

(Published in *The Legal Record* on August 12 and August 19, 2025)

**RESOLUTION NO. 25-1067**

**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 OLATHE, KANSAS TO BE KNOWN AS THE OLATHE STATION NORTH COMMUNITY IMPROVEMENT DISTRICT AND REGARDING THE CITY'S INTENT TO LEVY A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.**

**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 June 25, 2025, proposing the creation of the Olathe Station North Community Improvement District ("CID") under the Act, the imposition of a community improvement district sales tax in order to pay the costs of Projects (defined herein); 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 Olathe, 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 Projects described herein 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 OLATHE, 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 Projects, 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 2, 2025 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at City Hall, City Council Chambers, 100 East Santa Fe, Olathe, Kansas, under the authority of the Act.

**SECTION 3. Proposed CID Projects.** The general nature of the proposed project is the redevelopment and improvement of certain real property generally located at the intersection of 119th Street & Strang Line Road within the City as a first-class shopping center, including some or all of the following:

1. New Pad Sites;
2. Building façade renovation;
3. New and redeveloped signage;
4. Public gathering areas with art displays;
5. Public safety improvements to the ingress/egress of Blackbob;
6. Enhanced lighting and landscaping; and

related soft costs of the Projects, and the City's administrative costs in establishing and maintaining the CID, and other items collectively permitted to be financed within the CID under the Act (collectively, the "Projects").

**SECTION 4. Estimated Cost.** The estimated cost of the proposed Projects is \$48,996,500.

**SECTION 5. Method of Financing, Community Improvement District Sales Tax and Special Assessments.** The estimated cost of the proposed Projects 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 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.

[Balance of page intentionally left blank]

**ADOPTED** on August 5, 2025.

By: \_\_\_\_\_  
John Bacon, Mayor

[SEAL]

By: \_\_\_\_\_  
Brenda Swearingian, City Clerk

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF PROPOSED OLATHE STATION NORTH COMMUNITY IMPROVEMENT DISTRICT**

#### **ALSO INCLUDING:**

Any and all adjacent Right-of-Way.

#### **Tract I:**

Lots 2, 4 and Tract B, Olathe Station Replat, a subdivision in the City of Olathe, Johnson County, Kansas, according to the recorded plat thereof.

And All that part of Lot 5, Olathe Station Replat, a platted subdivision of land in the City of Olathe, Johnson County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of said Lot 5, thence S 02°09'39" E on the Easterly line of said Lot 5, 214.00 feet to the point of beginning of Lot 5B; thence continuing S 02°09'39" E on said Easterly line of Lot 5, 508.68 feet; thence S 87°50'21" W, 103.51 feet; thence S 71°27'37" W, 52.40 feet; thence S 58°15'12" W, 54.30 feet; thence S 02°09'39" E, 97.00 feet; thence S 88°14'32" W, 344.02 feet; thence N 02°09'39" W, 154.57 feet; thence S 87°50'21" W, 94.17 feet; thence N 02°09'39" W, 98.00 feet; thence S 87°50'21" W, 11.92 feet; thence N 02°09'39" W, 228.28 feet; thence N 87°50'21" E, 131.10 feet; thence N 02°09'39" W, 413.00 feet; thence N 87°50'21" E, 25.00 feet; thence S 02°09'39" E, 15.00 feet; thence N 87°50'21" E, 70.00 feet; thence S 75°03'29" E, 68.01 feet; thence N 87°50'21" E, 137.50 feet; thence S 02°09'39" E, 214.00 feet; thence N 87°50'21" E, 222.50 feet to the point of beginning, according to Lot Split filed in Book 201711, Page 005418.

#### **Tract II:**

Appurtenant easement for ingress, egress and parking, as established in Operation and Easement Agreement filed in Book 4908, Page 135; First Amendment filed in Book 5128, Page 834; Second Amendment filed in Book 5260, Page 802; Third Amendment filed in Book 5441, Page 354; Fourth Amendment filed in Book 6368, Page 300; Fifth Amendment filed in Book 7741, Page 147; Sixth Amendment filed in Book 200802, Page 005185; Assignment and Assumption of OEA rights and Obligations filed in Book 201405, Page 001295. Assignment of Declarant's Rights filed in Book 201405, Page 001298.

Seventh Amendment filed in Book 201408, Page 006535.

#### **Tract III:**

Ingress-Egress, Drainage Easement established in Cross-Easement Agreement filed in Volume 3032, Page 677, and Amendment I to Cross-Easement Agreement filed in Volume 3525, Page 431.

#### **Tract IV:**

Non-exclusive easements established in Easement Agreement filed in Book 4908, Page 118, for ingress and egress of vehicles over and across property described in said instrument.

**EXHIBIT B**

**MAP OF PROPOSED OLATHE STATION NORTH  
COMMUNITY IMPROVEMENT DISTRICT**

The following property located in Johnson County, Olathe, Kansas: