

**RESOLUTION NO. 16-7395**

**A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF SALINA, KANSAS TO BE KNOWN AS THE DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT AND REGARDING THE CITY'S INTENT TO LEVY A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT (DOWNTOWN).**

**WHEREAS**, K.S.A. 12-6a26 *et. seq.* (the "Act") authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance projects; and

**WHEREAS**, a petition (the "Petition") was filed with the City Clerk on August 25, 2016, proposing the creation of the Downtown Community Improvement District ("CID") under the Act, the imposition of a community improvement district sales tax in order to pay the costs of projects as described in the Petition (the "CID Projects"); and

**WHEREAS**, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

**WHEREAS**, the City of Salina, Kansas (the "City") intends to create the CID and to levy a community improvement district sales tax in an amount equal to 1.0% as requested in the Petition (the "CID Sales Tax"); and

**WHEREAS**, the Governing Body hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the CID, approving the CID Projects set forth in the Petition and levying the CID Sales Tax, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

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

**SECTION 1. Petition.** The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

**SECTION 2. Public Hearing.** It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the CID, approving the CID Projects set forth in the Petition, and whether to impose a CID Sales Tax in an amount equal to 1.0% and such other matters related thereto, such public hearing to be held on **September 19, 2016 at 4:00 p.m.**, or as soon thereafter as the matter can be heard, at the City-County Building, 300 West Ash, Room 107, Salina, Kansas, under the authority of the Act.

**SECTION 3. Proposed CID Projects.** The general nature of the proposed CID Projects is to promote the redevelopment and revitalization of the downtown Salina business district, as is more particularly described herein, by providing community improvement district financing in accordance with this petition and the Act to finance the demolition, construction, maintenance, and procurement of certain improvements, costs, and services within the CID including, but not limited to: land acquisition, infrastructure related items, streets, sidewalks, parking lots and/or structures, buildings, facilities, tenant improvements, water management and drainage related items, utilities, landscaping, lighting, art, water features and other cultural amenities, ongoing maintenance of the CID, marketing, advertisement and

economic development, promotion of activities and special events, training, cleaning and maintenance, and administrative costs in establishing and maintaining the CID and the CID Projects, and any other items permitted to be financed within the CID under the Act.

**SECTION 4. Estimated Cost.** The estimated cost of the proposed CID Projects is \$7,589,062, plus interest on such amount.

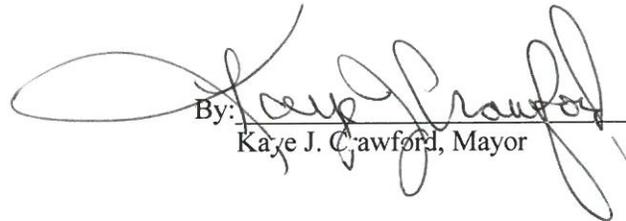
**SECTION 5. Method of Financing, Community Improvement District Sales Tax and Special Assessments.** The estimated cost of the proposed CID Projects, plus interest will be financed by through a combination of private equity, private debt and Pay-as-you-go financing, as defined in the Act. It is proposed that a CID Sales Tax in an amount equal to 1.0% be levied. There will not be any special assessments on property within the boundaries of the CID to pay the costs of the CID Projects.

**SECTION 6. Map and Legal Description of Proposed CID.** The legal description of the property to be contained in the proposed CID is set forth on **Exhibit A** attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as **Exhibit B** hereto, and incorporated by reference herein.

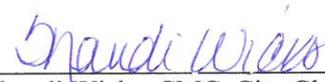
**SECTION 7. Notice of Hearing.** The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution in the official newspaper. Such publication shall be at least once each week for two consecutive weeks. The second publication shall be at least 7 days prior to the date of the hearing. The City Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed CID at least 10 days prior to the date of the hearing.

**SECTION 8. Effective Date.** This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

ADOPTED on August 26, 2016.

By:   
Kaye J. Crawford, Mayor

[SEAL]

By:   
Shandi Wicks, CMC, City Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPOSED DOWNTOWN  
COMMUNITY IMPROVEMENT DISTRICT**

AND ALSO INCLUDING:

ANY AND ALL ADJACENT RIGHT-OF-WAY.

## LIMITS OF THE COMMUNITY IMPROVEMENT DISTRICT – DOWNTOWN:

A TRACT OF LAND LOCATED IN ORIGINAL TOWN (NOW CITY) OF SALINA, SALINE COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 50 ON 5TH STREET, IN SAID ORIGINAL TOWN, SAID POINT BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF 5TH STREET AND THE SOUTH RIGHT-OF-WAY LINE OF ELM STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE OF 5TH STREET, A DISTANCE OF 300 FEET TO THE SOUTHEAST CORNER OF LOT 60 ON 5TH STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 120 FEET TO THE SOUTHWEST CORNER OF SAID LOT 60;

THENCE SOUTH ON THE WEST LINE OF LOTS 62, 64, AND 66 ON 5TH STREET, A DISTANCE OF 150 FEET TO THE NORTHWEST CORNER OF LOT 68 ON 5TH STREET;

THENCE EAST ON THE NORTH LINE OF SAID LOT 68, A DISTANCE OF 120 FEET TO THE NORTHEAST CORNER OF SAID LOT 68, SAID POINT BEING ON SAID WEST RIGHT-OF-WAY LINE OF 5TH STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE OF 5TH STREET, A DISTANCE OF 930 FEET TO THE SOUTHEAST CORNER OF LOT 100 ON 5TH STREET;

THENCE EAST ON THE NORTH LINE OF LOT 101 ON 5TH STREET AND EXTENSIONS THEREOF, AND THE NORTH LINE OF LOT 102 ON 4TH STREET, A DISTANCE OF 327.52 FEET TO THE INTERSECTION OF SAID NORTH LINE OF LOT 102 AND THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, A DISTANCE OF 205.76 FEET TO THE INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE AND THE SOUTH LINE OF LOT 108 ON 4TH STREET, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF IRON STREET;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE OF IRON STREET, A DISTANCE OF 253.8 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 1165, PAGES 242-245 IN THE OFFICE OF THE SALINE COUNTY REGISTER OF DEEDS;

THENCE NORTH ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 29.02 FEET;

THENCE NORTHWEST ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE 37.08 FEET;

THENCE NORTH ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 72.85 FEET;

THENCE NORTHEAST ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 106.87 FEET;

THENCE SOUTHEAST ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 67.07 FEET;

THENCE EAST ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 55.57 FEET;

THENCE SOUTH ON THE BOUNDARY OF SAID DESCRIBED TRACT, A DISTANCE OF 45.21 FEET TO THE EXTENSION OF THE NORTH LINE OF LOT 103 ON 3RD STREET;

THENCE EAST ON SAID NORTH LINE, AND EXTENSIONS THEREOF, A DISTANCE OF 130.24 FEET TO THE NORTHEAST CORNER OF SAID LOT 103 ON 3RD STREET, SAID POINT BEING ON THE WEST LINE OF A 10 FOOT ALLEY BETWEEN 2ND STREET AND 3RD STREET, SAID ORIGINAL TOWN;

THENCE SOUTH ON SAID WEST LINE OF A 10 FOOT ALLEY, AND EXTENSIONS THEREOF, A DISTANCE OF 250 FEET TO THE NORTHEAST CORNER OF LOT 109 ON 3RD STREET, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF IRON STREET;

THENCE EAST ON SAID SOUTH RIGHT-OF-WAY LINE OF IRON STREET, A DISTANCE OF 130 FEET TO THE NORTHEAST CORNER OF LOT 110 ON 2ND STREET, SAID POINT BEING THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE, AND THE WEST RIGHT-OF-WAY LINE OF 2ND STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE OF 2ND STREET, A DISTANCE OF 150 FEET TO THE SOUTHEAST CORNER OF LOT 114 ON 2ND STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 114, AND EXTENSIONS THEREOF, A DISTANCE OF 130 FEET TO THE SOUTHEAST CORNER OF LOT 113, ON 3RD STREET;

THENCE NORTH ON THE WEST LINE OF SAID LOT 113, A DISTANCE OF 50 FEET TO THE NORTHEAST CORNER OF SAID LOT 113;

THENCE WEST ON THE NORTH LINE OF SAID LOT 113, AND EXTENSIONS THEREOF, A DISTANCE OF 200 FEET TO THE NORTHEAST CORNER OF LOT 114 ON 3RD STREET, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF 3RD STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE OF 3RD STREET, A DISTANCE OF 100 FEET TO THE SOUTHEAST CORNER OF LOT 116 ON 3RD STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 116, A DISTANCE OF 120 FEET TO THE SOUTHWEST CORNER OF SAID LOT 116, SAID POINT BEING ON THE EAST LINE OF A 10 FOOT ALLEY BETWEEN 3RD STREET AND 4TH STREET, SAID ORIGINAL TOWN;



742 DUVALL AVENUE  
SALINA, KANSAS 67401  
PH. (785) 823-3400 | FAX (785) 823-3411  
sa@kveng.com | www.kveng.com

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THENCE SOUTH ON SAID EAST LINE OF A 10 FOOT ALLEY, A DISTANCE OF 550 FEET TO THE SOUTHWEST CORNER OF LOT 138 ON 3RD STREET, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WALNUT STREET;

THENCE WEST ON SAID NORTH RIGHT-OF-WAY LINE OF WALNUT STREET, A DISTANCE OF 210 FEET TO THE SOUTHEAST CORNER OF LOT 138 ON 4TH STREET, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF 4TH STREET;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE OF 4TH STREET, A DISTANCE OF 250 FEET TO THE SOUTHEAST CORNER OF LOT 128 ON 4TH STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 128 AND EXTENSIONS THEREOF, A DISTANCE OF 130 FEET TO THE SOUTHEAST CORNER OF LOT 127 ON 5TH STREET, SAID POINT BEING ON THE WEST LINE OF A 10 FOOT ALLEY BETWEEN 4TH STREET AND 5TH STREET, SAID ORIGINAL TOWN;

THENCE SOUTH ON SAID WEST LINE OF A 10 FOOT ALLEY, AND EXTENSIONS THEREOF, A DISTANCE OF 480 FEET TO THE SOUTHEAST CORNER OF LOT 143 ON 5TH STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 143, A DISTANCE OF 120 FEET TO THE SOUTHWEST CORNER OF SAID LOT 143, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF 5TH STREET;

THENCE SOUTH ON SAID EAST RIGHT-OF-WAY LINE OF 5TH STREET, A DISTANCE OF 400 FEET TO THE SOUTHWEST CORNER OF LOT 159 ON 5TH STREET;

THENCE EAST ON THE SOUTH LINE OF SAID LOT 159, A DISTANCE OF 120 FEET TO THE SOUTHEAST CORNER OF SAID LOT 159, SAID POINT BEING ON SAID WEST LINE OF A 10 FOOT ALLEY BETWEEN 4TH STREET AND 5TH STREET, SAID ORIGINAL TOWN;

THENCE SOUTH ON SAID WEST LINE OF A 10 ALLEY, AND EXTENSIONS THEREOF, A DISTANCE OF 355 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF LOT 171 ON 5TH STREET;

THENCE WEST ON THE SOUTH LINE OF SAID NORTH HALF OF LOT 171, A DISTANCE OF 120 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF LOT 171;

THENCE NORTHWEST A DISTANCE OF 109.7 FEET TO THE NORTHEAST CORNER OF LOT 170 ON 5TH STREET, SAID POINT BEING ON SAID WEST RIGHT-OF-WAY LINE OF 5TH STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE OF 5TH STREET, A DISTANCE OF 500 FEET TO THE SOUTHEAST CORNER OF LOT 188 ON 5TH STREET, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF SOUTH STREET;

THENCE WEST ON SAID NORTH RIGHT-OF-WAY LINE OF SOUTH STREET, A DISTANCE OF 600 FEET TO THE SOUTHWEST CORNER OF LOT 187 ON 7TH STREET, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF 7TH STREET;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE OF 7TH STREET, A DISTANCE OF 500 FEET TO THE NORTHWEST CORNER OF LOT 169 ON 7TH STREET;

THENCE EAST ON THE NORTH LINE OF SAID LOT 169, A DISTANCE OF 120 FEET TO THE NORTHEAST CORNER OF SAID LOT 169, SAID POINT BEING ON THE WEST LINE OF A 10 FOOT ALLEY BETWEEN SANTA FE AVENUE AND 7TH STREET, SAID ORIGINAL TOWN;

THENCE NORTH ON SAID WEST LINE OF A 10 FOOT ALLEY, AND EXTENSIONS THEREOF, A DISTANCE OF 330 FEET TO THE SOUTHEAST CORNER OF LOT 157 ON 7TH STREET;

THENCE WEST ON THE SOUTH LINE OF SAID LOT 157, A DISTANCE OF 120 FEET TO THE SOUTHWEST CORNER OF SAID LOT 157, SAID POINT BEING ON SAID EAST RIGHT-OF-WAY LINE OF 7TH STREET;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE OF 7TH STREET, A DISTANCE OF 580 FEET TO THE SOUTHWEST CORNER OF LOT 137 ON 7TH STREET, SAID POINT BEING ON SAID NORTH RIGHT-OF-WAY LINE OF WALNUT STREET;

THENCE WEST ON SAID NORTH RIGHT-OF-WAY LINE OF WALNUT STREET, A DISTANCE OF 210 FEET TO THE SOUTHEAST CORNER OF LOT 137 ON 8TH STREET, SAID POINT BEING ON THE WEST LINE OF A 10 FOOT ALLEY BETWEEN 7TH STREET AND 8TH STREET, SAID ORIGINAL TOWN;

THENCE NORTH ON SAID WEST LINE OF A 10 FOOT ALLEY, A DISTANCE OF 1600 FEET TO THE NORTHEAST CORNER OF LOT 79 ON 8TH STREET, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ASH STREET;

THENCE EAST ON SAID SOUTH RIGHT-OF-WAY LINE OF ASH STREET, A DISTANCE OF 210 FEET TO THE NORTHWEST CORNER OF LOT 79 ON 7TH STREET, SAID POINT BEING ON SAID EAST RIGHT-OF-WAY LINE OF 7TH STREET;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE OF 7TH STREET, A DISTANCE OF 830 FEET TO THE NORTHWEST CORNER OF LOT 49 ON 7TH STREET, SAID POINT BEING ON SAID SOUTH RIGHT-OF-WAY LINE OF ELM STREET;

THENCE EAST ON SAID SOUTH RIGHT-OF-WAY LINE OF ELM STREET, A DISTANCE OF 600 FEET TO THE POINT OF BEGINNING.

CONTAINS 77.6 ACRES, MORE OR LESS

END OF DESCRIPTION



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**EXHIBIT B**

**MAP OF PROPOSED DOWNTOWN COMMUNITY IMPROVEMENT DISTRICT**

The following property located in Saline County, City of Salina, Kansas:

[SEE ATTACHED MAP]

LIMITS OF THE COMMUNITY IMPROVEMENT DISTRICT - DOWNTOWN  
CITY OF SALINA

