ORIGINAL

RESOLUTION NO. 2011-11

A RESOLUTION DIRECTING THE PREPARATION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BASEHOR, KANSAS AND ORSCHELN FARM AND HOME ("DEVELOPER") PROVIDING FOR CERTAIN INCENTIVES TO ENCOURAGE AND ASSIST IN DEVELOPER LOCATING AND OPERATING ITS RETAIL BUSINESS WITHIN THE CITY LIMITS

WHEREAS, the City of Basehor, Kansas (the "City"), desires to facilitate and encourage economic development within the City; and

WHEREAS, in furtherance of this public purpose the City recognizes the need to attract a tenant to occupy the vacant retail space located within the Wolf Creek Junction Development, 15256 Wolf Creek Parkway (the "Grocery Building"); and

WHEREAS, the Developer wishes to locate its business within the Grocery Building, provided that the City authorizes the use of certain incentives to increase the likelihood of the retail business' success; and

WHEREAS, the City desires to provide such incentives in pursuit of achieving the public purpose of facilitation and encouraging economic development within the City in partnership with private enterprise, specifically the occupation of the Grocery Building with the Developer's retail business, which retail business will invest private capital and create new jobs in the City's economy, in exchange for the Developer's commitment to locate and operate its retail business within the Grocery Building; and

WHEREAS, pursuant to the City's home rule powers set out in the Kansas Constitution, Article 12, Section 5 (b), the City has the authority in pursuit of the above-described public purpose to grant such incentives and enter into a development agreement with the Developer detailing the same.

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

Section 1: That the City shall rebate 95% of the City's real property taxes levied against the land and improvements containing the Grocery Building until 2019.

Section 2. That the Wolf Creek Junction Transportation Development District remains in place.

Section 3. That a development agreement detailing the granting of such incentives shall be prepared and approved by Ordinance by the City prior to execution by the parties.

Section 3. That this Resolution shall become effective upon passage.

PASSED by the City Council this 19th day of September, 2011.

APPROVED by the Mayor this 19th day of September, 2011.

SEAL

Terry Hill, Mayor

ATTEST:

Corey Swisher, City Clerk

APPROVED AS TO FORM:

Shannon Marcano, City Attorney