

[Summary Published in *The Gardner News* on July 15, 2020]

**ORDINANCE NO. 2041**

**AN ORDINANCE APPROVING AND ADOPTING REDEVELOPMENT  
PROJECT PLAN A1 WITHIN THE EDGERTON HOMESTEAD LANE  
RETAIL DISTRICT REDEVELOPMENT (TIF) DISTRICT PROJECT IN  
THE CITY OF EDGERTON, KANSAS**

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

**WHEREAS**, in order to promote, stimulate and develop the general and economic welfare of the City of Edgerton, Kansas (the “City”), the Edgerton City Council on August 22, 2019 adopted Ordinance No. 2021 establishing a Redevelopment District (the “District”) pursuant to the Act;

**WHEREAS**, pursuant to the Act, the City, in cooperation with the Edgerton Planning Commission, prepared a Redevelopment Project Plan for an area within the District (“Project Plan A1”); and

**WHEREAS**, Project Plan A1 was found by the Edgerton Planning Commission on April 14, 2020 to be consistent with the intent of the comprehensive plan for the development of the City, and such finding is included in Planning Commission Resolution No. 04-14-20A;

**WHEREAS**, the purpose of Project Plan A1 is to construct a truck stop, truck parking, truck maintenance facility, truck wash, restaurants, and associated infrastructure and site work (the “Project”);

**WHEREAS**, Project Plan A1 provides for reimbursement to the Project developer for various TIF eligible expenses associated with the development of the Project and reimbursement to the City for TIF eligible costs associated with certain public infrastructure improvements, all as described in more detail in Project Plan A1;

**WHEREAS**, pursuant to Resolution No. 05-28-20C adopted on May 28, 2020, the City gave notice of its intent to consider Project Plan A1 and conduct a public hearing on the proposed Project Plan A1 at this meeting;

**WHEREAS**, a feasibility study has been completed which indicates the benefits derived from Project Plan A1 are significant;

**WHEREAS**, in accordance with the Act, Project Plan A1, including a summary of the

feasibility study and a description and map of the area to be redeveloped, has been on file in the office of the City Clerk and available for viewing during regular office hours; and

**WHEREAS**, the City will require that the Project developer enter into a Disposition and Development Agreement with the City that establishes the terms for implementing Project Plan A1.

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

**Section 1. Approval of Project Plan A1.** Project Plan A1, a copy of which is on file and available for inspection in the office of the City Clerk, is hereby adopted and approved.

**Section 2. Project Plan A1 Boundary.** The boundary of the Project Plan A1 area is legally described as follows:

All that part of the NW 1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW 1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW 1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 201108 at Page 001191, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 320.00 feet and a central angle of 21° 31' 36", an arc distance of 120.23 feet; thence S 30° 41' 48" W, a distance of 59.41 feet, to a point on the North line of the South Half of the NW 1/4 of said Section 10; thence S 1° 47' 20" E, a distance of 638.10 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.79 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 12.162 acres, more or less.

**Section 3. Ordinance Transmittal.** In accordance with the Act, following publication of the summary of this Ordinance, the City Clerk is authorized and directed to transmit a copy of the description of the land within the Project Plan A1 and a map indicating the boundaries of Project Plan A1 to the County Clerk, County Assessor, County Treasurer and Board of County Commissioners of Johnson County, Kansas, and the Board of Education of Unified School District

No. 231 of Johnson County, Kansas.

**Section 4. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by a 2/3 vote of the Governing Board of the City and publication in an official City newspaper.

**PASSED** by the Council of the City of Edgerton, Kansas, this 9<sup>th</sup> day of July, 2019.

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Donald Roberts, Mayor

[SEAL]

ATTEST:

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Chris Clinton, City Clerk

Approved as to form:

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Scott W. Anderson, Bond Counsel