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By City Clerk's Office on, Jul 25, 2025

**PETITION FOR THE CREATION OF A
COMMUNITY IMPROVEMENT DISTRICT**

TO: The Governing Body,
City of Olathe, Kansas

A non-refundable Petition Fee of \$5,000 shall accompany this Petition and shall be paid prior to consideration of this Petition for the creation of an Improvement District by the Economic Development Committee. Should an Improvement District be created, the petition fee shall be credited toward the City's Administrative Service Fee paid by Petitioner. Additionally, the Petitioner shall be responsible for any other fees associated with the analysis of a proposed Improvement District. See Section 6 of Resolution No. 19-1072 and contact Bond Counsel for a more detailed explanation of the fees.

The undersigned, being the owners of record, whether resident or not, of the following:

1. More than fifty-five percent (55%) of the land area contained within the hereinafter described community improvement district; and
2. More than fifty-five percent (55%) by assessed value of the land area contained within the hereinafter described community improvement district.

hereby petition the City of Olathe, Kansas (the "City") to create a community improvement district and authorize the proposed projects hereinafter set forth, all in the manner provided by K.S.A 12-6a26, et seq. (the "Act"). In furtherance of such request, the petitioners state as follows:

1. GENERAL NATURE

Please reference Section 2 of Resolution No. 23-1079

The redevelopment of the Olathe Station North property and surrounding area into a
first class shopping center development potentially containing the following:

- New pad sites
- Facade renovation
- New and redeveloped signage
- Public gathering areas with art displays
- Public safety improvements to the ingress/egress off of Blackbob
- Enhanced lighting and landscaping

2. BUT FOR

The petitioner certifies to the City that but for the creation of the community improvement district and the anticipated reimbursement of the costs of the Projects with revenue from the CID Sales Tax (as defined below), the Projects would not occur.

3. ESTIMATED COST

The estimated or probable cost of the Projects is \$ 48,996,500. Total reimbursement from revenue from the CID Sales Tax (as defined below) will be approximately \$ 7,575,000 or 15 % of total project costs.

<u>Category</u>	<u>Cost</u>
Land	\$ 31,226,000.00
Vertical Improvements, Demolition, Sitework, Landscaping, Streets, Utilities, Public Art, Public Transportation, Studies, Site Design and Analysis	\$ 15,741,000.00
Legal, Other Consultants, Marketing, Interest and other Soft Costs	\$ 2,029,500.00
Ongoing Operation and Maintenance	\$
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Total	\$ 48,996,500.00

4. PROPOSED METHOD OF FINANCING

It is proposed that the Projects be financed through a combination of private equity, private debt and CID financing, either as Pay-as-you-go financing or through the issuance of special obligation bonds, both as defined in the Act.

5. PROPOSED METHOD AND AMOUNT OF ASSESSMENT (please select one)

- ☐ It is being proposed that the Projects be financed through the levying of assessments.
- ☒ It is not being proposed that the Projects be financed through the levying of assessments.

6. PROPOSED AMOUNT OF SALES TAX

It is being proposed that the Projects be financed in part through the levying of up to a 1 % CID sales tax as authorized by the Act (the "CID Sales Tax").

7. MAP AND LEGAL DESCRIPTION OF THE PROPOSED DISTRICT

A map of the proposed community improvement district (the “**District**”) is attached hereto as **EXHIBIT A**.

The legal description of the District is attached hereto as **EXHIBIT B**.

8. LIMITATION ON USE OF REVENUE

Revenue produced from the CID Sales Tax shall be limited to the reimbursement of costs associated with the preparation of studies, site design, analysis, legal and other costs as set forth in the Act and the predevelopment agreement signed by petitioner and the City on _____.

9. FINANCIAL ABILITY TO COMPLETE AND OPERATE

The undersigned hereby state that they have the financial ability to complete and operate the Projects.

10. NOTICE TO PETITION SIGNERS

NAMES MAY NOT BE WITHDRAWN FROM THIS PETITION BY THE SIGNERS HEREOF AFTER THE CITY COMMENCES CONSIDERATION OF THIS PETITION, OR LATER THAN SEVEN (7) DAYS AFTER THE FILING HEREOF WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

11. CERTIFICATION OF APPLICANT

APPLICANT HAS RECEIVED AND REVIEWED THE CITY’S COMMUNITY IMPROVEMENT DISTRICT POLICY (POLICY NO. F-9, RESOLUTION NO. 19-1072) AND THE APPLICANT UNDERSTANDS AND AGREES TO THE TERMS OF THE POLICY, INCLUDING PAYMENT OF THE REQUIRED FEES.

APPLICANT AGREES TO COMPLY WITH SECTION 4(B)(7) OF POLICY NO. F-9, RESOLUTION NO. 19-1072.

APPLICANT AGREES TO COMPLY WITH THE PROVISIONS OF CHAPTER 2.82 OF THE OLATHE MUNICIPAL CODE (THE “CODE”), INCLUDING PARTICULARLY 2.82.130, REGARDING PUBLIC ART FOR THE PROJECT OR TO PAY THE NECESSARY PAYMENT TO THE CITY’S PUBLIC ART FUND.

IN WITNESS WHEREOF, the undersigned petitioners have executed the above foregoing petition to create the district at the dates set forth opposite their respective signatures below:

Olathe Station North, LLC

(Name of Business)

a Limited Liability Company authorized to do business in Kansas.
(Business Structure)

By:

 ERIC GONSHER

Signature of Authorized Agent for Entity

Title:

MANAGER

(Type or print)

Date:

10/25/25

NOTARY ACKNOWLEDGMENT

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this 25th day of JUNE, 2025 before me, the undersigned, a Notary Public in and for said County and State, came ERIC GONSHER, who is known to me to be the same person who executed the within instrument, and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



(Seal)

Britta Rice
Notary Public in and for said
County and State

My Commission Expires:

6-21-28

MAP OF DISTRICT





EXHIBIT B

LEGAL DESCRIPTION OF DISTRICT

Insert or attach here:

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.