

**RESOLUTION NO. 2030**

**A RESOLUTION OF THE CITY OF GARDNER, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT FOR A DEVELOPMENT PROJECT WITHIN THE CITY (GRATA DEVELOPMENT, LLC).**

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

**WHEREAS**, Grata Development, LLC (the “Developer”), has proposed to develop certain commercial and residential improvements, along with certain related infrastructure (collectively, the “Project”), within the City;

**WHEREAS**, the Developer has requested that the City: (i) design and construct certain infrastructure to facilitate development of the Project; (ii) consider requests to create certain community improvement districts (the “CIDs”) and to levy 1.0% add on sales taxes on certain property within the Project to finance portions of the Project; and (iii) consider requests to issue industrial revenue bonds on certain multifamily residential components of the Project to provide sales tax exemption on construction materials and an abatement of 75% of ad valorem property taxes on such components; and

**WHEREAS**, the City has determined that it is necessary and desirable to set forth the terms and conditions the agreement by and between the City and the Developer relating to the Project;

**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 Development Agreement (the “Development Agreement”) by and between the City and the Developer in substantially the form presented to and reviewed by the Governing Body on the date of this Resolution (copies of this document are on file in the records of the City) with such changes therein as shall be approved by the Mayor, with the Mayor’s signature thereon being conclusive evidence of his approval thereof, and the same are hereby approved in all respects.

**Section 2.** The Mayor, City Clerk, and other officers and representatives of the City are hereby authorized and directed to execute, seal, attest and deliver the Development 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 October 7, 2019.

**CITY OF GARDNER, KANSAS**

(Seal)

\_\_\_\_\_  
/s/  
Mayor

ATTEST:

\_\_\_\_\_  
/s/  
City Clerk