

(Published in *The Wichita Eagle* on March 6, 2015)

RESOLUTION NO. 15-045

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS STATING THAT THE CITY IS CONSIDERING A REDEVELOPMENT PROJECT PLAN FOR PROJECT AREA 1 WITHIN THE BOUNDARIES OF THE UNION STATION REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas (the “State”) as a city of the first class; and

WHEREAS, by Ordinance No. 49-839, passed October 14, 2014, and published October 17, 2014, the City established a redevelopment district pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), known as the Union Station Redevelopment District (the “District”), and

WHEREAS, the District Plan for the District provided that redevelopment of the District may be in several project areas within the District as set forth in separate redevelopment plans to be approved by the governing body of the City pursuant to the Act; and

WHEREAS, pursuant to Ordinance No. 49-938, passed February 10, 2015, and published February 13, 2015, a non-substantial amendment to Ordinance No. 49-839 and the District Plan was made by attaching a map of the proposed project areas; and

WHEREAS, the City has prepared a redevelopment project plan (the “Project Plan”) for the Union Station Project Area 1 (“Project Area 1”) within the District and is negotiating a redevelopment agreement with respect thereto and is considering adoption of the Project Plan; and

WHEREAS, on February 5, 2015, the Wichita Sedgwick County Metropolitan Area Planning Commission reviewed the proposed Project Plan and has adopted a resolution finding that the Project Plan is consistent with the comprehensive plan for the development of the City; and

WHEREAS, the City negotiated a Development Agreement, between Union Station LLC (the “Developer”) and the City (the “Development Agreement”) relating to the development, site preparation, utility relocation and extension and construction of public infrastructure improvements, landscaping and public plazas to be undertaken in conjunction with the development by the Developer of a mixed use development of renovation of existing buildings and construction of commercial use space within the District; and

WHEREAS, the City desires to call and conduct a public hearing under the provisions of the Act to consider approval of the Project Plan and the Development Agreement.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Project Plan. The City is considering the approval of the Project Plan, which includes the information required by the Act. The boundaries of the of the District and the Project Area 1 are set forth

on *Exhibit A* attached hereto and are legally described as set forth in *Exhibit B* attached hereto, the provisions of which are incorporated herein by reference.

Section 2. Plan Delivery, Development Agreement; Public Records. The City Clerk is directed to deliver a copy of the Project Plan to the Board of County Commissioners of Sedgwick County, Kansas and to the Board of Education of Unified School District No. 259. A copy of the Project Plan, a map of Project Area 1 to be redeveloped and the Development Agreement are public records and will be on file and available for public inspection during regular office hours in the office of the City Clerk, City Hall, 13th Floor, 455 N. Main, Wichita, Kansas.

Section 3. Public Hearing; Approval. Notice is hereby given that the City Council of the City will conduct a public hearing to consider the approval of the Project Plan and the Development Agreement on March 17, 2015, at 9:00 a.m., or as soon thereafter as the matter can be heard, in the City Council Chambers, City Hall, 455 N. Main, Wichita, Kansas. At the public hearing, the City Council will receive public comment on the Project Plan and Development Agreement, and may, after the conclusion of such public hearing, consider the passage of an ordinance that makes findings necessary pursuant to the Act for approval of the Project Plan and an ordinance approving the Development Agreement.

Section 4. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions:

(a) a copy of this Resolution shall be mailed by United States certified mail, return receipt requested, within 10 days of this date to: (i) the Board of County Commissioners of Sedgwick County, Kansas; (ii) the Board of Education of U.S.D. No. 259; and (iii) each owner and occupant of land within Project Area 1.

(b) a copy of this resolution, specifically including *Exhibits A* and *B* attached hereto, shall be published once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

Section 5. Further Authority. The Mayor, City Manager, City Clerk and the other officers and representatives of the City, including the City's bond counsel, are hereby authorized and directed to take such other action as may be necessary, appropriate or desirable to accomplish the purposes of this resolution.

Section 6. Effective Date This Resolution shall be in full force and effect from and after its adoption by the City Council.

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ADOPTED by the City Council of the City of Wichita, Kansas, on February 10, 2015.

(SEAL)

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

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

Exhibit B

**Legal Description
Project Area 1**

That part of the SW1/4 of Sec. 21, T27S, R1E of the 6th P.M., Sedgwick County, Kansas, described as beginning at the northeast corner of Lot 3, Union Station Addition, Wichita, Sedgwick County, Kansas; thence S00°00'00"W along the east line of said Lot 3, 170.72 feet; thence S89°56'00"W, 125.00 feet; thence S00°00'00"W, 138.00 feet; thence S90°00'00"W, 192.20 feet; thence N00°05'00"W, 32.23 feet; thence N89°55'00"E, 11.00 feet; thence N00°05'00"W, 28.00 feet; thence S89°55'00"W, 11.00 feet; thence N00°05'00"W, 169.79 feet; thence S89°56'00"W, 104.22 feet; thence N00°05'00"W, 78.47 feet to the north line of said addition; thence N89°56'00"E along said north line, 421.86 feet to the place of beginning along with the adjoining right-of-way of Douglas Avenue and Rock Island Avenue.