

RESOLUTION NO. 2022-008

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

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 Hays, Kansas (the “City”) has an estimated population of 21,116 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 December 2021 (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 HAYS, 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 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 8. 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 9. 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 Hays, Kansas, on April 28, 2022.

(SEAL)

MASON RUDER
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk

EXHIBIT A

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

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 14 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING A PORTION OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 53 AT PAGE 400 RECORDED IN THE REGISTER OF DEEDS OFFICE OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY JASON R LOADER, PS 1462 ON AUGUST 18TH, 2020 AS FOLLOWS.

ALL BEARINGS HERE IN ARE BASED ON AN ASSUMED BEARING OF NORTH 28° 50' 58" EAST ON THE EAST LINE OF FORT STREET RIGHT AWAY. COMMENCING AT THE NORTHEAST CORNER OF HALSTED AND BAXTER EDITION, A SUBSTITUTE DIVISION IN SAID CITY OF HAYS RECORDED IN MISCELLANEOUS BOOK 20 AT PAGE 392 AND SAID REGISTER OF DEEDS OFFICE: THENCE SOUTH 61° 21' 40" EAST 69.86 FT TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN DEED BOOK 53 AND PAGE 400 AT THE POINT OF THE BEGINNING FENCE ON A SOUTHERLY LINE OF SAID DESCRIBE PARCEL, SOUTH 61° EAST 163.75 FT: THAT'S NORTH 28° EAST 269.95 FT TO THE NORTHERLY LINE OF SAID DESCRIBED PARCEL: THENCE ON SAID NORTHERLY LINE NORTH 61° 06'10" WEST 163.84 FEET TO THE NORTHWEST CORNER OF SAID DESCRIBE PARCEL: THENCE ON A WESTERLY LINE OF SAID DESCRIBE PARCEL, SOUTH 28° 50'58" WEST 270.01 FT TO THE POINT OF BEGINNING. CONTAINS 1.02 ACRES MORE OR LESS.

TOGETHER WITH ALL PUBLIC RIGHTS OF WAY ADJACENT THERETO.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING INCENTIVE DISTRICT**

