

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 19th day of April, 2022, and that said Ordinance 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, 20th day of April, 2022.



Brenda K. Wolf

Brenda K. Wolf, CMC, City Clerk



ORDINANCE NO. 7569

AN ORDINANCE APPROVING A PROJECT PLAN AMENDMENT TO THE SOUTH PROJECT AREA REDEVELOPMENT PROJECT PLAN AND SPECIAL BOND PROJECT PLAN FOR THE MANHATTAN DOWNTOWN REDEVELOPMENT DISTRICT.

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 is considering 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 “Original 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 Original 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, by Ordinance No. 7568, passed March 15, 2022, and published March 19, 2022, the City added certain property (the “Additional Property”), increased the boundaries of the District to include the Additional Property (collectively the Original District and the Additional Property means the “District”) and adopted a substantial change to the district plan, all pursuant to K.S.A. 12-17,171(a); and

WHEREAS, K.S.A. 12-17,160 *et seq.*, as amended, which amended and supplemented a portion of the Prior Act (the “STAR Bond Act”), particularly K.S.A. 12-17,166(k) authorizes the City Commission to approve substantial changes to the Project Plan, subject to public hearing, notice of which is provided by publication at least twice in the official City newspaper; and

WHEREAS, the City has prepared a Project Plan Amendment to the Project Plan, dated March 2022 (the “Project Plan Amendment”), which modifies the scope of the Downtown Redevelopment Project to include the construction and operation of a state-of-the-art museum and cultural attraction featuring immersive exhibits and interactive displays, streets, parking lots, and related public infrastructure, which is proposed to be generally located north of and adjacent to the existing South Project Area and generally consists of the contiguous block of property bounded by 3rd Street, Pierre Street, 4th 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, as further described in the Project Plan Amendment; and

WHEREAS, a notice of public hearing, indicating that the City Commission is considering approval of the Project Plan Amendment, was published in *The Manhattan Mercury*, the official City newspaper, in accordance with the provisions of the STAR Bond Act; and

WHEREAS, on April 5, 2022, a public hearing on the Project Plan Amendment was opened, public comment was received by the City Commission, and the public hearing was closed; and

WHEREAS, the City Commission is authorized by the Act to adopt the Project Plan Amendment by ordinance passed by not less than two-thirds vote of the City Commission.

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

Section 1. Project Plan Amendment Approval. The Project Plan Amendment for further redevelopment of the District, together with all attachments and exhibits thereto, which is on file in the office of the City Clerk, is hereby adopted.

Section 2. Financing Authorization. The City Commission hereby declares its intention to issue and sell its special obligation bonds (the “Bonds”) in order to implement the Project Plan Amendments. The Bonds may be issued to reimburse the City for such project costs pursuant to Treasury Regulation §1.150-2.

Section 3. Effective Date. This Ordinance shall take effect and be in force from and after its passage and publication of a summary thereof one time in the official City newspaper.

Section 4. Notification. The City Clerk shall cause to be transmitted copies of this Ordinance and the Project Plan Amendment to the Riley County Board of County Commissioners, Clerk, Treasurer and Appraiser, to the Board of Education of Unified School District No. 383 (Manhattan) and to the Secretary.

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PASSED by not less than two-thirds vote of the City Commission of the City of Manhattan, Kansas, on April 19, 2022.



Linda Morse
Linda Morse, Mayor

ATTEST:

Brenda K. Wolf
Brenda K. Wolf, City Clerk

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CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original Ordinance No. 7569 (the "Ordinance") of the City of Manhattan, Kansas (the "City"); that said Ordinance was passed by the City Commission on April 19, 2022, that the record of the final vote on its passage is found on page ____ of journal ____; that a Summary of the Ordinance was published in the official newspaper of the City on April 23, 2022; and that the Ordinance has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: April 23, 2022.



Brenda K. Wolf
Brenda K. Wolf, City Clerk

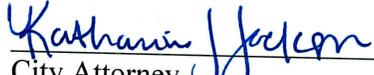
(Published in *The Manhattan Mercury* on April 23, 2022)

ORDINANCE NO. 7569 SUMMARY

On April 19, 2022, the City Commission of the City of Manhattan, Kansas (the “City”) passed an ordinance entitled:

AN ORDINANCE APPROVING A PROJECT PLAN AMENDMENT TO THE SOUTH PROJECT AREA REDEVELOPMENT PROJECT PLAN AND SPECIAL BOND PROJECT PLAN FOR THE MANHATTAN DOWNTOWN REDEVELOPMENT DISTRICT.

Ordinance No. 7569 (the “Ordinance”) approves a Project Plan Amendment for the South Project Area Redevelopment Project Plan and Special Bond Project Plan for the Manhattan Downtown Redevelopment District, dated March 2022 (the “Project Plan Amendment”), relating to the modification of the scope of the Downtown Redevelopment Project to include the construction and operation of a state-of-the-art museum and cultural attraction featuring immersive exhibits and interactive displays, streets, parking lots, and related public infrastructure, which is proposed to be generally located north of and adjacent to the existing South Project Area and generally consists of the contiguous block of property bounded by 3rd Street, Pierre Street, 4th 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, as further described in the Project Plan Amendment. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, Kansas, 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at www.cityofmhc.com. This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.



City Attorney
Date Certified: 4-19-2022