

RESOLUTION NO. 1999

A RESOLUTION PROVIDING FOR THE CONSIDERATION OF A REDEVELOPMENT PROJECT PLAN FOR A REDEVELOPMENT DISTRICT IN THE CITY OF GARDNER, KANSAS (MAIN STREET MARKET PLACE REDEVELOPMENT DISTRICT, PROJECT AREA 1).

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”) and Ordinance No. 2588 (the “TIF District Ordinance”) of the City of Gardner, Kansas (the “City”), and in order to promote, stimulate and develop the general and economic welfare of the City, the Governing Body of the City has established a redevelopment district (the “Redevelopment District” as described on *Exhibit A*);

WHEREAS, a developer has proposed a project plan (the “Proposed Project Plan”) for the redevelopment of a portion of the Redevelopment District generally consisting of the western third of the Redevelopment District and more specifically including the project area shown on *Exhibit B* to this Resolution (the “Project Area”);

WHEREAS, a comprehensive feasibility study has been completed which: (a) indicates that the benefits, tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1) expected to be derived from the redevelopment project described in the Proposed Project Plan are expected to exceed or be sufficient to pay for the redevelopment project costs; and (b) shows the effect, if any, the redevelopment project costs for the Proposed Project Plan will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D);

WHEREAS, a copy of the Proposed Project Plan for the Project Area within the Redevelopment District has been delivered to the Board of Commissioners of Johnson County, the Board of Education of Unified School District No. 231 and the Board of Directors of Fire District No. 1 of Johnson County, all in accordance with the Act; and

WHEREAS, the Planning Commission of the City has reviewed the Proposed Project Plan and has found and determined that the Proposed Project Plan is consistent with the intent of the comprehensive plan for development of the City;

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

Section 1. A public hearing to consider adoption of the Proposed Project Plan shall be held on December 17, at 7:00 p.m. (or as soon thereafter as is practical), Central Standard Time, at City Council Chambers, City Hall, 120 E. Main Street, Gardner, Kansas. The date of the public hearing is not less than 30 or more than 70 days after the date of this Resolution as required by K.S.A. 12-1772(c).

Section 2. The Redevelopment District was created by the TIF District Ordinance passed by the City Council on October 15, 2018, and effective on October 17, 2018 (the publication date for the TIF District Ordinance). The boundaries of the Redevelopment District are on *Exhibit A* to this Resolution, and the boundaries of the proposed Project Area are on *Exhibit B* attached to

this Resolution. A sketch of the Redevelopment District, with the Project Area labeled as “Project 1” and depicted in blue thereon, is also attached to this Resolution as *Exhibit C*.

Section 3. The Proposed Project Plan, including a summary of the feasibility study, the relocation assistance plan, if required, and a description and map of the proposed Project Area, are available for inspection during regular business hours in the office of the City Clerk of the City. There are no financial guarantees of the prospective developer of the Proposed Project Area.

Section 4. A copy of this Resolution (including the Exhibits) shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing and sent by certified mail, return receipt requested, to the Board of Commissioners of Johnson County, the Board of Education of Unified School District No. 231 and the Board of Directors of Fire District No. 1 of Johnson County. Copies of this Resolution also shall be sent by certified mail, return receipt requested, to each owner and occupant of land within the Project Area not more than 10 days following the date of adoption of this Resolution.

Section 5. 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 November 5, 2018.

CITY OF GARDNER, KANSAS

(Seal)

/s/

Mayor

ATTEST:

/s/

City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT

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.

EXHIBIT B

LEGAL DESCRIPTION OF PROJECT AREA

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 a part of Lot 1 MOONLIGHT PLAZA CENTER, 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 $02^{\circ}07'55''$ E along the East line of said Southeast Quarter, 1755.65 feet to the centerline of Lincoln Lane extended; thence S $88^{\circ}27'57''$ W along said centerline, 956.45 feet to the Point of Beginning;

thence continuing S $88^{\circ}27'57''$ W along said centerline extended, 536.95 feet to a point on the East line of said WHITE ACRES;

thence S $02^{\circ}05'19''$ E, along the East line of said WHITE ACRES, 601.53 feet to the Northeast corner of said Lot 47, WHITE ACRES;

thence S $88^{\circ}04'45''$ W, along the North line of said Lot 47, 120.00 feet to the Northwest corner thereof;

thence S $01^{\circ}53'27''$ E, along the West line of said Lot 47, 103.77 feet to the Southwest corner thereof;

thence N $88^{\circ}04'45''$ E, along the South line of said Lot 47, 120.00 feet to the Southeast corner thereof;

thence S $01^{\circ}53'27''$ 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 $88^{\circ}24'06''$ 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 $02^{\circ}06'59''$ W, along the West line of said Lot 1, QUIKTRIP STORE NO. 249, 298.13 feet to the Northwest corner thereof;

thence N $87^{\circ}51'18''$ 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 Lot 1, MOONLIGHT PLAZA CENTER, extended, said line being 45.00 feet east of and parallel with the west line of said MOONLIGHT PLAZA CENTER, 819.86 feet to the Point of Beginning;

EXCEPT the North 40.00 feet thereof dedicated for Lincoln Lane right of way.

Said parcel contains 361,073 square feet, or 8.289 acres, more or less, exclusive of existing Lincoln Lane right of way.

EXHIBIT C

SKETCH OF PROJECT AREA

