

**CERTIFICATION OF CLERK**

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Resolution was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 18<sup>th</sup> day of January, 2022, and that said Resolution has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 19<sup>th</sup> day of January, 2022.



*Brenda K. Wolf*

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Brenda K. Wolf, CMC, City Clerk

(Published in *The Manhattan Mercury* on February 19, 2022)

## **RESOLUTION NO. 011822-A**

**A RESOLUTION STATING THAT THE CITY OF MANHATTAN, KANSAS IS CONSIDERING AMENDING ORDINANCE NO. 6512 OF THE CITY THAT ESTABLISHED A REDEVELOPMENT DISTRICT TO INCLUDE ADDITIONAL PROPERTY IN SUCH DISTRICT FOR STAR BOND ACT PURPOSES ONLY; PROVIDING FOR A SUBSTANTIAL CHANGE TO THE DISTRICT PLAN ASSOCIATED WITH SUCH DISTRICT; AND PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER SUCH ACTIONS.**

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**WHEREAS**, the City of Manhattan, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas as a city of the first class; and

**WHEREAS**, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended (the “Prior Act”), the City Commission of the City (the “City Commission”), has heretofore adopted Resolution No. 090605-A, which made a finding that the City would consider the establishment of a redevelopment district pursuant to the Prior Act and the Master Plan, set forth the boundaries of the proposed redevelopment district, provided a summary of the proposed redevelopment district plan, called a public hearing concerning the establishment of a redevelopment district for October 11, 2005 and provided for notice of such public hearing as provided in the Prior Act; and

**WHEREAS**, a public hearing was held on October 11, 2005, after due published, delivered and mailed notice in accordance with the provisions of the Prior Act; and

**WHEREAS**, upon and considering the information and public comments received at such public hearing, the City Commission on October 11, 2005 approved, on first reading, an ordinance making certain findings necessary to create the redevelopment district discussed at such public hearing; and

**WHEREAS**, the City Commission on November 15, 2005, adopted Ordinance No. 6512, which made a finding that due notice of the public hearing conducted on October 11, 2005 was made in accordance with the provisions of the Prior Act, that the boundaries of the proposed redevelopment district described in Resolution No. 090605-A is located within an enterprise zone and therefore within an eligible area under the Prior Act, that the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of the City and created a redevelopment district within the City, known as the Manhattan Downtown Redevelopment District, the boundaries of which were defined in said Ordinance (the “District”); and

**WHEREAS**, the City, in consultation with the City's Planning Commission, prepared an initial South Project Area Redevelopment Project Plan and Special Bond Project Plan dated January 30, 2007 (the “Redevelopment Plan”); and

**WHEREAS**, on February 5, 2007 the Planning Commission of the City made a finding that the Redevelopment Plan is consistent with the intent of the City's comprehensive plan for the development of the City; and

**WHEREAS**, on March 15, 2007, the City Commission adopted Ordinance No. 6612, which made certain findings required by the Prior Act and adopted the Redevelopment Plan; and

**WHEREAS**, on November 27, 2006, the Kansas Secretary of Commerce (the “Secretary”): (a) determined that the District constitutes a major commercial entertainment and tourism area and is therefore an “eligible area” under the Prior Act and (b) approved and designated the Downtown Redevelopment Project described in the Redevelopment Plan as a “special bond project” within the meaning of the Prior Act and on December 28, 2006 approved the issuance of up to \$50,000,000 in STAR bonds; and

**WHEREAS**, pursuant to K.S.A. 12-17,160 *et seq.*, as amended, which amended and supplemented a portion of the Prior Act (the “STAR Bond Act”), the City Commission desires to expand the boundaries of the District for STAR Bond Act purposes to include certain property located north of, and contiguous to, the existing District boundaries in order to provide a site for construction of additional public infrastructure and development of a museum facility and related attractions in the proposed expanded boundary area; and

**WHEREAS**, pursuant to the STAR Bond Act, the Secretary has consented to amending the boundaries of the District for STAR Bond Act purposes to include the additional property; and

**WHEREAS**, the City Commission is authorized by the STAR Bond Act to pass an ordinance amending Ordinance No. 6512 to expand the boundaries of the District for STAR Bond Act purposes and adopt a substantial change to the District Plan, subject to conducting a public hearing after notice provided in the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MANHATTAN, KANSAS:**

**Section 1. Consideration of Ordinance Amendment.** The City Commission is considering amending Ordinance No. 6512, specifically *Section 3* thereof and *Exhibits A* and *B* thereto, in order to expand the boundaries of the District to provide a site for construction of additional public improvements on and adjacent to the contiguous block of property bounded by 3<sup>rd</sup> Street, Pierre Street, 4<sup>th</sup> Street, and Houston Street, along with an attraction museum facility within the proposed expanded boundary area and consider a substantial change to the District Plan to implement such improvements. Such amendments are for STAR Bond Act purposes only and are not applicable for activities or financing pursuant to the Prior Act for tax increment purposes.

**Section 2. Public Hearing.** The City Commission will hold a public hearing to consider such amendments to Ordinance No. 6512 in order to amend the boundaries of the District and consider a substantial change to the District Plan on March 1, 2022, at 7:00 p.m., or as soon thereafter as possible, in the City Commission Chambers, City Hall, 1101 Poyntz Avenue, Manhattan, Kansas. Following the conclusion of the public hearing, the City Commission will consider an ordinance that would amend Ordinance No. 6512 as described in *Section 1* hereof.

**Section 3. District Description and Map.** The description of the District, including the additional property to be included with the proposed amendment, is contained in *Exhibit A* hereto. A map generally outlining the boundaries of the District, including the additional property to be included for STAR Bond Act purposes, is attached as *Exhibit B* hereto. A copy of such description and map are available for inspection by the public at the office of the City Clerk, City Hall, 1101 Poyntz Avenue, Manhattan, Kansas.

**Section 4. Proposed Changes to District Plan.** The District Plan, contained in *Section 3* of Ordinance No. 6512, is proposed to be changed as attached hereto as *Exhibit C*. A copy of such proposed District Plan is available for inspection during regular office hours in the office of the City Clerk, City Hall, 1101 Poyntz Avenue, Manhattan, Kansas.

**Section 5. Notice of Public Hearing.** A copy of this Resolution, including the Exhibits hereto, shall be sent by certified mail, return receipt requested to the Riley County Board of County Commissioners, and to the Board of Education of Unified School District No. 383. Copies of this Resolution, including the Exhibits hereto, shall also be mailed by certified mail, return receipt requested, to each owner and occupant of land within the District, including the property proposed to be added to the District, not more than ten (10) days following the date of the adoption of this Resolution.

**Section 6. Publication.** This Resolution, including the Exhibits hereto, 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 7. Further Action.** The Mayor, City Manager, Finance Director, City Attorney, and other officials and employees of the City, including Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

**Section 8. Effective Date.** This Resolution shall take effect and be in force from and after its adoption by the City Commission.

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**ADOPTED** by the City Commission of the City of Manhattan, Kansas, on January 18, 2022.

*Linda Morse*

Linda Morse, Mayor

ATTEST:

*Brenda K. Wolf*

Brenda K. Wolf, City Clerk



**CERTIFICATE**

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original Resolution No. 011822-A of the City of Manhattan, Kansas, adopted by the City Commission on January 18, 2022; and that the Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: January 18, 2022.

*Brenda K. Wolf*

Brenda K. Wolf, City Clerk

**EXHIBIT A  
REDEVELOPMENT DISTRICT DESCRIPTION**

***DESCRIPTION OF EXISTING DISTRICT BOUNDARIES***

Property description for STAR district:

Lots 48, 48A, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 60A, 61, 62, 63, 64, 64A, 65, 66, 67, 68, 69, 69A, 70, 71, 72, 72A, 73, 74, 75, 76, 76A, 77, 78, 78A, 78B, 79, 80, 80A, 81, 82, 82A, 83, 84, 85, 86, 87, all in Ward 2, in the City of Manhattan, Riley County, Kansas;

That part of Lot 1, Gateway Subdivision No. 1 which was formerly known as Lots 93, 94 and 95, Ward 2, in the City of Manhattan, Riley County, Kansas;

Lot 164, Ward 1, in the City of Manhattan, Riley County, Kansas, less that tract of land conveyed to The Secretary of Transportation of the State of Kansas, as described in Book 658, Page 265, in the office of the Register of Deeds of Riley County, Kansas; and

Lots 55, 56, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, all in Ward 1, in the City of Manhattan, Riley County, Kansas;

Together with the rights of way on both 3rd and 4th Streets extending from Fort Riley Boulevard to Bluemont Avenue, in the City of Manhattan, Riley County, Kansas;

Together with all the publicly dedicated right of way, including streets and alley ways, within the area bounded by Bluemont Avenue on the north, Tuttle Creek Boulevard on the east, Leavenworth Street on the south, and 4<sup>th</sup> Street on the west, in the City of Manhattan, Riley County, Kansas.

Together with all the publicly dedicated right of way, including streets and alley ways, within the area bounded by Pierre Street on the north, 4<sup>th</sup> Street on the west, Fort Riley Boulevard on the south and east in the City of Manhattan, Riley County, Kansas.

Together with any vacated streets, vacated alleys, vacated market squares and abandoned railroad right of way accruing to the subject lots.

***DESCRIPTION OF PROPERTY PROPOSED TO BE ADDED TO THE  
DISTRICT BOUNDARIES FOR STAR BOND ACT PURPOSES ONLY***

Property description for property to be added to the existing STAR district:

Tracts Located in the Southeast Quarter of Section 18, Township 10 South, Range 8 East, Riley County, Kansas, subject to public roads, easements and other conditions, if any, now being of record. being more particularly described as follows:

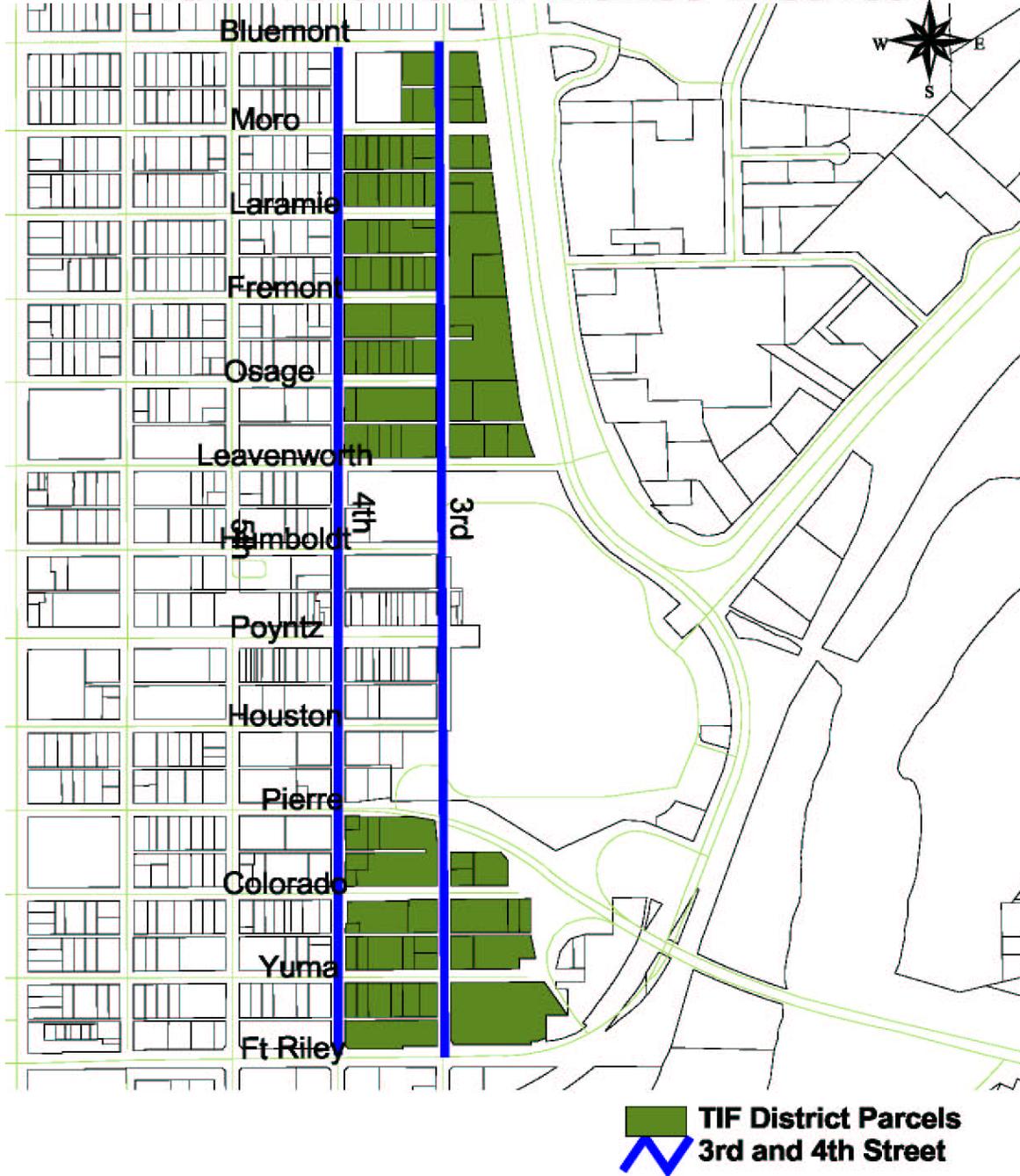
Lots 333-336, Ward 1, LESS Parts taken for roadway purposes and Lots 340-344, Ward 1 and the North half of the vacated alley adjacent to Lot 340 and Part of Lot E, Manhattan Town Center 5, Described as Follow:

Beginning at the Northeast corner of Lot 340, Ward 1, Thence S00°03'57"W, along the East line of said Lot 340 and the West line of Lot E, Manhattan Town Center 5, a distance of 165.20 feet; Thence S89°51'00"W, along the West line of said Lot E, a distance of 50.00 feet; Thence S00°02'14"E, along the West line of said Lot E, a distance of 139.86 feet; Thence N89°44'48"E, along the North ROW line of Pierre Street, a distance of 200.57 feet; thence N00°15'12"W, a distance of 7.34 feet; Thence N08°00'54"E, a distance of 5.74 feet; Thence N00°14'01"W, a distance of 272.36 feet; Thence N08°10'53"W, a distance of 11.32 feet; Thence N55°57'22"W, a distance of 14.66 feet; Thence S89°47'43"W, along the South ROW line of Houston Street, a distance of 136.37 feet to the point of beginning; Containing an area of 52,885.46 square feet.

Together with all City right-of-way adjacent to the above-described property and any vacated streets, vacated alleys, vacated market squares and abandoned railroad right of way accruing to the subject lots.

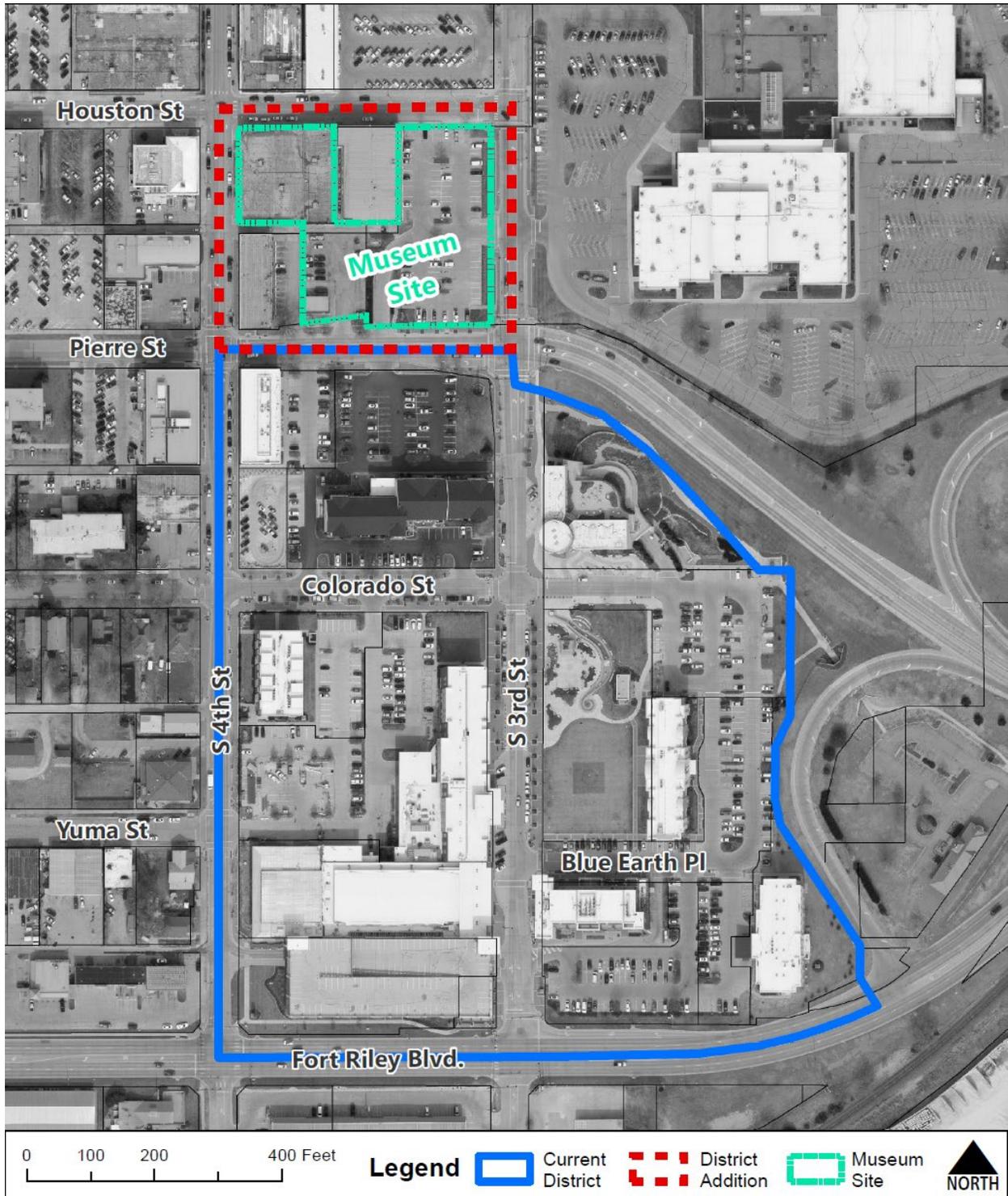
EXHIBIT B  
MAPS OF REDEVELOPMENT DISTRICT  
*EXISTING REDEVELOPMENT DISTRICT*

# Tax Increment Finance District



The boundaries of the existing TIF and STAR Bond District are shaded in green.

**PROPOSED ADDITIONAL PROPERTY TO BE ADDED TO THE REDEVELOPMENT DISTRICT  
FOR STAR BOND ACT PURPOSES**



**EXHIBIT C**  
**REDEVELOPMENT DISTRICT PLAN WITH PROPOSED MODIFICATION**

***EXISTING DISTRICT PLAN***

***North Project Area.*** The North Project Area, located south of Bluemont, east of 4th Street, west of Tuttle Creek Boulevard, and north of Leavenworth Street, consists of a mixed-use development with residential, retail, office and restaurant space with parking. As highlighted on the Conceptual Master Plan, the north area includes a residential mix of 255,000 square feet in an assortment of town homes, condominiums, and apartments. The commercial space of approximately 240,000 square feet will consist of retail stores and restaurants. The commercial space may also include up to 15,000 square feet of office space.

***Central Project Area.*** The Central Project Area, generally consists the rights-of-way of 3rd and 4th Street between Leavenworth Street on the north, and Pierre Street on the south. This area will consist of improving the existing streets, streetscape and landscaping.

***South Project Area.*** The South Project Area, located south of Pierre Street, east of 4th Street, west and north of Fort Riley Boulevard, also highlighted in the Conceptual Master Plan, consists of a mixed-use development with residential, retail, office, restaurant, hotel, conference center, parking garage and civic space. The south area is comprised of approximately 50,000 square feet of retail space including several restaurants, limited office space, a hotel with 110 rooms, a 30,000 square foot conference center, parking garage consisting of 300 parking spaces, and a 30,000 square foot Prairie Discovery and Visitor's Center.

***PROPOSED MODIFICATION TO THE DISTRICT PLAN***

***Art Museum Area.*** The Art Museum Area is located north of and adjacent to the existing South Project Area and generally consists of the contiguous block of property bounded by 3<sup>rd</sup> Street, Pierre Street, 4<sup>th</sup> Street, and Houston Street, together with all City right-of-way adjacent thereto and any vacated streets, vacated alleys, vacated market squares and abandoned railroad right of way accruing to the subject lots. This area will consist of an approximately 50,000 square foot state of the art museum facility featuring immersive exhibits and interactive displays, streets, parking lots, and related public infrastructure.