



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 4/20/2021

FOCUS AREA: Legal

STAFF CONTACT: Ron Shaver

SUBJECT: Real Estate Contract and Development Agreement with TKA Properties, LLP.

ITEM DESCRIPTION:

Consideration of a Real Estate Contract and Development Agreement with TKA Properties, LLP.

SUMMARY:

Staff has negotiated a Real Estate Contract and Development Agreement with TKA Properties, LLP for the sale of certain city-owned property at the northeast corner of 119th Street and Renner Boulevard. The Contract (**Attachment A**) calls for the City to receive \$6 per square foot for the property. TKA anticipates acquiring approximately 400,000 square feet of land from the City, to be determined based on a survey and/or subdivision plat, for a total of approximately \$2.4 million.

TKA will have a 90-day inspection/due diligence period which can be extended twice for 30 days each. During this period, TKA would submit applications for rezoning, site development and plat approvals in accordance with the Olathe Unified Development Ordinance (UDO) and would follow all statutory and UDO procedures to obtain such approvals. Should TKA proceed to close on the land, the City would agree to convey a sign easement to TKA on the southeast corner of 118th and Renner Boulevard to direct traffic onto the property. TKA would cooperate to include the property in a future tax increment financing district if one is formed at a later date.

Closing on the property would occur no earlier than October 1, 2021.

FINANCIAL IMPACT:

The City would receive approximately \$2.4 million by selling the property to TKA, with the final price to be determined prior to closing.

ACTION NEEDED:

Approve the Real Estate Contract and Development Agreement with TKA Properties, LLP.

ATTACHMENT(S):

A. Real Estate Contract and Development Agreement
