

**ORDINANCE NO. 49-915**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PROJECT PLAN AMENDMENT FOR THE WEST BANK APARTMENTS PROJECT AREA LOCATED WITHIN THE EAST BANK REDEVELOPMENT DISTRICT.**

**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 as a city of the first class; and

**WHEREAS**, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”) and Ordinance No. 42-966, passed December 12, 1995, and published December 15, 1995, the City Council (the “Governing Body”) of the City established a redevelopment district pursuant to the Act, known as the East Bank Redevelopment District (the “District”); and

**WHEREAS**, by Ordinance No. 45-339, passed June 25, 2002, and published June 29, 2002, the City removed certain property and reduced the boundaries of the District pursuant to K.S.A. 12-1771(g); and

**WHEREAS**, by Ordinance No. 46-407, passed November 23, 2004, and published November 29, 2004, the City added certain property and increased the boundaries of the District pursuant to K.S.A. 12-1771(f) and made a substantial change to the District Plan for the District; and

**WHEREAS**, the District Plan for the District provided that redevelopment of the District would be in several project areas within the District as set forth in separate redevelopment plans to be approved by the Governing Body pursuant to the Act; and

**WHEREAS**, pursuant to Ordinance No. 49-557, passed August 13, 2013, and published August 16, 2013, a non-substantial amendment to Ordinance No. 46-407 and the District Plan was made by attaching a map of the proposed project areas; and

**WHEREAS**, by Ordinance No. 45-983, passed January 3, 2004, and published February 6, 2004, the City adopted a redevelopment project plan for the WaterWalk Redevelopment Project Area within the District; and

**WHEREAS**, the City prepared an additional redevelopment project plan for the West Bank Apartments Project Area (the “Project Area”), dated as of June 20, 2013, which includes, but is not limited to, the development and construction of public parking, street and signalization improvements and certain site and public improvements, all in conjunction with development of apartment and commercial structures by a private developer within the Project Area (the “Project Plan”); and

**WHEREAS**, on October 8, 2013, after complying with procedural requirements of the Act, by Ordinance No. 49-586, passed October 22, 2013, and published October 25, 2013, the City adopted the Project Plan; and

**WHEREAS**, the Act, particularly K.S.A. 12-1772(f), authorizes the Governing Body to approve substantial changes to the Project Plan, subject to public hearing, notice of which is provided by publication at least twice in the official City newspaper; and

**WHEREAS**, the City has prepared a Project Plan Amendment for the West Bank Apartments Project Area, dated as of November 2014 (the “Project Plan Amendment”), which modifies the scope of the public improvements described in the Project Plan, and is considering adoption of the Project Plan Amendment; and

**WHEREAS**, on December 16, 2014, after providing notice required by the Act, a public hearing on the Project Plan Amendment was opened, public comment was received by the Governing Body and the public hearing was closed; and

**WHEREAS**, the Governing Body is authorized by the Act to adopt the Project Plan Amendment by ordinance passed by not less than two-thirds vote of the Governing Body.

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

**Section 1. Project Plan Amendment Approval.** The Project Plan Amendment for the redevelopment of the Project Area within the District, together with all attachments and exhibits thereto, which is on file in the office of the City Clerk, is hereby adopted.

**Section 2. Financing Authorization.** The Governing Body hereby declares its intention to issue and sell, the Bonds, in order to implement the Project Plan Amendments. The Bonds may be issued to reimburse the City for such project costs pursuant to Treasury Regulation §1.150-2.

**Section 3. 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.

**Section 4. Notification.** The City Clerk shall cause to be transmitted copies of this Ordinance and the Project Plan Amendment to the Sedgwick County Board of County Commissioners, Clerk, Treasurer and Appraiser and to the Board of Education of Unified School District No. 259 (Wichita).

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**PASSED** by not less than two-thirds vote of the City Council of the City of Wichita, Kansas, on January 6, 2015.

(SEAL)

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

**APPROVED AS TO FORM:**

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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. 49-915 (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 a Summary of 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.

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Karen Sublett, City Clerk

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

**SUMMARY OF ORDINANCE NO. 49-[\_\_\_\_\_]**

On January 6, 2015, the City Council of the City of Wichita, Kansas (the “City”) passed an ordinance entitled:

**AN ORDINANCE ADOPTING A REDEVELOPMENT PROJECT PLAN AMENDMENT FOR THE WEST BANK APARTMENTS PROJECT AREA LOCATED WITHIN THE EAST BANK REDEVELOPMENT DISTRICT.**

Ordinance No. 49-[\_\_\_\_\_] (the “Ordinance”) approves an amendment (the “Amendment”) to the West Bank Apartments Project Plan, dated as of August 8, 2013, relating to the development and construction of public parking, street and signalization improvements and certain site and public improvements, all in conjunction with development of apartment and commercial structures within the West Bank Apartments Project Area of the East Bank Redevelopment District within the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 13th Floor, City Hall, 455 North Main, Wichita, Kansas 67202. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at [www.wichita.gov](http://www.wichita.gov).

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: January 6, 2015.

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