

RESOLUTION NO. 08-27-20B

A RESOLUTION PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF A COMMUNITY IMPROVEMENT DISTRICT (ON THE GO TRAVEL PLAZA)

WHEREAS, K.S.A. 12-6a26 *et seq.*, as amended, establishes the Community Improvement District Act (the “Act”) for economic development and any other purpose for which public money may be expended; and

WHEREAS, a city is authorized to create a community improvement district (the “CID”) to assist with the financing of eligible projects, provided the city complies with the procedures set forth in the Act; and

WHEREAS, the City of Edgerton, Kansas (the “City”) has received a petition (the “Petition”) from the owners of record of 100% of the land within the proposed CID and the owners of 100% by assessed value of the land area within the proposed CID generally described as 12.162 acres located in the northeast corner of Interstate 35 and Homestead Lane and legally described in **Section 8** of this Resolution; and

WHEREAS, in order to assist in the development and redevelopment of the CID project, the City desires to consider the establishment of a CID as requested by Petitioner and in accordance with the Act; and

WHEREAS, K.S.A. 12-6a29 provides that any city proposing to establish a CID must adopt a resolution stating that the city is considering the establishment of a CID and include in such resolution notice that a public hearing will be held to consider the establishment of the CID.

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

Section 1. A public hearing to consider the advisability of creating a CID shall be held at the City Council meeting on September 24, 2020, at 7:00pm, or as soon thereafter as practical, at the Edgerton Community Building, 404 E. Nelson Street, Edgerton, Kansas.

Section 2. The general nature of the CID project (the “CID Project”) includes the construction of public infrastructure in, adjacent to or substantially for the benefit of, the private project located within the CID, including, but not limited to, roads, storm sewer, sidewalks, trails, street lights, traffic signals, and sanitary sewer, along with ongoing operation and maintenance costs and other any other items or uses associated with the CID project as authorized by the Act.

Section 3. The estimated total cost of the CID Project is \$1,707,033.

Section 4. The proposed method of financing the CID Project is through a combination of City funds, City debt financing and pay-as-you-go CID financing reimbursed with a CID sales tax in the amount of one percent (1%). The City will not be issuing full faith and credit bonds to finance this proposed CID Project.

Section 5. The amount of the CID sales tax to be levied is one percent (1%) for a term of twenty-two (22) years from the date the CID sales tax is first collected. The proposed start date for collecting the CID sales tax is January 1, 2021.

Section 6. There will be no CID special assessment levied on the property as a result of the CID petition.

Section 7. A map of the proposed CID is attached as **Exhibit A**.

Section 8. The legal description of the proposed CID is 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 9. The Governing Body shall consider findings necessary for the establishment of the proposed CID.

Section 10. The City Clerk shall mail a copy of this Resolution by certified mail, return receipt requested, to each owner and occupant of land within the proposed CID

Project area at least 10 days prior to the date of the public hearing. The City Clerk shall publish this Resolution at least once each week for two consecutive weeks in the official city newspaper with the second publication occurring at least seven days prior to the date fixed for the public hearing.

Section 11. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED this 27th day of August, 2020.

CITY OF EDGERTON, KANSAS

[SEAL]

By: _____
Donald Roberts, Mayor

ATTEST:

Chris Clinton, City Clerk

Approved as to form:

Scott W. Anderson
Economic Development Counsel

Map of Boundaries of CID

