2018.

CITY OF GARDNER, KANSAS

(Seal)

_____/s/_____
Mayor

ATTEST:

_____/s/_____
City Clerk

EXHIBIT A

PROPOSED REDEVELOPMENT DISTRICT PLAN

The proposed Redevelopment District shall consist of three redevelopment project areas, which shall have cumulative outer boundaries coterminous with the Redevelopment District's boundaries, as generally depicted on Exhibit A-1 attached hereto and as labeled "Project 1", "Project 2", and "Project 3" thereon, respectively.

The first project area, referred to as Project 1, is proposed to include the following buildings and improvements: a new grocery store of approximately 60,000 square feet, a pad site to accommodate approximately 3,500 square feet of retail/restaurant use, site improvements, and public improvements, including utility relocations, a public road, new turn lanes along Main Street, and a new traffic signal.

The second project area, referred to as Project 2, is proposed to include the following buildings and improvements: redevelopment of the existing grocery store building into new commercial uses, a pad site to accommodate approximately 4,000 square feet of retail/restaurant use, and associated site and infrastructure improvements.

The third project area, referred to as Project 3, is proposed to include the following buildings and improvements: façade improvements to existing buildings, parking lot improvements, and associated site and infrastructure improvements.

[No Further Text on This Page – Exhibits Follow]

EXHIBIT A-2

PROPOSED DISTRICT LEGAL DESCRIPTION

All of Lot 47, WHITE ACRES, and a part of Lot 1, GAULTCEST REPLAT, and a part of Lot 1, MOONLIGHT PLAZA FIRST PLAT, and all of Lot 1 MOONLIGHT PLAZA CENTER, and all of Lot 1, COUNTRY MART, all being additions to the City of Gardner along with a part of the Southeast Quarter of Section 24, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, and being described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 24; thence S 02°07'55" E along the East line of said Southeast Quarter, 1755.65 feet to the centerline of Lincoln Lane extended; thence S 88°27'57" W along said centerline, 235.00 feet to the Northeast corner of said COUNTRY MART, said point being the Point of Beginning;

thence continuing S 88°27'57" W along said centerline extended, 1258.40 feet to a point on the East line of said WHITE ACRES;

thence S 02°05'19" E, along the East line of said WHITE ACRES, 601.53 feet to the Northeast corner of said Lot 47, WHITE ACRES;

thence S 88°04'45" W, along the North line of said Lot 47, 120.00 feet to the Northwest corner thereof;

thence S 01°53'27" E, along the West line of said Lot 47, 103.77 feet to the Southwest corner thereof;

thence N 88°04'45" E, along the South line of said Lot 47, 120.00 feet to the Southeast corner thereof;

thence S 01°53'27" E, along the East line of said WHITE ACRES and the West line of said Lot 1, GAULTCEST REPLAT, 154.00 feet to the Southwest corner of said Lot 1;

thence N 88°24'06" E, along the South line of said Lot 1, GAULTCEST REPLAT, 193.30 feet to a point on the West line of said Lot 1, QUIKTRIP STORE NO. 249;

thence N 02°06'59" W, along the West line of said Lot 1, QUIKTRIP STORE NO. 249, 298.13 feet to the Northwest corner thereof;

thence N 87°51'18" E, along the North line, 300.09 feet to the Northeast corner of said Lot 1, QUIKTRIP STORE NO. 249, said point also being on the West line of said MOONLIGHT PLAZA CENTER;

thence S 02°07'55" E, along said West line, 268.37 feet to the Southwest corner thereof;

thence N 80°31'36" E, along the South line of said MOONLIGHT PLAZA CENTER, 45.37 feet;

thence N 02°07'55" W, along an Easterly line, of said MOONLIGHT PLAZA CENTER, 254.96 feet;

thence N 88°27'57" E, along the Southerly line, 401.00 feet to the Southeast corner of said Lot 1, MOONLIGHT PLAZA CENTER, said point also being the Southwest corner of said Lot 1, COUNTRY MART;

thence departing said Southerly line, S 02°07'55" E through a portion said Lot 1, MOONLIGHT PLAZA FIRST PLAT, 165.44 feet to a point on the US Highway 56 Northerly Right of Way line as described in Deed Book 2564 at Page 398 of the records of said Johnson County;

thence N 75°26'05" E, along said Northerly Right of Way line and Southerly line of said Lot 1, Country Mart, 322.80 feet to the Southwest corner of said COUNTRY MART;

thence N 02°07'55" W, along the Easterly line of said COUNTRY MART, 294.00 feet to a corner;

thence N 87°52'05" E along said Easterly line, 5.20 feet to a corner;

thence N 02°07'55" W along said Easterly line, 363.50 feet to the POINT OF BEGINNING.

Said parcel contains 829,705 square feet, or 19.047 acres, more or less, inclusive of existing road and highway right of way.