

(Published in The Legal Record on April \_\_\_\_, 2019)

**ORDINANCE NO. 2465**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DE SOTO, KANSAS MAKING FINDINGS AND ESTABLISHING A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.**

**WHEREAS**, pursuant to the provisions of K.S.A. 12-1770 et seq., as amended (the “Act”), the City of De Soto, Kansas (the “City”) is authorized to establish redevelopment districts within a defined area of the City which is an area within the City that was designated as an enterprise zone prior to July 1, 1992, and is therefore an “eligible area” as said term is defined in the Act; and

**WHEREAS**, the City Council (the “Governing Body”) adopted Resolution No. 1008 on March 7, 2019 calling for a public hearing considering the establishment of a redevelopment district to be held by the Governing Body on April 18, 2019; and

**WHEREAS**, notice of the public hearing was given as required by the Act; and

**WHEREAS**, the public hearing was held on April 18, 2019 and closed on the same day; and

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DE SOTO, KANSAS:**

**Section 1. Findings.** The Governing Body hereby finds that:

(a) the real property described in **Exhibit A** (the “Redevelopment District”) attached hereto is an eligible area for being designated as a redevelopment district pursuant to the Act because the real property is in an area within the City that was designated as an enterprise zone prior to July 1, 1992;

(b) the real property described in **Exhibit A** does not contain any real property that was not designated in the notice of public hearing given as required by the Act and Resolution No. 1008;

(c) the conservation, development or redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City; and

(d) due notice of the public hearing conducted on April 18, 2019 was made in accordance with the Act.

**Section 2. Creation of TIF District.** The Governing Body hereby establishes the Redevelopment District, which shall consist of a single project area, depicted on the map and legally described in **Exhibit A** hereto. The district plan is hereby approved, and consists of buildings and facilities to be constructed within the Redevelopment District which may include those generally described as follows:

New retail and office development to include a national retail supplier, a national restaurant

establishment, local retail, and professional office uses, including medical, associated public and private infrastructure, and other items allowable under the Act.

**Section 3. Approval of Other Governmental Units.** No privately owned property subject to ad valorem taxation within the Redevelopment District shall be acquired and redeveloped pursuant to the Act, if the Board of County Commissioners of Johnson County, Kansas or the Board of Education of Unified School District No. 232 determines by resolution adopted within thirty days following the public hearing held this date, that the Redevelopment District will have an adverse effect on Johnson County or Unified School District No. 232, respectively.

**Section 4. Further Action.** The Mayor, City Manager, City Clerk and other officials and employees of the City, including the City Attorney, City consultants, and Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

**Section 5. Effective Date.** This Ordinance shall be effective upon its passage by the Governing Body and publication one time in the official City newspaper.

**PASSED** by of the Governing Body of the City of De Soto, Kansas on April 18, 2019 and **APPROVED AND SIGNED** by the Mayor.

[SEAL]

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Mayor

Attest:

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City Clerk

# EXHIBIT A

## MAP AND LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT

The following property located in Johnson County, De Soto, Kansas:

