

RESOLUTION NO. 2039

A RESOLUTION OF THE CITY OF GARDNER, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING FOR A DEVELOPMENT PROJECT WITHIN THE CITY (PLAZA SOUTH).

WHEREAS, the City of Gardner, Kansas (the “City”), is a duly organized city, created, organized and existing under the laws of the State of Kansas (the “State”);

WHEREAS, Plaza South Developers, LLC (the “Developer”), has proposed to develop certain commercial improvements, along with certain related infrastructure (collectively, the “Project”), in the vicinity of the northeast corner of Gardner Road and 188th Street within the City;

WHEREAS, the Developer has requested that the City make certain incentives available to facilitate development of the Project, including a special benefit district, community improvement district, and a credit against the excise tax which would be due and payable to the City upon releasing the plat of the Project for recording; and

WHEREAS, the City has determined that it is necessary and desirable to set forth the terms and conditions of the agreement by and between the City and the Developer relating to the Project;

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

Section 1. The City is hereby authorized to enter into the Memorandum of Understanding (the “MOU”) by and between the City and the Developer in substantially the form presented to and reviewed by the Governing Body on the date of this Resolution (copies of this document are on file in the records of the City) with such changes therein as shall be approved by the Mayor, with the Mayor’s signature thereon being conclusive evidence of his approval thereof, and the same are hereby approved in all respects.

Section 2. The Mayor, City Clerk, and other officers and representatives of the City are hereby authorized and directed to execute, seal, attest and deliver the MOU and such other documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of and as the act and deed of the City.

Section 3. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body of the City of Gardner, Kansas on November 18, 2019.

CITY OF GARDNER, KANSAS

(Seal)

/s/
Mayor

ATTEST:

/s/
City Clerk