

THE CITY OF
SpringHill
KANSAS

October 17, 2022

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

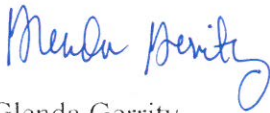
Johnson County, Kansas
Board of County Commissioners
County Administration Building, Suite 3300
111 South Cherry Street
Olathe, KS 66061-3486

**RE: City of Spring Hill, Kansas
Wiswell Farms Rural Housing Incentive District (the “District”)**

Pursuant to K.S.A. 12-5241 *et seq.*, and on behalf of the City of Spring Hill, Kansas (the “City”), please find enclosed a certified copy of Resolution No. 2022-R-22 (the “Resolution”). The Resolution provides notice of a public hearing on **November 17, 2022**, at **7:00 p.m.** (or as soon thereafter as the matter may be heard) at the Civic Center, 401 N. Madison Street, Spring Hill, Kansas, 66083. The public hearing will be held to consider the adoption of the plan for the development of housing and public facilities in the proposed District (the “Plan”) and the designation of the District within the City. The Resolution was adopted by the City Council on October 13, 2022.

Should you have any questions or need additional information, please feel free to contact me or Lane Massey, the City Administrator, at (913) 592-3664.

Sincerely,



Glenda Gerrity
City Clerk

Enclosure

cc: Mr. Maury Thompson, Johnson County (*via email*)
Mr. Lane Massey, City of Spring Hill (*via email*)
Tyler Ellsworth, Kutak Rock LLP (*via email*)

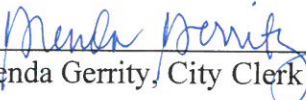
POLICE DEPARTMENT
418 E. Nichols • P.O. Box 424
Spring Hill, KS 66083
Phone: (913) 592-2700
4891 • Fax: (913) 592-2746

CITY HALL
401 N. Madison • P.O. Box 424
Spring Hill, KS 66083 • Phone: (913) 592-3664
Court: (913) 592-3624 • Planning: (913) 592-3657
Utility Billing: (913) 592-3626 • Fax: (913) 592-5040

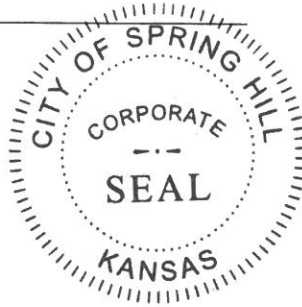
PUBLIC WORKS
502 E. Nichols • P.O. Box 424
Spring Hill, KS 66083
Phone: (913) 592-3317
Fax: (913) 592-3589

CERTIFICATION

I, Glenda Gerrity, do hereby certify that the foregoing is a complete and correct copy of Resolution No. 2022-R-28, adopted by the Governing Body of the City of Spring Hill, Kansas, on October 13, 2022.



Glenda Gerrity, City Clerk



RESOLUTION NO. 2022-R-22

A RESOLUTION PROVIDING NOTICE OF A PUBLIC HEARING IN CONNECTION WITH THE ADOPTION OF A RURAL HOUSING INCENTIVE DISTRICT DEVELOPMENT PLAN AND DESIGNATION OF A RURAL HOUSING INCENTIVE DISTRICT IN THE CITY OF SPRING HILL, KANSAS (WISWELL FARMS RURAL HOUSING INCENTIVE DISTRICT).

WHEREAS, on July 28, 2022, the Governing Body of the City of Spring Hill, Kansas (the “City”) adopted Resolution No. 2022-R-16, in which the Governing Body found it necessary and desirable to establish the Wiswell Farms Rural Housing Incentive District within the City (the “District”), pursuant to K.S.A. 12-5241 et seq. (the “Act”);

WHEREAS, pursuant to the Act, the Governing Body of the City caused a copy of Resolution No. 2022-R-16 to be published August 3, 2022, in the official newspaper of the City and caused a certified copy of Resolution No. 2022-R-16 to be submitted to the Secretary of Commerce of the State of Kansas (the “Secretary”);

WHEREAS, the Secretary, in a letter dated October 3, 2022, agreed with the findings of the Governing Body of the City as contained in Resolution No. 2022-R-16;

WHEREAS, pursuant to the Act, the Governing Body has caused a plan for the development of housing and public facilities in the proposed District (the “Plan”) to be prepared; and

WHEREAS, pursuant to the Act, the Governing Body now desires to provide notice of a public hearing to be held in connection with the adoption of the proposed Plan and the designation of the proposed District;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRING HILL, KANSAS, AS FOLLOWS:

Section 1. A public hearing to consider adoption of the proposed Plan and designation of the proposed District shall be held at a special meeting of the Governing Body on November 17, 2022, at 7:00 p.m. (or as soon thereafter as is practical), Central Time, at the Civic Center, 401 N. Madison Street, Spring Hill, Kansas, 66083. The date of the public hearing is not less than 30 or more than 70 days after the date of this Resolution as required by K.S.A. 12-5245(c).

Section 2. The legal description of the District is as set forth on the attached *Exhibit A*, and a map depicting the existing parcels of real estate in the District is attached as *Exhibit B*.

Section 3. The existing assessed valuation of all real estate within the District is as set forth on the attached *Exhibit C*.

Section 4. The names and addresses of the owners of record for the real estate within the District are:

Tax ID Parcel R210387

Ad Astra Land Holdings, LLC
5701 Mission Dr.
Mission Hills, KS 66208

Tax ID Parcels R210412, R210413, R210414, R210415, and R210416

Ad Astra Land Holdings, LLC
1004 W. 52nd St.
Kansas City, MO 64113

Webster Road Right-of-Way

City of Spring Hill, Kansas
401 N. Madison St.
Spring Hill, KS 66083

Section 5. The housing and public facility projects that are proposed to be constructed or improved are described and located as set forth on the attached *Exhibit D*.

Section 6. A summary of the contractual assurances of the developer in connection with the proposed Plan and the comprehensive feasibility analysis are set forth on the attached *Exhibit E*.

Section 7. The proposed Plan is available for inspection at the office of the City Clerk during normal business hours. Members of the public are invited to review the Plan and attend the public hearing at the place and time described in Section 1 above.

Section 8. This Resolution (including the exhibits) shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing. A certified copy of this Resolution shall be delivered to the Planning Commission of the City, the Board of Education of Unified School District No. 230, Johnson / Miami County, Kansas (Spring Hill), and the Board of Commissioners of Johnson County, Kansas.

Section 9. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the Governing Body of the City of Spring Hill, Kansas on October 13, 2022.

CITY OF SPRING HILL, KANSAS

(Seal)

ATTEST:



Joe Berkeley
Joe Berkeley, Mayor

Glenda Gerrity
Glenda Gerrity, City Clerk

APPROVED AS TO FORM:

By: F. Charles Dunlay, IV
F. Charles Dunlay, IV, City Attorney

APPROVED AS TO FORM:

By: Tyler Ellsworth
Tyler Ellsworth, Bond Counsel

EXHIBIT A

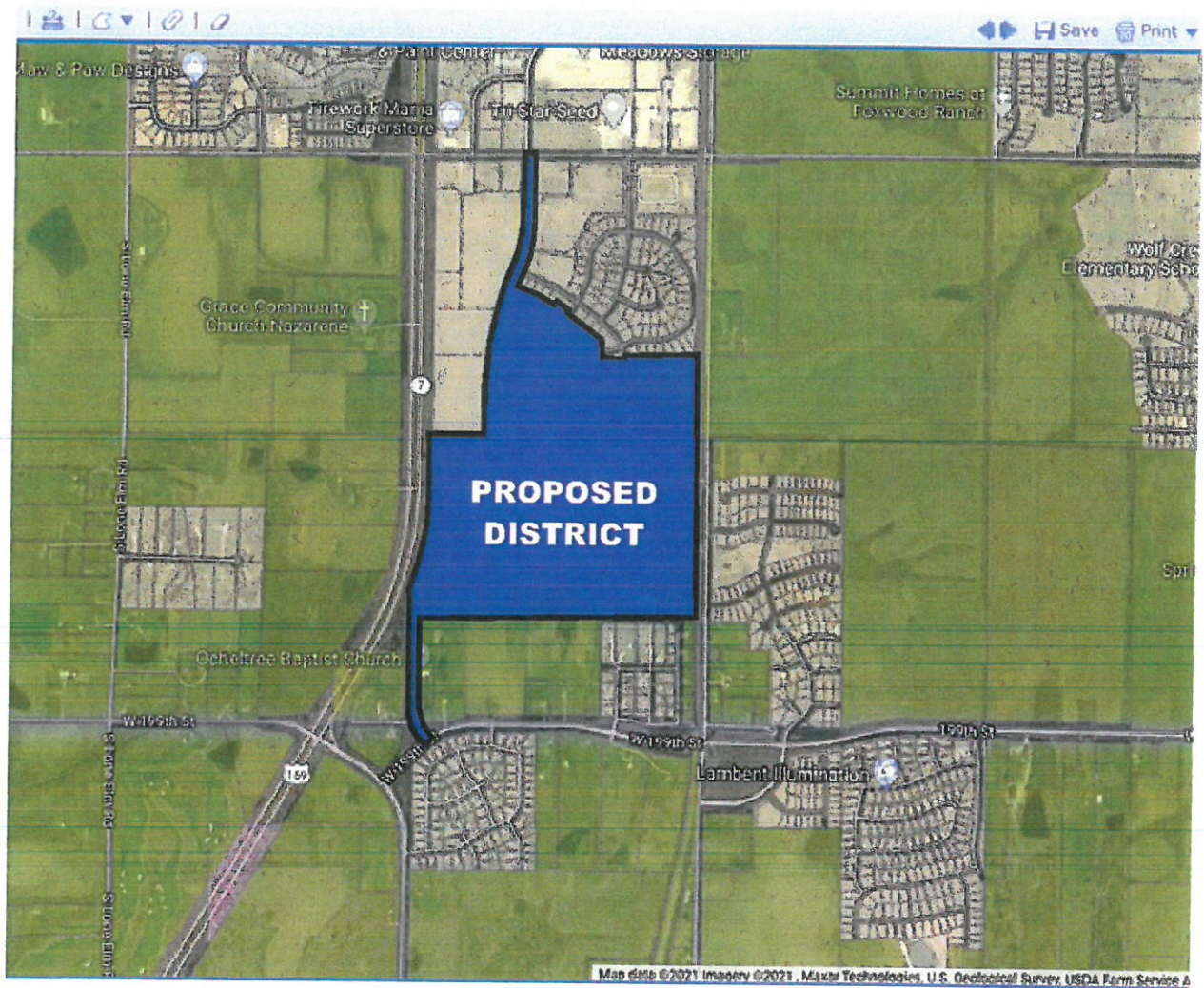
LEGAL DESCRIPTION OF PROPOSED DISTRICT

All that part of Lots 10, 11, 12, and 13 Johnson County Tech Center and all that part of the Northeast Quarter and all that part of the Southeast Quarter, all in Section 2, Township 15 South, Range 23 East, in the City of Spring Hill, Johnson County, Kansas, being more particularly described as follows: (the basis of bearing for this description is the Kansas Regional Coordinate System, Zone 11 – Kansas City and has been prepared by Samuel J. DePriest KS PS 1351 or under my direct supervision, July 13, 2022) commencing at the northeast corner of the Northeast Quarter of said Section 2, thence South 89 degrees 33 minutes 11 seconds West, with the north line of the Northeast Quarter of said Section 2, a distance of 50.00 feet; thence South 00 degrees 19 minutes 43 seconds East, with a line 50.00 feet west of and parallel with the east line of the Northeast Quarter of said Section 2, a distance of 1829.92 feet to the point of beginning; thence continuing South 00 degrees 19 minutes 43 seconds East, a distance of 725.22 feet to a point on the north line of the Southeast Quarter of said Section 2; thence South 00 degrees 28 minutes 00 seconds East, with a line 50.00 feet west of and parallel with the east line of the Southeast Quarter of said Section 2, a distance of 1656.31 feet; thence South 89 degrees 40 minutes 27 seconds West, a distance of 2555.46 feet to a point on the east right-of-way line of Webster Road; thence South 00 degrees 12 minutes 24 seconds East with the east right-of-way line of Webster Road, and its southerly prolongation, a distance of 991.33 feet; thence on a curve to the left having a radius of 315.00 feet, a central angle of 15 degrees 56 minutes 04 seconds, with an initial tangent bearing of South 22 degrees 23 minutes 03 seconds East, an arc distance of 87.60 feet; thence South 38 degrees 19 minutes 07 seconds East, a distance of 185.39 feet; thence South 51 degrees 40 minutes 53 seconds West, a distance of 90.00 feet; thence North 38 degrees 19 minutes 07 seconds West, a distance of 185.39 feet to a point of curvature; thence on a curve to the right having a radius of 405.00 feet, a central angle of 19 degrees 20 minutes 25 seconds, an arc distance of 136.71 feet; thence North 00 degrees 11 minutes 00 seconds East, with the west line of the Southeast Quarter of said Section 2, and its southerly prolongation, a distance of 1195.60 feet; thence North 41 degrees 28 minutes 51 seconds East, a distance of 145.17 feet to a point on the east right-of-way line of U.S. Highway 169; thence with the east right-of-way line of U.S. Highway 169 on a curve to the left having a radius of 3014.75 feet, a central angle of 16 degrees 48 minutes 42 seconds, with an initial tangent bearing of North 16 degrees 30 minutes 24 seconds East, an arc distance of 884.59 feet; thence North 00 degrees 10 minutes 53 seconds East, continuing with the east right-of-way line of U.S. Highway 169, a distance of 478.57 feet to a point on the north line of the Southeast Quarter of said Section 2; thence North 89 degrees 33 minutes 57 seconds East, with the north line of the Southeast Quarter of said Section 2, a distance of 511.06 feet; thence North 00 degrees 29 minutes 19 seconds West, a distance of 540.00 feet to a point of curvature; thence on a curve to the right having a radius of 2330.00 feet, a central angle of 21 degrees 03 minutes 06 seconds, an arc distance of 856.09 feet; thence North 20 degrees 33 minutes 49 seconds East, a distance of 221.30 feet to a point of curvature; thence on a curve to the left having a radius of 1048.53 feet, a central angle of 21 degrees 00 minutes 40 seconds, an arc distance of 384.51 feet; thence North 00 degrees 26 minutes 53 seconds West, a distance of 45.00 feet; thence North 03 degrees 18 minutes 38 seconds West, a distance of 200.25 feet; thence North 00 degrees 26 minutes 53 seconds West, a distance of 300.03 feet to a point on the south right-of-way line of W. 191st street; thence North 89 degrees 33 minutes 11 seconds East, with the south right-of-way line of

W. 191st Street, a distance of 80.00 feet; thence South 00 degrees 26 minutes 53 seconds East, and no longer with the south right-of-way line of W. 191st Street, a distance of 300.03 feet; thence South 02 degrees 24 minutes 52 seconds West, a distance of 200.25 feet; thence South 00 degrees 26 minutes 53 seconds East, a distance of 45.00 feet to a point of curvature; thence on a curve to the right having a radius of 1108.53 feet, a central angle of 21 degrees 00 minutes 40 seconds, an arc distance of 406.51 feet; thence South 20 degrees 33 minutes 49 seconds West, a distance of 219.35 feet; thence South 69 degrees 25 minutes 40 seconds East (South 71 degrees 10 minutes 12 seconds East plat), with the south line of Lot 1 Crossing of Spring Hill First Plat, a subdivision of record, and its northwesterly prolongation, a distance of 103.09 feet (102.77 feet plat) to the southwesterly corner of Lot 2 Crossing of Spring Hill First Plat; thence South 64 degrees 40 minutes 09 seconds East (South 66 degrees 24 minutes 41 seconds East plat) with the south line of Lots 2 through 5, Crossing of Spring Hill First Plat, a distance of 336.05 feet to the southeast corner of said Lot 5; thence North 25 degrees 27 minutes 43 seconds East (North 23 degrees 43 minutes 11 seconds East plat) with the easterly line of said Lot 5, a distance of 22.25 feet; thence South 62 degrees 40 minutes 27 seconds East (South 64 degrees 24 minutes 59 seconds East plat), with the south line of said Lot 6, a distance of 124.43 feet to the southeast corner of said Lot 6; thence South 27 degrees 19 minutes 33 seconds West (South 25 degrees 35 minutes 01 second West plat), continuing with the south line of Crossing of Spring Hill First Plat, a distance of 29.65 feet; thence South 62 degrees 40 minutes 27 seconds East (South 64 degrees 24 minutes 59 seconds East plat), continuing with the southerly line of Crossing of Spring Hill First Plat, a distance of 50.00 feet to the southwest corner of Lot 41, Crossing of Spring Hill First Plat; thence South 49 degrees 29 minutes 37 seconds East (South 51 degrees 14 minutes 09 seconds East plat) with the south line of Lots 41 through 38, Crossing of Spring Hill First Plat, a distance of 334.93 feet to the northwest corner of Lot 37, Crossing of Spring Hill First Plat; thence South 00 degrees 25 minutes 57 seconds East (South 02 degrees 10 minutes 29 seconds East plat), with the west line of said Lot 37 and its southerly prolongation, a distance of 114.82 feet; thence North 89 degrees 34 minutes 03 seconds East (North 87 degrees 49 minutes 31 seconds East plat), continuing with the southerly line of said Crossing of Spring Hill First Plat, a distance of 43.77 feet to the northwest corner of Lot 36 Crossing of Spring Hill First Plat; thence South 00 degrees 25 minutes 57 seconds East (South 02 degrees 10 minutes 29 seconds East plat), with the west line of said Lot 36, a distance of 120.00 feet to the southwest corner of said Lot 36; thence North 89 degrees 34 minutes 03 seconds East (North 87 degrees 49 minutes 31 seconds East plat) with the south line of Lots 36 and 35 of Crossing of Spring Hill First Plat, and their easterly prolongation, a distance of 234.96 feet; thence continuing with the southerly line of Crossing of Spring Hill First Plat on a curve to the left having a radius of 572.92 feet, a central angle of 05 degrees 51 minutes 41 seconds, with an initial tangent bearing of North 04 degrees 38 minutes 59 seconds West, an arc distance of 58.61 feet to the southwest corner of Lot 34, Crossing of Spring Hill First Plat; thence North 68 degrees 08 minutes 00 seconds East (North 66 degrees 23 minutes 28 seconds East plat), with the south line of said Lot 34, a distance of 94.42 feet to the southwest corner of Lot 33, Crossing of Spring Hill First Plat; thence North 89 degrees 34 minutes 03 seconds East (North 87 degrees 49 minutes 31 seconds East plat), with the south line of Lots 33, 32 and 31, Crossing of Spring Hill First Plat and its easterly prolongation, a distance of 522.33 feet to the point of beginning. The above described tract contains 6,070,866 square feet, or 139.37 acres.

EXHIBIT B

MAP OF PROPOSED DISTRICT



The proposed District contains the following parcels (identified, as applicable, by their tax ID numbers): R210387, R210412, R210413, R210414, R210415, R210416, and the Webster Road right-of-way between 191st Street and 199th Street

EXHIBIT C

**EXISTING ASSESSED VALUATION
OF REAL ESTATE IN PROPOSED DISTRICT**

Parcels	Assessed Land	Assessed Improvements	Assessed Total
R210387	\$13,657	\$18,361	\$32,018
R210412	17,287	0	17,287
R210413	12,454	0	12,454
R210414	14,777	0	14,777
R210415	11,246	0	11,246
R210416	12,701	0	12,701
Webster Road ROW	0	0	0
TOTALS	\$82,122	\$18,361	\$100,483

EXHIBIT D

HOUSING AND PUBLIC FACILITY PROJECTS IN PROPOSED DISTRICT

The housing and public facility projects will include the acquisition of real property within the District, the construction and extension of Webster Road from 191st St. to 199th St., and all or a portion of the interior residential infrastructure needed develop single family homes on each lot as determined by the individuals or developers purchasing each lot or group of lots.

Such improvements are anticipated to include construction of certain infrastructure improvements located within the boundaries of the District, including but not limited to the following (collectively, the “Public Improvements”):

- **Webster Road:** Site preparation, construction of 2-lane, concrete paved roadway, street grading, paving, curbing, guttering, and surfacing, storm sewers, sanitary sewers, lift stations, water mains and extensions, erosion control, payment of special assessments related to the aforementioned costs, and related expenses.
- **Interior Residential Infrastructure:** Site preparation, construction of interior streets and roadway, street grading, paving, curbing, guttering, and surfacing, storm sewer, sanitary sewer, asphalt pavement, concrete curbs, 4’ concrete sidewalks, signage, erosion control for the interior residential streets, electric improvements, and related expenses.

EXHIBIT E

SUMMARY OF CONTRACTUAL ASSURANCES AND COMPREHENSIVE FEASIBILITY ANALYSIS

Summary of Contractual Assurances

The Governing Body of the City does not expect to receive any contractual assurances from the developer guaranteeing the financial feasibility of specific projects within the District; provided, however, that the developer is expected to commit to paying a portion of the debt service on bonds issued by the City for certain infrastructure until property tax revenues from the District are sufficient to support such debt; and provided, further, that the City and the developer expect to enter into a Development Agreement (the "Development Agreement") which, as supplemented and amended from time to time, is expected to include the project construction schedule, a description of projects to be constructed, financial and other obligations of the developer, and financial and administrative obligations of the City.

Summary of Comprehensive Feasibility Analysis

Baker Tilly Municipal Advisors, LLC, has conducted a feasibility analysis to determine whether the public benefits derived from the District will exceed the costs and that the income from the District, together with other sources of funding, will be sufficient to pay for the Public Improvements to be undertaken in the District. The analysis estimates the available property tax revenues that will be generated from the District, less existing property taxes and certain unavailable property tax revenues, to determine the revenue stream available to support all or a portion of the costs of financing the Public Improvements. The analysis indicates that the property revenues realized from the District, together with other available sources of funding, will exceed the costs of the Public Improvements financed through the District.

Specifically, the analysis indicates that the District will generate \$14,441,356 in property tax revenues over a 14-year term. This amount supports the total costs for the Public Improvements proposed to be financed through the District, including a portion of the principal and interest payments on benefit district bonds issued for the construction of the Webster Road extension in the amount of \$4,036,757, administrative fees paid to the City in the amount of \$464,809, and reimbursement for a portion of the costs of the interior residential infrastructure which will be paid for by the developer in an amount up to \$9,939,790.

The term, the collection of incremental property tax revenues from the District, and the amount of Public Improvements financed through the District will ultimately be determined and set forth in the Development Agreement which the City and the developer are currently negotiating. If the term set forth in the Development Agreement exceeds the 14-year term in the feasibility analysis, the District revenues generated and available to pay principal and interest on the Webster Road bonds, pay City administrative fees, and reimburse costs of the interior residential infrastructure may exceed the amounts in the paragraph above.