

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF ABILENE, KANSAS  
HELD ON OCTOBER 11, 2021**

The governing body met in regular session at the usual meeting place in the City at 4:00 P.M., the following members being present and participating, to-wit: Mayor Brandon Rein, Vice-Mayor Dee Marshall, Commissioner Chris Ostermann, Commissioner Timothy Shafer, Commissioner Trevor Witt.

Absent: none

The Mayor declared that a quorum was present and called the meeting to order.

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(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF ABILENE, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.**

Commissioner Marshall moved that the Resolution be adopted. The motion was seconded by Commissioner Ostermann. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body as follows:

Yea: Shafer, Witt, Rein, Marshall, Ostermann

Nay: None

The Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 101121-2 and was signed by the Mayor and attested by the Clerk. The Clerk was directed to arrange for the publication of the Resolution one time in the official newspaper of the City.

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(Other Proceedings)

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**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Abilene, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.



*Shay Moh*  
Clerk

(Published in the *Abilene Reflector-Chronicle* on October 14, 2021)

**RESOLUTION NO. 101121-2**

**A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF ABILENE, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.**

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**WHEREAS**, K.S.A. 12-5241 *et seq.*, as amended (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 to designate rural housing incentive districts within such city; and

**WHEREAS**, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

**WHEREAS**, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

**WHEREAS**, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

**WHEREAS**, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

**WHEREAS**, the City of Abilene, Kansas (the “City”) has an estimated population less than 60,000 and therefore constitutes a city as said term is defined in the Act; and

**WHEREAS**, the Governing Body of the City has performed a Housing Needs Analysis dated May 2019 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

**WHEREAS**, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, AS FOLLOWS:**

**Section 1.** The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

**Section 2.** The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

**Section 3.** The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

**Section 4.** The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

**Section 5.** The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

**Section 6.** Based on the findings and determinations contained in *Sections 2* through *5* of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the maps depicting the existing parcels of land attached hereto as *Exhibit B* (the "District").

**Section 7.** The Governing Body hereby finds that the buildings at the addresses listed on *Exhibit C* are located within the proposed District, are each more than 25 years of age, will be primarily used for residential use if included in a project plan, and are located in a central business district.

**Section 8.** The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary for the Secretary's review and approval.

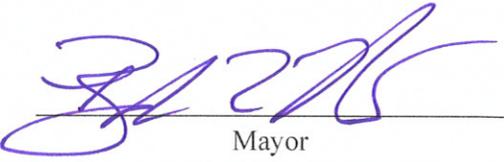
**Section 9.** The Mayor, City Manager, City Clerk, other City officials and Gilmore & Bell, P.C. are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

**Section 10.** This Resolution shall take effect after its adoption and publication once in the official City newspaper.

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ADOPTED by the Governing Body of the City of Abilene, Kansas, on October 11, 2021.



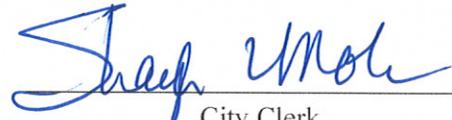
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 101121-2 adopted by the Governing Body of the City on October 11, 2021, as the same appears of record in my office.

DATED: October 11, 2021

  
\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPOSED  
RURAL HOUSING INCENTIVE DISTRICT AREAS**

The following described real estate in the City of Abilene, Dickinson County, Kansas, together with public rights-of-way adjacent thereto:

***Area 1 (East Highlands):***

A parcel of land located in the West Half of Section 8, Township 13 South, Range 2 East of the 6<sup>th</sup> Principal Meridian in Dickinson County, Kansas, more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 8; thence on an assumed bearing of N 00°00'00" E along the West line of said Southwest Quarter a distance of 668.20 feet to the Southwest Corner of the North Half of the Southwest Quarter of said Southwest Quarter, said point also being the POINT OF BEGINNING of the parcel to be described;

- thence continuing N 00°00'00" E along said West line a distance of 1021.58 feet to the South right-of-way line Interstate 70;
- thence N 90°00'00" E along said South right-of-way line distance of 30.00 feet;
- thence N 12°45'36" E along said South right-of-way line a distance of 947.27 feet;
- thence N 86°59'06" E along said South right-of-way line a distance of 956.79 feet;
- thence N 86°26'10" E along said South right-of-way line a distance of 141.67 feet;
- thence S 00°07'21" E along the East line, and extensions thereof, of the West Half of said Southwest Quarter a distance of 1996.85 feet to the Southeast Corner of said North Half of the Southwest Quarter of the Southwest Quarter;
- thence S 89°40'08" W along the South line of said North Half of the Southwest Quarter of the Southwest Quarter a distance of 1340.38 feet to the POINT OF BEGINNING;

Said parcel contains 57.53 acres, more or less, and is subject to easements, reservations and restrictions of record.

***Area 2 (West Highlands):***

A parcel of land located in the Southeast Quarter of Section 7, Township 13 South, Range 2 East of the 6<sup>th</sup> Principle Meridian in Dickinson County, Kansas, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter; thence on an assumed bearing N 00°00'00" E along the East line of said Southeast Quarter a distance of 668.02 feet to the Southeast Corner of the North Half of the Southeast Quarter of said Southeast Quarter, said point also being the POINT OF BEGINNING of the parcel to be described;

- thence S 89°39'57" W along the South line of said North Half of the Southeast Quarter of the Southeast Quarter a distance of 1322.73 feet to the Southwest corner of said North Half of the Southeast Quarter of the Southeast Quarter;

- thence N 00°04'09" W along the West line of said Southeast Quarter of the Southeast Quarter a distance 663.95 feet to the Southwest corner of the Northeast Quarter of said Southeast Quarter;
- thence continuing N 00°04'09" W along the West line of said Northeast Quarter of said Southeast Quarter a distance of 1266.69 feet to a point on the South right-of-way line of Interstate 70;
- thence N 87°48'43" E along said South right-of-way line a distance of 1205.56 feet;
- thence N 76°18'25" E along said South right-of-way line a distance of 83.57 feet;
- thence N 87°56'37" E along said South right-of-way line a distance of 39.18 feet to the Northeast corner of said Southeast Quarter;
- thence S 00°00'00" E along said East line of the Southeast Quarter a distance of 1990.14 feet to the POINT OF BEGINNING;

Said parcel contains 59.36 acres (112,596 square feet), more or less, and is subject to easements, reservations and restrictions of record.

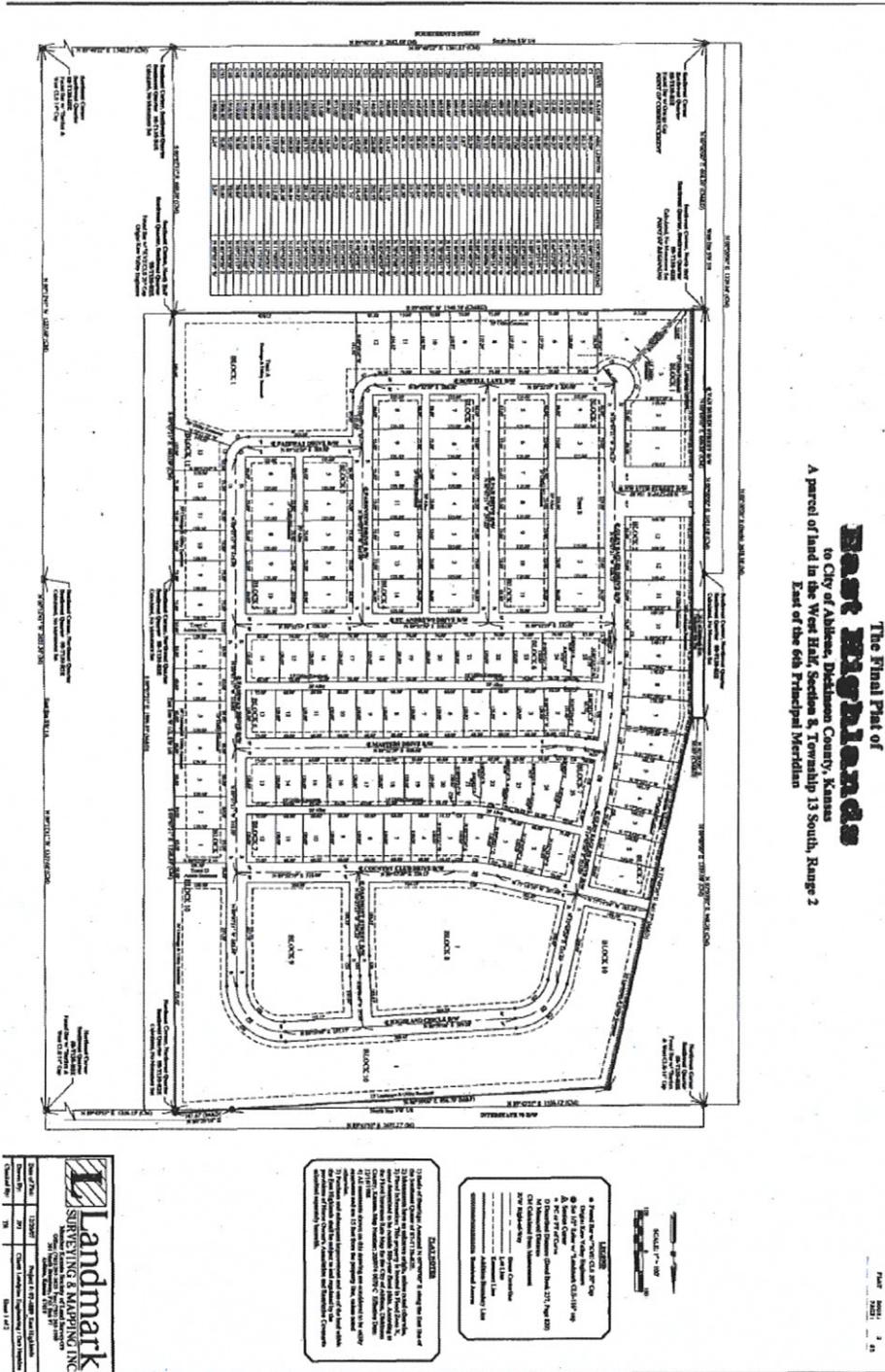
***Area 3 (Downtown):***

Commencing at the intersection of NW 4th Street and Mulberry, thence East 1,125 feet to the intersection of NE 4th Street and Kirby Street, thence South along the centerline of Kirby Street 112 feet, thence East 337.5 feet, thence South 168.75 feet to the centerline of NE 3rd Street, thence West along the centerline of NE 3rd Street 282 feet, thence South 112.5 feet to the North Right-of-Way line of the Union Pacific Rail Road, thence in a south westerly direction along the North Right-of-Way line of the Union Pacific Railroad approximately 240 feet, thence North along the centerline of North Buckeye Avenue 112.5 feet to the centerline of NW 2nd Street, thence Southwesterly along the centerline of NW 2nd Street 1, 181.25 feet to the centerline of Mulberry Street, thence North 680 feet to the point of beginning.

EXHIBIT B

MAP OF PROPOSED  
RURAL HOUSING INCENTIVE DISTRICT AREAS

Map of Area 1 (East Highlands):





*Map of Area 3 (Downtown):*



*EXHIBIT C*

**LIST OF CENTRAL BUSINESS DISTRICT BUILDINGS MORE THAN 25 YEARS OLD  
REQUESTED TO BE ELIGIBLE FOR RURAL HOUSING INCENTIVE DISTRICT**

*Area 3 (Downtown):*

330 N Buckeye Ave, Abilene, KS 67410  
321 N Spruce St, Abilene, KS 67410  
317 N Spruce St, Abilene, KS 67410  
315 N Spruce St, Abilene, KS 67410  
311 N Spruce St, Abilene, KS 67410  
307 N Spruce St, Abilene, KS 67410  
110 Nw 3Rd St, Abilene, KS 67410  
106 Nw 3Rd St, Abilene, KS 67410  
108 Nw 3Rd St, Abilene, KS 67410  
104 Nw 3Rd St, Abilene, KS 67410  
102 Nw 3Rd St, Abilene, KS 67410  
312 N Buckeye Ave, Abilene, KS 67410  
314 N Buckeye Ave, Abilene, KS 67410  
324 N Spruce St, Abilene, KS 67410  
327 N Broadway St, Abilene, KS 67410  
321 N Broadway St, Abilene, KS 67410  
317 N Broadway St, Abilene, KS 67410  
315 N Broadway St, Abilene, KS 67410  
311 N Broadway St, Abilene, KS 67410  
303 N Broadway St, Abilene, KS 67410  
301 N Broadway St, Abilene, KS 67410  
324 N Broadway St, Abilene, KS 67410  
321 N Cedar St, Abilene, KS 67410  
311 N Cedar St, Abilene, KS 67410  
309 N Cedar St, Abilene, KS 67410  
307 N Cedar St, Abilene, KS 67410  
303 N Cedar St, Abilene, KS 67410  
301 N Cedar St, Abilene, KS 67410  
300 N Broadway St, Abilene, KS 67410  
302 N Broadway St, Abilene, KS 67410  
304 N Broadway St, Abilene, KS 67410  
308 N Broadway St, Abilene, KS 67410  
310 N Broadway St, Abilene, KS 67410

314 N Broadway St, Abilene, KS 67410  
316 N Broadway St, Abilene, KS 67410  
318 N Broadway St, Abilene, KS 67410  
320 N Cedar St, Abilene, KS 67410  
413 Nw 4Th St, Abilene, KS 67410  
417 Nw 4Th St, Abilene, KS 67410  
418 Nw 3Rd St, Abilene, KS 67410  
414 Nw 3Rd St, Abilene, KS 67410  
410 Nw 3Rd St, Abilene, KS 67410  
406 Nw 3Rd St, Abilene, KS 67410  
300 N Cedar St, Abilene, KS 67410  
312 N Cedar St, Abilene, KS 67410  
214 N Cedar St, Abilene, KS 67410  
409 Nw 3Rd St, Abilene, KS 67410  
413 Nw 3Rd St, Abilene, KS 67410  
419 Nw 3Rd St, Abilene, KS 67410  
417 Nw 3Rd St, Abilene, KS 67410  
424 Nw 2Nd St, Abilene, KS 67410  
420 Nw 2Nd St, Abilene, KS 67410  
408 Nw 2Nd St, Abilene, KS 67410  
200 N Cedar St, Abilene, KS 67410  
204 N Cedar St, Abilene, KS 67410  
206 N Cedar St, Abilene, KS 67410  
208 N Cedar St, Abilene, KS 67410  
210 N Cedar St, Abilene, KS 67410  
212 N Broadway St, Abilene, KS 67410  
311 Nw 3Rd St, Abilene, KS 67410  
209 N Cedar St, Abilene, KS 67410  
207 N Cedar St, Abilene, KS 67410  
205 N Cedar St, Abilene, KS 67410  
203 N Cedar St, Abilene, KS 67410  
306 Nw 2Nd St, Abilene, KS 67410  
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213 N Broadway St, Abilene, KS 67410  
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