

**RESOLUTION NO. 2010-10**

**A RESOLUTION ADOPTING BASEHOR NEIGHBORHOOD REVITALIZATION PLAN NO. 3 PROVIDING FOR PROPERTY TAX REBATES AND DESIGNATING A CERTAIN AREA OF THE CITY OF BASEHOR AS A NEIGHBORHOOD REVITALIZATION AREA**

**WHEREAS**, K.S.A 12-17,114 through 12-17-120, the Neighborhood Revitalization Act, provides that cities may prepare plans and designate Neighborhood Revitalization Areas; and

**WHEREAS**, the city of Basehor finds that one or more of the conditions as described in subsection (c) of K.S.A. 12-17-115 exist within the area; and,

**WHEREAS**, the rehabilitation, conservation, development or redevelopment of structures within the area are necessary to protect the public health, safety or welfare of the residents of the city of Basehor; and

**WHEREAS**, the city of Basehor desires to adopt Neighborhood Revitalization Plan No. 3 that will apply to the area of the City known as Centerpoint Preserve, which is a different geographic area of the city than those areas included within existing Neighborhood Revitalization Plans; and

**WHEREAS**, the Neighborhood Revitalization Area designated in Plan No. 3 meets the requirements of K.S.A. 12-17,117 et seq; and,

**WHEREAS**, the Neighborhood Revitalization Plan No. 3 provides incremental property tax rebates to encourage property owners to rehabilitate, conserve, develop or redevelop structures within the area; and

**WHEREAS**, public notice has been made and a public hearing held as required by the Neighborhood Revitalization Act.

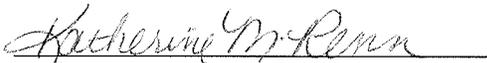
**THEREFORE, BE IT RESOLVED THAT** the Governing Body of the city of Basehor adopts the Neighborhood Revitalization Plan No. 3, which Plan is attached hereto (Exhibit "A") and by this reference made a part hereof.

**BE IT FURTHER RESOLVED THAT**, as set forth in Resolution 2010-08, the area described in Neighborhood Revitalization Plan No. 3 is hereby designated as a Neighborhood Revitalization Area.

Passed by the Governing Body of the City of Basehor, Kansas this 16<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
Mayor Terry Hill

ATTEST:

  
\_\_\_\_\_  
Kathy Renn, City Clerk



**Exhibit "A"**

[INSERT NEIGHBORHOOD REVITALIZATION PLAN NO. 3]

**CITY OF BASEHOR, KANSAS  
NEIGHBORHOOD REVITALIZATION PLAN NO. 3**

**ADOPTED: August 16, 2010**

**RESOLUTION NO. 2010-10**

# CITY OF BASEHOR, KANSAS

## Neighborhood Revitalization Plan No. 3

### SECTION I: PURPOSE

This Plan is intended to promote and encourage development, particularly large housing subdivisions and commercial development in the area generally described as Theno Estates in Basehor, Kansas through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the City. Certain incentives will be used for the acquisition and/or the removal of abandoned structures and a tax rebate incentive will be available for certain improvements within the Area.

In accordance with the provisions of K.S.A. 12-17,114, et .seq., the City Council held a public hearing and considered the existing conditions and alternatives with respect to the designated area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Council carefully reviewed, evaluated and determined the areas meet one or more of the conditions to be designated as a "neighborhood revitalization area".

### SECTION II: ASSESSED VALUATION OF REAL PROPERTY

The assessed valuation of the real estate contained in the Plan is listed for each parcel, for land and building values separately, and is incorporated as part of the plan as Exhibit A. The total assessed valuation for the parcels contained in the defined plan area is:

<b>Plan No. 3</b>	
Land	\$
Improvements	\$
Total Assessed Valuation	\$

### SECTION III LEGAL DESCRIPTIONS AND MAP OF REVITALIZATION PLAN

Map of Revitalization Plans and Legal Descriptions for Plan 3

Attached as Exhibits B and C

**SECTION IV**  
**LISTING OF OWNERS OF RECORD IN AREA**

Each owner of record of each parcel of land is listed together with the corresponding address and is attached to this plan as Exhibit D.

**SECTION V**  
**ZONING CLASSIFICATIONS**

Zoning Classifications:

- R-1 Single Family Residential District
- R-2 Duplex Residential District
- R-3 Multi-Family Residential District
- CP-1 Commercial Business District
- CP-2 General Business District
- PR Planned Residential District

**SECTION VI: EXPANSION OR CAPITAL IMPROVEMENTS PLANNED AND MUNICIPAL SERVICES PROVIDED FOR THE AREAS**

The City of Basehor, plans for its long-term capital improvement needs through the City's Comprehensive Plan and implements the plan with the approval of the City's annual budget. The City also provides trash service, sewer service, sidewalk repair, street improvements, law enforcement, community oriented policing and fire protection as established for the whole community.

**SECTION VII: STATEMENT SPECIFYING ELIGIBILITY REQUIREMENTS FOR A TAX REBATE FOR NEW CONSTRUCTION**

**A. Residential Improvements:**

New single family dwelling structures, owner occupied, as may be permitted by the Zoning Ordinance, are eligible for rebate provided the value of the improvement is appraised at \$140,000 or more.

Construction of new multifamily dwelling structures only within the Neighborhood Revitalization Area are eligible for rebate provided the value of the improvement is appraised at \$140,000 or more. The newly

constructed multi-family dwelling must be continuous from ground to roof and sold as individual units (**Townhomes**).

A recorded contract for deed or an affidavit of interest for a single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

### **B. Commercial Improvements:**

New construction of any office and institution, or commercial structure(s), as may be permitted by the Zoning Ordinance, may be eligible for the rebate provided the value of the new improvement is appraised at \$140,000 or more.

## **SECTION VIII: CRITERIA FOR DETERMINATION OF ELIGIBILITY**

- 1) Construction of an improvement must have begun on or after July 19, 2010; the date of designation of Neighborhood Revitalization Plan No. 3 by the City.

All improvement projects constructed pursuant to a building permit issued and an application for tax rebate filed on or after July 19, 2010, may be eligible for a rebate under Neighborhood Revitalization Plan No. 3 created by Resolution No. 2010-10, dated July 19, 2010.

- 2) An application for rebate must be filed with the issuance of a building permit or filed no later than thirty (30) days from the date of the issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The improvements must conform to the Zoning as previously established and the Zoning Ordinances in effect at the time the improvements are made.
- 4) The new improvements must conform to all Building Codes as adopted by the City, all applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- 5) If the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate; any remaining eligibility shall be terminated.
- 6) The Neighborhood Revitalization Plan shall not be used in conjunction with any other tax incentive unless approved by the City Council.
- 7) Residential or commercial property improvement must be appraised at \$140,000 or above to be eligible for the rebate.

## **SECTION IX: CONTENTS OF APPLICATION FOR TAX REBATE**

### **Part I - General Information**

- a) Owner's Name.

- b) Owner's Mailing Address.
- c) Parcel I.D. No.
- d) Building Permit No.
- e) Address of Property.
- f) Legal Description of Property.
- g) Day Phone Number.
- h) Proposed Property Use.
- i) Improvements.
- j) Estimated Date of Completion.
- k) Estimated Cost of Improvements.
- l) List of Buildings Proposed to be or actually demolished if any.
- m) County Appraiser's Statement of Assessed Valuation.

### **Commencement of Construction**

- a) Date of commencement of construction.
- b) Estimated date of completion of construction.

### **Part 2 - Status of Construction/Completion**

- a) Incomplete project as of January 1 following commencement.
- b) Complete project as of January 1 following commencement.
- c) County Appraiser's Statement of Minimum Value of Improvement Test.
- d) County Clerk's Statement of Tax Status.
- e) Planning Department Statement of Application Conformance for Tax Rebate.

## **SECTION X: APPLICATION PROCEDURE**

- 1) The applicant shall obtain an Application for Tax Rebate from the Planning Department or the Codes Department concurrent with obtaining a building permit application.
- 2) The applicant shall complete and sign Part 1 of the application, sign the second page of the Application and Rules for Determination of Eligibility and file the original with the Planning Department at the time of issuance of a building permit or filed no later than thirty (30) days from the date of issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The Planning Department shall forward the application to the County Appraiser's Office for determination of the assessed valuation of the improvements.
- 4) On January 1, the County Appraiser shall conduct an on-site inspection of the construction records and determine the new valuation of the real-estate and shall complete his portion of the application and shall report the new valuation to the Leavenworth County Clerk. The tax records on the project shall be revised by the Leavenworth County Clerk's Office.
- 5) Upon determination by the Appraiser's office that the improvements meet the minimum value for improvements test for rebate and the Leavenworth County Clerk's office determines the status of the taxes on

the property, the Planning Department shall certify to the Leavenworth County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.

6) The improvements shall not become a part of the program until the Leavenworth County Appraiser's Office is notified by the City's Planning Department that a Certificate of Occupancy was issued.

7) Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Leavenworth County to the other taxing units, a tax rebate in the amount of the tax increment (less any administrative fee as specified in the Interlocal Agreement) will be made to the property owner paying the tax. The tax rebate shall be made by the Leavenworth County Treasurer through the Neighborhood Revitalization Fund established in conjunction with the City of Basehor and the other taxing units participating in an Interlocal Agreement. The City Treasurer or representative shall make periodic reports on the tax rebate program to the City Council and other taxing units accordingly.

The Planning Department shall inform the Leavenworth County Clerk and City Treasurer thirty (30) days prior to the expiration of the final rebate period for each property receiving a tax rebate.

## **SECTION XI: STANDARDS AND CRITERIA FOR REVIEW**

### **A. Criteria:**

- 1) Construction of an improvement must have begun on or after July 19, 2010, the date of designation of the neighborhood revitalization area by the City. Any improvement project constructed pursuant to a building permit issued and an application for tax rebate filed on or after July 19, 2010, may be eligible for a rebate under the Neighborhood Revitalization Program No. 3 created by Resolution No. 2010-10.
- 2) An application for rebate must be filed at the time of issuance of a building permit or filed no later than thirty (30) days from the date of issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The improvements must conform to the Comprehensive Plan and Zoning Ordinance in effect at the time the improvements are made.
- 4) The new improvements on property must conform to the Building Codes as adopted by the City of Basehor and all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.

5) If the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate, any remaining eligibility will be terminated.

6) The Neighborhood Revitalization Plan shall not be used in conjunction with any other tax incentive unless approved by the City Council.

7) The cost of the residential or commercial improvement is appraised at \$140,000 or more.

**B. Residential:**

New single family dwelling structures, owner occupied, as may be permitted in the Zoning Ordinance are eligible for rebate provided the value of the new improvement is appraised at \$140,000 or more. New single family rental dwelling structures no matter where constructed are not eligible for the rebate.

Construction of new multi-family dwelling structures built and sold as individual units (**Townhomes**) are eligible for rebate provided the value of the new improvement is appraised at \$140,000 or more.

A recorded contract for deed or an affidavit of interest for a single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

**C. Commercial Improvements:**

New construction of any office and institution, or commercial structure(s) as may be permitted by the Zoning Regulations may be eligible for the rebate provided the value of the new improvement is appraised at \$140,000 or more.

**SECTION XII: STATEMENT SPECIFYING REBATE FORMULA**

**Program Period:**

The Neighborhood Revitalization Plan No. 2 and tax rebate incentive program adopted by Resolution No. 2010-10 on July 19, 2010 shall expire on December 31, 2012. The program will be reviewed periodically and the Council may consider modifications and extensions.

**Rebate Period and Amount:**

<u>Classification</u>	<u>Rebate Amount</u>	<u>Rebate Period</u>
New Residential Construction	100%/50%	3 Years/3 Years
New Commercial Construction	80%/25%	3 Years/3 Years

**Note: The value of the new improvement shall be appraised at \$140,000 or more.**

### **SECTION XIII: CITY OF BASEHOR TOTAL TAX LEVY SCHEDULE**

	<b>TAXING JURISDICTION</b>	<b>Mill Levy</b>
1	Leavenworth County Levy	31.56
2.	City of Basehor Levy	28.621
3.	U.S.D. 458	54.644
4.	Fairmount Township Fire Department	4.206
5.	Basehor Community Library	6.913
	<b>TOTAL</b>	<b>125.944</b>

**City of Basehor, Kansas  
Neighborhood Revitalization Plans  
Application for Property Tax Rebate**

**PART 1**

**To be Completed by Applicant at time of issuance of building permit, but no later than 30 days after issuance of building permit (Please Print or Type):**

**Owner's Name:** \_\_\_\_\_ **Day Phone No.:** \_\_\_\_\_

**Owner's Mailing Address:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_ **School District No.:** \_\_\_\_\_

**Parcel Identification Number:** \_\_\_\_\_

**(To be completed by the City. Note, this application cannot be processed until such time that a valid parcel number can be obtained from the County.)**

**Legal Description of the Property:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets if necessary)

**NOTE - All contracts for deed or an affidavit of interest *must* be recorded with the Register of Deeds.**

**Property Use:**

(Check One)

- Single-Family Residential – Must be owner-occupied and **not** used as rental property.
- Multi-Family- Must be continuous from ground to roof and sold as individual units (**Townhomes**)  
Number of Units \_\_\_\_\_
- Commercial
- Industrial
- Historical - Is property listed on the State or National Historic Register?  Yes  No  
If yes, attach proof of listing.

**Proposed Improvements (Be Specific):**

**Value:**

_____	\$ _____
_____	\$ _____
_____	\$ _____

(Use additional sheets if necessary.)

Total Estimated Value of Improvements: \$ \_\_\_\_\_

**PART 1 – Page 2**

List buildings that have been or will be demolished: \_\_\_\_\_

If demolishing a residential structure, complete the following:

Number of Dwelling Units \_\_\_\_\_

Construction to begin on \_\_\_\_\_ 20\_\_\_\_. Building Permit No. \_\_\_\_\_ (Attach Copy)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicant's Signature)

**\*\*A copy of signed application to be provided to the applicant. The original will be filed with the City\*\***

**PART 1 - Step 1: City of Basehor Planning Department Use Only**

The above application is [ ] or is not [ ] in conformance with the requirements of the City of Basehor  
Neighborhood Revitalization [ ] Existing Plan [ ] Plan No. 2 [ ] Plan No. 3  
Reason application is not in conformance \_\_\_\_\_

By: \_\_\_\_\_ Date \_\_\_\_\_  
City Planner and/or Building Official

**PART 1 - Step 2: County Appraiser's Office Use Only**

As of \_\_\_\_\_ 20\_\_\_\_ the valuation is:

	<u>Appraised</u>	<u>Assessed</u>
Land	\$ _____	
Improvements	\$ _____	
Total	\$ _____	

Based upon the above listed improvements and associated costs supplied by the applicant, the improvements  
[ ] MAY [ ] MAY NOT meet the percentage tests for a property tax rebate.

By \_\_\_\_\_ Date \_\_\_\_\_  
Leavenworth County Appraiser's Office

**PART 2**

Name of Applicant: \_\_\_\_\_

**PART 2 – Step 1: City of Basehor Planning Department Use Only**

**Status of Construction/Completion:**

- Initial building permit has expired (12 months for residential/24 for commercial).
- A Certificate of Occupancy has been issued.
- A Final Inspection has been completed for renovation/rehabilitation.

By: \_\_\_\_\_ Date \_\_\_\_\_  
City Planner and/or Building Official

**PART 2 - Step 2: County Appraiser's Use Only**

**Existing Plan:** The above improvements:

- Meet the 5% increase in appraised valuation for residential property. Approved \_\_\_\_\_
- Do not meet the 5% increase in appraised valuation for residential property. Disapproved \_\_\_\_\_
- Meet the 15% increase in appraised valuation for commercial property. Approved \_\_\_\_\_
- Do not meet the 15% increase in appraised valuation for commercial property. Disapproved \_\_\_\_\_

**Plan No. 2:** The above improvements:

- Meet the requirement of a minimum appraised value of \$140,000 for the new structure. Approved \_\_\_\_\_
- Do not meet the requirement of a minimum appraised value of \$140,000. for the new structure. Disapproved \_\_\_\_\_

By: \_\_\_\_\_ Date \_\_\_\_\_  
Leavenworth County Appraiser's Office

**PART 2 - Step 3: County Treasurer's Use Only**

As of \_\_\_\_\_ 20\_\_\_\_ taxes on this parcel are:

- Current
- Not current

By: \_\_\_\_\_ Date \_\_\_\_\_  
Leavenworth County Treasurer's Office

## Neighborhood Revitalization Plan 3

### Application Procedures and Rules for Determination of Eligibility

1. Anyone meeting the requirements listed below who desire to participate in this program must submit Part 1 of the application at the time of issuance of the building permit, but no later than 30 days after issuance of the building permit. Failure to meet this requirement will result in the applicant being disqualified for the program.
  2. a) Construction of an improvement must have begun on or after July 19, 2009. This plan is for only new, single-family owner occupied residential, multi-family and commercial buildings for a property tax rebate of 100% for the first 3 years and 50% for the following 3 years for residential and 80% for the first 3 years and 25% for the following 3 years.  
  
b) The appraised value for the new structure must be no less than \$140,000 in order to qualify for a property tax rebate.
  3. The improvements must conform to the Comprehensive Plan and Zoning Ordinance in effect at the time the improvements are made.
  4. All improvements must conform to all applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
  5. The real estate taxes on the property must be current at the time of the application or it will be disqualified. Also, if the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate, all remaining eligibility will be terminated.
  6. The Neighborhood Revitalization Plans shall not be used in conjunction with any other tax incentive unless approved by the City Council.
  7. New single-family rental structures are not eligible for rebates with either plan. Single-family structures must be owner occupied.
  8. a) Part 2-Step 1 will be submitted by the City to the Leavenworth County Appraiser upon occurrence of one of the following, whichever comes first:
    - Certificate of Occupancy for new construction.
    - Final inspection of a renovation/rehabilitation.
    - OR -
    - 12 months after issuance of the initial building permit for residential.
    - 24 months after issuance of the initial building permit for commercial and industrial.  
b) The rebate period will commence on January 1<sup>st</sup> following the reappraisal if the new improvement/structure meets the plan criteria.  
  
c) The tax rebate will be based on the amount of the increment between the base value and the new appraised value of the new improvement/structure.
- 

I have read and understand the above items and have received a copy of this "Application Procedures and Rules for Determination of Eligibility" and a copy of Part 1 of the application.

Property Address: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

By: \_\_\_\_\_  
Applicant Signature

\_\_\_\_\_ Date

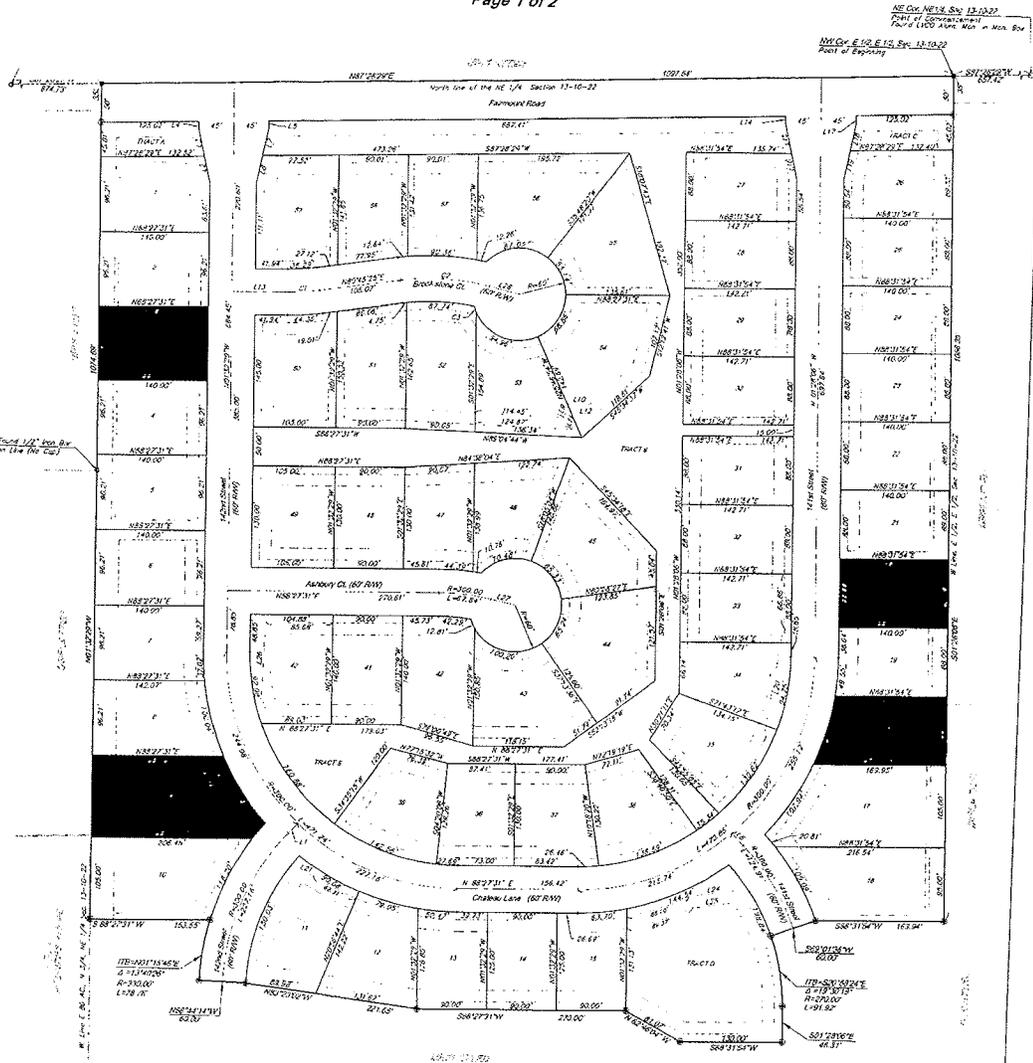
Witness: \_\_\_\_\_

\_\_\_\_\_ Date

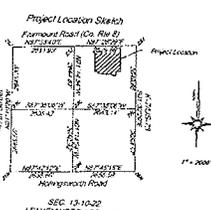
# EXHIBIT 1

## Final Plat of Theno Estates Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East Leavenworth County, Kansas Page 1 of 2

PLAT NO. 13-10-22  
11/14/2012



- Symbol Legend**
- ▬ Absolute Monument in Monument Box
  - 5/8" I.D. x 24" long Bar w/ALNS 1313
  - 5/8" I.D. x 24" long Bar w/ALNS 1312
  - 4" x 4" Impervious Concrete Slab
  - 1/2" x 1/2" Iron Pin (Open holes)
  - ⊙ City Easement
  - ⊖ Easement Easement
  - ⊖ Building Subarea Line
  - ⊖ Easement Easement
- Note: Each of these monuments is unknown unless otherwise stated.*



**Lot Area Table**

Lot #	Area (sq ft)	Area (sq ft)	Lot #	Area (sq ft)
1	12,828.88	29	12,828.88	29
2	12,828.88	30	12,828.88	30
3	12,828.88	31	12,828.88	31
4	12,828.88	32	12,828.88	32
5	12,828.88	33	12,828.88	33
6	12,828.88	34	12,828.88	34
7	12,828.88	35	12,828.88	35
8	12,828.88	36	12,828.88	36
9	12,828.88	37	12,828.88	37
10	12,828.88	38	12,828.88	38
11	12,828.88	39	12,828.88	39
12	12,828.88	40	12,828.88	40
13	12,828.88	41	12,828.88	41
14	12,828.88	42	12,828.88	42
15	12,828.88	43	12,828.88	43
16	12,828.88	44	12,828.88	44
17	12,828.88	45	12,828.88	45
18	12,828.88	46	12,828.88	46
19	12,828.88	47	12,828.88	47
20	12,828.88	48	12,828.88	48
21	12,828.88	49	12,828.88	49
22	12,828.88	50	12,828.88	50
23	12,828.88	51	12,828.88	51
24	12,828.88	52	12,828.88	52
25	12,828.88	53	12,828.88	53
26	12,828.88	54	12,828.88	54
27	12,828.88	55	12,828.88	55
28	12,828.88	56	12,828.88	56
29	12,828.88	57	12,828.88	57
30	12,828.88	58	12,828.88	58
31	12,828.88	59	12,828.88	59
32	12,828.88	60	12,828.88	60
33	12,828.88	61	12,828.88	61
34	12,828.88	62	12,828.88	62
35	12,828.88	63	12,828.88	63
36	12,828.88	64	12,828.88	64

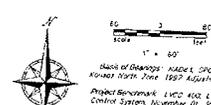
**Edge Table**

Edge #	Length	Area	Length	Area
1	12,828.88	29	12,828.88	29
2	12,828.88	30	12,828.88	30
3	12,828.88	31	12,828.88	31
4	12,828.88	32	12,828.88	32
5	12,828.88	33	12,828.88	33
6	12,828.88	34	12,828.88	34
7	12,828.88	35	12,828.88	35
8	12,828.88	36	12,828.88	36
9	12,828.88	37	12,828.88	37
10	12,828.88	38	12,828.88	38
11	12,828.88	39	12,828.88	39
12	12,828.88	40	12,828.88	40
13	12,828.88	41	12,828.88	41
14	12,828.88	42	12,828.88	42
15	12,828.88	43	12,828.88	43
16	12,828.88	44	12,828.88	44
17	12,828.88	45	12,828.88	45
18	12,828.88	46	12,828.88	46
19	12,828.88	47	12,828.88	47
20	12,828.88	48	12,828.88	48
21	12,828.88	49	12,828.88	49
22	12,828.88	50	12,828.88	50
23	12,828.88	51	12,828.88	51
24	12,828.88	52	12,828.88	52
25	12,828.88	53	12,828.88	53
26	12,828.88	54	12,828.88	54
27	12,828.88	55	12,828.88	55
28	12,828.88	56	12,828.88	56
29	12,828.88	57	12,828.88	57
30	12,828.88	58	12,828.88	58
31	12,828.88	59	12,828.88	59
32	12,828.88	60	12,828.88	60
33	12,828.88	61	12,828.88	61
34	12,828.88	62	12,828.88	62
35	12,828.88	63	12,828.88	63
36	12,828.88	64	12,828.88	64

**Surveyor's Certificate**

I, Joseph B. Wick, a Registered Land Surveyor in the State of Kansas, do hereby certify that this plat and the survey it is based upon were conducted on the ground under my direct supervision, and are a true and accurate representation of the entire plat as of August 2008.

JOSEPH B. WICK, REGISTERED LAND SURVEYOR



**McAfee, Henderson & Strick, Inc.**  
 Professional Engineering & Land Surveying  
 1000 West 17th Street, Suite 100  
 Leavenworth, Kansas 66048  
 Phone: 785-853-1111  
 Fax: 785-853-1112

### Legal Description

All of THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas, more particularly described as follows:

A portion the tract originally established as the East Eighty (80) Acres of the North Three Fourths (N3/4) of the Northeast Quarter of Section 13, Township 10 South, Range 22 East and excepting the East Half (E1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 13, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as recorded in Book 184 at Page 157 in the Office of the Register of Deeds, Leavenworth County, Kansas and being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section 13, thence South 87°28'29" West, along the North line thereof, a distance of 657.42 feet to the Northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Northeast Quarter of said Section 13 and Point of Beginning; thence South 01°28'06" East, along said West line, a distance of 1088.35 feet; thence South 88°31'54" West, a distance of 163.94 feet; thence South 69°01'36" West, a distance of 60.00 feet; thence Southerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of South 20°58'24" East, Radius of 270.00 feet, Included Angle of 19°30'18", an Arc Length of 91.92 feet to a point of tangency; thence South 01°28'06" East, a distance of 46.31 feet; thence South 88°31'54" West, a distance of 130.00 feet; thence North 62°46'04" West, a distance of 81.07 feet; thence South 88°27'31" West, a distance of 270.00 feet; thence North 83°23'02" West, a distance of 221.65 feet; thence North 88°44'14" West, a distance of 60.00 feet; thence Northerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of North 01°15'46" East, Radius of 330.00 feet, Included Angle of 13°40'26", an Arc Length of 78.76 feet; thence South 88°27'31" West, a distance of 153.55 feet to the West line of the East Eighty acres of the North Three Fourths (E80 Ac N3/4) of said Northeast Quarter; thence North 01°32'29" West along said West line, a distance of 1074.69 feet to the North line of said Northeast Quarter; thence North 87°28'29" East, along said North line, a distance of 1097.54 feet to the Point of Beginning.

### **LESS AND EXCEPTING,**

Lots 3, 9, 18, and 20 THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas.

# CITY OF BASEHOR, KANSAS

## Neighborhood Revitalization Plan No. 3

### SECTION I: PURPOSE

This Plan is intended to promote and encourage development, particularly large housing subdivisions and commercial development in the area generally described as Theno Estates in Basehor, Kansas through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the City. Certain incentives will be used for the acquisition and/or the removal of abandoned structures and a tax rebate incentive will be available for certain improvements within the Area.

In accordance with the provisions of K.S.A. 12-17,114, et .seq., the City Council held a public hearing and considered the existing conditions and alternatives with respect to the designated area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Council carefully reviewed, evaluated and determined the areas meet one or more of the conditions to be designated as a "neighborhood revitalization area".

### SECTION II: ASSESSED VALUATION OF REAL PROPERTY

The assessed valuation of the real estate contained in the Plan is listed for each parcel, for land and building values separately, and is incorporated as part of the plan as Exhibit A. The total assessed valuation for the parcels contained in the defined plan area is:

<b>Plan No. 3</b>	
Land	\$232,287.35
Improvements	\$222,047.75
Total Assessed Valuation	\$454,335.10

### SECTION III

### LEGAL DESCRIPTIONS AND MAP OF REVITALIZATION PLAN

Map of Revitalization Plans and Legal Descriptions for Plan 3

Attached as Exhibits B and C



### **Exhibit C – Legal Description**

All of THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas, more particularly described as follows:

A portion the tract originally established as the East Eighty (80) Acres of the North Three Fourths (N3/4) of the Northeast Quarter of Section 13, Township 10 South, Range 22 East and excepting the East Half (E1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 13, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as recorded in Book 184 at Page 157 in the Office of the Register of Deeds, Leavenworth County, Kansas and being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section 13, thence South 87°28'29" West, along the North line thereof, a distance of 657.42 feet to the Northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Northeast Quarter of said Section 13 and Point of Beginning; thence South 01°28'06" East, along said West line, a distance of 1088.35 feet; thence South 88°31'54" West, a distance of 163.94 feet; thence South 69°01'36" West, a distance of 60.00 feet; thence Southerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of South 20°58'24" East, Radius of 270.00 feet, Included Angle of 19°30'18", an Arc Length of 91.92 feet to a point of tangency; thence South 01°28'06" East, a distance of 46.31 feet; thence South 88°31'54" West, a distance of 130.00 feet; thence North 62°46'04" West, a distance of 81.07 feet; thence South 88°27'31" West, a distance of 270.00 feet; thence North 83°23'02" West, a distance of 221.65 feet; thence North 88°44'14" West, a distance of 60.00 feet; thence Northerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of North 01°15'46" East, Radius of 330.00 feet, Included Angle of 13°40'26", an Arc Length of 78.76 feet; thence South 88°27'31" West, a distance of 153.55 feet to the West line of the East Eighty acres of the North Three Fourths (E80 Ac N3/4) of said Northeast Quarter; thence North 01°32'29" West along said West line, a distance of 1074.69 feet to the North line of said Northeast Quarter; thence North 87°28'29" East, along said North line, a distance of 1097.54 feet to the Point of Beginning.

### **LESS AND EXCEPTING,**

Lots 3, 9, 18, and 20 THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas.

**SECTION IV**  
**LISTING OF OWNERS OF RECORD IN AREA**

Each owner of record of each parcel of land is listed together with the corresponding address and is attached to this plan as Exhibit D.

**SECTION V**  
**ZONING CLASSIFICATIONS**

Zoning Classifications:

R-1 Single Family Residential District

**SECTION VI: EXPANSION OR CAPITAL IMPROVEMENTS PLANNED AND MUNICIPAL SERVICES PROVIDED FOR THE AREAS**

The City of Basehor, plans for its long-term capital improvement needs through the City's Comprehensive Plan and implements the plan with the approval of the City's annual budget. The City also provides trash service, sewer service, sidewalk repair, street improvements, law enforcement, community oriented policing and fire protection as established for the whole community.

**CITY OF BASEHOR, KANSAS  
NOTICE OF PUBLIC HEARING  
NEIGHBORHOOD REVITALIZATION PLAN NO. 3**

The City Council will consider the adoption of Neighborhood Revitalization Plan No. 3, pursuant to K.S.A. 12-17,114 et seq. at a public hearing at 7:00 p.m. on Monday, August 16, 2010, in the City Council Chambers, 2620 N. 155th St., Basehor, Kansas 66007

The proposed Neighborhood Revitalization Plan No. 3 and a description of the boundaries of the proposed Neighborhood Revitalization Plan No. 3 are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of the City Clerk, 2620 N. 155<sup>th</sup> St., Basehor, Kansas 66007.

At the conclusion of the hearing, the Basehor City Council will consider findings necessary for the adoption of the proposed Neighborhood Revitalization Plan No. 3 and the establishment of the proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17,114 et seq.

This notice shall be published in the official city newspaper for two consecutive weeks prior to the hearing.

**ATTACHMENT TO RESOLUTION NO. 2010-10, BASEHOR NEIGHBORHOOD REVITALIZATION PLAN NO. 3, PROVIDING FOR PROPERTY TAX REBATES AND DESIGNATING A CERTAIN AREA OF THE CITY OF BASEHOR AS A NEIGHBORHOOD REVITALIZATION AREA, ADOPTED AND PASSED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS, AUGUST 16, 2010.**

The Basehor-Linwood School District (hereinafter referred to as "District #458"), does hereby adopt and consent to Resolution No. 2010-10, The Basehor Neighborhood Revitalization Plan No. 3, approved August 16, 2010 by the Governing Body of Basehor, Kansas, and in so adopting said amendments, agrees to grant qualified properties the same percentage level of rebates (of taxes that otherwise would be retained by District #458), and for the same time period, as will be granted by the City of Basehor.

IN WITNESS WHEREOF, District #458 executes this Agreement as of the date of the agreed to Resolution.

**BASEHOR-LINWOOD SCHOOL DISTRICT**

  
\_\_\_\_\_  
President, Board of Education

  
\_\_\_\_\_  
Attest

NOW COMES THE BASEHOR COMMUNITY LIBRARY DISTRICT (hereinafter referred to as "Library"), BASEHOR-LINWOOD SCHOOL DISTRICT (hereinafter referred to as "District #458), AND THE FAIRMOUNT TOWNSHIP FIRE DISTRICT (hereinafter referred to as "Fire District"), ALONG WITH THE CITY OF BASEHOR, KANSAS (hereinafter referred to as "City")

REQUESTING OF THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS (hereinafter referred to as "Leavenworth County") TO APPROVE AND PARTICIPATE IN [hereinafter all above parties referred to collectively as "Contracting Parties"]

AN INTERLOCAL AGREEMENT (hereinafter referred to as "Agreement") entered into this 2 day of December, 2010, by all Contracting Parties.

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into Interlocal Agreements to jointly perform certain functions including economic development; and

WHEREAS, the Contracting Parties are, pursuant to K.S.A 12-2903, public agencies capable of entering into Interlocal Agreements; and

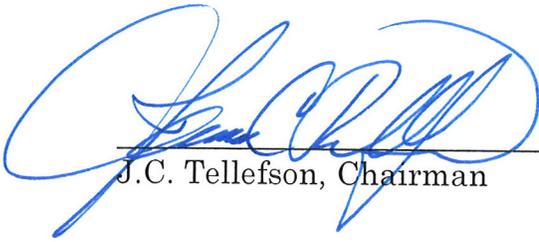
WHEREAS, K.S.A. 12-17,114 et sep. provides a program for neighborhood revitalization and further allows for the use of Interlocal Agreements between municipalities to further neighborhood revitalization; and

WHEREAS, the City adopted Resolution No. 2010-10 on August 16, 2010, whereby the City adopted amendments to the existing Basehor Neighborhood Revitalization Plan, and also adopted the Basehor Neighborhood Revitalization Plan No. 3, pursuant to the provisions of K.S.A. 12-17,117 et seq.; and

WHEREAS, the Library, District #458, and Fire District agreed to adopt and consent to Resolution No. 2010-10, The Basehor Neighborhood Revitalization Plan No. 3, approved August 16, 2010 by the Governing Body of the City, and in so adopting said amendments, agrees to grant qualified properties the same percentage level of rebates (of taxes that otherwise would be retained by the Library, District #458, and Fire District), and for the same time period, as agented by the City.

WHEREAS, it is the desire and intent of the Contracting Parties hereto to provide the maximum economic development incentive as provided for in K.S.A. 12-17,119 by acting jointly.

THE BOARD OF COUNTY COMMISSIONERS OF  
LEAVENWORTH COUNTY, KANSAS



---

J.C. Tellefson, Chairman

*Janet Klasinski*

---

Janet Klasinski, County Clerk  
Attest

*12-13-2010*

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Dated

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE CONTRACTING PARTIES AGREE AS FOLLOWS:

- 1) Adoption of Plans. The Contracting Parties hereby adopt and consent to the amendments to the Basehor Neighborhood Revitalization Plan, and the Basehor Neighborhood Revitalization Plan No. 3, both as adopted by the City, and in so adopting said amendments and Plan agree to grand qualified properties the same percentage level of rebates (of taxes that otherwise would be retained by the Contracting Parties), and for the same time period, as will be granted by the City. The Contracting Parties further agree the amendment to the existing Basehor Neighborhood Revitalization Plan, and the Basehor Neighborhood Revitalization Plan No. 3, will not be amended without approval of the Contracting Parties except as may be necessary to comply with applicable state law or regulation.
- 2) Administration. The Contracting Parties further agree that the City shall administer the amendments to the existing Basehor Neighborhood Revitalization Plan, and the Basehor Neighborhood Revitalization Plan No. 3, shall be credited to the Neighborhood Revitalization Fund. Leavenworth County is authorized to retain an administration fee of 5% of said increment and to distribute increments in accordance with the Plans following the adoption of this Agreement.
- 3) Expiration & Modification. This agreement shall expire December 31, 2012. The Contracting Parties agree to undertake a periodic review of the amendments to the existing Basehor Neighborhood Revitalization Plan and the Basehor Neighborhood Revitalization Plan No. 3, to determine any needed modifications. The Contracting Parties agree that any party may terminate this Agreement prior to December 31, 2012 by providing thirty (30) days advance written notice, provided however; any applications for tax rebate submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate period.

IN WITNESS WHEREOF, the Contracting Parties have hereunto executed this Agreement as of the date and year first above written.