

City of Garnett Resolution No. 8/9/16-1  
An. County Board of County Comm. Resolution No. \_\_\_\_\_  
Brd. of Ed. of U.S.D. #365 Resolution No. \_\_\_\_\_

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A RESOLUTION AUTHORIZING THE EXTENSION BY RE-ADOPTION BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS, THE BOARD OF COUNTY COMMISSIONERS OF ANDERSON COUNTY, KANSAS AND THE BOARD OF EDUCATION OF U.S.D. #365 OF THAT CERTAIN PLAN OF THE CITY OF GARNETT, KANSAS TO DESIGNATE CERTAIN LAND WITHIN SAID CITY AS A NEIGHBORHOOD REVITALIZATION AREA; PROVIDING FOR TEMPORARY FREEZE OF PRE-REVITALIZATION APPRAISED VALUES OF PROPERTIES IMPACTED BY CERTAIN DISASTERS; ESTABLISHING A NEIGHBORHOOD REVITALIZATION FUND BY THE CITY OF GARNETT, ANDERSON COUNTY, KANSAS, AND THE BOARD OF EDUCATION OF U.S.D. #365; AND AUTHORIZING THE CITY OF GARNETT, KANSAS, ANDERSON COUNTY, KANSAS, AND U.S.D. #365 TO EXTEND INTO AN INTERLOCAL AGREEMENT.  
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WHEREAS, the Governing Body of the City of Garnett, Kansas, ("City"), the Board of County Commissioners of Anderson County, Kansas, ("County") and the Board of Education of U.S.D. #365 ("School District") have, after one or more public hearings, found that one or more of the conditions as described in K.S.A. 12-17,115 (c), and amendments thereto, exist in certain areas of the City of Garnett, Kansas, and that the rehabilitation, conservation, or redevelopment of the area is necessary to protect the public health, safety or welfare of the residents of the municipality; and,

WHEREAS, K.S.A. 12-17,116 permits the Governing Body of any municipality and other affected parties to adopt a plan for the revitalization of such area under the criteria set forth in K.S.A. 12-17,117 et seq., and in such plan to designate any such areas as a Neighborhood Revitalization Area; and,

WHEREAS, the City, County and School District have found certain areas within the City, more particularly described in this resolution, to meet the one or more conditions of the statute to permit them to be, and continue to be, designated a Neighborhood Revitalization Area; and,

WHEREAS, the City's experience with the plan for revitalization of the said area has been positive, but due to continued limited utilization has provided less than complete revitalization of said area.

NOW, THEREFORE, BE IT RESOLVED by the City, County and School District that the City's Neighborhood Revitalization Plan, adopted in 2001 for a period of two years and extended in substantially the same form from time to time for like periods ("Plan") be and the same is hereby re-adopted and extended to and including June 30, 2018, in the same form as just recently expired, whereby the following described real estate, in Anderson

County, Kansas, to-wit:

1. Central Business, Office and Institutional Areas.

All of Blocks 34, 35, 46, 47, 54, 55, 67 in the City of Garnett; all that part of Blocks 66, 67, 74 and 75 in the City of Garnett lying north of the Union Pacific railroad right of way; and all that part of Blocks 2 and 9 in the Chapman's Addition to the City of Garnett lying north of the Union Pacific railroad right of way.

2. Remainder of the City. All of rest of the incorporated area of the City of Garnett, Kansas, including any additional area or areas annexed after the date of adoption of this resolution.

within said City shall continue as the designated "Neighborhood Revitalization Area."

BE IT FURTHER RESOLVED that in the event of a common disaster affecting multiple properties within the City of Garnett, Kansas, and which results in such properties being:

(a) declared a disaster area by the Federal Emergency Management Agency (FEMA) or other federal government agency having or assuming jurisdiction and which declaration thereby entitles the owner to federal funding assistance;

(b) in the absence of such a federal declaration, is declared a disaster area by the Governor of Kansas or an appropriate state agency thereby entitling the owner to state funding assistance; or,

(c) in the absence of either of the above, such damage is so widespread that the governmental entities adopting this Resolution declare a local emergency to exist;

then, and in any of those events, the phrase "appraised property value before revitalization work is started", as the said phrase is used in and throughout the Neighborhood Revitalization Plan for the City of Garnett, Kansas, attached as Exhibit A and originally adopted by the City of Garnett, Kansas, Anderson County Board of County Commissioners and the Board of Education of U.S.D. #365, respectively in resolutions 6/12/01-1, 2001,061821 and 01-02-14, shall be frozen at the appraised value of such property for the calendar year immediately preceding the occurrence of such disaster and shall remain frozen at such figure for a period of three additional calendar years subsequent to such disaster.

BE IT FURTHER RESOLVED that there be re-established and continued the "Neighborhood Revitalization Fund" to be administered by the County to deposit and transfer property tax increment rebate monies in the administration of the City's Plan.

BE IT FURTHER RESOLVED that the City, County and School District be and they are hereby authorized to extend that certain interlocal agreement among the three entities as has existed from the inception in 2001 of the Plan, for the purpose of jointly participating in the granting of property tax incentives to approved properties located within the designated "Neighborhood Revitalization Area" and in accordance with the terms and conditions of the Plan.

IN WITNESS WHEREOF, the above Resolution is ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the City of Garnett, Kansas.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

\_\_\_\_\_  
City Clerk

[Resolution continues on next two pages with testimonium clauses and signatures for Anderson County Kansas and U.S.D. #365 Board of Education.]

IN WITNESS WHEREOF, the above Resolution is **ADOPTED** this  
\_\_\_\_ day of \_\_\_\_\_, 2016, by the Board of County  
Commissioners of Anderson County, Kansas.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

\_\_\_\_\_  
County Clerk

IN WITNESS WHEREOF, the above Resolution is **ADOPTED** this  
\_\_\_\_ day of \_\_\_\_\_, 2016, by the Board of Unified  
School District #365.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Clerk of the Board