



June 29, 2022

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Board of County Commissioners
111 S Cherry St #3300
Olathe, KS 66061

To Whom It May Concern:

As you may know, the Olathe Gateway development currently sits in a tax increment financing district created in 2003. While it will have no impact on you or your business, Kansas law requires the City to notify you of potential changes to the district.

On June 21, 2022, the City Council adopted the attached Resolution No. 22-1042 setting August 2, 2022, as a Public Hearing date to hear comments regarding expansion of the existing Olathe Gateway Tax Increment Financing (TIF) District. The City has proposed to add additional property located at the northeast corner of 119th Street and Renner Boulevard to the TIF District. Maps showing the current boundaries of this TIF District, as well as the proposed expansion, are included in the Resolution.

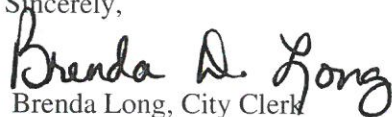
Tax Increment Financing, or TIF, allows the City to use incremental increases in property tax revenues generated within the TIF District to pay for public infrastructure and redevelopment within that TIF District. Properties within a TIF District pay property taxes and collect sales taxes in the same way and at the same rate as all other properties within the City.

The public hearing will be held at 7:00 p.m. on August 2, 2022, at City Hall, 100 East Santa Fe, Olathe, Kansas. You are welcome to attend this Public Hearing and provide comments. Public comments may also be submitted in advance of the public hearing by email to cco@olatheks.org.

Again, this change has no impact to you or your business, and no action will be needed on your part should the boundaries of the TIF District be adjusted.

If you have any questions, you may contact the City Clerk's office at City Hall by calling 913-971-8521.

Sincerely,


Brenda Long, City Clerk

RESOLUTION NO. 22-1042

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING THE EXPANSION OF AN EXISTING REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ.

WHEREAS, the City of Olathe, Kansas (the “City”), is a city of the first class organized and existing under the constitution and laws of the State of Kansas; and

WHEREAS, the City has the authority to adopt tax increment financing pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”); and

WHEREAS, the Governing Body of the City adopted Resolution No. 91-1026 on March 5, 1991, designating a portion of the City as an enterprise zone; and

WHEREAS, the City created the Olathe Retail and Entertainment Redevelopment District by the adoption of Ordinance No. 03-70 on August 19, 2003; and

WHEREAS, the City amended the Olathe Retail and Entertainment Redevelopment District (the “Redevelopment District”) to include four project areas (Project Areas 1, 2a, 2b, and 3) by the adoption of Ordinance No. 06-124 on November 28, 2006; and

WHEREAS, the City adopted the redevelopment project plan for Project Area 1 (the “Redevelopment Plan”) by the adoption of Ordinance No. 06-124 on November 28, 2006; and

WHEREAS, the City expanded the Redevelopment District by the addition of an area known as Project Area 4 (“Project Area 4”), by the adoption of Ordinance 07-69 on July 24, 2007; and

WHEREAS, the City proposes to further expand the Redevelopment District by the addition of an area to be known as Project Area 5 (“Project Area 5”) shown on the map attached hereto as **Exhibit A**; and

WHEREAS, the City finds that Project Area 5 is a “conservation area” as defined by the Act, as described in that certain “Conservation Area Study for the Northeast Corner of 119th and Renner Boulevard,” dated June 15, 2022; and

WHEREAS, the City is required under the Act to conduct a public hearing in accordance with the Act in connection with the proposed expansion of the Redevelopment District to include Project Area 5;

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

Section 1. The City of Olathe, Kansas (the “City”) is considering the expansion of the Redevelopment District pursuant to the Act, to consist of the addition of a new Project Area 5. The Governing Body hereby finds and determines that Project Area 5 is a “conservation area” as defined by the Act.

Section 2. Notice is hereby given that a public hearing will be held by the City to consider establishment of the expansion of the Redevelopment District consisting of the addition of a new Project

Area 5 on August 2, 2022 in the City Council Chamber located in City Hall, 100 East Santa Fe, Olathe, Kansas, commencing at 7:00 p.m.

Section 3. The proposed Project Area 5 expansion of the Redevelopment District is bounded by the existing Redevelopment District to the south, Kansas City Road to the east, the current City limits to the northeast and north, and Renner Boulevard to the west. A map of the proposed Project Area 5 expansion of the Redevelopment District is attached hereto as **Exhibit A**. A map of the entire Redevelopment District as expanded by Project Area 5 is attached as **Exhibit B**. The boundaries of Project Area 5 are legally described as shown on **Exhibit C** hereto. The legal description of the Redevelopment District as expanded by Project Area 5 is attached hereto as **Exhibit D**.

Section 4. The district plan for the proposed Redevelopment District as expanded by Project Area 5 is generally described as follows:

Project Area 1: The buildings and facilities to be constructed or improved in Project Area 1 may be described in a general manner as a commercial development consisting of retail buildings totaling approximately 150,000 square feet and associated public and private infrastructure.

Project Area 2A: The buildings and facilities to be constructed or improved in Project Area 2A may be described in a general manner as a commercial development consisting of inline retail, retail pad sites, and/or a hotel, and associated public and private infrastructure.

Project Area 2B: The buildings and facilities to be constructed or improved in Project Area 2B may be described in a general manner as a commercial development consisting of inline retail and/or a hotel, and associated public and private infrastructure.

Project Area 3: The buildings and facilities to be constructed or improved in Project Area 3 may be described in a general manner as a mixed-use development consisting of some or all of the following uses: retail, office, industrial, business park/distribution facilities, hotel, conference facilities, museum facilities, exhibition facilities, and associated public and private infrastructure.

Project Area 4: The buildings and facilities to be constructed or improved in Project Area 4 may be described in a general manner as a mixed-use development consisting of some or all of the following uses: retail, office, industrial, business park/distribution facilities, hotel, conference facilities, museum facilities, exhibition facilities, and associated public and private infrastructure.

Project Area 5: The buildings and facilities to be constructed or improved in Project Area 5 may be described in a general manner as a mixed-use development consisting of some or all of the following uses: retail, office, residential, industrial, business park/distribution facilities, hotel, conference facilities, museum/entertainment facilities, exhibition facilities, and associated public and private infrastructure.

Section 5. A description and map of the proposed Project Area 5 within the proposed expanded Redevelopment District are available for inspection and copying in the offices of the City Clerk, City Hall, 100 East Santa Fe, Olathe, Kansas, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m.


Section 6. The Governing Body will consider the findings necessary for the expansion of the Redevelopment District after conclusion of the public hearing.

Section 7. The City Clerk is hereby authorized and directed to publish this resolution once in the official city newspaper not less than one week or more than two weeks preceding August 2, 2022, the date set for the public hearing. The City Clerk is also authorized and directed to mail a copy of this resolution via certified mail, return receipt requested to the board of county commissioners, the board of education of any school district levying taxes on property within the proposed expanded Redevelopment District, and to each owner and occupant of land within the proposed expanded Redevelopment District, not more than 10 days following the date of the adoption of this Resolution.

Section 8. This Resolution shall become effective upon its adoption by the Governing Body.


ADOPTED by the Governing Body this 21st day of June, 2022.

SIGNED by the Mayor this 21st day of June, 2022.


John W Bacon (Jun 28, 2022 09:24 CDT)

Mayor

(SEAL)



City Clerk



EXHIBIT A

MAP OF PROPOSED PROJECT AREA 5

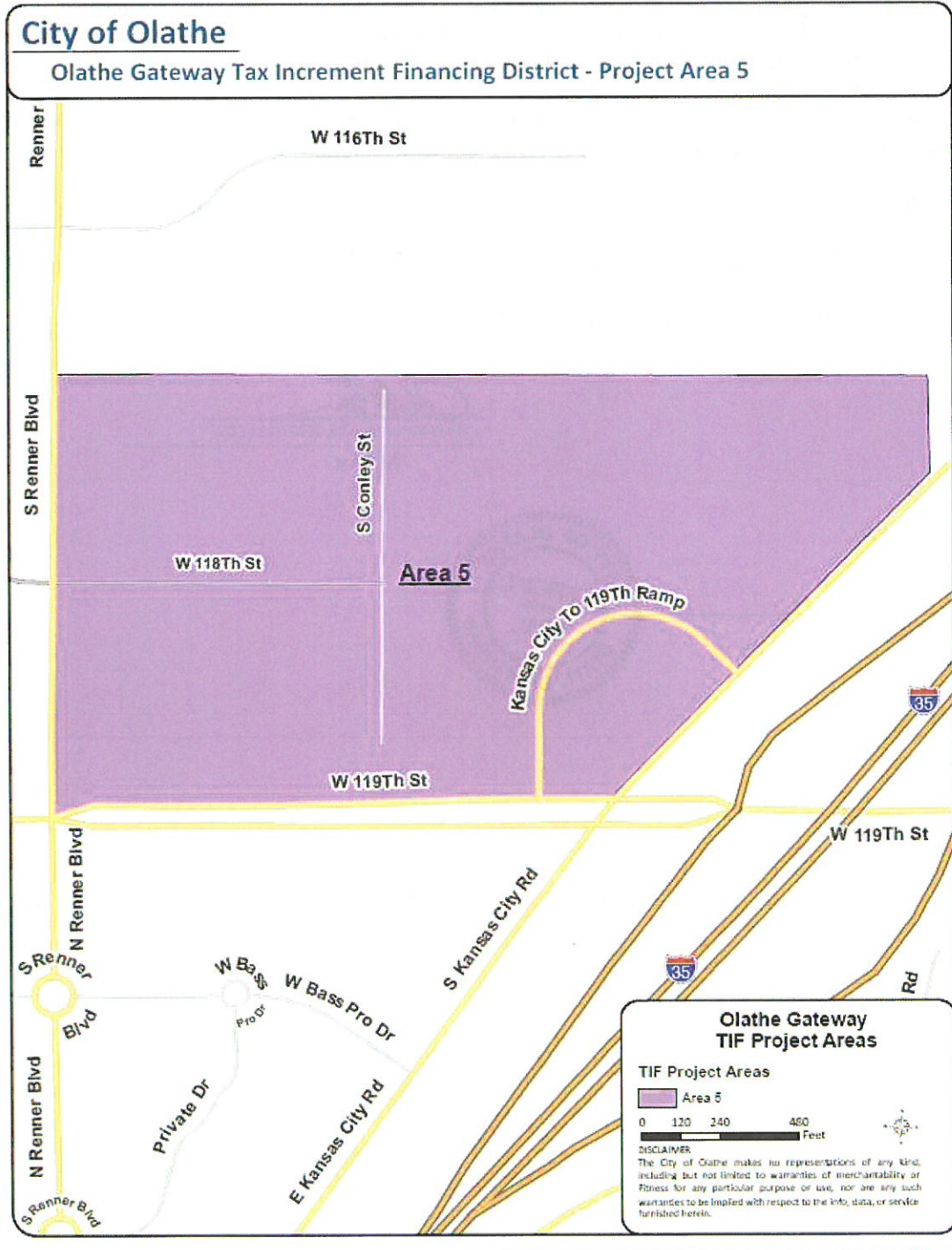


EXHIBIT B

MAP OF THE PROPOSED EXPANDED REDEVELOPMENT DISTRICT

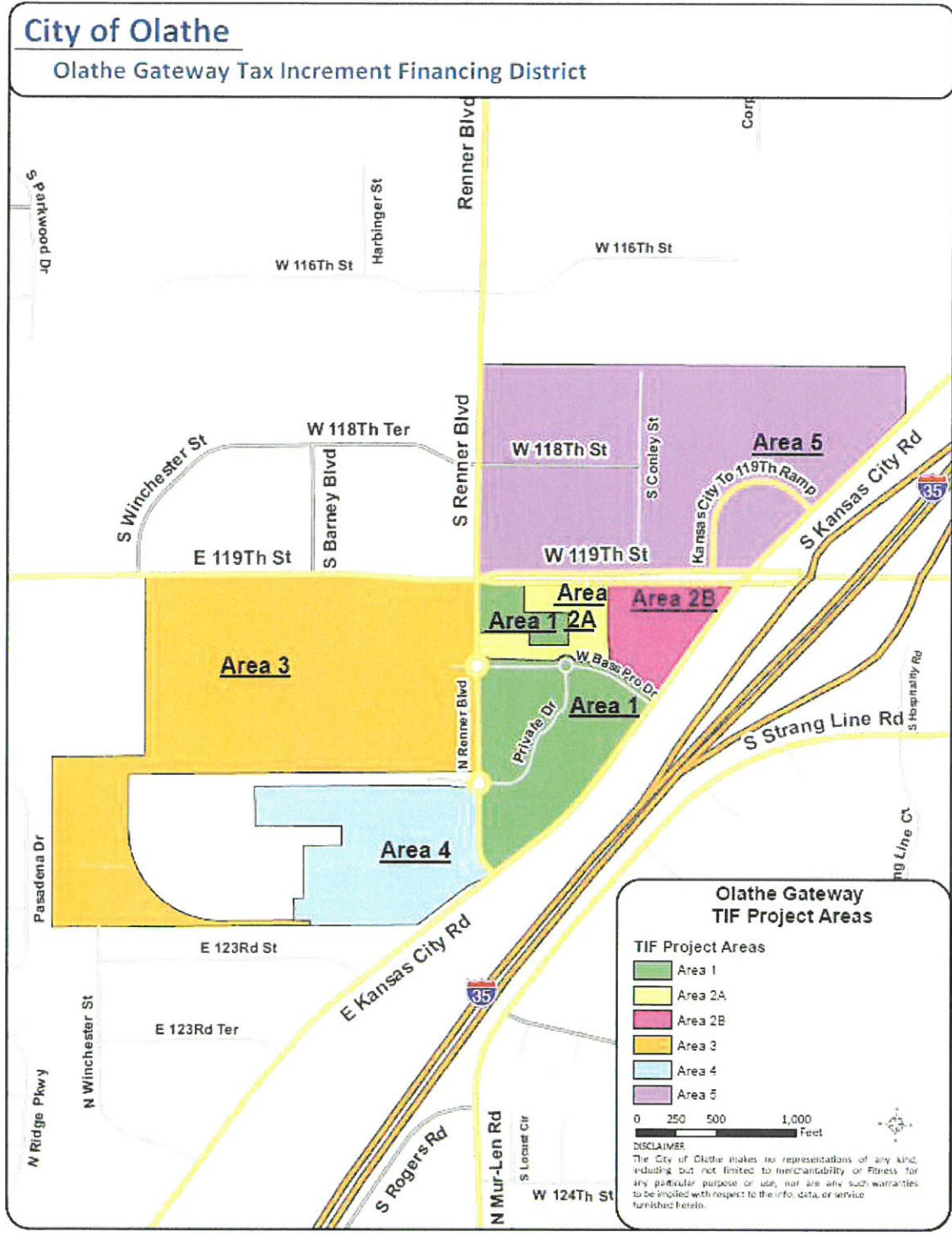


EXHIBIT C

**LEGAL DESCRIPTION OF PROPOSED PROJECT AREA 5 WITHIN THE PROPOSED
EXPANDED REDEVELOPMENT DISTRICT**

All that part of the South half of the Southwest quarter of Section 17, Township 13, Range 24 East in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Section 17, Township 13, Range 24 East; thence N° 01 26' 24" W along the west section line of said section a distance of 1,324.80 feet to the Northwest corner of HALL'S ACRES plat; thence N 88° 13' 21" E to the west section line of Section 17, Township 13, Range 24 East; thence south along said section line at a bearing of S 3° 5' 56" E a distance of 297.05 feet to a point of Right-of-Way along S Kansas City Rd; thence southwesterly along said Right-of-Way S 42° 31' 27" W a distance of 1,434.70 feet to the south line of Section 17, Township 13, Range 24 East; thence west along said section line S 88° 11' 14" W a distance of 1,651.85 feet to the point of beginning, containing 68.71 acres more or less;

and all adjacent public right of way.

EXHIBIT D

LEGAL DESCRIPTION OF PROPOSED EXPANDED REDEVELOPMENT DISTRICT

Overall TIF boundary

All of Olathe Entertainment District, First, Second, and Third Plats, together with an unplatted portion of land, all lying in the Northeast Quarter of Section 19 and the Northwest Quarter of Section 20, Township 13 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, described as follows:

BEGINNING at the Northeast corner of Lot 2, Olathe Entertainment District, Second Plat; thence South 33 degrees 23 minutes 56 seconds West along the East line of Olathe Entertainment District, Second Plat a distance of 779.40 feet to a point on the North line of 120th Street; thence South 56 degrees 39 minutes 39 seconds East along the North line of 120th Street right of way a distance of 1.36 feet to a point; thence South 33 degrees 20 minutes 21 seconds West along the East line of Olathe Entertainment District, First and Second Plats a distance of 692.52 feet to a point; thence in a Southwesterly direction along the Easterly line of Olathe Entertainment District, First Plat and along a curve to the right, having a radius of 1307.46 feet, through a central angle 15 degrees 56 minutes 23 seconds, an arc distance of 363.74 feet to a point; thence South 49 degrees 16 minutes 44 seconds West along the Easterly line of Olathe Entertainment District, First Plat a distance of 28.08 feet to a point; thence North 43 degrees 00 minutes 59 seconds West along the Easterly line of Olathe Entertainment District, First Plat a distance of 18.01 feet to a point; thence in a Southwesterly direction along the Easterly line of Olathe Entertainment District, First Plat and along a curve to the right whose initial tangent bears South 46 degrees 59 minutes 02 seconds West, having a radius of 1829.86 feet, through a central angle of 2 degrees 27 minutes 18 seconds, an arc distance of 78.40 feet to a point; thence South 49 degrees 26 minutes 19 seconds West along the Easterly line of Olathe Entertainment District, First Plat a distance of 279.29 feet to the Southernmost corner thereof, said point also lying on the Northwesterly right of way line of Kansas City Road (formerly known as U.S. Highway 50); thence South 45 degrees 13 minutes 43 seconds West a distance of 231.58 feet to a point; thence South 49 degrees 16 minutes 44 seconds West along the Northwesterly right of way line of said Kansas City Road a distance of 429.05 feet to a point on the North line of Rosehill North Business Park 1st Plat, a subdivision in the City of Olathe, Johnson County, Kansas, as recorded in Plat Book 66 at Page 31; thence South 87 degrees 28 minutes 07 seconds West along the North line of said Rosehill North Business Park 1st Plat a distance of 2262.76 feet to a point on the West line of the Northeast Quarter of said Section 19; thence North 2 degrees 00 minutes 17 seconds West along the West line of the Northeast Quarter of said Section 19 a distance of 1075.10 feet to the Southwest corner of Lot 1 of the final plat of Resourcenet International, a subdivision in the City of Olathe, Johnson County, Kansas, as recorded in Plat Book 93 at Page 30; thence North 87 degrees 28 minutes 58 seconds East along the South line of said Lot 1 a distance of 575.00 feet to the Southeast corner thereof; thence North 2 degrees 00 minutes 17 seconds West along the East line of said Lot 1 a distance of 1071.51 feet to a point on the South right of way line of 119th Street; thence North 87 degrees 28 minutes 54 seconds East along the South right of way line of 119th Street a distance of 1266.34 feet to a point; thence North 88 degrees 43 minutes 37 seconds East along the South right of way line of 119th Street a distance of 460.05 feet to a point; thence North 87 degrees 28 minutes 54 seconds East along the South right of way line of 119th Street a distance of 282.01 feet to a point; thence South 83 degrees 22 minutes 33 seconds East a distance of 150.84 feet to the Northwest corner of Olathe Entertainment District, Second Plat; thence North 88 degrees 11 minutes 00 seconds East along the North line of Olathe Entertainment District, Second Plat a distance of 141.31 feet to a point; thence South 1 degree 49 minutes 00 seconds East along the North line of Olathe Entertainment District, First Plat a distance of 4.00 feet to a point; thence North 88 degrees 11 minutes 00 seconds East along the North line of Olathe Entertainment District, Second Plat a distance of 369.00 feet to a point; thence North 1 degree 49 minutes 00 seconds West along the North line of Olathe Entertainment District, Second Plat a distance of 11.00 feet to a point; thence North 88 degrees 11 minutes 00 seconds East along the North line of Olathe Entertainment District, Second Plat a distance of 936.83 feet to the POINT OF BEGINNING and containing 6,545,498 Square Feet or 150.263 Acres, more or less.

AND

All that part of the South half of the Southwest quarter of Section 17, Township 13, Range 24 East in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Section 17, Township 13, Range 24 East; thence N° 01 26' 24" W along the west section line of said section a distance of 1,324.80 feet to the Northwest corner of HALL'S ACRES plat; thence N 88° 13' 21" E to the west section line of Section 17, Township 13, Range 24 East; thence south along said section line at a bearing of S 3° 5' 56" E a distance of 297.05 feet to a point of Right-of-Way along S Kansas City Rd; thence southwesterly along said Right-of-Way S 42° 31' 27" W a distance of 1,434.70 feet to the south line of Section 17, Township 13, Range 24 East; thence west along said section line S 88° 11' 14" W a distance of 1,651.85 feet to the point of beginning, containing 68.71 acres more or less;

and all adjacent public right of way.