

City of Garnett Resolution No. _____
 An. County Board of County Comm. Resolution No. _____
 Brd. of Ed. of U.S.D. #365 Resolution No. _____

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; 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 EXISTING INTERLOCAL AGREEMENT.

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 an initial period of two years ("Plan") and extended in substantially the same form from time to time be and the same is hereby modified, re-adopted and extended for a period from date hereof to June 30, 2023, whereby the following described real estate, in Anderson County, Kansas, to-wit:

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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. **Multi-family and Suburban Residential Areas.** All of Bronston Heights, Holloran, Williams and Meliza Additions to the City of Garnett; all that part of Chapman's Addition to the City of Garnett lying south of the Union Pacific railroad right of way as is in the S½ of Blocks 12 and 13 and as is in any part of Blocks 17, 18, 19, 23, 24 and 25; Blocks 3, 4, 5 and 6, 10 through 19, inclusive, and 24, 25, 26, 27 and 28 in the Mandovi Addition to the City of Garnett; Lots 8 through 17, inclusive, in Block 45 in the City of Garnett; and all of Blocks 56 through 65, inclusive, and Blocks 76 through 80, inclusive, in the City of Garnett.

3. **Industrial Areas.** Lots 7 through 12, inclusive, and Lot 14, all in the Maggio Addition to the City of Garnett; Lots 13 through 18, inclusive, in Block 43, the S½ of Block 44 and Lots 18 through 24, inclusive, in Block 45 in the City of Garnett; all that part of Blocks 66 and 75 in the City of Garnett lying south of the Union Pacific railroad right of way; Blocks 1, 2, 7, 8, 9, 20, 21, 22 and 23 of the Mandovi Addition to the City of Garnett; all that part of Chapman's Addition to the City of Garnett lying south of the Union Pacific railroad right of way except such thereof as is in the S½ of Blocks 12 and 13 and in any part of Blocks 17, 18, 19, 23, 24 and 25; Golden Prairie Industrial Park; Ellis Addition to the City of Garnett; and Warner Addition to the City of Garnett.

4. **General Business Areas.** Prairie Plaza Addition to the City of Garnett; the unplatted area adjacent to U.S. Hwy #169, lying generally southeast of the Prairie Plaza Addition; all of the General Business District (B-1) which abuts Maple Street within the City of Garnett; and any lands which are annexed by the City of Garnett during the term of this extension of the Plan, which are, or which become, classified as "General Business District (B-1).

5. **Additional Areas.** All that part of the following platted areas which are not included in the above four areas, to-wit: the remainder of the original plat of

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the City of Garnett; all or the remainder of Chapman's Addition and Mandovi Addition; all of Farris Addition; all of Smith's Addition; all of Kim Addition; all of Troyer Addition; and all of Lizer Addition.

within said City is designated as a "Neighborhood Revitalization Area."

BE IT FURTHER RESOLVED by the City and the School District (but NOT by the County) that the City's Neighborhood Revitalization Plan, adopted in 2001 for an initial period of two years ("Plan") and extended in substantially the same form from time to time be and the same is hereby modified, re-adopted and extended for a period from date hereof to June 30, 2023, whereby the following described, additional real estate in Anderson County, Kansas, to-wit:

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

within said City is designated as a "Neighborhood Revitalization Area" with respect to the City and the School District.

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, as herein re-adopted and extended.

[Resolution continues on next three pages with testimonium clauses and signatures for all parties, each on a separate page. Balance of this page intentionally left blank.]

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IN WITNESS WHEREOF, the above Resolution is **ADOPTED** this
____ day of _____, 2018, by the City of Garnett,
Kansas.

Mayor

Commissioner

Commissioner

ATTEST:

City Clerk

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IN WITNESS WHEREOF, the above Resolution is **ADOPTED** this
_____ day of _____, 2018, by the Board of County
Commissioners of Anderson County, Kansas.

Commissioner

Commissioner

Commissioner

ATTEST:

County Clerk

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IN WITNESS WHEREOF, the above Resolution is **ADOPTED** this
_____ day of _____, 2018, by the Board of Unified
School District #365.

President

ATTEST:

Clerk of the Board

MEMORANDUM OF EXTENSION OF
INTERLOCAL AGREEMENT

THIS MEMORANDUM OF EXTENSION (hereinafter referred to as "Extension"), referencing the City of Garnett, Kansas, Neighborhood Revitalization Plan (hereinafter referred to as "Plan"), executed to be effective as of the date the last of the parties sign, by and between the CITY OF GARNETT, KANSAS, a duly organized municipal corporation hereinafter referred to as "City"; BOARD OF COUNTY COMMISSIONERS OF ANDERSON COUNTY, KANSAS, hereinafter referred to as "County"; and the BOARD OF EDUCATION OF U.S.D. #365 (hereinafter referred to as "School District").

WHEREAS, pursuant to K.S.A. 12-2904 the above named public agencies did enter into an interlocal agreement to perform jointly in executing a program of neighborhood revitalization within the City of Garnett, Kansas, referred to as the Plan; and

WHEREAS, it remains the desire and intent of the parties hereto to provide the maximum economic development incentive as provided for in K.S.A. 12-17,199 under the Plan, by acting jointly; and,

WHEREAS, the Plan has been ratified, readopted, amended and extended by all three public agencies, now to expire on June 30, 2009, and the parties have been authorized to and desire to, by these presents, extend the said interlocal agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. The interlocal agreement originally entered into between and among the parties dated July 5, 2001, for an initial period of two years and subsequently extended from time to time such that said agreement will expire June 30, 2018, is hereby ratified, confirmed and extended to remain in effect until June 30, 2023.

2. The parties agree that all terms and conditions of the said interlocal agreement shall be and continue in full force and effect, the same as if as set forth herein word for word.

This memorandum of extension is executed pursuant to Resolution _____ of the City of Garnett, Kansas, Resolution _____ of the Board of County Commissioners of Anderson County, Kansas, and _____ of the Board of Education USD #365, and shall be deemed an extension thereof as contemplated in Paragraph 3 of said interlocal agreement.

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IN WITNESS WHEREOF, the parties have hereunto executed this memorandum, effective immediately upon signature by all parties.

ATTEST:

City Clerk

CITY OF GARNETT, KANSAS
by _____
Mayor

ATTEST:

County Clerk

BOARD OF COUNTY COMMISSIONERS
OF ANDERSON COUNTY, KANSAS

Commissioner

Commissioner

Commissioner

ATTEST:

Clerk of the Board

BOARD OF EDUCATION, U.S.D.#365
by _____
President of the Board