

April 4, 2024

Salt Plains Outfitters
282 NW 10th Ave
Anthony, KS 67003

RE: Salt Plains Lodging Proposal

Mr. Wisenbaker,

The Anthony City Commission has reviewed the SPO Proposal and listened to concerns posted by the general public. Based upon this, the city has established the enclosed draft framework for SPO's review to determine if SPO is still interested in exploring further negotiations. Please be advised that this is not a formal offer or a commitment of guarantee to the items listed within. This is an attempt to provide an opportunity for SPO to review the draft of standards as prepared by the Commission and, prior to the city utilizing further resources to hold town-hall meetings and public elections, seek SPO's participation level to continue in the proposal development process.

Please review the draft notes and if possible, provide a response to any item that SPO would object to. Ultimately, the city is seeking a response to see if SPO, based upon the direction of the enclosed framework, wants to continue in the proposal development process.

A response is requested at your earliest convenience. If you have any questions at all, please feel free to contact me for additional assistance and clarifications.

Respectfully,

Cyndra Kastens, CFM
City Administrator

Invitation to Determine Proposal Interest

The following is a list of draft development requirements:

- The land in consideration for this proposal is identified on the attached diagram consisting of approximately 17-acres of park land at Anthony Lake.
- Land purchase price will be established after present use and potential use appraised values as determined by a licensed appraiser have been reviewed by the City Commission.
- SPO is required to complete construction of 3 single-family residential structures within 5 years.
- Construction on the first residential structure must commence within 12 months of closing and complete within 18 months of construction start date.
- All residential structures will be on-site built and meet a minimum value/square footage determined by the commission to ensure the value of the home is equal to the home values proposed.
- Pre-development work such as drawings, construction plans, permits, subplatting, plat vacating, surveys, drainage plan, utility review, and any other development work is still required to be completed. The existing park land would also require to be vacated from the plat. SPO assumes all costs for all development expenses.
- All development will be required to meet all state and local codes including but not limited to 2018 ICC, 2017 NEC, Floodplain Ordinance, and the Unified Development Code.
- Each home shall be platted as a separate lot in the Spring Creek Addition. Newly platted lots will be subject to the same restrictions as existing platted lots at Anthony Lake (10' easement shoreline public access and Spring Creek Addition Restrictions and Covenants).
- Title Company will be Security First Title Anthony Kansas. SPO shall be responsible for all closing costs.
- SPO shall be responsible for all 2024 and future taxes. SPO can apply to rebate property taxes as established by the City of Anthony Housing Rebate Program (HRP). The minimum home value established by the Commission in the final agreement will qualify SPO for the HRP. However, SPO must still complete the application and required forms prior to starting construction to participate in the program.
- The city would allow the portion of Deer Creek Trail extending north past the intersection of W. Deer Run to become a privately owned gated drive. Formal process to achieve this would have to follow standard vacating procedures and would be completed at the same time the park land was requesting to be vacated from the plat. Final approval of the vacating will be dependent upon meeting statutory requirements for this process.
- The city will not now in response to this development or due to this development in the future pave or improve the remaining public sections of Deer Creek Trail or connecting city roads beyond current maintenance standards.
- SPO will work with the Bowhunter Club and City to determine an alternate suitable entrance to the public archery range.
- SPO will be required to maintain a certain % of natural/existing reserve (meaning, not all trees can be completely cleared from the full 17 acres).
- As standard development procedures, the city will maintain easements necessary for public service (where applicable to maintain services for utilities, drainage, etc.) and mineral rights to the land.

- Penalty for not meeting terms of agreement: If SPO fails to meet terms of agreement financial compensation and or deed reclamation shall be required (i.e. ownership of the property would revert to the city).
- No shooting permit will be allowed within City of Anthony limits. Therefore, a separate gun range on SPO ground would not be approved.
- It is being discussed that SPO may be required to pay the cost of a special election if SPO prefers to have the matter taken to the public prior to the general election in November. This is undetermined as we are waiting for additional information from the County Clerk regarding elections at this time.

The following is an outline of the process to be followed in order to consider the sale of public park land:

- A. *Prepare Draft informal development requirements.*
- B. *Review Draft with SPO to determine if they still have interest in proceeding with discussions based upon the preliminary draft components.*
- C. *If they do, set up a town hall meeting to review the proposal with members of the community.*
- D. *After town hall meeting, if the city commission has determined to continue to proceed in an economic development initiative with SPO, they will make any amendments to the draft proposal and direct the Administrator to prepare a formal contract/development agreement for the City Attorney review. Once approved, a copy would be given to the City Commissioners for their review.*
- E. *The City Attorney approved formal contract/development agreement would then be presented to SPO for their attorney to review.*
- F. *After approved by all parties, the proposal would be published in the paper once each week for two consecutive weeks.*
- G. *If a petition of at least 10% of the qualified electors at the last election sign a petition that is presented to the City Clerk within 30 days from the date of the last publication, no such sale shall be made. The city cannot proceed on the sale until the governing body shall be instructed so to do by a majority of all the votes cast on this proposition at a regular or special election.*
- H. *If no petition is received, the city can make the sale.*
- I. *If an election is to be held, the item can be added to the ballot for the general election in November if the question to be voted on is presented to the SOS at least 90 days prior to the election (approximately late July). If it is desired to expedite the vote, a special election can be held. The County Clerk is researching information on this topic to report to the city.*