



CITY OF OLATHE, KANSAS
APPLICATION FOR ISSUANCE OF INDUSTRIAL REVENUE BONDS
(IRB)
Sales Tax Exemption Only

This application is submitted in conformance with the city's tax abatement policy. It is understood that the city may require in lieu payments for property which becomes tax exempt. The attached sheet(s), if any, are submitted as Exhibit A of this application. This application must be submitted within sufficient time to meet procedural requirements of the abatement policy, (refer to the tax abatement calendar).

A non-refundable \$4,000 application / filing fee must accompany this application. The IRB application review process will not start until the application in full is received. If bonds are issued, the City will require an issuance fee of .0025 of the first \$40 million of bonds issued plus .0020 of the amount of bonds issued in excess of \$40 million (issuance fee shall not be less than \$2,500 or more than \$250,000). For warehouse distribution or logistics-type projects the City will require an issuance fee of .0030 of the par amount of bonds being issued (which amount shall not be less than \$2,500 or more than \$250,000). Additionally, the applicant shall be responsible for bond counsel fees, trustee fees and other fees associated with the issuance of the bonds. See Section 6 of Resolution No.22-1080 and contact Bond Counsel for a more detailed explanation of the fees.

OLATHE STATION NORTH, LLC

Applicant's Name

egonsher@rhjohnson.com

(816) 268-2434

Applicant's Email Address

Telephone Number

c/o The RH Johnson Company, 4520 Madison Ave #300, Kansas City, MO 64111

Applicant's Address

Eric Gonsher, Authorized Representative

(816) 268-2434

Name and Title of Responsible Officer/Contact

Telephone Number

Same as above (Attn: Eric Gonsher)

Address (if other than corporate address)

Kevin Lee, Polsinelli PC

Attorney for Applicant

kleee@polsinelli.com

(816) 360-4323

Attorney's Email Address

Telephone Number

900 W 48th Place, Suite 900, Kansas City, MO 64112

Attorney's Address

The Applicant or its lender will purchase the bonds.

Bond Purchaser/Underwriter for Applicant

TBD

Bond Purchaser/Underwriter's Address

Telephone Number

TBD

Bond Counsel for Applicant

Bond Counsel's Address

Telephone Number

I. BUSINESS INFORMATION

A. In what line or lines of business is the applicant engaged?

Real estate development

B. Is the applicant (or its parent) a proprietorship, partnership, or corporation (LLC)?

Corporation (LLC)

C. Year and State of incorporation 2017, Kansas

If proprietorship, partnership, or close corporation, list the names of owners and the approximate amounts owned by each of its principal stockholders.

D. List the names and titles of the officers of the applicant firm:

Eric Gonsler, Authorized Representative;

Additional information available upon request.

E. Are you pursuing an other incentives offered by another government entity? No
If yes, please indicate below what the other incentives are.

II. THE PROJECT

Briefly describe the nature of the proposed project, including information as to the structure itself (size of building, amount of land to be purchased, etc.), whether it is an expansion of an existing facility or the construction of a new facility, and what products or services are to be manufactured or provided there.

The project will involve the acquisition, redevelopment and improvements of certain real property generally located at the southwest corner of 119th Street and Black Bob Road to consist of some or all of the following uses (without limitation): retail uses and other general commercial uses including associated sitework and public and private infrastructure (including parking facilities) and other facilities or improvements associated with or incidental to such uses.

A. Approximate amount requested for:

Land (Attach a legal description of property as <u>Exhibit A</u>)	\$ _____
Building	\$ <u>17,770,500</u>
Machinery and Equipment	\$ _____
Pollution Control Facilities	\$ _____
Other Costs*	\$ _____
Total	\$ <u>17,770,500</u>

* State other costs:

B. Does the applicant, or its parent, presently have offices or industrial facilities located in Olathe, Kansas?
No If yes, please describe below.

C. Will you be relocating from your existing Olathe facilities to new facilities constructed by this project?
N/A If yes, what will you be doing with your existing facilities after relocating?

D. Where is the location of the project?

Southwest corner of 119th Street and Black Bob Road.

E. Is the prospective location properly zoned? Yes

If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application:

N/A

F. Describe the type of buildings to be constructed and type of machinery and equipment to be financed:

Retail and other general commercial uses; machinery and equipment to be integrated into the construction and redevelopment of the buildings.

G. Will the applicant be in direct competition with other local firms?

N/A

If yes, name the firms and describe the nature of the competition:

H. Are adequate public streets and utilities available to the proposed site?

Yes

I. Specify if unusual demands for water and sewer will be made:

N/A

J. Per the City IRB policy, an applicant is required to use City of Olathe solid waste service upon the start of the abatement period. Please indicate that you understand this requirement by answering yes: Yes

If you have a current existing contract with another contractor, please indicate below when that will expire. If you have any extenuating circumstances that would result in the City not being able to adequately serve your needs, please indicate those below:

N/A

K. What percentage of usable floor space will be occupied by applicant? 0%

What percentage will be occupied by other occupants? 100% If known, indicate each occupant below:

TBD

L. Name and address of construction contractor and/or architect:

TBD

M. How many persons will be employed at the project? Commensurate with existing retail and employment; Additional information can be provided upon request.

Will this project represent an increase in employment opportunities in Olathe, Kansas? Yes

*** Please complete Appendix I on page 10.**

N. Briefly describe the approximate number of persons to be employed by the project at all levels.

(e.g. - management, office, skilled and unskilled):

TBD - commensurate with other commercial uses within the general area of similar scope and nature.

O. What dollar amount and percentage of the applicant's total projected annual sales for the next ten (10) years, is expected to be generated by the project?

N/A - the Applicant is a real estate development firm that is constructing this project for commercial tenants.

P. What percentage of sales will be sold locally? N/A Is this percentage increasing, decreasing, or remaining stable from the current trend? N/A

Q. What is the estimated annual amount of merchandise and services purchased locally by the applicant?

N/A

R. Is there likelihood for expansion of the proposed facility within three (3) years? TBD

If such expansion is contemplated, please describe below:

TBD

III. FINANCING

A. Have arrangements been for the marketing of the bonds? No

If yes, please proceed to answer 1 - 7.

If no, please proceed to answer 8 - 12.

1. Describe interest rate structure and term of bonds below:

2. Will the applicant pledge any assets other than the project itself to secure the bonds?
3. Will a bond and interest reserve be provided for? Yes If yes, state amount and source of funding.
4. Does the applicant have any major contractual arrangements that would tend to assure, or be a detriment to, the successful financing and marketing of the proposed bonds? Yes If yes, describe below:
5. Has a bond underwriter determined whether or not the bonds are marketable? Yes
If yes, describe its determination below:
6. Indicate whether bonds will be publicly or privately placed. Publicly
7. Does the applicant, or its parent, intend to purchase all or any part of the proposed bond issue?
8. What portion of the project will be financed from funds other than bond proceeds, and what is the source of such funds?
None.
9. What will be the applicant's equity investment? Please describe:
TBD
10. Has the applicant considered conventional financing? Yes

11. Indicate name of primary officer, institution name, and address of trustee and/or fiscal agent.
TBD

12. Proposed date of issuing bonds: TBD

B. List below previous participation in IRB financing:
None.

Prior to the contractor starting construction on the project, the applicant shall notify the City Clerk whether or not to proceed with an application for a sales tax exemption from the state of Kansas. Prior to, or at completion, of the project, the applicant shall inform the City Clerk to proceed with the issuance of the industrial revenue bonds and filing with the state board of tax appeals for a tax abatement on the project.


IV. CERTIFICATION OF APPLICANT

Applicant understands and agrees to pay all fees described on Page 1 of this application.

Applicant agrees to comply with the provisions of Chapter 2.82 of the Olathe Municipal Code (the "Code") regarding Public Art for the Project, or to pay the necessary payment to the City's Public Art Fund. Applicant agrees to comply with Section 2(D) of Policy No. F-5, Resolution No. 22-1080.

It is understood that a performance agreement shall be required, as set forth in the City's tax abatement policy, for applications requesting tax abatement. I hereby swear that the foregoing and attached information dated this _____ day of _____ 20 25, is true and correct to the best of my knowledge.

Applicant understands that the City reserves the right to ask for additional financial information, including, but not limited to financial reports, credit ratings, shareholder reports, on-going litigation information and proforma statements.

Signed  By Eric Gonsler, Authorized Representative
Name *Title of Responsible Officer*

APPENDIX I*
EMPLOYMENT INFORMATION
APPLICATION FOR ISSUANCE OF INDUSTRIAL REVENUE BONDS

State law requires a fiscal impact analysis be performed prior to the issuance of a tax abatement. Information provided in sections below of Appendix I is essential in order for the city to meet this requirement.

Current number of employees at firm's present site. Additional information can be provided upon request.

Occupational Classification	Total	Average Starting Wage	Average Maximum Wage	Number By County of Residence *
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other

EXHIBIT A

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.