



**CERTIFIED MAIL NO. 9414 8118 9876 5879 2253 12**  
**RETURN RECEIPT REQUESTED**

May 12, 2022

Johnson County Board of County Commissioners  
Attn: Penny Post oak Ferguson  
111 S. Cherry St., S-3300  
Olathe, Kansas 66061-3441

Dear Members of the County Board of Commissioners and Ms. Post oak Ferguson:

Please be advised that on May 3, 2022 the Lenexa Governing Body passed Resolution No. 2022-040 providing for notice to be given for a Public Hearing to consider adoption of Redevelopment TIF Project Plan 10 ("Project Plan 10") for the Ridgeview Mining TIF District in the City of Lenexa. The public hearing to consider the adoption of TIF Project Plan 10 shall be held at the Lenexa City Council meeting on Tuesday, June 7, 2022, at 7:00 p.m., or as soon thereafter as it can be heard, at the Lenexa City Hall, 17101 W. 87<sup>th</sup> Street Parkway, Lenexa, Kansas.

Pursuant to K.S.A. 12-1770 *et seq.*, a copy of the aforementioned Resolution No. 2022-040, and the sketch of the area proposed to be included within Project Plan 10 (as reflected on Exhibit A), and a courtesy copy of TIF Project Plan 10 are enclosed.

If you have any questions regarding this matter, please direct your inquiries to Sean McLaughlin, City Attorney. Sean can be reached at 913-477-7624.

Sincerely,

CITY OF LENEXA

A handwritten signature in blue ink that reads "Jennifer Martin".

Jennifer Martin  
City Clerk

cc: Sean McLaughlin, City Attorney

Enc.



RESOLUTION NO. 2022-040

**A RESOLUTION PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER ADOPTION OF REDEVELOPMENT PROJECT PLAN 10 FOR THE RIDGEVIEW MINING TIF DISTRICT (VILLAS AT VISTA VILLAGE PROJECT).**

WHEREAS, the Lenexa City Council on June 17, 1997 adopted Ordinance No. 4074 establishing a Redevelopment District pursuant to K.S.A. 12-1770 et seq., as amended ("Original District"); and

WHEREAS, the Original District was amended on January 19, 2010 by Ordinance No. 5135 electing to apply the provisions of K.S.A 12-1770 et. seq (2001) as thereafter amended (the "Act") and further amended June 1, 2010 by Ordinance No. 5145, at which time the Original District and a portion of the South Mining TIF District were combined to create the Ridgeview Mining Development District (the "Ridgeview Mining TIF District" or the "District"); and

WHEREAS, the Governing Body desires to consider adopting Redevelopment (TIF) Project Plan 10 ("Project Plan 10") in accordance with the Act. The purpose of Project Plan the construction of an approximately 6,000 sq. ft. retail building and a mix of two-, four-, five, and six-unit townhome buildings and associated improvements in the Project Plan 10 area; and

WHEREAS, a feasibility study has been completed which indicates the benefits derived from Project Plan 10 are significant. Revenues from the redevelopment (TIF) project area included in Project Plan 10, the District and other available revenues are expected to be sufficient to pay for the eligible TIF reimbursable project costs; and

WHEREAS, on May 2, 2022, the Planning Commission of the City reviewed Project Plan 10 and passed its Resolution No. 2022 - 040 finding that Project Plan 10 is consistent with the comprehensive general plan for the development of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LENEXA, KANSAS:

SECTION 1: A public hearing to consider the adoption of Project Plan 10 shall be held at the City Council meeting on Tuesday, June 7 at 7:00 p.m., Central Standard Time, or as soon thereafter as it can be heard, at the Lenexa City Hall, 17101 W. 87<sup>th</sup> Street Parkway, Lenexa, Kansas.

SECTION 2: The amended redevelopment district was approved on June 1, 2010, and its boundaries are as follows:

An area within the City of Lenexa, Kansas the area is generally located in the southwest corner of 95th Street and Renner Boulevard and more specifically described as follows:

That part of the entire 95th Street right-of-way adjacent to or a part of the north section line of Section 6, Township 13, Range 24; and

All that part of Section 6, Township 13, Range 24 and the East half of Section 1, Township 13, Range 23, now in the city limits of Lenexa, Johnson County, Kansas, lying both above and below the Farley ledge of Limestone or where such ledge does not exist, the projected plane thereof, as defined by a qualified geologist and more particularly described as follows:

Commencing from the Point of Beginning at the Northeast corner of Section 6, Township 13, Range 24, following the East section line of Section 6, a distance of 1997.13 feet, thence South  $87^{\circ}39'32''$  West, a distance of 363 feet, thence South  $02^{\circ}20'28''$  East a distance of 600 feet, thence North  $87^{\circ}39'32''$  East a distance of 363 feet to the East line of Section 6, thence commencing Southeast along the East section line of Section 6 a distance of 1744 feet $\pm$ , thence South  $86^{\circ}47'24''$  West a distance of 60 feet to the beginning of the North right-of-way line of K-10 Highway, thence following the K-10 Highway right-of-line approximately South  $86^{\circ}0'0''$  West a distance of 385 $\pm$ , thence approximately South  $48^{\circ}0'0''$  West a distance of 1059 feet $\pm$  along K-10 right-of-way, thence approximately North  $02^{\circ}0'0''$  West a distance of 1051 feet $\pm$ , thence approximately South  $87^{\circ}0'0''$  west a distance of 1376 feet $\pm$  to the West quarter section line of the Southeast quarter of Section 6, thence Northwesterly to the Northwest corner of the Southeast quarter section of Section 6, thence Southwesterly along the North line of the Southwest quarter section of Section 6 to the West line of Section 6, thence approximately South  $86^{\circ}0'0''$  West a distance of 759 feet $\pm$  to the South right-of-line of Atchison Topeka Santa Fe Railroad Line, thence South  $33^{\circ}0'0''$  West a distance of 913 feet $\pm$ , thence approximately North  $02^{\circ}0'0''$  West a distance of 240 feet $\pm$  to the North right-of-line of Atchison Topeka Santa Fe Railroad Line, thence following the radius of the right-of-way line Northeasterly as it curves around to intersect with the North line of the Northeast 1/4 section of Section 1, Township 13, Range 23, thence following the North line of the Northeast 1/4 section of Section 1 Northeasterly to the North line of Section 6, Township 13, Range 24, thence following the North line of Section 6 Northeasterly to the Point of Beginning:

AND EXCEPT

The subject land identified by County parcel number IF241306-3013 which is legally defined and identified as follows:

All that part of the north 1/2 of Section 6, Township 13, Range 24, now in the City of Lenexa, Johnson County, Kansas, lying above the Farley ledge of Limestone, or where such ledge does not exist, the projected plane thereof, as defined by a qualified geologist, more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 6; thence South 87 degrees 45 minutes 27 seconds West, along the North line of the Northeast 1/4 of said Section 6, a distance of 1,505.75 feet, to the true point of beginning of subject tract; thence continuing South 87 degrees 45 minutes 37 seconds West, along the North line of the Northeast 1/4 of said Section 6, a distance of 1,136.78 feet, to the Northwest corner thereof; thence South 87 degrees 46 minutes West, along the North line of the Northwest 1/4 of said Section 6, a distance of 388.16 feet; thence South 2 degrees 14 minutes East, a distance of 1,315.92 feet to a point on the South line of the North 1/2 of the Northwest 1/4 of said Section 6; thence North 87 degrees 20 minutes 17 seconds East, along the South line of the North 1/2 of the Northwest 1/4 of said Section 6, a distance of 389.26 feet, to the Southeast corner thereof; thence North 87 degrees 19 minutes 04 seconds East, along the South line of the North 1/2 of the Northeast 1/4 of said Section 6, a distance of 1,135.87 feet; thence North 2 degrees 14 minutes 23 seconds West, a distance of 1,304.24 feet, to the true point of beginning of subject tract.

AND INCLUDING

A tract of land being part of the Southeast Quarter of Section 1, Township 13 South, Range 23 East and part of the South Half of Section 6, Township 13 South, Range 24 East, in the City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

Commencing at the Southeast corner of said Section 1; thence along the East line of said Section 1, N 2° 10' 25" W, a distance of 346.80 feet, to a point on the North right-of-way line of Kansas Highway No. 10, as now established, said point also being the True Point of Beginning of subject tract; thence along said North right-of-way line of Kansas Highway No. 10, S 87° 59' 30" W, a distance of 47.80 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 12° 02' 30" W, a distance of 103.10 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 86° 51' 30" W, a distance of 539.10 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 51° 41' 30" W, a distance of 256.10

feet; thence along said North right-of-way line of Kansas Highway No. 10, S 85° 06' 30" W, a distance of 602.50 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 85° 38' 30" W, a distance of 426.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 72° 59' 30" W, a distance of 271.17 feet; thence departing said North right-of-way line of Kansas Highway No. 10, N 50° 06' 31" E, a distance of 95.92 feet, to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 165.00 feet and a central angle of 25° 05' 19", a distance of 72.25 feet, to a point of reverse curvature; thence Northeasterly, along a curve to the right, having a radius of 385.00 feet, a central angle of 40° 23' 13" and whose initial tangent bearing is N 25° 01' 12" E, a distance of 271.38 feet, to a point of reverse curvature; thence Northeasterly, along a curve to the left, having a radius of 415.00 feet a central angle of 47° 16' 26" and whose initial tangent bearing is N 65° 24' 25" E, a distance of 342.41 feet, to a point of tangency; thence N 18° 08' 01" E, a distance of 50.19 feet, to a point of curvature; thence Northerly, along a curve to the left, having a radius of 415.00 feet and a central angle of 20° 23' 48", a distance of 147.74 feet, to a point of reverse curvature; thence Northerly and Northeasterly, along a curve to the right, having a radius of 231.06 feet, a central angle of 37° 05' 46" and whose initial tangent bearing is N 2° 15' 49" W, a distance of 149.60, to a point of tangency; thence N 34° 49' 59" E, a distance of 314.86 feet, to a point on the North line of the South Half of the Southeast Quarter of said Section 1; thence continuing N 34° 49' 59" E, a distance of 55.59 feet; thence N 54° 36' 41" E, a distance of 60.11 feet; thence N 24° 13' 55" E, a distance of 1,309.20 feet; thence N 46° 51' 14" E, a distance of 127.56 feet, to a point on the North line of the Southeast Quarter of said Section 1; thence along said North line of the Southeast Quarter of Section 1, N 86° 51' 14" E, a distance of 511.04 feet to the Northeast corner of said Southeast Quarter, said point also being the Northwest corner of the Southwest Quarter of said Section 6; thence along the North line of said Southwest Quarter of Section 6, N 87° 15' 30" E, a distance of 2,484.11 feet to the Northeast corner of said Southwest Quarter of Section 6; thence along the East line of said Southwest Quarter of Section 6, S 2° 07' 59" E, a distance of 2,482.60 feet, to a point on the North right-of-way line of said Kansas Highway No. 10; thence along said North right-of-way line of Kansas Highway No. 10, S 88° 36' 26" W, a distance of 706.19 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 84° 22' 10" W, a distance of 544.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 66° 00' 10" W, a distance of 269.30 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 74° 32' 50" W, a distance of 577.20 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 88° 39' 10" W, a distance of 341.70 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 18° 53' 50" W, a distance of 104.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 87° 48' 10" W, a distance of 60.90 feet, to the True Point of Beginning and containing 211.4 acres more or less.

And including the Southwest Quarter of the Southeast Quarter of Section 6, Township 13 South, Range 24 East, in the City of Lenexa, Johnson County, Kansas and containing 40.4 acres more or less.

AND INCLUDING

A tract of land in the Northeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

The East 363 feet of the South 600 feet of the of the South Half of said Northeast Quarter of Section 6, except the North 120 feet of the East 181.5 feet of said South 600 feet, and containing 4.50 acres more or less.

AND INCLUDING

A tract of land in the Northeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

The North 120 feet of the East 181.5 feet of the south 600 feet of the South Half of said Northeast Quarter of Section 6, and containing 0.50 acres more or less.

AND INCLUDING

A tract of land in the Southeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

All that part of the Kansas State Highway 10 right-of-way lying in the East Half of said Southeast Quarter of Section 6, and containing 19.7 acres more or less.

SECTION 3: The boundaries of the area proposed to be included within the project area which is the subject of Project Plan 10 are legally described as:

All of Lots 9 through 34 and Tract D, Vista Village First Plat, a subdivision of land in Lenexa, Johnson County, Kansas.

A sketch depicting the proposed area to be redeveloped is attached as Exhibit A.

SECTION 4: Project Plan 10, including the feasibility study and a description and a sketch of the area to be redeveloped, are available for inspection

during regular business hours in the office of the City Clerk. Because no relocation is required by the Project Plan, no relocation assistance plan is included, and there are no financial guarantees of prospective developers.

SECTION 5: The City Clerk shall mail a copy of this Resolution, the sketch included in Exhibit A and a courtesy copy of Project Plan 10, by certified mail, return receipt requested, to the Board of County Commissioners of Johnson County, Kansas, and the Board of Education of Unified School District No. 512, Johnson County, Kansas. The City Clerk shall also mail copies of the above by certified mail to each owner and occupant of land within the proposed redevelopment project area not more than 10 days following the date of adoption of this Resolution.

SECTION 6: This Resolution and the sketch of the area proposed to be included within the Project Plan 10 area (as reflected on Exhibit A), shall be published by the City Clerk once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing.

ADOPTED by the Governing Body this 3<sup>rd</sup> day of May, 2022.

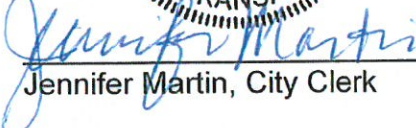
SIGNED by the Mayor this 3<sup>rd</sup> day of May, 2022.

CITY OF LENEXA, KANSAS

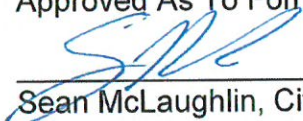
[SEAL]



Attest:

  
\_\_\_\_\_  
Jennifer Martin, City Clerk

Approved As To Form:

  
\_\_\_\_\_  
Sean McLaughlin, City Attorney

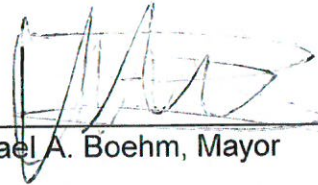
  
\_\_\_\_\_  
Michael A. Boehm, Mayor



Exhibit A





REDEVELOPMENT PROJECT PLAN 10  
FOR THE RIDGEVIEW MINING TIF DISTRICT

(Villas at Vista Village Project)

In accordance with K.S.A. 12-1770 *et seq.*, as amended (the “**Act**”), to promote, stimulate and develop the general and economic welfare of the city of Lenexa, Kansas (“**City**”), the Lenexa City Council adopted Ordinance No. 4074 on June 17, 1997, establishing a Redevelopment (TIF) District (the “**Meritex TIF District**”). The Meritex TIF District was amended on January 19, 2010 by Ordinance No. 5135 electing to apply the provisions of K.S.A 12-1770 *et. seq* as thereafter amended (the “**Act**”) and further amended June 1, 2010 by Ordinance No. 5145, at which time the Meritex TIF District and a portion of the South Mining TIF District were combined to create the Ridgeview Mining TIF District (the “**Ridgeview Mining TIF District**” or the “**District**”). The Ridgeview Mining TIF District includes approximately 961 surface and subsurface acres located south of Prairie Star Parkway, west of Renner Blvd., east of Mill Creek and north of K-10 and legally described in attached **Exhibit A**.

The Act allows one or more TIF projects to be undertaken by a city within an established district and any such project plan may be implemented in separate development stages.

The City desires to establish another project plan in the Ridgeview Mining TIF District. Project Plan 10 (the “**Project Plan 10**”, also referred to as the “**Project Plan**”) will include approximately 25 surface acres located in the southwest corner of the intersection of Prairie Star Parkway and future Valhalla Road is legally described on **Exhibit B** (the “**Project Plan 10 Area**”). The Developer for the Project Plan is LUXE, LLC (the “**Developer**”). The improvements anticipated within the Project Plan 10 Area are an approximately 6,000 sq. ft. retail building and a mix of two-, four-, five-, and six-unit townhome buildings and associated improvements all of which are more specifically described in **Section 5** herein.

Project Plan 10 shall extend for a period of twenty (20) years from the date the Project Plan is approved by the City (the “**Project Plan Term**”). The incremental ad valorem property taxes (as defined by the Act) generated from the real property within the Project Plan 10 Area during the Project Plan Term in excess of the amount of real property taxes collected for the base year assessed valuation shall constitute the “**TIF Revenues**”. In accordance with the Act and in cooperation with the Planning Commission, the City prepared Project Plan 10.

**1. Comprehensive Feasibility Study.**

Staff prepared a Financial Feasibility Study (“**Feasibility Study**”) for Project Plan 10 attached hereto as **Exhibit E**. Projections on development in the Project Plan 10 Area were provided by the Developer. The Feasibility Study incorporates a number of assumptions, including a constant mill levy of 95.447, which excludes

the 20 mill school levy and the 1.5 State mill levy. The mill levy may vary each year of the TIF Term based on legislative actions and budgetary decisions made by the individual taxing jurisdictions. It also assumes property tax collection at 100%, Private Project completion by December 31, 2025 and a 1.0% annual increase in appraised valuation after the Private Project is fully constructed and stabilized.

The Developer will advance funds necessary to construct the Private Project and to pay the costs associated with the estimated and approved, private TIF eligible reimbursable costs set forth generally on **Exhibit C** attached hereto (the “**Private TIF Reimbursable Costs**”), and it is contemplated that Developer will subsequently be reimbursed with TIF Revenues received by the City on a “pay-as-you-go” basis. Such advances and reimbursements will be made in accordance with the terms of a Disposition & Development Agreement executed by the Developer and the City (the “**DDA**”). The Private TIF Reimbursable Costs are set forth in more detail in the DDA. The City also identified various public reimbursable costs set forth generally on **Exhibit C** which include reimbursement for the cost associated with the Ridgeview Road Project and other public improvements in the District (the “**Public TIF Reimbursable Costs**”), which costs are eligible for TIF reimbursement in accordance with the Ridgeview Mining TIF District Plan and the terms of the DDA. Collectively, the Private TIF Reimbursable Costs and Public TIF Reimbursable Costs are referred to as the “**TIF Reimbursable Costs**”.

There is an estimated total of \$9,696,500 in TIF Reimbursable Costs identified with Project Plan 10, but reimbursement of TIF Reimbursable Costs is dependent upon the amount of TIF Revenues generated within the Project Plan 10 Area during the Project Plan Term and received by the City, and shall be paid in accordance with the amount, priority and duration set forth in the DDA. In no event will any TIF Reimbursable Costs be reimbursed in an amount that exceeds the amount of TIF Revenues available.

The Feasibility Study indicates that if projected development, assessed values and tax revenues are accurate, TIF Revenues will be sufficient to reimburse the Developer for a portion of the approved Private TIF Reimbursable Costs. Other revenue sources, including but not limited to private equity, are available to meet Private TIF Reimbursable Costs and other private development costs associated with the Project. TIF Reimbursable Costs must (1) be reasonably approved by the City in accordance with the terms of the DDA; (2) meet the definition of “redevelopment project cost” set out in K.S.A. 12-1770a(o), as amended; (3) be an eligible expense under the City’s adopted TIF Policy and/or Procedures, unless otherwise permitted in the DDA; (4) be authorized in this Project Plan 10 and in the Ridgeview Mining TIF District Plan; and (5) be in compliance with the terms for reimbursement and prioritization described with particularity in the DDA.

The City has authorized a maximum reimbursement of \$4,696,500 to Developer for Private TIF Reimbursable Costs and anticipates reimbursing Developer for such Private TIF Reimbursable Costs incurred and paid by the

Developer with available TIF Revenues generated during the twenty (20) year Project Plan Term. The Public TIF Reimbursable Costs total \$5,000,000 plus the annual TIF Administrative Fee and will be reimbursed to the City with available TIF Revenues in the time and priority set forth in the DDA. Based on the current projections and cash flow analysis contained in the Feasibility Study, it is determined that the Project benefits, TIF Revenues and other available revenues, exceed the TIF Reimbursable Costs, and that the TIF Revenues and other available revenue sources, including private revenue sources for the private costs, should be sufficient to pay for such TIF Reimbursable Costs. For any improvements constructed by Developer in Project Plan 10, the Developer is responsible for all expenses, including but not limited to, Private TIF Reimbursable Costs, even if they exceed the amount of available TIF Revenues. The City reserves the right to amend the specific approved TIF Reimbursable Costs, and the amount, duration and prioritization thereof, to conform to the provisions of the DDA. City may also amend this Project Plan 10 in accordance with state law and the DDA.

In summary, assuming Project Plan 10 approval in spring 2022 with construction commencing end of year 2022 and completion of all phases by December 31, 2025, the City anticipates the ad valorem property tax increment will generate approximately \$14,449,764 over the Project Plan Term (the “**Estimated Total TIF Revenue Projection**”). The Developer will be responsible for all expenses of Developer, including the Private TIF Reimbursable Costs, above the TIF Revenue generated from Project Plan 10 and allocated to the Private TIF Reimbursable Costs during the Project Plan Term. If the TIF Revenue does not meet the estimated total TIF Reimbursable Costs, the City shall be under no obligation to provide financial assistance to Developer beyond the TIF Revenues actually generated from the Project Plan 10 Area in accordance with the distribution formula and term set out in the DDA. A summary of the feasibility assumptions and Estimated Total TIF Revenue Projection is included in **Exhibit E**.

## **2. Redevelopment District Plan and Redevelopment (TIF) Project Plan 10.**

### Redevelopment District Plan (Ridgeview Mining TIF District Plan)

The Ridgeview Mining TIF area includes land within the City of Lenexa, Kansas generally described as an area of approximately 961 surface and subsurface acres located south of Prairie Star Parkway, west of Renner Blvd., east of Mill Creek and north of K-10. The Ridgeview Mining TIF District Plan contemplates multiple surface and subsurface redevelopment project areas and various public infrastructure projects, all of which will help remediate and reclaim the land within the Ridgeview Mining TIF area. Development of individual project plan areas and the public infrastructure will be built in phases in accordance with one or more approved redevelopment project plans within the Ridgeview Mining TIF District.

In accordance with the Ridgeview Mining TIF District Plan, TIF increment may be used to pay for eligible project expenses within specific project plan areas for such items including but not limited to reclamation; geotechnical evaluation and structural study and improvements of the surface and/or subsurface; relocation or installation of public utilities; public or private streets, including Ridgeview Road and 99th St., alleys, drives, bridges and other incidental uses associated therewith; watershed improvements; drainage and stream way buffers; landscaping; open space and park amenities; surface and structured parking; and eligible costs associated with retail, office, business park, hotel, entertainment venues and multi-family uses; and other authorized uses set forth in the Ridgeview Mining TIF District Plan and permitted by the Act and the City TIF Policy & Procedures.

### Redevelopment (TIF) Project Plan 10

Project Plan 10 incorporates approximately 25 surface acres of improvements located within the Ridgeview Mining TIF District. Project Plan 10 Area is legally described in **Exhibit B** and will include improvements described in Section 5 herein.

#### **3. Map of Redevelopment Project Plan 10 Area.**

A map of the Project Plan 10 Area is attached as **Exhibit D**.

#### **4. Relocation Assistance Plan.**

No relocation will occur as a result of Project Plan 10 and therefore no relocation assistance plan is provided.

#### **5. Description of the Building and Facilities Proposed to be constructed.**

The Private Project part of Project Plan 10 is a townhome development that is anticipated to include approximately 119 townhome units in a mix of two-, four-, five-, and six building configurations as well as an approximately 6,000 sq. ft. retail building and access roads, surface parking, sidewalks, landscaping, site development, surface remediation and reclamation and associated infrastructure. Private TIF Reimbursable Costs incurred as a result of Project Plan 10 include, but are not limited to, architectural and engineering costs associated with the site improvements (but excluding all other vertical buildings to be owned or leased by the Developer), infrastructure improvements, site development, surface parking, lighting, landscaping, mine mitigation and remediation, hardscape, utilities located within the right-of-way, sidewalks, and related site amenities, and TIF Fee. The Private TIF Reimbursable Costs are described in more detail in the DDA.

Public improvements include but are not limited to the Ridgeview Road Project; sanitary sewer extensions within the District; public street infrastructure projects within the District; land acquisition costs within the District; public park improvements within the District; and costs for certain infrastructure located

outside the redevelopment district but contiguous to any portion of the redevelopment district and such infrastructure is necessary for the implementation of the Project Plan (the “**Public Improvements**”).

**6. Other Relevant Information.**

- a. Reimbursement of TIF Reimbursable Costs shall be made from ad valorem property tax increment (as defined in the Act) actually received by the City from Project Plan 10 Area and deposited into the special fund established by the City in accordance with K.S.A. 12-1778 (the “**Project Plan 10 Fund**”).
- b. If sufficient TIF Revenues are not available to pay all of the Private TIF Reimbursable Costs, the City is under no obligation to reimburse Private TIF Reimbursable Costs from any other source.
- c. Prior to any reimbursement of Private TIF Reimbursable Costs, each entity receiving reimbursement with TIF Revenues shall enter into a separate, valid and enforceable DDA with the City. The procedure for distribution, reimbursement and priority of payment of the Private TIF Reimbursable Costs shall be set out in the DDA and consistent with this Project Plan 10.
- d. Project Plan 10 is located within the Project Plan 2 area adopted by Ordinance No. 5594 on April 18, 2017. The City may subordinate its right to receive TIF Revenue reimbursement in a separate, valid and enforceable DDA with the Developer.

## EXHIBIT A

### LEGAL DESCRIPTION OF RIDGEVIEW MINING REDEVELOPMENT DISTRICT

An area within the City of Lenexa, Kansas the area is generally located in the southwest corner of 95th Street and Renner Boulevard and more specifically described as follows:

That part of the entire 95th Street right-of-way adjacent to or a part of the north section line of Section 6, Township 13, Range 24; and

All that part of Section 6, Township 13, Range 24 and the East half of Section 1, Township 13, Range 23, now in the city limits of Lenexa, Johnson County, Kansas, lying both above and below the Farley ledge of Limestone or where such ledge does not exist, the projected plane thereof, as defined by a qualified geologist and more particularly described as follows:

Commencing from the Point of Beginning at the Northeast corner of Section 6, Township 13, Range 24, following the East section line of Section 6, a distance of 1997.13 feet, thence South 87°39'32" West, a distance of 363 feet, thence South 02°20'28" East a distance of 600 feet, thence North 87°39'32" East a distance of 363 feet to the East line of Section 6, thence commencing Southeast along the East section line of Section 6 a distance of 1744 feet±, thence South 86°47'24" West a distance of 60 feet to the beginning of the North right-of-way line of K-10 Highway, thence following the K-10 Highway right-of-line approximately South 86°0'0" West a distance of 385±, thence approximately South 48°0'0" West a distance of 1059 feet± along K-10 right-of-way, thence approximately North 02°0'0" West a distance of 1051 feet±, thence approximately South 87°0'0" west a distance of 1376 feet± to the West quarter section line of the Southeast quarter of Section 6, thence Northwesterly to the Northwest corner of the Southeast quarter section of Section 6, thence Southwesterly along the North line of the Southwest quarter section of Section 6 to the West line of Section 6, thence approximately South 86°0'0" West a distance of 759 feet± to the South right-of-line of Atchison Topeka Santa Fe Railroad Line, thence South 33°0'0" West a distance of 913 feet±, thence approximately North 02°0'0" West a distance of 240 feet± to the North right-of-line of Atchison Topeka Santa Fe Railroad Line, thence following the radius of the right-of-way line Northeasterly as it curves around to intersect with the North line of the Northeast 1/4 section of Section 1, Township 13, Range 23, thence following the North line of the Northeast 1/4 section of Section 1 Northeasterly to the North line of Section 6, Township 13, Range 24, thence following the North line of Section 6 Northeasterly to the Point of Beginning:



AND EXCEPT

The subject land identified by County parcel number IF241306-3013 which is legally defined and identified as follows:

All that part of the north 1/2 of Section 6, Township 13, Range 24, now in the City of Lenexa, Johnson County, Kansas, lying above the Farley ledge of Limestone, or where such ledge does not exist, the projected plane thereof, as defined by a qualified geologist, more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 6; thence South 87 degrees 45 minutes 27 seconds West, along the North line of the Northeast 1/4 of said Section 6, a distance of 1,505.75 feet, to the true point of beginning of subject tract; thence continuing South 87 degrees 45 minutes 37 seconds West, along the North line of the Northeast 1/4 of said Section 6, a distance of 1,136.78 feet, to the Northwest corner thereof; thence South 87 degrees 46 minutes West, along the North line of the Northwest 1/4 of said Section 6, a distance of 388.16 feet; thence South 2 degrees 14 minutes East, a distance of 1,315.92 feet to a point on the South line of the North 1/2 of the Northwest 1/4 of said Section 6; thence North 87 degrees 20 minutes 17 seconds East, along the South line of the North 1/2 of the Northwest 1/4 of said Section 6, a distance of 389.26 feet, to the Southeast corner thereof; thence North 87 degrees 19 minutes 04 seconds East, along the South line of the North 1/2 of the Northeast 1/4 of said Section 6, a distance of 1,135.87 feet; thence North 2 degrees 14 minutes 23 seconds West, a distance of 1,304.24 feet, to the true point of beginning of subject tract.

AND INCLUDING

A tract of land being part of the Southeast Quarter of Section 1, Township 13 South, Range 23 East and part of the South Half of Section 6, Township 13 South, Range 24 East, in the City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

Commencing at the Southeast corner of said Section 1; thence along the East line of said Section 1, N 2° 10' 25" W, a distance of 346.80 feet, to a point on the North right-of-way line of Kansas Highway No. 10, as now established, said point also being the True Point of Beginning of subject tract; thence along said North right-of-way line of Kansas Highway No. 10, S 87° 59' 30" W, a distance of 47.80 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 12° 02' 30" W, a distance of 103.10 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 86° 51' 30" W, a distance of 539.10 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 51° 41' 30" W, a distance of 256.10 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 85° 06' 30" W, a distance of 602.50 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 85° 38' 30" W, a distance of 426.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 72° 59' 30" W, a

distance of 271.17 feet; thence departing said North right-of-way line of Kansas Highway No. 10, N 50° 06' 31" E, a distance of 95.92 feet, to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 165.00 feet and a central angle of 25° 05' 19", a distance of 72.25 feet, to a point of reverse curvature; thence Northeasterly, along a curve to the right, having a radius of 385.00 feet, a central angle of 40° 23' 13" and whose initial tangent bearing is N 25° 01' 12" E, a distance of 271.38 feet, to a point of reverse curvature; thence Northeasterly, along a curve to the left, having a radius of 415.00 feet a central angle of 47° 16' 26" and whose initial tangent bearing is N 65° 24' 25" E, a distance of 342.41 feet, to a point of tangency; thence N 18° 08' 01" E, a distance of 50.19 feet, to a point of curvature; thence Northerly, along a curve to the left, having a radius of 415.00 feet and a central angle of 20° 23' 48", a distance of 147.74 feet, to a point of reverse curvature; thence Northerly and Northeasterly, along a curve to the right, having a radius of 231.06 feet, a central angle of 37° 05' 46" and whose initial tangent bearing is N 2° 15' 49" W, a distance of 149.60, to a point of tangency; thence N 34° 49' 59" E, a distance of 314.86 feet, to a point on the North line of the South Half of the Southeast Quarter of said Section 1; thence continuing N 34° 49' 59" E, a distance of 55.59 feet; thence N 54° 36' 41" E, a distance of 60.11 feet; thence N 24° 13' 55" E, a distance of 1,309.20 feet; thence N 46° 51' 14" E, a distance of 127.56 feet, to a point on the North line of the Southeast Quarter of said Section 1; thence along said North line of the Southeast Quarter of Section 1, N 86° 51' 14" E, a distance of 511.04 feet to the Northeast corner of said Southeast Quarter, said point also being the Northwest corner of the Southwest Quarter of said Section 6; thence along the North line of said Southwest Quarter of Section 6, N 87° 15' 30" E, a distance of 2,484.11 feet to the Northeast corner of said Southwest Quarter of Section 6; thence along the East line of said Southwest Quarter of Section 6, S 2° 07' 59" E, a distance of 2,482.60 feet, to a point on the North right-of-way line of said Kansas Highway No. 10; thence along said North right-of-way line of Kansas Highway No. 10, S 88° 36' 26" W, a distance of 706.19 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 84° 22' 10" W, a distance of 544.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 66° 00' 10" W, a distance of 269.30 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 74° 32' 50" W, a distance of 577.20 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 88° 39' 10" W, a distance of 341.70 feet; thence along said North right-of-way line of Kansas Highway No. 10, N 18° 53' 50" W, a distance of 104.40 feet; thence along said North right-of-way line of Kansas Highway No. 10, S 87° 48' 10" W, a distance of 60.90 feet, to the True Point of Beginning and containing 211.4 acres more or less.

And including the Southwest Quarter of the Southeast Quarter of Section 6, Township 13 South, Range 24 East, in the City of Lenexa, Johnson County, Kansas and containing 40.4 acres more or less.

AND INCLUDING

A tract of land in the Northeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

The East 363 feet of the South 600 feet of the of the South Half of said Northeast Quarter of Section 6, except the North 120 feet of the East 181.5 feet of said South 600 feet, and containing 4.50 acres more or less.

AND INCLUDING

A tract of land in the Northeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

The North 120 feet of the East 181.5 feet of the south 600 feet of the South Half of said Northeast Quarter of Section 6, and containing 0.50 acres more or less.

AND INCLUDING

A tract of land in the Southeast Quarter of Section 6, Township 13 South, Range 24 East, City of Lenexa, Johnson County, Kansas, and more particularly described as follows:

All that part of the Kansas State Highway 10 right-of-way lying in the East Half of said Southeast Quarter of Section 6, and containing 19.7 acres more or less.

**EXHIBIT B**  
**LEGAL DESCRIPTION OF PROJECT PLAN 10**

All of Lots 9 through 34 and Tract D, Vista Village First Plat, a subdivision of land in Lenexa, Johnson County, Kansas.

**EXHIBIT C**  
**TIF Reimbursable Costs**

The following items are estimated TIF eligible costs for reimbursement with TIF Revenues generated from Project Plan 10. The priority and duration of reimbursement is set forth in the DDA.

<b>Description of Expenditure</b>	<b>Reimbursement to:</b>	<b>Estimate Reimbursement</b>
Eligible TIF Fees (excluding the Annual Administrative Fee)	Developer	\$46,500 <sup>1</sup>
<b>Itemized Private TIF Reimbursable Costs paid by Developer, excluding the TIF Fee, but including:</b> Site development; A/E (excluding vertical buildings owned or leased by the Developer other than parking structures); water mains; surface; landscaping, lighting, sidewalks, and similar amenities; mine remediation and mitigation; and public and private streets.	Developer	\$4,650,000 <sup>2</sup>
<b>Itemized Public TIF Reimbursable Costs paid by City, excluding the Annual Administrative TIF Fee, but including:</b> The City's costs associated with the Ridgeview Road Project, sanitary sewer, land acquisition, public street infrastructure, and public parks.	City	\$5,000,000
<b>Annual Administrative TIF Fee:</b> 0.5% of the annual TIF Revenues reimbursed to Developer	City	TBD
<b>Total Maximum Aggregate of Eligible TIF Reimbursable Costs</b>	City	\$9,696,500 <sup>3</sup>

Notwithstanding any other provision of this Plan to the contrary, reimbursable expenditures shall at all times be consistent with the Act, including judicial interpretation of the Act.

<sup>1</sup> This sum shall be reimbursed to Developer if paid to City by Developer, and if not, it shall be deducted from the first Private TIF Reimbursable Cost payment (and thereafter until paid in full) and paid to the City. This sum excludes the Annual Administrative TIF Fee as it is TBD based upon eligible TIF Revenues disbursed.

<sup>2</sup> The City has only authorized a maximum reimbursement to the Developer of \$4,696,500 for eligible Private TIF Reimbursable Costs. The Developer will be responsible for all expenses of Developer, including costs associated with completing the Project as well as the Private TIF Reimbursable Costs even if they exceed the TIF Revenue generated from Project Plan 10.

<sup>3</sup> The Total Maximum Aggregate of TIF Reimbursable Costs does not include a sum for the Annual Administrative TIF Fee as this amount is to be determined as it is based upon the annual amount of TIF Revenues disbursed to Developer.

EXHIBIT D

PROJECT PLAN 10 AREA MAP



## EXHIBIT E

April 2022

### Ridgeview Mining TIF District Project Plan 10 - TIF Revenue Projections LUXE Townhome and Retail

Year of TIF (1)	Distribution Year (2)	Residential Assessed Value (3)	Retail Assessed Value (4)	Total Assessed Value (5)	Base Year Assessed Value (6)	Captured Assessed Value (Column 3 - Column 4) (7)	Projected Property Tax Increment (8)
1	2024	\$31,500	\$0	\$31,500	\$18,358	\$13,142	\$1,254
2	2025	\$5,197,425	\$510,000	\$5,707,425	\$18,358	\$5,689,067	\$543,004
3	2026	\$6,929,900	\$515,100	\$7,445,000	\$18,358	\$7,426,642	\$708,851
4	2027	\$6,999,199	\$520,251	\$7,519,450	\$18,358	\$7,501,092	\$715,957
5	2028	\$7,069,191	\$525,454	\$7,594,645	\$18,358	\$7,576,287	\$723,134
6	2029	\$7,139,883	\$530,709	\$7,670,592	\$18,358	\$7,652,234	\$730,383
7	2030	\$7,211,282	\$536,016	\$7,747,298	\$18,358	\$7,728,940	\$737,704
8	2031	\$7,283,395	\$541,376	\$7,824,771	\$18,358	\$7,806,413	\$745,099
9	2032	\$7,356,229	\$546,790	\$7,903,019	\$18,358	\$7,884,661	\$752,567
10	2033	\$7,429,791	\$552,258	\$7,982,049	\$18,358	\$7,963,691	\$760,110
11	2034	\$7,504,089	\$557,781	\$8,061,870	\$18,358	\$8,043,512	\$767,729
12	2035	\$7,579,130	\$563,359	\$8,142,489	\$18,358	\$8,124,131	\$775,424
13	2036	\$7,654,921	\$568,993	\$8,223,914	\$18,358	\$8,205,556	\$783,196
14	2037	\$7,731,470	\$574,683	\$8,306,153	\$18,358	\$8,287,795	\$791,045
15	2038	\$7,808,785	\$580,430	\$8,389,215	\$18,358	\$8,370,857	\$798,973
16	2039	\$7,886,873	\$586,234	\$8,473,107	\$18,358	\$8,454,749	\$806,980
17	2040	\$7,965,742	\$592,096	\$8,557,838	\$18,358	\$8,539,480	\$815,068
18	2041	\$8,045,399	\$598,017	\$8,643,416	\$18,358	\$8,625,058	\$823,236
19	2042	\$8,125,853	\$603,997	\$8,729,850	\$18,358	\$8,711,492	\$831,486
20	2043	\$8,207,112	\$610,037	\$8,817,149	\$18,358	\$8,798,791	\$839,818
<b>Total Projected Property Tax Increment</b>							<b>\$14,449,764</b>
<b>Net Mill Levy</b>							<b>95.447</b>
<b>Assumptions:</b>							
a) TIF Mill Levy is 95.447 mills in all years.							
b) Estimated residential assessed valuation upon completion in 2025 TY is \$6,929,900.							
c) Estimated retail assessed valuation upon completion in 2024 TY is \$510,000.							
d) Base year assessed valuation is \$18,358 for parcel IF241306-1001.							
e) Assessed value increases by 1% annually after completion.							
f) Property tax collection rate will be 100%.							
g) Property tax increment is distributed twice each year.							

