

(Published in *The Legal Record* on September 19, 2023)

ORDINANCE NO. 1037

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS MAKING FINDINGS AND ESTABLISHING A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the City of Westwood, Kansas (the “City”) is authorized to establish redevelopment districts within a defined area of the City that is an “eligible area” as defined in the Act; and

WHEREAS, the City Council (the “Governing Body”) adopted Resolution No. 119-2023 on July 13, 2023, calling for a public hearing considering the establishment of a redevelopment district to be held by the Governing Body on September 14, 2023; and

WHEREAS, notice of the public hearing was given as required by the Act; and

WHEREAS, the public hearing was opened and closed on this date.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

SECTION 1. The Governing Body hereby finds that the real property described in **Exhibits A and B** (the “Redevelopment District”) attached hereto is a “conservation area” as defined in the Act, and is therefore an eligible area for being designated as a redevelopment district, because (a) the Redevelopment District comprises less than 15% of the land area within the corporate limits of the City; (b) at least 50% of the structures within the Redevelopment District have an age of 35 years or more; and (c) the Redevelopment District is not yet blighted, but may become blighted, due to the existence of (i) dilapidation, obsolescence or deterioration of the structures; (ii) the presence of structures below minimum code standards; and (iii) building abandonment.

SECTION 2. The Governing Body hereby finds that the real property described in **Exhibits A and B** is the same real property designated in the notice of public hearing given as required by the Act and Resolution No. 119-2023.

SECTION 3. The Governing Body hereby finds that the conservation, development or redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City.

SECTION 4. The Governing Body hereby establishes the Redevelopment District, which shall consist of a single project area, depicted on the map attached hereto as **Exhibit A**. The district plan is hereby approved, and consists of buildings and facilities to be constructed within the Redevelopment District generally described as follows:

A mixed-use development consisting of some or all of the following uses and improvements, without limitation: general commercial and retail development, including development of up to approximately four (4) multistory facilities; recreational uses; associated public and private infrastructure; site work, including demolition; utilities; storm water and drainage;

landscaping, plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities; parking facilities; and other items allowable under the Act.

SECTION 5. This Act authorizes the issuance of bond by the City to finance all or a portion of the costs of implementing the district plan. Such bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of passage of this Ordinance, pursuant to Treasury Regulation 1.150-2 in the maximum principal amount of \$10,000,000.

SECTION 6. This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

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PASSED by the Governing Body and **SIGNED** by the Mayor this September 14, 2023.

[SEAL]

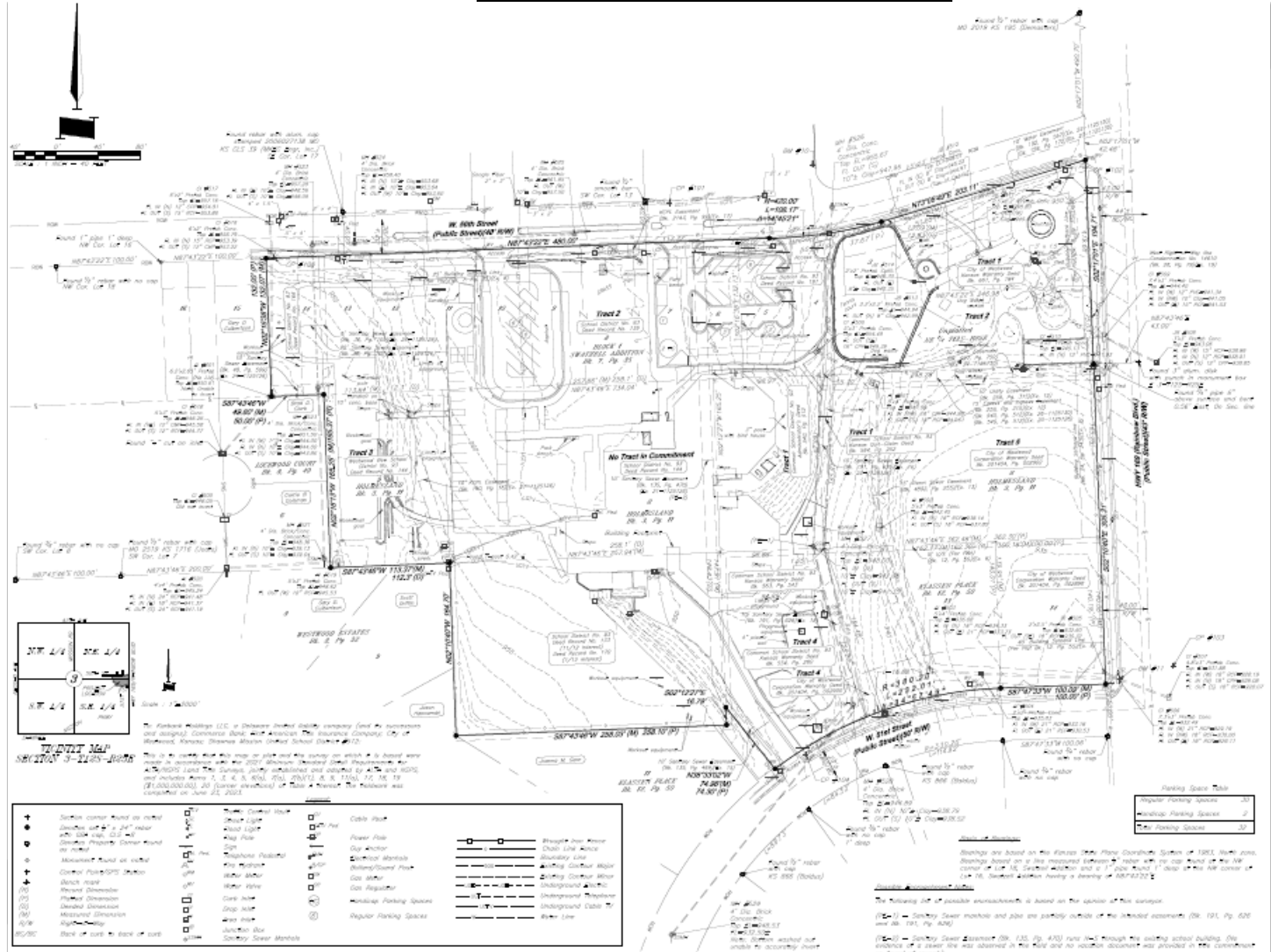
Attest:

David E. Waters, Mayor

Abby Schneweis, City Clerk

EXHIBIT A

MAP OF REDEVELOPMENT DISTRICT



GBA
architects
engineers

8501 Renner Boulevard
Lenexa, Kansas 66215
913.492.0400
www.gbaeam.com
lenexa@gbaeam.com

ALTA/NSPS LAND TITLE SURVEY
Redevelopment and Southern Quarter of Section 5,
Township 22 South, Range 22 East,
City of Shawnee, Johnson County, Kansas

PREPARED FOR:
Adam Feldman
Archery Real Estate Company
3045 Shawnee Mission
Parkway, Suite 400

EIT-1

PROJECT NAME
16023-023
05/30/2023

DRAWN
E.E.E.
C.

HEET NUMBER
1 OF 2

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KANSAS REG. NO. 001101

EXHIBIT B

LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT

A tract of land being all of Lots 12, 13 and 14, Block 1, KLASSEN PLACE, a subdivision recorded in Bk. 12, Pg. 50; all of Lots 1 through 14, Block 1, SWATZELL ADDITION, a subdivision recorded in Bk. 7, Pg. 35; part of Lots 8 and 9, HOLMESLAND, a subdivision recorded in Bk. 3, Pg. 11; and part of the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian, in the City of Westwood, Johnson County, Kansas, being more particularly described by Timothy Blair Wiswell, LS 1136, of George Butler Associates Inc., CLS 8, on July 13, 2023, as follows:

Commencing at the Southeast Corner of said Northeast Quarter; thence South 87°43'46" West, on the South line of said Northeast Quarter, a distance of 43.00 feet, to a point on the West Right-of-Way line of Highway 169, also known as Rainbow Boulevard, as now established per Condemnation No. 14610, recorded in Bk. 26, Pg. 79, said point also being the Point of Beginning; thence South 02°10'40" East, departing said South line, on said West Right-of-Way line, a distance of 305.31 feet, to the Southeast corner of said Lot 14, KLASSEN PLACE; thence South 87°47'33" West, departing said West Right-of-Way line, on the Northerly Right-of-Way line of W. 51st Street, as now established per said KLASSEN PLACE, a distance of 100.09 feet (100.0 feet per plat), to a point of curvature, said point also being the Southwest corner of said Lot 14; thence Southwesterly, continuing on said Northerly Right-of-Way line, and on a curve to the left, having a radius of 380.20 feet, a central angle of 34°57'49", and an arc length of 232.01 feet, to the most Southerly corner of said Lot 12, KLASSEN PLACE; thence North 38°33'02" West, continuing on said Northerly Right-of-Way line, a distance of 74.96 feet (74.30 feet per plat), to a point on the West line of said Lot 12; thence South 02°12'27" East, continuing on said Northerly Right-of-Way line, a distance of 16.79; thence South 87°43'46" West, continuing on said Northerly Right-of-Way line and the extension thereof being the North line of said Lot 11, KLASSEN PLACE, a distance of 258.03 feet (258.10 feet per plat), to the Northwest corner of said Lot 11, also being the Southwest corner of said Lot 8, HOLMESLAND; thence North 02°10'40" West, departing said North line of Lot 11, on the West line of said Lot 8, a distance of 164.70 feet, to the Southeast corner of the North Half of said Lot 9, HOLMESLAND; thence South 87°43'46" West, departing said West line of Lot 8, on the South line of the North Half of said Lot 9, a distance of 113.15 feet (112.3 feet per deed), to the Southeast corner of Lot 6, LOCKWOOD COURT, a subdivision recorded in Bk. 8, Page 40; thence North 02°16'38" West, departing said South line, on the East line of Lots 6 and 5, LOCKWOOD COURT, a distance of 165.25 feet, to the Northeast corner of said Lot 5, also being the Southeast corner of said Lot 14, Block 1, SWATZELL ADDITION; thence South 87°43'46" West, departing the East line of said Lots 6 and 5, on said South line of said Lot 14, a distance of 50.00 feet, to the Southwest corner of said Lot 14; thence North 02°16'38" West, departing said South line, on the West line of said Lot 14, a distance of 132.07 feet (132.00 feet per plat), to the Northwest corner of said Lot 14; thence North 87°43'22" East, departing said West line, on the Southerly Right-of-Way line of W. 50th Street, as now established per said SWATZELL ADDITION, a distance of 480.00 feet, to a point on a non-tangent curve; thence Northeasterly, continuing on said Southerly Right-of-Way line, and on a curve to the left, having an initial tangent bearing of North 89°04'45" East, a radius of 420.00 feet, a central angle of 14°45'21", and an arc length of 108.17 feet; thence North 73°06'49" East, continuing on said Southerly Right-of-Way line, a distance of 203.11 feet, to a point on the West Right-of-Way line of said Highway 169; thence South 02°17'01" East, departing said Southerly Right-of-Way line, on said West Right-of-Way line, a distance of 194.71 feet, to the Point of Beginning.

And also,

The South 20.0 feet of West 50th Street right-of-Way, the West 43.0 feet of Rainbow Blvd Right-of-Way and the North 25.0 feet of West 51st Street Right-of-Way, lying adjacent to the above-described Tract Description, containing an aggregate 379,731.67 square feet, or 8.7174 acres, more or less.