

**ORDINANCE NO. 1048**

**AN ORDINANCE MAKING FINDINGS AND ESTABLISHING A REDEVELOPMENT DISTRICT WITHIN THE CITY OF EDWARDSVILLE, KANSAS (WOODEND ROAD TIF REDEVELOPMENT DISTRICT) AND REPEALING ORDINANCE NO. 1046**

**WHEREAS**, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the City of Edwardsville, Kansas (the “City”) is authorized to assist in the development and redevelopment of eligible areas within the City in order to promote, stimulate and develop the general and economic welfare of the State of Kansas and its communities;

**WHEREAS**, pursuant to the Act, the Governing Body of the City adopted Resolution No. 2021-20 (the “Resolution”) on November 8, 2021, finding and determining that it is desirable to encourage the development and redevelopment of certain real property within the City generally located at 9133, 9134, 9150, 9247 and 9301 Woodend Road, and to consider the establishment of a tax increment financing redevelopment district at such location (the “Redevelopment District”);

**WHEREAS**, the Resolution provided for a notice of a public hearing considering the establishment of the Redevelopment District to be given in accordance with the Act and that said public hearing would be held on December 13, 2021;

**WHEREAS**, a notice of the public hearing was duly given in accordance with the Act;

**WHEREAS**, on this date the Governing Body of the City conducted and concluded a public hearing on the Redevelopment District;

**WHEREAS**, areas that are determined by the governing body of a city to be “blighted” as described in K.S.A. 12-1770a(c) are eligible to be considered for the financing of redevelopment projects pursuant to the Act;

**WHEREAS**, the Governing Body of the City has received and reviewed a blight study related to the proposed Redevelopment District;

**WHEREAS**, the Governing Body has previously passed Ordinance No. 1046 (the “Prior Ordinance”) establishing the Redevelopment District as a as a redevelopment district in compliance with the Act; and

**WHEREAS**, the Governing Body desires to repeal the Prior Ordinance and approve this Ordinance establishing the Redevelopment District as a as a redevelopment district in compliance with the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS AS FOLLOWS:**

**Section 1. Repeal of Prior Ordinance.** The Prior Ordinance is hereby repealed.

**Section 2. Blighted; Findings of Fact.** The Governing Body of the City hereby finds and determines that the area of the Redevelopment District is “blighted area” as defined in K.S.A. 12-1770a(c) and is therefore an “eligible area” as defined by the Act. The Governing Body of the City hereby finds and determines that the redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City.

**Section 3. Redevelopment District Plan.** The district plan for the Redevelopment District includes five redevelopment project areas that are identified as 1 through 5 on the drawing attached hereto as **Exhibit A**. Project Area 1 is located at 9133 Woodend Road and is identified as area 1 in the drawing. Project Area 1 will have up to approximately eight smaller buildings or one large building that will be utilized for a mixture of uses including warehouse, industrial, office and retail. Project Area 2 is located at 9301 Woodend Road and is identified as area 2 in the drawing. Project Area 2 will have approximately three buildings that will be utilized for a mixture of uses including warehouse, industrial, office and retail. Project Area 3 is located at 9247 Woodend Road and is identified as area 3 in the drawing. Project Area 3 will have approximately one building that will be utilized for a mixture of uses including warehouse, industrial, office and retail. Project Area 4 is located at 9134 Woodend Road and is identified as area 4 in the drawing. Project Area 4 will have approximately two buildings that will be utilized for a mixture of uses including warehouse, industrial, office and retail. Project Area 5 is located at 9150 Woodend Road and is identified as area 5 in the drawing. Project Area 5 will have approximately two buildings that will be utilized for a mixture of uses including warehouse, industrial, office and retail.

**Section 4. Redevelopment District Description.** A drawing of the area to be included in the Redevelopment District is attached hereto as **Exhibit A**. The legal description of the Redevelopment District is set forth on **Exhibit B** attached hereto and incorporated herein by reference.

**Section 5. Boundaries.** The Redevelopment District is within the boundaries approved by the resolution setting the hearing for the proposed Redevelopment District and published in the notice of the public hearing.

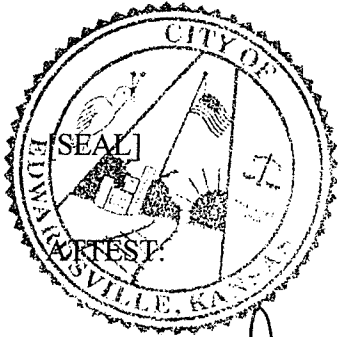
**Section 6. Establishment of Redevelopment District.** The Governing Body of the City hereby establishes the Redevelopment District as a redevelopment district in compliance with the Act.

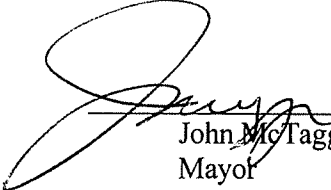
**Section 7. Ability to Terminate.** The Redevelopment District may be terminated by the Governing Body at any time by passage of an ordinance and publication of a summary of the ordinance; provided that following the execution and delivery of a redevelopment agreement or agreements by the City entered into between the City and an entity or entities with rights to develop property within the Redevelopment District, the termination of the Redevelopment District may be limited by the terms and conditions of such agreement or agreements.

**Section 8. Project Plan Approval.** Nothing contained in this Ordinance shall obligate the City to approve any project plan within the Redevelopment District.

**Section 9. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the Governing Board of the City and publication in an official City newspaper.

**PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 13<sup>TH</sup> DAY OF DECEMBER, 2021**



  
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John McTaggart  
Mayor

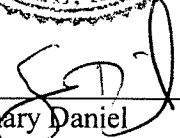
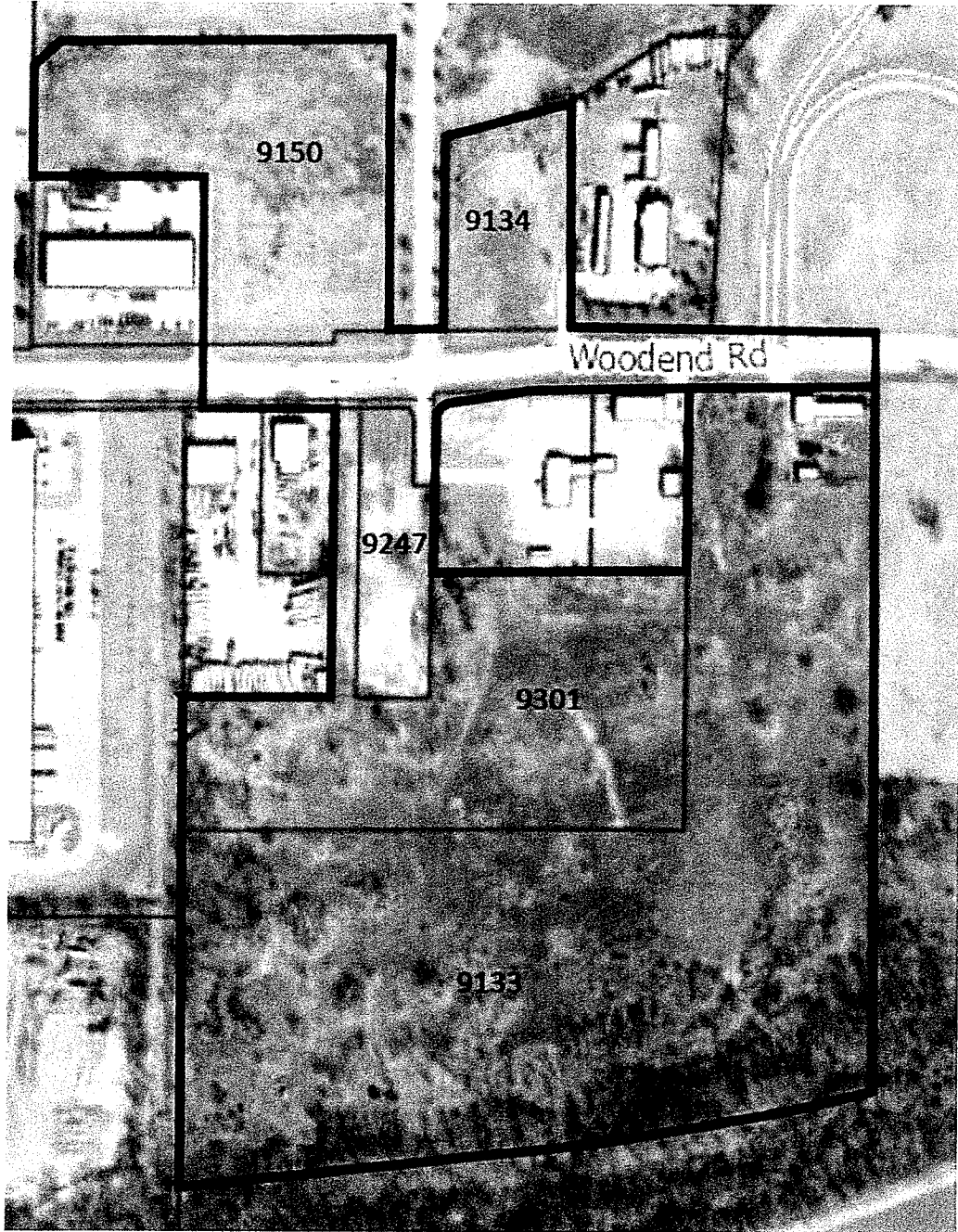
  
\_\_\_\_\_  
Zachary Daniel  
Assistant City Manager/City Clerk

EXHIBIT A

Map of Boundaries of Proposed Redevelopment District



**EXHIBIT B**

**Legal Description**

9247 Woodend Road

LOT 3, KAW VALLEY INDUSTRIAL PARK, A SUBDIVISION IN THE CITY OF EDWARDSVILLE, WYANDOTTE COUNTY, KANSAS, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

LOT 3, KAW VALLEY INDUSTRIAL PARK, EDWARDSVILLE, WYANDOTTE COUNTY, KANSAS, LOCATED IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3 ON THE SOUTH RIGHT-OF-WAY LINE OF WOODEND ROAD; THENCE N 87 DEGREES 26 MINUTES 05 SECONDS E ALONG THE SOUTH RIGHT OF WAY LINE OF WOODEND, A DISTANCE OF 149.64 FEET; THENCE S 01 DEGREE 57 MINUTES 25 SECONDS E ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 190.17 FEET; THENCE S 88 DEGREES 04 MINUTES 11 SECONDS W, A DISTANCE OF 41.47 FEET; THENCE N 02 DEGREES 03 MINUTES 39 SECONDS W, A DISTANCE OF 137.40 FEET; THENCE N 27 DEGREES 50 MINUTES 43 SECONDS W A DISTANCE OF 22.20 FEET; THENCE S 87 DEGREES 42 MINUTES 53 SECONDS W, A DISTANCE OF 98.22 FEET; THENCE N 01 DEGREE 57 MINUTES 25 SECONDS W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 31.75 FEET TO THE POINT OF BEGINNING.

9133 Woodend Road

Lot 7, Kaw Valley Industrial Park, in Edwardsville, Wyandotte County, Kansas, according to the recorded plat thereof.

9134 Woodend Road

Lots 2 and 3, CANAAN LANDING, a subdivision of land in the City of Edwardsville, Wyandotte County, Kansas.

9150 Woodend Road

Lot 3, FEDEX FREIGHT, a subdivision of land in the City of Edwardsville, Wyandotte County, Kansas, EXCEPT, that part described as follows:

Beginning at the Southwest corner of said Lot 3; thence North 2 degrees 15 minutes 10 seconds West, along the West line of Lot 32, 342.00 feet; thence North 87 degrees 20 minutes 58 seconds East, parallel to said West line of Lot 3, 350.00 feet; thence South 2 degrees 15 minutes 10 seconds East, parallel to said West line of Lot 3, 342.00 feet, to a point on the South line of Lot 3; thence South 87 degrees 20 minutes 58 seconds West, along said South line of Lot 3, 350.00 feet, to the point of beginning.

9301 Woodend Road

Lot 6, KAW VALLEY INDUSTRIAL PARK, in Edwardsville, Wyandotte County, Kansas, according to the recorded plat thereof except all that part of Lot 6 conveyed to the City of Edwardsville, Kansas by instrument filed for record on March 26, 2010 under Document No. 2010R-03833 in Book 5679 at Page 103 and being described as follows:

Beginning at the Northwest corner of said Lot 6 on the South right-of-way line of Woodend Road; Thence N 87°26'05"E along the South right of way line of Woodend, a distance of 50.00 feet; Thence S 1 °57'25"E along the East line of said Lot 6 a distance of 31.75 feet; Thence S 87 °42'53"W, a distance of 50.01 feet; Thence N 01°55'42"W along the West line of said Lot 6 a distance of 31.51 feet to the Point of Beginning.

NOTICE

SEE ATTACHED LEGAL NOTICE

Ordinance 1048

December 16<sup>th</sup>, 2021

**PROOF OF PUBLICATION**

State of Kansas, Wyandotte County, ss:  
**Roberta M. Peterson**, of lawful age, being duly sworn, says that she is the **PUBLISHER** of **The Wyandotte Echo**, a weekly newspaper, owned and operated by **M.R.P.P. Inc.**, printed and published in the city of Kansas City, Wyandotte County, State of Kansas, which said newspaper has a general circulation and has been admitted to the mails as second class matter in said county, and has been published therein during a period of more than five years prior to the first publication of the legal notice hereto annexed; that affiant, of her own knowledge, knows that the printed notice was published each and every issue of **The Wyandotte Echo** for 1 consecutive week(s) as follows:

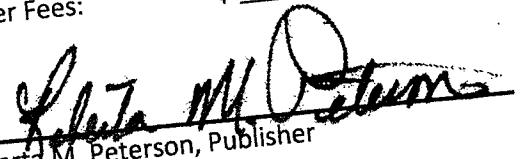
1<sup>st</sup> Publication was made on: December 16<sup>th</sup>, 2021

2<sup>nd</sup> Publication was made on: \_\_\_\_\_

3<sup>rd</sup> Publication was made on: \_\_\_\_\_

4<sup>th</sup> Publication was made on: \_\_\_\_\_

Printer Fees: \$ 224.64

  
Roberta M. Peterson, Publisher

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