

(Published in *The Wichita Eagle* on January 9, 2015)

ORDINANCE NO. 49-914

AN ORDINANCE CREATING A COMMUNITY IMPROVEMENT DISTRICT (RIVER VISTA VILLAGE PROJECT) IN THE CITY OF WICHITA, KANSAS; AUTHORIZING A CERTAIN PROJECT THEREIN; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT; CONTAINING THE LEGAL DESCRIPTION AND MAP OF THE BOUNDARIES OF THE DISTRICT; APPROVING THE MAXIMUM AMOUNT AND METHOD OF ASSESSMENT; AND APPROVING THE METHOD OF FINANCING THE PROJECT.

WHEREAS, the governing body of the City of Wichita, Kansas (the "City"), has heretofore received a Petition pursuant to K.S.A. 12-6a26 *et seq.* (the "Act") and adopted Resolution No. 14-335 of the City, containing the time and place of a public hearing on the advisability of creating a community improvement district in the City (the "District"), the general nature of proposed projects within the District (collectively, the "Project"), the estimated costs of the Project, the proposed method of financing the Project, the proposed amount and method of assessment, if any, and a map and legal description of the proposed District; and

WHEREAS, Resolution No. 14-335 was published once a week for two consecutive weeks in *The Wichita Eagle*, the official City newspaper, on November 28, 2014 and December 5, 2014; and

WHEREAS, the governing body, on December 16, 2014, conducted a public hearing on advisability of creating the District; and

WHEREAS, the governing body hereby finds and determines it to be advisable to adopt this Ordinance to create the District, authorize the Project therein, approve the estimated costs of such Project, contain the legal description and map of the boundaries of the District, approve the maximum amount and method of assessment for the Project and approve the method of financing the Project, all in accordance with the provisions of the Act.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Creation of the River Vista Village Community Improvement District; Legal Description and Map.

The governing body hereby finds and determines that it is advisable to create, in accordance with the provisions of the Act, the River Vista Village Community Improvement District (the "District"). The legal description of the District is as follows:

Lot 1, Block 1, River Vista Village Addition to the City of Wichita, Sedgwick County, Kansas.

A map of the property contained in the District is set forth on *Schedule I* attached hereto and incorporated by reference herein.

SECTION 2. Authorization of Project; Estimated Costs.

(a) The governing body hereby authorizes the proposed community improvement district projects (the “Projects”) to be constructed and undertaken within the proposed District is as follows:

Construction of a multi-level parking structure (the “Parking Structure”) for approximately 251 vehicles and infrastructure improvements, including, but not limited to surface parking, streets, utilities, landscaping, irrigation, sidewalks, site lighting and site improvements.

(b) The estimated costs of the proposed Project is \$5,590,650, to be increased at the pro rata rate of 1 percent per month from and after the date of passage this ordinance creating the District:

SECTION 3. Method of Financing; Protest Period; No Sales Tax.

(a) The costs of the Project are proposed to be financed by full faith and credit general obligation bonds of the City as authorized by K.S.A. 12-6a36, or alternatively, by special obligation bonds as authorized by K.S.A. 12-6a35; payable from special assessments levied as set forth in *Section 4* hereof.

(b) There will be **no** community improvement district sales tax levied on property within the boundaries of the District.

SECTION 4. Special Assessments

There are hereby approved special assessments on property within the boundaries of the District, with the properties to be assessed, maximum amount, method of assessment and apportionment of cost for such Projects approved to be as follows:

100% of the costs of the Project (less the amount of any tax increment bond financing applied to the Parking Structure) shall be assessed on all real property within the boundaries of the District. The proposed method of assessment is all costs to Lot 1 described in subsection (a) above. In the event all or part of said Lot is replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis. Where the ownership of said Lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage and publication one time in the official City newspaper.

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PASSED by a majority vote of the City Council of the City of Wichita, Kansas, on January 6, 2015.

(SEAL)

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Sharon L. Dickgrafe, Interim Director of
Law and City Attorney

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CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original Ordinance No. 49-914 (the "Ordinance") of the City of Wichita, Kansas (the "City"); that said Ordinance was passed by the City Council on January 6, 2015, that the record of the final vote on its passage is found on page ____ of journal ____; that the Ordinance was published in the official newspaper of the City on January 9, 2015; and that the Ordinance has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: January 9, 2015.

Karen Sublett, City Clerk

SCHEDULE I

**MAP OF PROPOSED COMMUNITY IMPROVEMENT DISTRICT
(CID PROJECT AREA IS DESCRIBED AS "PHASE I LOT")**

