

RESOLUTION NO. 09-22-22C

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF EDGERTON, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the State of Kansas (the “State”) with a population of less than 60,000 to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the Governing Body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the Governing Body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the findings contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Edgerton, Kansas (the “City”) has a population of less than 60,000 and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Elevate Edgerton performed a Housing Assessment dated December 2020 (the “Housing Study”) for the City, a copy of which is on file in the office of the City Clerk; and

WHEREAS, based on the Housing Study, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

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

Section 1. The Governing Body adopts and incorporates by reference as part of this Resolution the Housing Study, and based on a review of said Housing Study makes the following findings and determinations.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to future economic growth and development in the City.

Section 5. The Governing Body hereby finds and determines that the future economic wellbeing of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 6. Based on the findings and determinations contained in Sections 2 through 5 of this Resolution, the Governing Body proposes to establish a rural Housing Incentive District pursuant to the Act on the property legally described in **Exhibit A**. A depiction of the parcels included within the boundaries is shown in **Exhibit B**.

Section 7. This Resolution shall be published once in the official newspaper of the City.

Section 8. This Resolution shall be in full force and effect from and after its adoption.

PASSED AND ADOPTED by the Governing Body for the City of Edgerton, Kansas this 22nd day of September, 2022.

CITY OF EDGERTON, KANSAS

By: /s/
Donald Roberts, Mayor

[SEAL]

ATTEST:

/s/
Alexandria Clower, City Clerk

Approved as to form:

/s/

Scott W. Anderson, Economic Development Counsel

EXHIBIT A

Legal Description

The North Half of the Northeast Quarter of Section 13, Township 15 South, Range 21 East, Johnson County, Kansas, EXCEPT that part described as follows:

All that part of the Northeast Quarter of Section 13, Township 15, Range 21, Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the East line of said Northeast $\frac{1}{4}$ of said Section 13 and 376.40 feet South of the Northeast corner thereof; thence West a distance of 35.00 feet; thence South parallel to the East line of said Northeast $\frac{1}{4}$ a distance of 200 feet; thence East a distance of 35.00 feet; thence North along the East line of said Northeast $\frac{1}{4}$ a distance of 200.00 feet to the point of beginning, all subject to that part thereof dedicated for existing public road right-of-way containing 0.161 acres, including 0.092 acres, more or less, of existing public road right-of-way and 0.069 acres, more or less, of new right-of-way.

EXHIBIT B

Depiction of Parcel

Kansas UPN 0462161301001001000

