

[Summary Published in *The Gardner News* on August 28, 2019]

ORDINANCE NO. 2020

**AN ORDINANCE MAKING FINDINGS AND ESTABLISHING A
REDEVELOPMENT DISTRICT WITHIN THE CITY OF EDGERTON,
KANSAS (EDGERTON OFFICE PROJECTS)**

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

WHEREAS, pursuant to the Act, the Governing Body of the City adopted Resolution No. 07-11-19C (the “Resolution”) on July 11, 2019, finding and determining that it is desirable to encourage the development and redevelopment of certain real property within the City generally located at the northwest corner of 191st and Waverly Road, and to consider the establishment of a tax increment financing redevelopment district at such location (the “Redevelopment District”);

WHEREAS, the Resolution provided for a notice of a public hearing considering the establishment of the Redevelopment District to be given in accordance with the Act and that said public hearing would be held on August 22, 2019;

WHEREAS, a notice of the public hearing was duly given in accordance with the Act;

WHEREAS, on this date the Governing Body of the City conducted and concluded a public hearing on the Redevelopment District;

WHEREAS, areas that are determined by the governing body of a city to be “blighted” as described in K.S.A. 12-1770a(c) are eligible to be considered for the financing of redevelopment projects pursuant to the Act;

WHEREAS, the Governing Body of the City has reviewed a Certification of Land Surveyor which states that 6.37 acres out of the 11.448 acres in the proposed Redevelopment District are located in a 100-year floodplain area; and

WHEREAS, a majority (55.6%) of the proposed Redevelopment District is within a 100-year floodplain area;

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

Section 1. Blighted; Findings of Fact. The Governing Body of the City hereby finds and determines that a majority of the Redevelopment District is located within a 100-year

floodplain which makes the Redevelopment District a “blighted area” as defined in K.S.A. 12-1770a(c)(3), which makes it an “eligible area” as defined by the Act. The Governing Body of the City hereby finds and determines that the redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City.

Section 2. Redevelopment District Plan. The district plan for the Redevelopment District includes two redevelopment project areas. Project area A is identified as Lot 1 on the sketch attached hereto as **Exhibit A**. Project area B is identified as Lot 2 on the sketch attached hereto as **Exhibit A**. Both project areas will contain a multi-story office building, along with associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities, and other associated and appurtenant structures and facilities.

Section 3. Redevelopment District Description. A sketch of the area to be included in the Redevelopment District is attached hereto as **Exhibit A**. The legal description of the Redevelopment District is set forth on **Exhibit B** attached hereto and incorporated herein by reference.

Section 4. Boundaries. The Redevelopment District is within the boundaries approved by the resolution setting the hearing for the proposed Redevelopment District and published in the notice of the public hearing.

Section 5. Establishment of Redevelopment District. The Governing Body of the City hereby establishes the Redevelopment District in compliance with the Act.

Section 6. Ability to Terminate. The Redevelopment District may be terminated by the Governing Body at any time by passage and publication of an ordinance; provided that following the execution and delivery of a redevelopment agreement or agreements by the City entered into between the City and an entity or entities with rights to develop property within the Redevelopment District, the termination of the Redevelopment District may be limited by the terms and conditions of such agreement or agreements.

Section 7. Project Plan Approval. Nothing contained in this Ordinance shall obligate the City to approve any project plan within the Redevelopment District.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Board of the City and publication in an official City newspaper.

PASSED by the Council of the City of Edgerton, Kansas, this 22nd day of August, 2019.

[SEAL]

ATTEST:





Donald Roberts, Mayor



Rachel A. James, City Clerk

Approved as to form:



Scott W. Anderson, Bond Counsel

Map of Boundaries of Proposed Redevelopment District

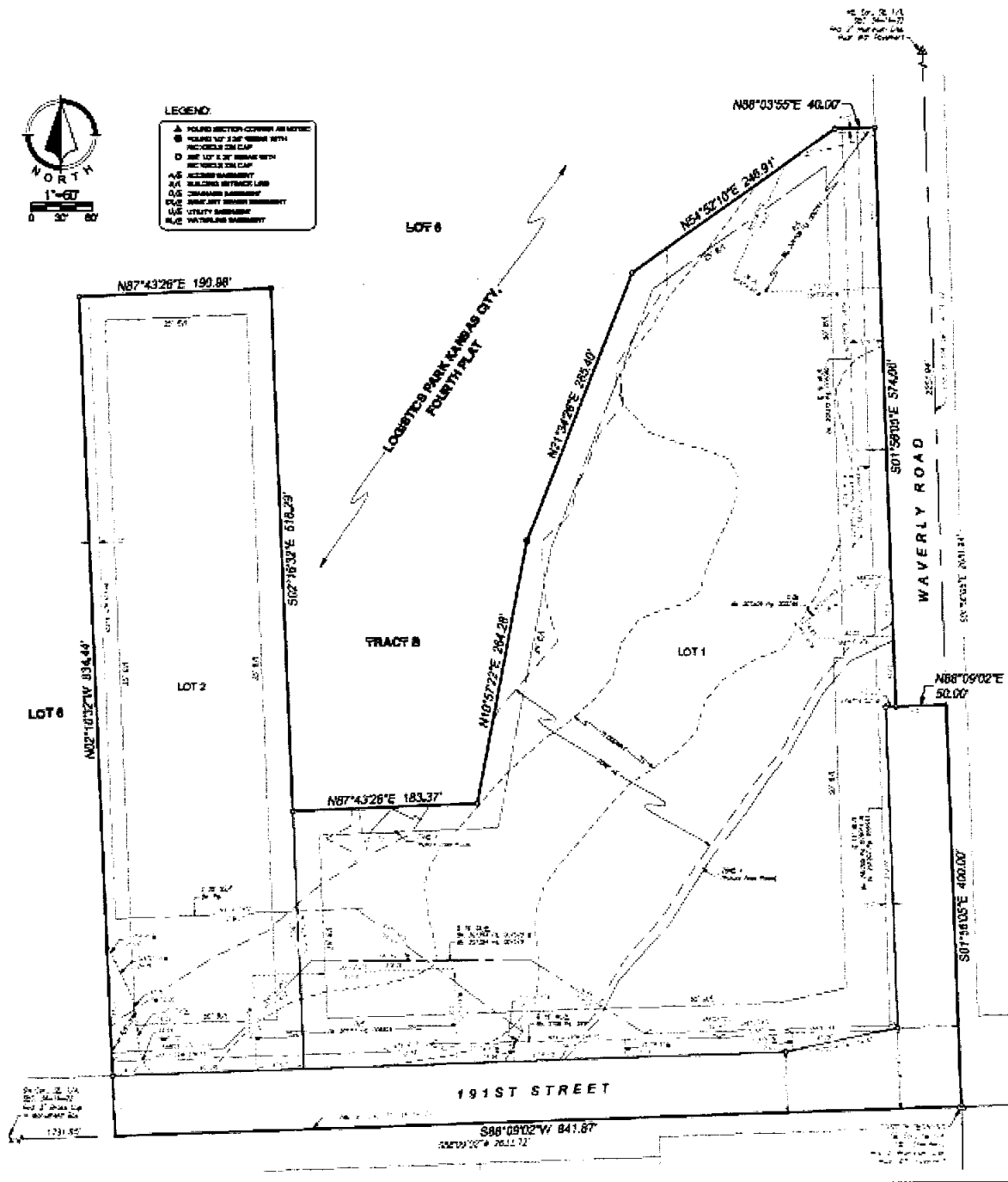


EXHIBIT B

Legal Description

All that part of the Southeast Quarter of Section 34, Township 14 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence South 88°09'02" West, coincident with the South line of said Southeast Quarter, a distance of 841.87 feet; thence departing said South line, North 02°16'32" West a distance of 60.00 feet to the Southeast corner of Lot 6, LOGISTICS PARK KANSAS CITY, FOURTH PLAT, a subdivision in said City, said point also the Point of Beginning; thence continuing North 02°16'32" West, coincident with the East line of said Lot 6, a distance of 774.44 feet; thence North 87°43'28" East, coincident with the South line of said Lot 6, a distance of 190.98 feet to the Northwest corner of Tract B of said LOGISTICS PARK KANSAS CITY, FOURTH PLAT; thence South 02°16'32" East, coincident with the West line of said Tract B, a distance of 518.29 feet to the Southwest corner thereof; thence North 87°43'28" East, coincident with the South line of said Tract B, a distance of 183.37 feet to the Southeast corner thereof; thence North 10°57'22" East, coincident with the East line of said Tract B, a distance of 264.28 feet; thence North 21°34'26" East, continuing along said East line, a distance of 285.40 feet to the Northeast corner of said Tract B; thence North 54°52'10" East, coincident with the South line of said Lot 6, a distance of 246.91 feet; thence North 88°03'55" East, continuing along said South line, a distance of 40.00 feet to a point on the West right-of-way line of Waverly Road, as it now exists; thence South 01°56'05 East, coincident with said West right-of-way line, a distance of 574.06 feet; thence South 88°09'02" West, continuing along said West right-of-way line, a distance of 10.00 feet; thence South 01°56'05 East, continuing along said West right-of-way line, a distance of 319.86 feet to a point on the North right-of-way line of 191st Street, as it now exists; thence South 78°00'42" West, coincident with said North right-of-way line, a distance of 114.41 feet; thence South 88°09'02" West, continuing along said North right-of-way line, a distance of 669.58 feet to the Point of Beginning, containing 498,649 square feet, or 11.447 acres, more or less.