

OVERLAND PARK

K A N S A S

ABOVE AND BEYOND. BY DESIGN.

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Overland Park, Kansas 66212-2899
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City Attorney's Office

May 26, 2022

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Penny Post oak Ferguson, County Manager
Johnson County Admin. Building
111 S. Cherry Street, Suite 3300
Olathe, KS 66061-3441

RE: **Metcalf 108 Redevelopment TIF Project (Generally Located at the northeast corner of I-435 and Metcalf Avenue)**

Pursuant to K.S.A. 12-1772, enclosed please find a certified true copy of Resolution No. 4819 providing notice of public hearing on **July 11, 2022 at 7:30 p.m.** concerning the adoption of the redevelopment project plan within the above referenced redevelopment district within the City of Overland Park, Kansas (the "Resolution"). The Resolution was adopted by the City Council on May 16, 2022.

Should you have any questions or desire additional information, please feel free to contact me or the Deputy City Manager Kristy Stallings at (913) 895-6152.

Sincerely,



Michael Koss
Deputy City Attorney

MK:mrs

Enclosure

cc: Curtis Petersen, Polsinelli PC
Joseph Serrano, Kutak Rock LLP
Kristy Stallings, Deputy City Manager
Tammy M. Owens, City Attorney
Todd LaSala, Stinson LLP

C E R T I F I C A T E

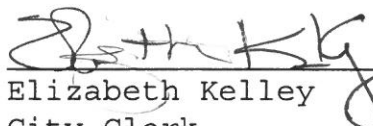
State of Kansas

County of Johnson

City of Overland Park

I, Elizabeth Kelley, City Clerk of the City of Overland Park, Kansas, hereby certify that the attached document is a true and correct copy of Resolution No. 4819, as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 17th day of May, 2022.


Elizabeth Kelley
City Clerk



RESOLUTION NO. 4819

A RESOLUTION PROVIDING FOR NOTICE OF A PUBLIC HEARING CONCERNING THE CONSIDERATION OF A REDEVELOPMENT PROJECT PLAN FOR THE PROJECT AREA IN A REDEVELOPMENT DISTRICT GENERALLY LOCATED AT THE NORTHEAST CORNER OF I-435 AND METCALF AVENUE WITHIN THE CITY (METCALF 108 REDEVELOPMENT TIF PROJECT).

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”) and Ordinance Nos. RD-3175 and RD-3175, A (collectively, the “TIF District Ordinance”) of the City of Overland Park, Kansas (the “City”), and in order to promote, stimulate and develop the general and economic welfare of the City, the Governing Body of the City has previously established a tax increment financing redevelopment district (the “Redevelopment District”), and approved the district plan (the “District Plan”), described in the TIF District Ordinance; and

WHEREAS, a TIF redevelopment project plan (the “Project Plan”) has been proposed for the redevelopment of the project area (the “Project Area”) within the Redevelopment District; and

WHEREAS, the boundaries of the Redevelopment District and the boundaries of the Project Area are described on **Exhibit A** hereto; and

WHEREAS, a comprehensive feasibility study has been completed which indicates that the benefits, tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1) expected to be derived from the redevelopment project described in the Project Plan are expected to exceed or be sufficient to pay for the redevelopment project costs approved by the City pursuant to the District Plan and the Act; and

WHEREAS, a copy of the Project Plan for the Project Area has been delivered to the Board of County Commissioners of Johnson County, Kansas, and to the Board of Education of Unified School District No. 512, Johnson County, Kansas, all in accordance with the Act; and

WHEREAS, the Planning Commission of the City has reviewed the Project Plan for the Project Area and found and determined that the Project Plan is consistent with the intent of the comprehensive plan for development of the City;

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS, AS FOLLOWS:

Section 1. A public hearing to consider adoption of the proposed Project Plan shall be held on July 11, 2022, beginning at 7:30 p.m., Central Time (or as soon thereafter as is practical), at City Hall, 8500 Santa Fe Drive, Overland Park, Kansas. 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. 12-1772(c).

Section 2. The Redevelopment District was created by Ordinance No. RD-3175 passed by the City Council on July 17, 2017, and effective on July 25, 2017 (the publication date for

Ordinance No. RD-3175), as amended by Ordinance No. RD-3175, A passed by the City Council on March 21, 2022, and effective on March 29, 2022 (the publication date for Ordinance No. RD-3175, A). The boundaries of the Redevelopment District and the boundaries of the Project Area are set forth on **Exhibit A** attached hereto and incorporated herein by reference. A map of the Project Area is included on **Exhibit B** attached hereto and incorporated herein by reference.

Section 3. The Project Plan, including a summary of the feasibility study, the relocation assistance plan, and a description and map of the area to be redeveloped, is available for inspection during regular business hours in the office of the City Clerk of the City.

Section 4. A copy of this Resolution shall be sent 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. Copies of this Resolution also shall be sent by certified mail, return receipt requested, to each owner and occupant of land within the Project Area not more than 10 days following the date of adoption of this Resolution. This Resolution (including **Exhibits A** and **B**) 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.

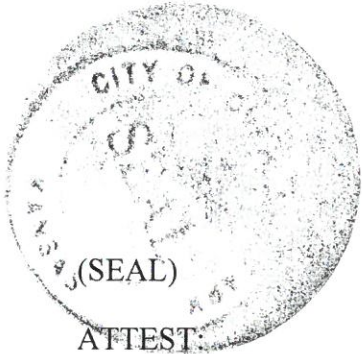
Section 5. This Resolution shall be in full force and effect from and after its adoption.

[Remainder of Page Intentionally Left Blank]

ADOPTED by the City Council this 16th day of May, 2022.

APPROVED AND SIGNED by the Mayor this 16th day of May, 2022.


CITY OF OVERLAND PARK, KANSAS



By: 
Curt Skoog
Mayor

By: 
Elizabeth Kelley
City Clerk

APPROVED AS TO FORM:

By: 
Michael Koss
Deputy City Attorney

APPROVED AS TO FORM:


By: 
Joseph D. Serrano, Kutak Rock LLP
Bond Counsel

EXHIBIT A

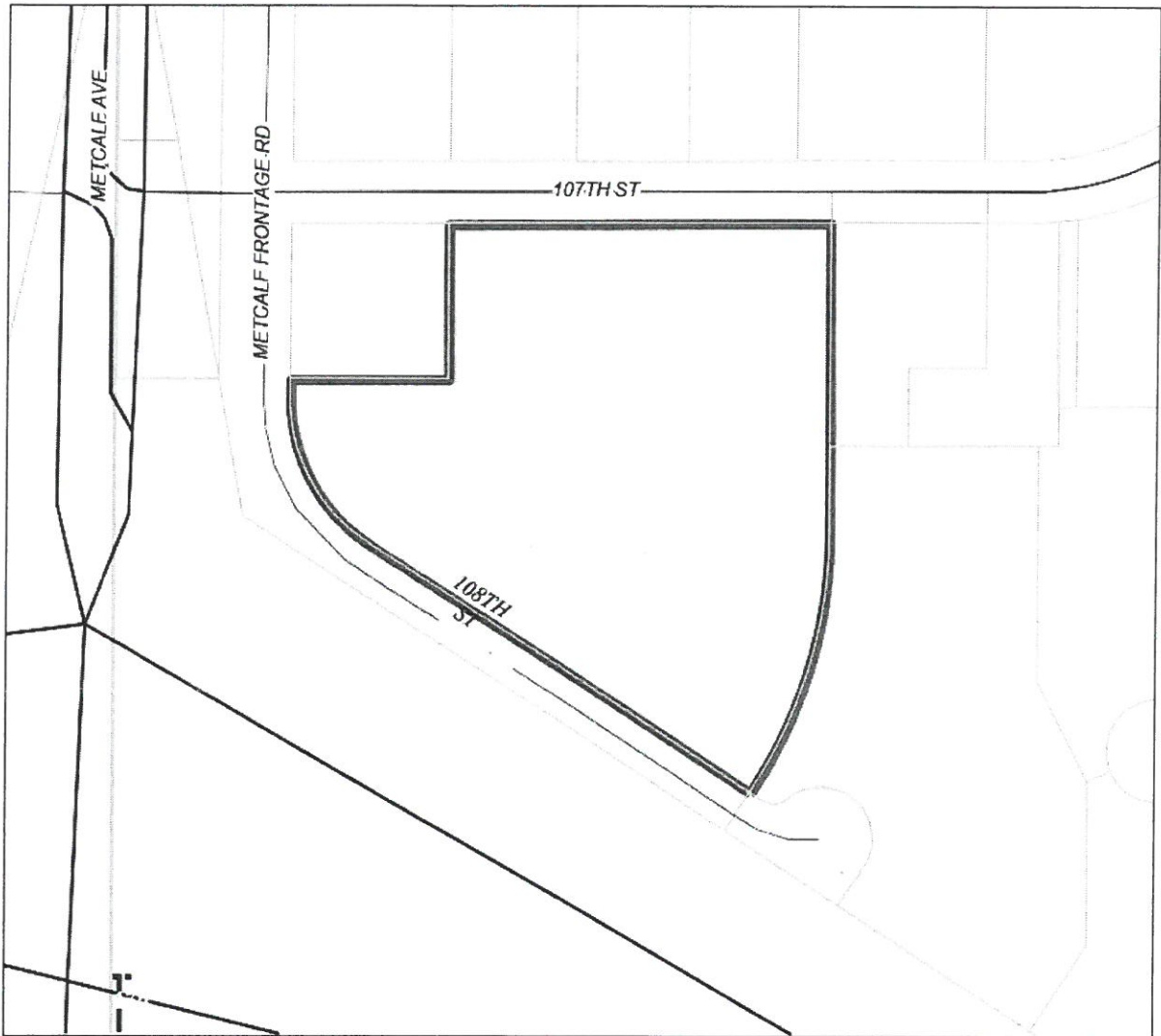
LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT AND PROJECT AREA



All of Tract D, METCALF "107", a subdivision in the City of Overland Park, Johnson County, Kansas, as more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of Section 8, Township 13 South, Range 25 East on the Sixth Principal Meridian; thence South 00 degrees 26 minutes 20 seconds West along the West line of said Southwest Quarter, a distance of 374.19 feet; thence South 89 degrees 33 minutes 40 seconds East, a distance of 170.00 feet to the Southwest corner of Tract C, METCALF "107" and the Point of Beginning; thence continuing South 89 degrees 33 minutes 40 seconds East, a distance of 150.71 feet; thence North 00 degrees 10 minutes 00 seconds East, a distance of 150.71 feet; thence South 89 degrees 50 minutes 00 seconds East, a distance of 368.00 feet; thence South 00 degrees 10 minutes 00 seconds West, a distance of 302.33 feet; thence along a curve to the right tangent to the last described course (having a radius of 455.29 feet, a central angle of 33 degrees 30 minutes 13 seconds) a length of 266.23 feet to a point lying on the North right-of-way line of 108th Street as now established; thence North 56 degrees 19 minutes 45 seconds West along said North right-of-way line, a distance of 439.94 feet; thence along a curve to the right being tangent to the last described course (having a radius of 170.33 feet, a central angle of 56 degrees 46 minutes 04 seconds) a length of 168.76 feet; thence North 00 degrees 26 minutes 20 seconds East, a distance of 17.96 feet to the Point of Beginning.

EXHIBIT B

MAP OF REDEVELOPMENT PROJECT AREA



-  Property Boundary
-  Legal Description Boundary

April 04, 2017