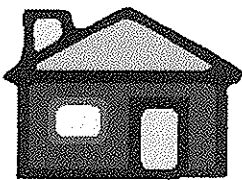
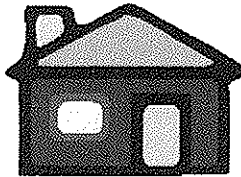
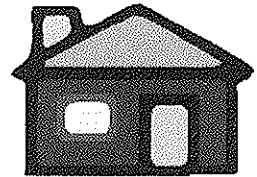


City of Emporia

Neighborhood Revitalization Plan

January 1, 2008 to December 31, 2012



**CITY OF EMPORIA, KANSAS
NEIGHBORHOOD REVITALIZATION PLAN**

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CITY OF EMPORIA, KANSAS
NEIGHBORHOOD REVITALIZATION PLAN

I. Neighborhood Revitalization Area

A. Introduction, purpose and finding.

This plan is intended to promote the revitalization and development of certain areas within the City of Emporia. The plan promotes the rehabilitation, conservation, and redevelopment of areas in order to protect the public health, safety and welfare of the residents of the City. More specifically, certain incentives will be used for the acquisition and/or removal of uninhabitable structures; and a tax rebate incentive will be available for certain improvements or renovations within this area.

The plan is required by state statute in order to create an incremental tax rebate program intended to encourage both reinvestment and improvement of a blighted and declining urban area of the community. The components of the plan include establishing the neighborhood by district boundaries, examination of the current condition of the neighborhood, identifying the City's near term and long range proposals for public improvements in the neighborhood and establishing local eligibility criteria and application procedures for the tax rebate program.

The purpose of the Neighborhood Revitalization Plan is to improve the overall appearance of the community, to restore neighborhood pride, to better the quality of life for residents and to create a sense of public equity by encouraging reinvestment in a distressed area which will stabilize a declining tax base and, at the end of the rebate period, will result in enhanced property values.

The governing body of the City of Emporia, Kansas, does determine the Neighborhood Revitalization Area is hereinafter defined as an area that meets all three conditions as described in Subsection©) of K.S.A. 1996 Supp 12-17, 115 (Attachment #1) and does further determine the rehabilitation, conservation and redevelopment of said area is necessary to protect the public health, safety and welfare of the residents of the Neighborhood Revitalization Area and the municipality as a whole.

B. District Boundaries

The area is bounded on the north by 18th Avenue from Merchant Street to East Street; south on East Street to East 12th Avenue; east on 12th Avenue to Whildin Street; south on Whildin Street to East 6th Avenue; west on East 6th Avenue to East Street; south on East Street to East Logan Avenue; west on Logan Avenue to the south City limit;

west to Arundel Street; north to West 3rd Avenue; west on 3rd Avenue to Prairie Street; north on Prairie Street to 12th Avenue; east on 12th Avenue to C of E Drive; East on C of E Drive to Chestnut Street; north on Chestnut Street to 15th Avenue; east on 15th Avenue to Merchant Street;; north on Merchant Street to 18th Avenue. A map depicting the parcels of real estate is attached and hereby incorporated into the plan. (See attachment #2)

The adjacent property owners on both sides of any named street shall be eligible for consideration in the improvement tax rebate program created for and by the Neighborhood Revitalization Plan and the boundary is therefore defined as one lot or parcel on the opposing side of the district boundary street. A legal description of the real estate forming the boundaries of the area is available via the internet and is incorporated by reference. (See Attachment #3)

The boundaries of the Neighborhood Revitalization District shall include:

Census Tract 000100

Block Groups 1009-1012, 2013, 2016, 2018-2019, 3000, 3002-3008, 4002-4005, 5000-5029, and 6000-6025

Census Tract 000200

Block Groups 5000-5003, and 5007-5009

Census Tract 000300

Block Groups 1000-1024, 2000-2018, 3000-3001, 3014-3017, 5000-5007, 5012-5033, 6000-6003, and 6008-6009

Census Tract 000400

Block Groups 2000-2006, 3000-3020, and 4000-4026

Census Tract 000500

Block Groups 1010-1011, 1038-1039, 1041-1044, 2000-2043, 3000-3042, 4001-4015, and 4017-4022

These tracts and block groups were established by the US Census Bureau from the 2000 census. (See Attachments #12a & 12b).

Information from the 2000 census indicates that the percentage of low income residents in the selected Block Groups varies from 56% to 67% with very low income resident's percentages from 26% to 44%. Over all, the target area is 62% at or below low to moderate income (80% of area median income) and 35% at or below very low income (50% of area median income).

An index to ownership of the real estate within the boundary is incorporated via internet access. The index includes the assessed value of the land and buildings separately and names and addresses of the owners of record of the properties. (See Attachment #4)

The zoning classifications within the district boundaries include: single family

residential, two family residential, three and four family residential, multifamily residential, general commercial, central business, neighborhood shopping, restricted general commercial, light industry and heavy industry. (See Attachment # 5) No changes in zoning classifications are proposed for this plan.

The eastern portion of the target area houses the majority of the City's Black population and the southern and western portion houses a higher population of Hispanics. The population in the target area is 74% White, 4% Black, 1% American Indian/Eskimo, 2% Asian, 0% Hawaiian or Pacific Islander, and 17% Other and 3% Multiple Races. The total Hispanic population in the area is 28%. There is a cultural mix throughout the area that includes all races, ages, and income levels with the majority of residents being hourly wage earners and a significant number of college students. There are a total of 2728 families with children living in the target area.

The 5618 housing units in the target area are 37% owner occupied, 54% rental units and 9% vacant.

C. District Data

The housing units in the target area exhibit blight; blighting influences and houses a concentration of very low and extremely low income persons/families. The target area contains the largest percent of vacant housing within the city limits.

Census Tracts 000100, 000400 and 000500 also include the central business district. The City's Main Street Program application identified the most visible problems as poor maintenance, repeated alterations to buildings and streets capes, evidence of deterioration and neglect to many upper stories of buildings which have been poorly covered over or left in view, and various styles of signs and awnings which add chaotic clutter to the downtown image. The City has completed a major Main Street renovation. The building improvements, landscaping, new street lights and improvements to the front of local businesses has made the area much more visually appealing. There are now fewer vacant buildings in the downtown area.

Emporia's business district has evolved over the last century. The Main Street Program encouraged business owners to examine each building individually in an effort to enhance the building's historic integrity. By coordinating improvements, individual merchants were able to retain their individual identities while strengthening the image of downtown as a whole. The Main Street Program has also completed an improvement plan through the Intermodal Surface Transportation Efficiency Act and Main Street received Federal approval of the plan. The plan included landscaping and replacing street light fixtures with a classic turn of the century design to beautify the

downtown area. The improvements made by Emporia's Main Street Organization was recognized as one of the top five main street programs in the nation in 2005. The award was presented by the National Main Street Association. The Emporia Main Street Program continues to work with business owners to upgrade properties in a manner that blends with the historic structures in the area.

D. Current Conditions of the Neighborhood

The northern boundary of the neighborhood revitalization area includes Emporia State University. The housing in this area has a high concentration of large single family homes that have been divided into apartment units. Many of these apartment units are substandard and need a great deal of repair. This need of repair coupled with the high concentration of multi-family dwellings has created an area where property values have not increased to their full potential. A number of single family homes in the area have received major repairs and improvements over the last several years, but the improvements to the single units are dwarfed by the lack of repair to the larger multi-family units. This is especially unfortunate when homeowners have put much effort into detailed restoration of the Victorian style homes in the neighborhood.

Through efforts of the University, some of the substandard structures have been demolished. Demolition of area units has also been accomplished through a CDBG grant administered by the City of Emporia. The demolition has left a number of vacant lots which could be used for new single or multi-family units. By expanding the original target area of Emporia's Neighborhood Revitalization Program, the City hopes to encourage new infill development on those vacant lots. Once this has been accomplished, the few remaining substandard units could be removed and replaced with new units.

There are at least 2 homes in the target area which are considered uninhabitable and have been placed on the City's demolition list. The target area also has 7 homes that may be placed on the demolition list. There are at least 47 vacant lots large enough to accommodate single family homes and small multi-family developments. One of the main goals of implementing this Neighborhood Revitalization Program is to encourage demolition of condemned properties and infill with new units.

The current market value of a new home constructed in the target area would not be high enough to encourage builders and developers to choose infill projects over building in new housing developments. When this tax rebate program goes into effect, it will help make demolition and infill projects financially more attractive. The owner of the new home will not only get the tax rebate, they will also avoid special assessments necessary for development of new housing areas. Financially, it also makes better sense for the City to encourage building in areas where the infrastructure

for City services is already in place.

E. Historic Properties

Emporia currently has a total of 13 properties listed on Federal or State Historic Registers. Nine of those commercial and residential properties are in the target area. Some of the properties have already undergone extensive repair and restoration and others are in progress. In particular, the Fox Granada Theater restoration has been in progress for several years. The restoration has been an effort of a volunteer group which was formed specifically for that purpose. The Theater is located at 809 Commercial Street in Emporia's central business district and will benefit from being included in the target area and from the improvements made in surrounding properties.

Other historic register properties in the target area include:

- > William Allen White home at 927 Exchange, which was the home of Emporia's most famous resident, is open for tours.
- > Kress Building at 702 Commercial, which is a commercial building restored in approximately 1983.
- > Plumb House at 224 East 6th Avenue, which is now a rooming house for single women.
- > Carnegie Library which is located at 118 East 6th and now serves the community as a history museum.
- > Private residences at 827 Mechanic, and 831 Constitution, 606 West 12th Avenue, and 927 State Street which have undergone detailed renovation of their Victorian style design.

Other large Victorian style homes in the target area have been restored for use as "Bed and Breakfasts." The proximity of the "Bed and Breakfast" properties to the Downtown Business District, Government Offices, and Emporia State University makes this type of development desirable.

The entire Emporia Main Street project area is included in the target area for Emporia's Neighborhood Revitalization Plan. Working in conjunction with the Main Street Program helps use the Neighborhood Revitalization Plan to its full potential.

F. Capitol Improvements Planned for the Area

The City replaced a water main which runs along 12th Avenue, from Merchant Street to East Street. This water main replacement was included within the north boundary of the target area. Other water line improvements were made on Congress Street, from 2nd Avenue to 4th Avenue; and 10th Avenue from Merchant to Constitution.

A Logan Avenue paving project that included sidewalks, curbs, and gutters, and a new water main was recently completed.

Work was completed at the Water Treatment Plant to increase capacity to 15 million gallons per day. Prior to the current capacity improvements the Water Treatment Plant could process a maximum of 9 million gallons per day. Along with capacity improvements, the project has improved the quality of the City's water supply. Emporia has been recognized for having the best tasting water in the State of Kansas and had the second best tasting water in the nation.

The quality of the water released by the Waste Water Treatment Plant has also been improved. The Plant added equipment to perform ultra-violet treatment to assist with the break down of bacteria.

A sanitary sewer improvement has been completed on Kansas Avenue, from Market Street to Union Street. Storm sewer improvements were also completed on 7th Avenue, from Rural Street to West Street; 10th Avenue from Merchant to Constitution; Rural Street, from 10th Avenue to 11th Avenue; and in the alley area between Commercial and Merchant and Exchange and Cottonwood Street.

The intersection of 12th Avenue and Merchant was changed to straighten Merchant Street and improve the traffic flow in the area. The City has added a decorative clock tower to this area which is the north boundary of the Main Street and Street scape target area.

The Street Department overlay projects recently completed in the target area include Second Avenue, from Market to Cottonwood and Sylvan to East Street; West Street, from 6th Avenue to 12th Avenue; Commercial Street, from 6th Avenue to 12th Avenue; Market Street, from South Avenue to Kansas Avenue; Kansas Avenue, from Market Street to Union Street; Watson Street, from 7th Avenue to 9th Avenue; and 7th Avenue, from Watson Street to Peyton Street. Future planned overlay projects include 1st Avenue from Commercial to Constitution; 5th Avenue from Wilson to Sunnyslope; Rural Street from 2nd Avenue to 3rd Avenue; Randolph Street from Merchant to Commercial; Arundel Street from 5th Avenue to 6th Avenue; Cottonwood Street from 10th Avenue to 12th Avenue; and 13th Avenue from Market to Highland Street,

To preserve our community's heritage, the City has implemented a brick street replacement program. The brick streets have already been replaced on Union Street, from 3rd Avenue to 10th Avenue; 10th Avenue, from Union to Exchange; and 9th Avenue from Union to Exchange. Sidewalks were replaced along Union Street and a paved parking area along Fremont Park was completed in conjunction with the brick street project.

Scheduled alley improvements were made on alleys located between Commercial Street and Merchant Street from 3rd Avenue to 4th Avenue, 7th Avenue to 8th Avenue, and 11th Avenue to 12th Avenue. Alley improvements were also made on the alley located between Commercial Street and Mechanic Street from 6th Avenue to 7th Avenue. The final alley improvement project will be made on the alley located between Mechanic Street and Market Street from 6th Avenue to 7th Avenue.

The City continues to work through a hazardous sidewalk repair program that is available for sidewalk repair and replacement throughout the target area. The repair and replacement program includes curb cuts for handicap accessibility. The downtown area sidewalks have replaced curbs with ramps for greater accessibility, and the hazardous sidewalk program is being used to extend those accessibility improvements into the neighboring residential areas.

Sidewalks are also planned for the perimeter of Peter Pan Park which borders the target area on the South. A volunteer group is conducting a fund raising drive to purchase new playground equipment for the Park. The City recently completed the construction of large shelter house with tables and seating that can accommodate large groups. A large concrete apron was built on the north side of the new shelter which can be used for dancing, children's activities, or performances at the shelter.

The Eastside Community Group has done fund raising and received grant funding to establish facilities in the Eastside Park. The land set aside for the park had been vacant lots with a tree and one swing in the middle of the park. In the past year, a multiple activity playground unit has been installed, landscaping has begun, sidewalks have been built, and a shelter house that will accommodate approximately 80 people has been constructed. Public restrooms, a small shelter house, a memorial/meditation area, a basketball court, adult glider swings, and benches will be added in the next two years. If enough funds can be raised, a ballfield or tennis courts may also be added.

II. Criteria for Determination of Eligibility

- A. Application period for this program will be January 1, 2010 to December 31, 2013.
- B. Construction of an improvement must have begun on or after January 1, 2008, the date of designation of the renewal of the neighborhood revitalization area by the City.
- C. An application for rebate must be filed within thirty (30) days of the issuance of a building permit.
- D. The minimum cost of the proposed project must be at least \$5,000 for a single residential property and \$10,000 for multi-family residential and commercial properties.
- E. Improvements must conform with Emporia's Comprehensive Land Use Plan and Zoning Ordinance in effect at the time the improvements are made.
- F. The new and existing improvements on the property must conform with all other applicable codes, rules and regulations in effect at the time the improvements are made and for the length of the rebate or the rebate may be terminated.
- G. A property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid within 10 days notice of the delinquency. If taxes become delinquent a second time, the property will be removed from the program.
- H. Commercial or industrial property eligible for tax incentives under any adopted Neighborhood Revitalization Plan and Emporia's existing tax abatement program pursuant to Article 11, Section 13 of the Kansas Constitution may have only one active application per tax parcel for this tax incentive program.
- I. A property owner may chose to withdraw a property from the program for any reason, including making another application for additional renovation. That withdrawal must be confirmed with the Human Relations Director before another application can be processed on that tax parcel.
- J. Residential property owners will have only one active application per tax parcel within the target area for inclusion in the Neighborhood Revitalization Program. An additional project on a property where a project was previously approved and completed, terminated, or withdrawn would require an additional investment of

more than \$5,000 in new construction for single family residential and \$10,000 for multifamily and commercial properties.

- K Renovation of any property listed on a national or Kansas historical register at the time of application to participate in the program, will qualify for 100% rebate of the incremental increase. Evidence of listing on the historic register must accompany the application.
- L If one Neighborhood Revitalization project has been completed and all eligible rebates have been paid, or the project was terminated or withdrawn, the property owner may apply for a second project as long as all other criteria for the program are met.

III. Rebate

- A. The property owner must apply for the rebate prior to starting any improvements and within 30 days of receipt of a building permit for the improvements. The property owner is responsible for contacting the County Appraiser upon completion of improvements as described in the application for the rebate.
- B. Property improvements which increase total property appraised value, upon and after successful application, shall be deemed eligible for a rebate of the ad valorem taxes generated by the incremental value added to the property's tax prior to improvements. Eligibility for the rebate will be determined by the Human Relations Director or Housing Specialist based on the criteria and standards set forth in this Neighborhood Revitalization Plan.
- C. The rebates hereinafter described shall be calculated by subtracting the "before" assessed property value as determined by the county appraiser on the most recent regular valuation, from the value ascribed by the appraiser after the improvements are completed. The difference shall be multiplied by the combined mill levy of Lyon County, USD 253 and The City of Emporia which will establish the amount of rebate. The rebate may be calculated by applying a factor to the property taxes levied. The factor shall be calculated as follows:

	Assessed value after improvements
(minus)	Assessed value before improvements
(equals)	Increase in \$ value due to improvements

This dollar value will be multiplied by the combined mill levy of Lyon County, USD 253 and The City of Emporia to determine additional taxes due to improvements which will be dispersed in accordance with item III-D, below. The

initial dollar amount difference will be used each year to calculate the rebate for the 10 year period unless a property decreases in value. If a property decreases in value, the factor will be recalculated. At no time shall a property owner receive a rebate of more than the appropriate percentage of taxes actually paid.

Within thirty (30) days of distribution of tax funds by the County, a rebate check will be issued to the property owner for the calculated amount. If taxes are paid late, the rebate will not be made until the next distribution of tax funds by the County.

- D. The tax rebate as calculated in paragraph C, shall be distributed at the following percentages:

PROPERTY TYPE	REBATE	COUNTY HANDLING COSTS
Single Family Residence	95% for 7 years 50% for 3 years	5% for 10 years
Multi-Family Residence	95% for 5 years 50% for 5 years	5% for 10 years
Commercial	80% for 3 years 65% for 3 years 50% for 4 years	5% for 10 years
Historical Register	100% for 10 years	none

Each year the property is in the rebate program, 5% of the tax increment rebate of the improvements is retained by Lyon County to offset expenses and handling costs of this Neighborhood Revitalization Program. Those properties listed on the State or Federal Historical Register will not pay the 5% County handling costs.

- E. Application for rebates will be terminated if K.S.A. 12-17,114-120 is repealed.
- F. The responsibilities of the signatory agencies are as follows.
- (1) USD 253 - none.
 - (2) County - appraising properties after completion of the project upon notice by the property owner, notifying the City of Emporia Human Relations Director of the change in the assessed value, notifying the City of Emporia Human Relations Director if property taxes or special assessments become delinquent, calculating

the rebate, preparing and mailing the rebate checks, notifying the City of Emporia Human Relations Director of the rebate amount and the date the rebate checks are sent.

- (3) City of Emporia - as previously outlined in this plan.
- G.
- (1) Revitalization shall be any construction of new buildings, any rehabilitation or extensions or additions to existing buildings, any replacement of existing garages, or any improvements to landscaping and grounds including walkways, curb & gutter, driveways and off street parking areas. However, existing garages, carports, landscaping and out buildings are not eligible for rebate unless upgraded as part of an approved plan to improve the primary structure on the property.
 - (2) Determination by the Human Relations Director or Housing Specialist of eligible revitalization projects, or the scope of such projects, may be limited by or may be considered in relation to other City improvement and tax incentives available or already instituted for the property, such as tax abatement or tax increment financing. Any disputed decision at the staff level may be appealed to the governing body by contacting the City Managers Office at 522 Mechanic, Emporia, Kansas 66801, Phone 316-342-5105.
- H. The project must be completed within one year following acceptance into this program to qualify for the tax rebates. If there is a valid reason the project cannot be completed within a year, the property owner must contact the City Manager's office by letter and a one year extension may be granted by the City Manager. Determination of compliance with timing requirement will be made by the Housing Specialist.
- I. Following establishment of the increase in assessed value resulting from a specific improvement, the rebate amount shall be applied to any change in the mill levy during subsequent years. The rebate will be calculated annually.
- J. If an owner chooses to end their property's participation in the program, they must document that request with the Human Relations Director. Once the withdrawal has been documented, no further rebates will be paid on a project. However, the property owner will be eligible to make a new application for additional improvements to the property which will be used to calculate a new value for rebates for the next ten years.
- K. Rebates will be transferred with title to new owners, but shall not be extended beyond the ten year period. No additional notice or application is required during the ten year rebate period following completion of improvements.

- L. (1) Rebates may be delayed upon a property owner's failure to pay the current or any previous tax bill or other assessments associated with the property within 10 days notice of a delinquency. Rebates will be revoked if the taxes or other assessments are not paid within 10 days of the delinquency notice, or if the taxes on the assessments of the property become delinquent a second time.
- (2) Rebates shall be revoked if the property owner refuses to comply with other City property maintenance codes intended to maintain and improve neighborhood appearance and the quality of life in Emporia.
- (3) Notice of revocation will be mailed to the property owner. USD #253 the Lyon County Treasurer's office and the Appraiser 's Office will be notified of a property's status through quarterly reports.
- (4) If the property owner wants to appeal the revocation the owner may contact the City Manager's office and ask for reconsideration.
- M. The property owner is responsible for any and all contractual procedures and payment to contractors for the cost of any improvements made under the auspices of this program.
- N. From time to time, this policy may be adjusted as deemed necessary by the Emporia City Commission, USD 253 School Board and Lyon County Commission. Rebates in effect at the time of adjustments to this policy will not be affected. Adjustments will be made following public hearing pursuant to K.S.A. 12-17,117 (See Attachment #1).

IV. The Application Procedure

- A. The City will offer and advertise the availability of the rebate program periodically throughout the five years it is available. Persons or businesses planning improvement projects may submit an application to the Human Relations Director at any time for a predetermination of eligibility. There will be a \$25.00 application fee payable to the City of Emporia, which shall be paid when each application is submitted for consideration.
 - (1) The applicant shall complete part 1 of the application and file the original with the Human Relations Director within 30 days of issuance of the building permit. A copy of the building permit must be attached to the application. The improvement plan will stipulate the type of improvement to be made, renderings, a time table for completion and any supporting documents appropriate for the type of application. The owner shall apply for a building permit which must be attached to the application.

- (2) Once the application and building permit have been submitted, the Human Relations Director or Housing Specialist shall authorize approval of the project. Following approval, the application will be forwarded to the Lyon County Appraiser's Office. Formal notice of acceptance and approval will be sent to the property owner. The County Treasurer and USD 253 will be notified of project acceptance by the Human Relations Director in quarterly reports.
- (3) Upon completion of the project, the owner shall request a reappraisal by the County Appraiser which will determine the property value and shall be used to calculate the tax value increment added by the improvements. At the customary time, the County Treasurer shall mail tax statements based on the new appraised value.
- (4) Only the increase in taxes resulting from the improvements will be eligible for rebate. By law, the rebate must be issued within thirty days after tax distribution by Lyon County. Only projects predetermined eligible shall receive a rebate.
- (5) Upon payment of the real estate tax for the subject property each succeeding tax year extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Lyon County to the other taxing units, a tax rebate will be issued to the property owner.
- (6) Should a property become ineligible for the rebate program, the Human Relations Director will inform the owner, the County Treasurers and Appraisers Offices and USD 253. Such notice will include the reason for ineligibility. If the ineligibility is due to the property not complying with City Codes, the owner will have 60 days to bring the property into compliance

B. This program is scheduled to begin receiving applications on and after its renewal by the City of Emporia and approval of Interlocal Agreements lawfully entered by the Board of Education of USD #253 and the Lyon County Board of County Commissioners. Thereafter the City will process applications as they are submitted with no monthly or quarterly deadlines.

Application forms will be available at the Emporia Human Relations and Housing Offices.

Questions about the program should be directed to the City Office of the Human Relations Director, (Phone 316-343-4291).

The County Treasurer will perform the calculation of the final rebate amount based on the actual appraised value. Each month in which rebates are paid, the Treasurer will

submit a report to the Emporia Human Relations Director showing the property before and after appraisal and the amount of the rebate issued to the property owner.

The Human Relations Director will be responsible for reporting the status of rebates actually sent to property owners during the rebate period. Such report shall include the number of applications received, number approved, number of rebates issued, total dollar value of rebates paid and other matters deemed necessary by the governing body. Quarterly reports of rebates will be distributed to each participating jurisdiction and to the public on request.

C. The application shall ask the following questions which must be completed by the property owner or someone authorized by the property owner to make the request.

- (1) Name
- (2) Phone number and address
- (3) Social Security Number or Federal Employer I. D. Number
- (4) Most recent paid tax statement showing legal description and address of the property to be improved
- (5) Existing property description, demolition plan (if proposed), and proposed improvement description (applicant may reference an attached development plan).
- (6) Estimated cost of improvements
- (7) Names and status of tenant families or occupants
- (8) Initial estimate of time frame for completion
- (9) Building permit attached to application
- (10) Application fee of \$25, payable to the City of Emporia attached to application

D. The following will be established by City staff:

- (1) Date application received
- (2) Eligible target area property confirmation
- (3) Appraised value of land and buildings before the start of improvements

- (4) Determination of estimated cost of improvements
 - (5) Date of receipt of proof of tax payment in full
 - (6) Other pertinent facts
- E. The following will be established by County staff:
- (1) Date of completion and reappraisal by county assessor
 - (2) Amount of new appraisal
 - (3) Calculation of actual rebate based upon taxes on the improvements
 - (4) Date and amount of rebate checks issued by County Treasurer

V. **Attachments**

- (1) K.S.A 17, 117 et seq.
- (2a) Map of Target Area
- (2b) Map of Current and Former Target Areas
- (3) Legal Description of Boundaries
- (4) Index to Ownership (available via internet)
- (5) Map of existing zoning classifications and district boundaries.
- (6a) Resolution by City Commission - Public hearing
- (6b) Resolution by City Commission - Adoption of plan
- (6c) Resolution by City Commission - Public hearing
- (6d) Resolution by City Commission - Adoption of revised plan
- (6e) Resolution by City Commission - Adoption of revised plan
- (7a) Official Publication Notice for Public Hearing (once weekly for 2 weeks)

- (7b) Official Publication Notice for Public Hearing (2 weeks) for 2008 revision
- (7c) Official Publication Notice for Public Hearing (2 weeks) for 2010 revision
- (8) Interlocal Agreement between City of Emporia, Lyon County and USD #253
- (9) Property Conditions Statement by City Human Relations Director
- (10) Application Form
- (11) Participant Survey Form
- (12a) Census Tract Map
- (12b) Census Block Group Map
- (13) Promotional Brochure
- (14) Emporia Program Statistics 1997 through 2nd quarter of 2007

established or the structure was declared dilapidated pursuant to this act.

History: L. 1994, ch. 242, § 11; L. 1996, ch. 228, § 8; July 1.

Attorney General's Opinions:

Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.

Tax rebate payable to person liable for payment of taxes on property; portion of A.C. opinion 96-38 withdrawn. 96-84.

12-17,116. Same; designation of revitalization area; findings. The governing body of any municipality may designate any area within such municipality as a neighborhood revitalization area if the governing body finds that one or more of the conditions as described in subsection (c) of K.S.A. 12-17,115, and amendments thereto, exist and that the rehabilitation, conservation or redevelopment of the area is necessary to protect the public health, safety or welfare of the residents of the municipality. The governing body may declare a building outside of a neighborhood revitalization area to be a dilapidated structure if the structure satisfies the conditions set forth in subsection (a) of K.S.A. 12-17,115.

History: L. 1994, ch. 242, § 12; L. 1996, ch. 228, § 9; July 1.

Attorney General's Opinions:

Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.

Tax rebate payable to person liable for payment of taxes on property; portion of A.C. opinion 96-38 withdrawn. 96-84.

12-17,117. Same; revitalization plan, contents; notice and hearing. (a) Prior to designating an area as a neighborhood revitalization area or a structure to be a dilapidated structure, the governing body shall adopt a plan for the revitalization of such area or designation of a dilapidated structure. Such plan shall include:

(1) A legal description of the real estate forming the boundaries of the proposed area and a map depicting the existing parcels of real estate;

(2) the existing assessed valuation of the real estate in the proposed area, listing the land and building values separately;

(3) a list of names and addresses of the owners of record of real estate within the area;

(4) the existing zoning classifications and district boundaries and the existing and proposed land uses within the area;

(5) any proposals for improving or expanding municipal services within the area including, but not limited to, transportation facilities, water and sewage systems, refuse collection, road and street

maintenance, park and recreation facilities and police and fire protection;

(6) a statement specifying what property is eligible for revitalization and whether rehabilitation and additions to existing buildings or new construction or both is eligible for revitalization;

(7) the criteria to be used by the governing body to determine what property is eligible for revitalization;

(8) the contents of an application for a rebate of property tax increments authorized by K.S.A. 12-17,118 and amendments thereto;

(9) the procedure for submission of an application for a rebate of property tax increments authorized by K.S.A. 12-17,118 and amendments thereto;

(10) the standards or criteria to be used when reviewing and approving applications for a rebate of property tax increments authorized by K.S.A. 12-17,118 and amendments thereto;

(11) a statement specifying the maximum amount and years of eligibility for a rebate of property tax increments authorized by K.S.A. 12-17,118; and

(12) any other matter deemed necessary by the governing body.

(b) Prior to declaring a building to be a dilapidated structure, the governing body shall do the following:

(1) Obtain a legal description of the property to be declared dilapidated;

(2) determine the assessed value of the property to be declared a dilapidated structure, with separate values established for the land and structure;

(3) determine the owner of record of the structure.

(c) Prior to adopting a plan pursuant to this section, the governing body shall call and hold a hearing on the proposal. Notice of such hearing shall be published at least once each week for two consecutive weeks in a newspaper of general circulation within the municipality. Following such hearing, or the continuation thereof, the governing body may adopt such plan.

History: L. 1994, ch. 242, § 13; L. 1996, ch. 228, § 10; July 1.

Attorney General's Opinions:

Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.

Tax rebate payable to person liable for payment of taxes on property; portion of A.C. opinion 96-38 withdrawn. 96-84.

12-17,118. Same; neighborhood revitalization fund; application for tax rebates; impact on state aid to school districts. (a) Following adoption of a plan pursuant to K.S.A. 12-17,117 and amendments thereto, the governing body shall create a neighborhood revitalization fund to finance the redevelopment of designated revitalization areas and dilapidated structures and to provide rebates authorized by this section. Moneys may be budgeted and transferred to such fund from any source which may be lawfully utilized for such purposes. Any municipality may expend money from the general fund of such municipality to accomplish the purposes of this act.

(b) Moneys credited to such fund from annually budgeted transfers shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budget of the municipality, the amounts credited to, and the amount on hand in, such neighborhood revitalization fund and the amount expended therefrom shall be shown thereon for the information of taxpayers. Moneys in such fund may be invested in accordance with K.S.A. 10-131, and amendments thereto with the interest credited to the fund.

(c) If the governing body determines that money which has been credited to such fund or any part thereof is not needed for the purposes for which so budgeted or transferred, the governing body may transfer such amount not needed to the fund from which it came and such retransfer and expenditure shall be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(d) Any increment in ad valorem property taxes levied by the municipality resulting from improvements by a taxpayer to property in a neighborhood revitalization area or to a dilapidated structure may be credited to the fund for the purpose of returning all or a part of the property increment to the taxpayer in the form of a rebate. Applications for rebates shall be submitted in the manner and subject to the conditions provided by the revitalization plan adopted under K.S.A. 12-17,117 and amendments thereto. Upon approval of an application received hereunder the municipality shall rebate all or a part of incremental increases in ad valorem property tax resulting from the improvements. Upon payment of taxes by the taxpayer, the rebate must be made within 30 days after the next distribution date as specified in K.S.A. 12-1678a, and amendments thereto.

(e) No later than November 1 of each year the county clerk of each county shall certify to the state commissioner of education the assessed valuation amount of any school district therein for which tax increment rebates have been made by the school district during the previous year in accordance with an interlocal agreement approved by the board of education of such district under the provisions of K.S.A. 12-17,119 and amendments thereto. The amount of the assessed valuation shall be determined by dividing the total amount of tax increment rebates paid by the district during the preceding 12 months by the total of the ad valorem tax levy rates levied by or on behalf of the district in the previous year. The commissioner of education shall annually deduct the certified amounts of assessed valuation for such rebates from the total assessed valuation of the district in determining the total and per pupil assessed valuations used in the allocation of state aid payments to school districts.

History: L. 1994, ch. 242, § 14; L. 1996, ch. 228, § 11; L. 1997, ch. 97, § 3; July 1.

Attorney General's Opinions:

Neighborhood revitalization act; designation of entire city; rebate, effect of repeal of act or sale of property. 96-38.

Tax rebate payable to person liable for payment of taxes on property; portion of A.C. opinion 96-38 withdrawn. 96-84.

12-17,119. Same; interlocal agreements. Any two or more municipalities may agree pursuant to K.S.A. 12-2901 *et seq.*, and amendments thereto, to exercise the powers and duties authorized by this act.

History: L. 1994, ch. 242, § 15; July 1.

12-17,120. Same; act not exclusive authority for revitalization. This is enabling legislation for the revitalization of neighborhood areas and is not intended to prevent cities and counties from enacting and enforcing additional laws and regulations on the same subject which are not in conflict with the provisions of this act.

History: L. 1994, ch. 242, § 16; July 1.

Article 18.—SIDEWALKS

Cross References to Related Sections:

Cities of not less than 60,000, see 13-1008d to 13-1008h.

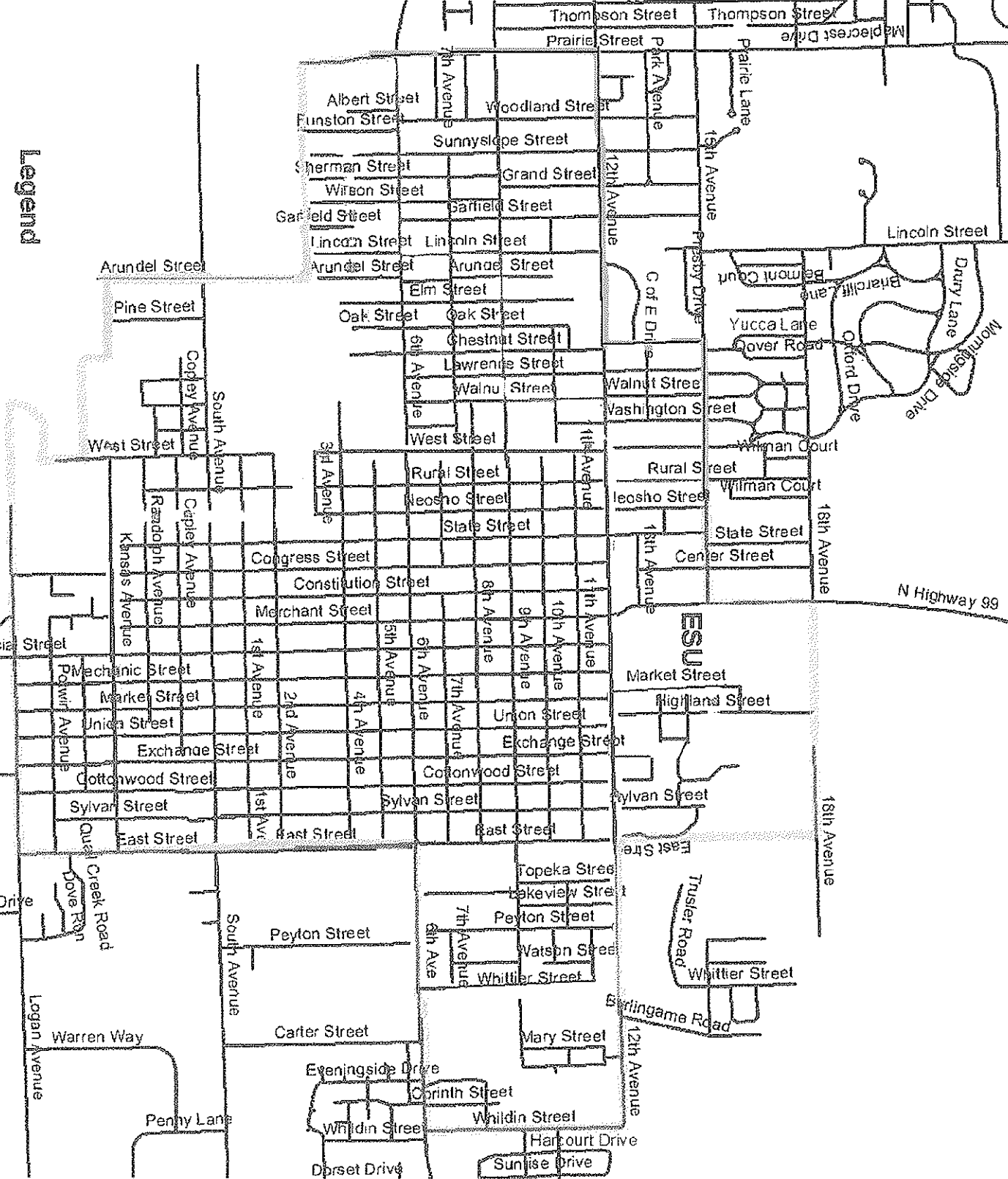
General improvement and assessment law, see ch. 12, art. 6a.

12-1801. Construction and repair. The cities of Kansas may provide for the construction, repair, condemnation, and reconstruction of sidewalks.



Neighborhood Revitalization Proposed 2008

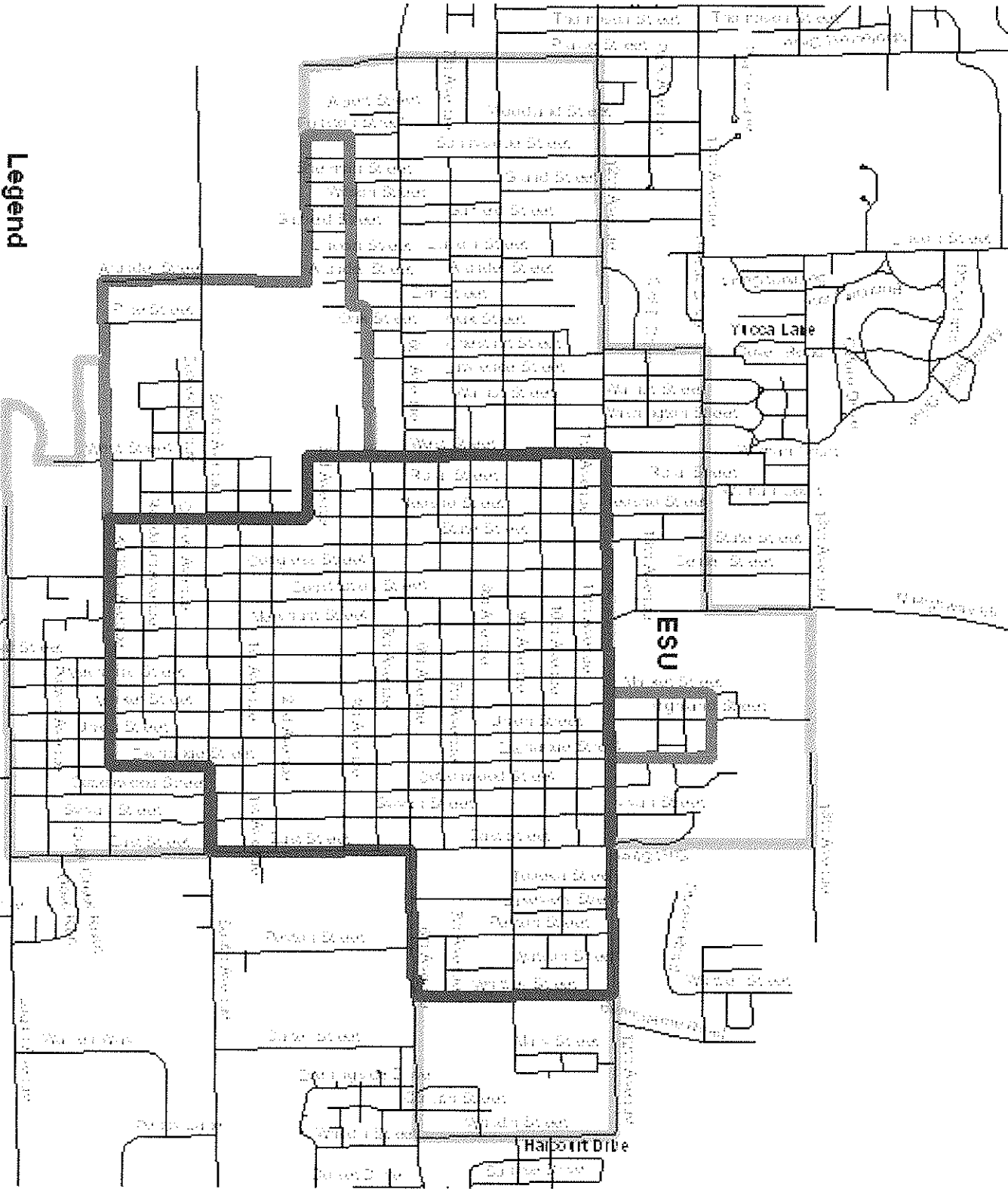
Legend
Grants





Legend
Grants

Neighborhood Revitalization 1997
Neighborhood Revitalization 2002
Neighborhood Revitalization Proposed 2008



Section 9 Township 19 South Range 11 East
S $\frac{1}{2}$ SE $\frac{1}{4}$ & E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10 Township 19 South Range 11 East
All of Section except the N $\frac{1}{2}$ NW $\frac{1}{4}$ West of Merchant Street and except West 416 feet
SW $\frac{1}{4}$ NW $\frac{1}{4}$ (416' is the East property line of properties West of Rural)

Section 11 Township 19 South Range 11 East
SW $\frac{1}{4}$ & W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 15 Township 19 South Range 11 East
All of Section

Section 16 Township 19 South Range 11 East
NE $\frac{1}{4}$ & N $\frac{1}{2}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ & N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ & Beginning at the
Southeast corner of Section 16; thence West on the South line of Section 16 to the present
low water mark on the West bank of the Cottonwood River; thence in a Northeasterly and
Easterly direction following the low water mark on the North and West bank of said
Cottonwood River to the East line of Section 16, to a point 2215 feet, more or less, South
of the Northeast corner of the Southeast Quarter of Section 16, thence South along the
East line of said Section 16 to the point of beginning. (The above description
[beginning...] comes from the boundary resolution)

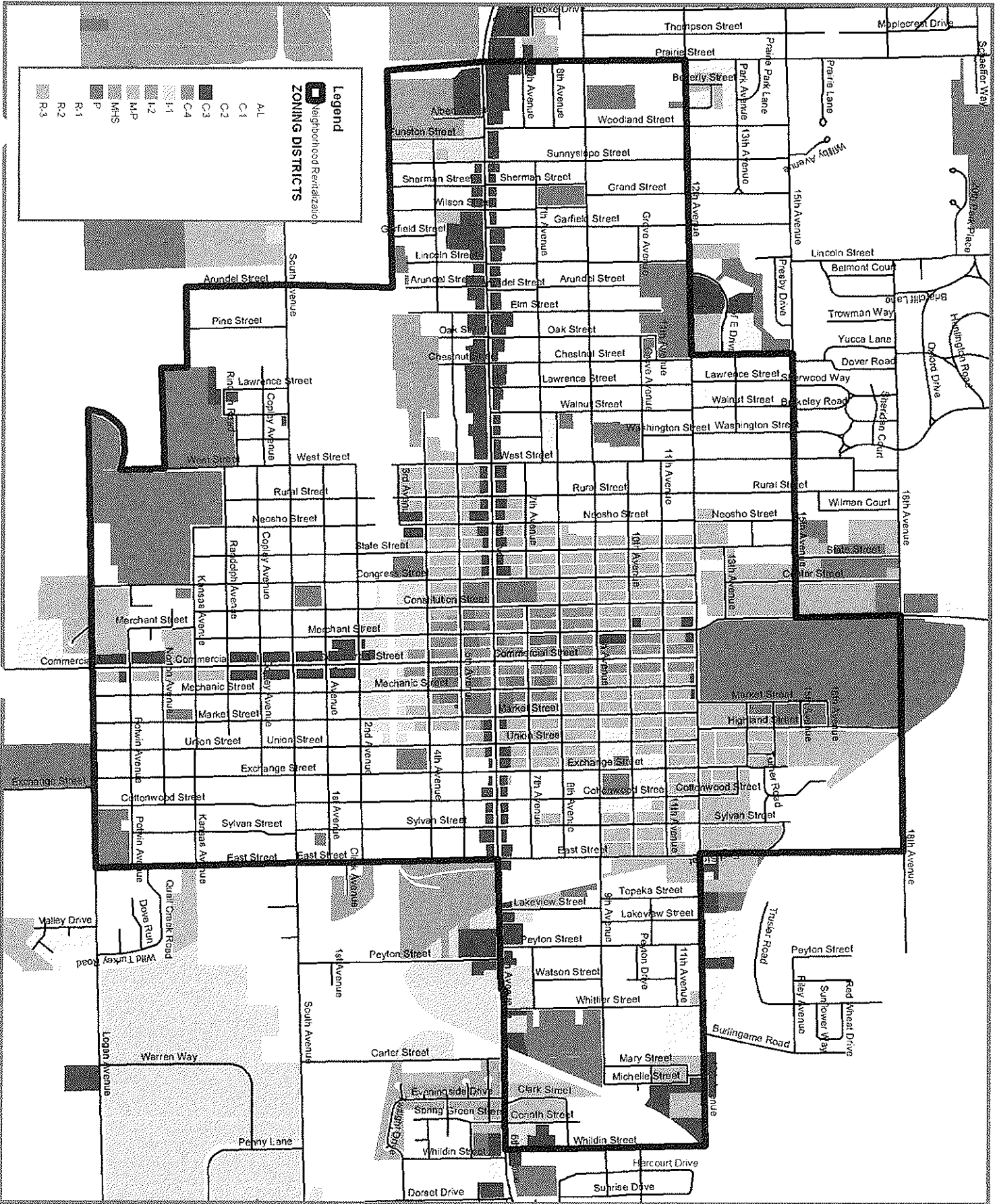
**City of Emporia
Neighborhood Revitalization Program**

The index of ownership of the real estate within the designated neighborhood revitalization area is a public record available through the Lyon County Government's web site. If a question arises regarding a property in the program, staff members in the Human Relations and Housing Offices will assist individuals with accessing information regarding property included in the revitalization area.

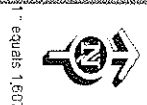
The information available through the web site includes assessed value of the land and buildings separately and names and addresses of owner(s) of record of the properties.

Legend
 Neighborhood Re-zoning
ZONING DISTRICTS

[Symbol]	A-1
[Symbol]	C-1
[Symbol]	C-2
[Symbol]	C-3
[Symbol]	C-4
[Symbol]	M-1
[Symbol]	M-2
[Symbol]	M-3
[Symbol]	M-4
[Symbol]	M-5
[Symbol]	P
[Symbol]	R-1
[Symbol]	R-2
[Symbol]	R-3



ZONING CLASSIFICATION



RESOLUTION NO. 3314

A RESOLUTION establishing a date for a public hearing concerning the renewal of a plan pursuant to the Neighborhood Revitalization Act, L.S.A. 12-17, 117 et seq.

WHEREAS, the City of Emporia Kansas, may pursuant to K.S.A. 12-17, 117 et seq., Adopt a plan to assist in the rehabilitation, conservation or redevelopment of any area within the City of Emporia which meets the conditions provided in said law and

WHEREAS, the City of Emporia is desirous of exercising the authority provided in K.S.A. 12-17, 117 et seq. In order to rehabilitate, conserve or redevelop certain designated areas in the City of Emporia.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Emporia, Kansas in accordance with K.S.A. 12-17, 117 et seq. The following notice is hereby given:

NOTICE

The City Commission will consider the renewal of a Neighborhood Revitalization Plan, pursuant to K.S.A. 12-17, 117 et seq, at a public hearing at the City Commission meeting to be held at 7:00 P.M., November 21, 2007, in the City Commission Meeting Room, 522 Mechanic, Emporia, Kansas.

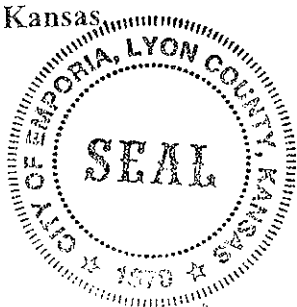
The proposed Neighborhood Revitalization Plan and a description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of the Human Relations Director, 515 Market, Emporia, Kansas.

At the conclusion of the hearing the Commission of the City of Emporia will consider findings necessary for the renewal of the proposed Neighborhood Revitalization Plan and the establishment of the proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17, 117 et seq.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

BE IT FURTHER RESOLVED that the City Clerk shall cause this resolution to be published in the official city newspaper at least once each week for two consecutive weeks prior to the hearing.

ADOPTED and APPROVED this 7th day of November, 2007 by the City Commission of Emporia, Kansas




Julia A. Johnson, Mayor

ATTEST:


Susan Mendoza, City Clerk

Dates of Publication: 11-10-07

11-17-07

CITY OF EMPORIA
RESOLUTION NO. 3323

A **RESOLUTION** designating a revitalization area and program for the City of Emporia pursuant to the Neighborhood Revitalization Act, K.S.A. 12-17,116 et seq.

WHEREAS, the City of Emporia Kansas, may pursuant to K.S.A. 12-17,116 et seq. adopt a plan to assist in the rehabilitation, conservation or redevelopment of any area within the City of Emporia which meets the conditions provided in said law; and

WHEREAS, the City of Emporia is desirous of exercising the authority provided in K.S.A. 12-17, 116 et seq. in order to rehabilitate, conserve or redevelop certain designated areas in the City of Emporia.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Emporia, Kansas in accordance with K.S.A. 12-17, 116 et seq..

The Neighborhood Revitalization Plan and a description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during the hours 8:00 a.m. to 5:00 p.m. in the office of the Director of Human Relations, 522 Mechanic, Emporia, Kansas.

The Commission of the City of Emporia hereby adopts the proposed Neighborhood Revitalization Plan and proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17-116 et seq..

BE IT RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

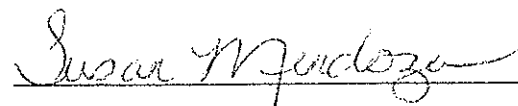
ADOPTED and APPROVED this 5th Day of December, 2007 by the City Commission of Emporia, Kansas.

ATTEST





 Bobbie Agler, Vice-Mayor



 Susan Mendoza, City Clerk

Dates of Publication of the Public Hearing notice,: November 10, 2007 & November 17, 2007.
 Public Hearing held November 21, 2007. 7:00 PM.

RESOLUTION NO. 3338

A RESOLUTION establishing a date for a public hearing concerning the amendment of the City of Emporia's plan pursuant to the Neighborhood Revitalization Act, K.S.A. 12-17, 115 et seq.

WHEREAS, the City of Emporia Kansas, may pursuant to K.S.A. 12-17, 116 et seq., declare a building outside of a neighborhood revitalization area to be a dilapidated structure if the structure satisfies the conditions set forth in subsection (a) of K.S.A. 12-17,115 et seq.

WHEREAS, the City of Emporia is desirous of exercising the authority provided in K.S.A. 12-17, 117 et seq. In order to rehabilitate, conserve or redevelop the vacant and partially vacant buildings located on C of E Drive, which is directly adjacent to the current neighborhood revitalization area in the City of Emporia.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Emporia, Kansas in accordance with K.S.A. 12-17, 117 et seq. The following notice is hereby given:

NOTICE

The City Commission will consider the amendment of a Neighborhood Revitalization Plan, pursuant to K.S.A. 12-17, 115 et seq, at a public hearing at the City Commission meeting to be held at 7:00 P.M., February 20, 2007, in the City Commission Meeting Room, 522 Mechanic, Emporia, Kansas.

The current Neighborhood Revitalization Plan and a description of the revised boundaries of the Neighborhood Revitalization Area are available for inspection during the hours of 8:00

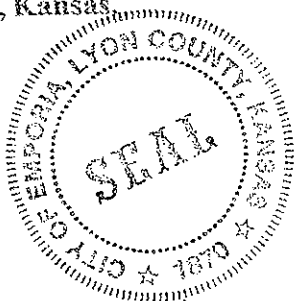
a.m. to 5:00 p.m. in the office of the Human Relations Director, 515 Market, Emporia, Kansas.

At the conclusion of the hearing the Commission of the City of Emporia will consider findings necessary for the amendment of the current Neighborhood Revitalization Plan and the expansion of the proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17, 116 et seq.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

BE IT FURTHER RESOLVED that the City Clerk shall cause this resolution to be published in the official city newspaper at least once each week for two consecutive weeks prior to the hearing.

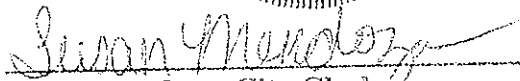
ADOPTED and APPROVED this 6th day of February, 2008 by the City Commission of Emporia, Kansas





Julia A. Johnson, Mayor

ATTEST:



Susan Mendoza, City Clerk

Dates of Publication: 2-11-08

2-18-08

A RESOLUTION AMENDING THE REVITALIZATION PROGRAM BOUNDARIES

WHEREAS, the City of Emporia adopted Resolution 3323 on December 5, 2007 designating boundaries for a neighborhood revitalization area pursuant to the Neighborhood Revitalization Act, K.S.A. 12-17,116 et seq.; and

WHEREAS, the City of Emporia Kansas, may pursuant to K.S.A. 12-17,116 et seq. adopt a plan to assist in the rehabilitation, conservation or redevelopment of any area within the City of Emporia which meets the conditions provided in said law; and

WHEREAS, the City of Emporia is desirous of exercising the authority provided in K.S.A. 12-17, 116 et seq. in order to rehabilitate, conserve or redevelop certain designated areas in the City of Emporia; and

WHEREAS, the City of Emporia desires to expand the boundaries of the area designated by Resolution 3323;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Emporia, Kansas in accordance with K.S.A. 12-17, 116 et seq,

The Neighborhood Revitalization Plan and description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of the Director of Human Relations, 522 Mechanic Street, Emporia, Kansas.

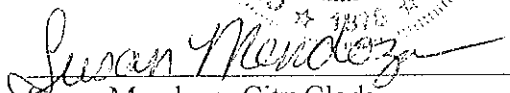
The Commission of the City of Emporia hereby adopts the proposed Neighborhood Revitalization Plan and proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17, 116 et seq.

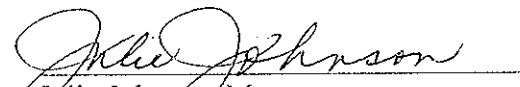
BE IT RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

ADOPTED and APPROVED this 5th day of March, 2008 by the City Commission of Emporia, Kansas.

ATTEST:




Susan Mendoza, City Clerk


Julie Johnson, Mayor

Dates of Publication of Public Hearing Notice: February 11 and 18, 2008

RESOLUTION NO. 3448

A RESOLUTION AMENDING THE CITY OF EMPORIA NEIGHBORHOOD REVITALIZATION PLAN AND ADOPTING THE AMENDED PLAN PURSUANT TO K.S.A. 12-17,117.

WHEREAS, the City of Emporia, Kansas may pursuant to K. S. A. 17,117 adopt a Neighborhood Revitalization Plan;

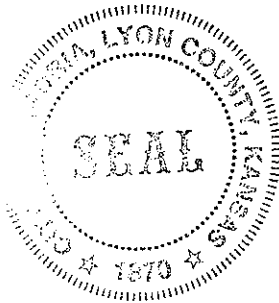
WHEREAS, the City of Emporia, Kansas desires to amend its plan to allow for the withdrawal of an application for tax rebate and to make provisions governing a decrease in property values;

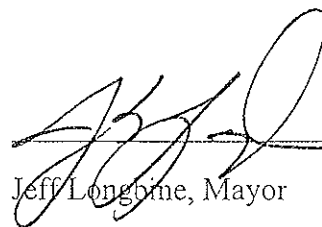
NOW, THEREFORE, BE IT RESOLVED that the neighborhood revitalization program as amended, is attached hereto and incorporated herein by reference as if fully set out.

BE IT FURTHER RESOLVED that the Neighborhood Revitalization Program as amended herein shall be effective January 1, 2010.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

ADOPTED and APPROVED this 2nd day of December, 2009 by the City Commission of the City of Emporia, Kansas.




Jeff Longbine, Mayor

Attest:



Susan Mendoza, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, LYON COUNTY, ss:

Linda Kurzen, being first duly sworn, deposes and says: That she is an employee of The Emporia Gazette, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Lyon County, Kansas, with a general paid circulation on a daily basis in Lyon County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Emporia in said County as periodical matter.

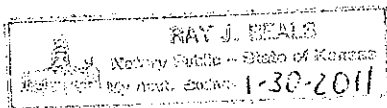
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for
TWO CONSECUTIVE WEEKS,
the first publication thereof being made as aforesaid on the 10th day of November, 2007, with subsequent publications being made on the following dates:

17th day of November, 2007

Linda Kurzen

Subscribed and sworn to me this 20th day of November, 2007.

Ray J. Beals
Notary Public



Printer's Fee: \$106.72

Date Paid:

Examined and approved this _____ day of _____ 20____

Signed by _____
District Judge

EXHIBIT A

(First published in The Emporia Gazette
November 10, 2007)
RESOLUTION NO. 3314
A RESOLUTION establishing a date for a public hearing concerning the renewal of a plan pursuant to the Neighborhood Revitalization Act, L.S.A. 12-17, 117 et seq.

WHEREAS, the City of Emporia Kansas, may pursuant to K.S.A. 12-17, 117 et seq., Adopt a plan to assist in the rehabilitation, conservation or redevelopment of any area within the City of Emporia which meets the conditions provided in said law and

WHEREAS, the City of Emporia is desirous of exercising the authority provided in K.S.A. 12-17, 117 et seq. In order to rehabilitate, conserve or redevelop certain designated areas in the City of Emporia.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Emporia, Kansas in accordance with K.S.A. 12-17, 117 et seq. The following notice is hereby given:

NOTICE

The City Commission will consider the renewal of a Neighborhood Revitalization Plan, pursuant to K.S.A. 12-17, 117 et seq, at a public hearing at the City Commission meeting to be held at 7:00 P.M., November 21, 2007, in the City Commission Meeting Room, 522 Mechanic, Emporia, Kansas.

The proposed Neighborhood Revitalization Plan and a description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of the Human Relations Director, 515 Market, Emporia, Kansas.

At the conclusion of the hearing the Commission of the City of Emporia will consider findings necessary for the renewal of the proposed Neighborhood Revitalization Plan and the establishment of the proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17, 117 et seq.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be delivered to the other taxing entities within Lyon County, Kansas.

BE IT FURTHER RESOLVED that the City Clerk shall cause this resolution to be published in the official city newspaper at least once each week for two consecutive weeks prior to the hearing.

ADOPTED AND APPROVED this 7th day of November, 2007 by the City Commission of Emporia, Kansas.

/s/ Julia A. Johnson
Julia A. Johnson, Mayor

(SEAL)

ATTEST:

/s/ Susan Mendoza
Susan Mendoza, City Clerk
Dates of Publication: 11-10-07
11-17-07

(Sat.) 11-17

3.3.08

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, LYON COUNTY, ss:

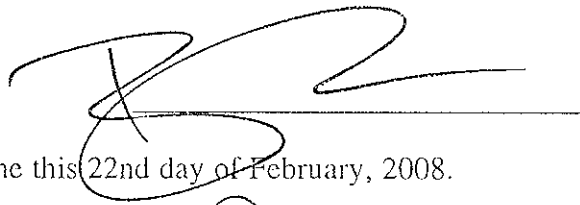
Regina Murphy, being first duly sworn, deposes and says: That she is an employee of The Emporia Gazette, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Lyon County, Kansas, with a general paid circulation on a daily basis in Lyon County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

EXHIBIT A

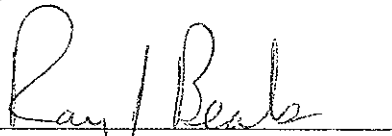
Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Emporia in said County as periodical matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for
TWO CONSECUTIVE WEEKS,
the first publication thereof being made as aforesaid on the 11th day of February, 2008, with subsequent publications being made on the following dates:

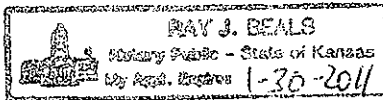
18th day of February, 2008



Subscribed and sworn to me this 22nd day of February, 2008.



Notary Public



Printer's Fee: \$107.28

Date Paid:

Examined and approved this _____ day of _____ 20__

Signed by _____
District Judge

of the hearing, the Commission of the City of Emporia will consider findings necessary for the adoption of the amended Neighborhood Revitalization Plan and the amendment of the Neighborhood Revitalization area, all as provided for in K.S.A., 12-17, 115 et seq.

interesados sobre recursos comunitarios en Emporia.

in finding a job or learning about community resources in Emporia.

Come meet employers who want to hire you!

Vengan a conocer recursos comunitarios en Emporia.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, LYON COUNTY, ss:

Michelle Heins, being first duly sworn, deposes and says: That she is an employee of The Emporia Gazette, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Lyon County, Kansas, with a general paid circulation on a daily basis in Lyon County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Emporia in said County as periodical matter.

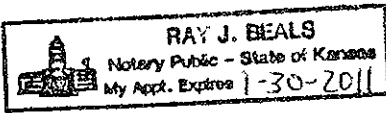
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for
THREE CONSECUTIVE WEEKS
the first publication thereof being made as aforesaid on the 13th day of November, 2009, with a subsequent publication being made on the following date:

20th day of November, 2009

Michelle Heins

Subscribed and sworn to by me this 20th day of November, 2009.

Ray J. Beals
Notary Public



Printer's Fee: \$39.48 Date Paid:

Examined and approved this _____ day of _____ 20__

Signed by _____
District Judge

EXHIBIT A

(First published in The Emporia Gazette
November 13, 2009)
OFFICIAL PUBLICATION NOTICE
The City Commission of Emporia will consider an amendment to the current Neighborhood Revitalization Plan pursuant to K.S.A. 12-17, 115 et seq., at a public hearing at 1:35 PM on Wednesday, December 2, 2009, in the City Commission meeting room at 518 Mechanic, Emporia, Kansas. The amended Neighborhood Revitalization Plan and a description of the boundaries of the neighborhood revitalization area are available for inspection during the hours of 8 AM to 5 PM in the Human Relations Director's Office, 521 Market Street, Emporia, Kansas. At the conclusion of the hearing, the Commission of the City of Emporia will consider findings necessary for the adoption of the amended Neighborhood Revitalization Plan all as provided for in K.S.A. 12-17, 115 et seq.
(Fri.) 11-20

**NEIGHBORHOOD REVITALIZATION PROGRAM
INTERLOCAL AGREEMENT**

THIS INTERLOCAL AGREEMENT (hereinafter referred to as "Agreement") entered into this 12th day of December, 2007, by and between the City of Emporia, a duly organized municipal corporation hereinafter referred to as "City", Board of Lyon County Commissioners of Lyon County, Kansas hereinafter referred to as "Lyon County", Unified School District #253 hereinafter referred to as "USD 253".

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions including economic development; and

WHEREAS, the agreement shall be submitted, pursuant to law, to the Attorney General of the State of Kansas for determination whether the agreement is in proper form and compatible with the laws of the State of Kansas. His approval and/or failure to disapprove within 90 days will precede this agreement's entry into force; and

WHEREAS, all parties are pursuant to K.S.A. 12-2903 public agencies, capable of entering into this interlocal agreement; and

WHEREAS, no separate legal or administrative entity is created by this agreement; and

WHEREAS, K.S.A. 1995 Supp. 12-17, 116 et. seq. (Kansas Neighborhood Revitalization Act (KNRA)) provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to further neighborhood revitalization; and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic development incentive as provided for in K.S.A. Supp. 12-17, 116 et. seq. by acting jointly.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN THE PARTIES AGREE AS FOLLOWS:

1. The parties agree to consider and adopt a neighborhood revitalization plan in substantially the same form and content a copy of which shall be maintained in the offices of the City Clerk, Lyon County Clerk, and the Board of Education.

2. The parties further agree that the City shall administer the neighborhood revitalization plan as adopted by each party on behalf of the signatory parties. The parties acknowledge and agree that five (5) percent of the increment rebated by the City, Lyon County and USD 253, as defined in K.S.A. 1995 Supp. 12-17, 115(e), shall be utilized to off set costs of Lyon County in implementing and fulfilling the requirements of the plan, all as described in the neighborhood revitalization plan. Lyon County shall maintain a fund pursuant to KSA12-17, 116 for the deposit of said increments and the payments of rebates as provided by the plan. Any funds remaining in the fund at the conclusion of the plan will be dispersed to the parties hereto based on the ratio said parties mill levy bears to the combined mill levy of the parties.

3. This Agreement shall expire December 31, 2022 or at such earlier time as all rebates have been paid to property owners or the neighborhood revitalization plan is canceled pursuant to its terms. The parties agree to undertake review of the neighborhood revitalization plan

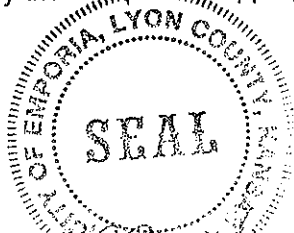
commencing on January 1, 2012 to determine continuation of a neighborhood revitalization plan and participation in a new interlocal agreement.

4. Except as provided above the parties do not anticipate acquiring, holding or disposing of any real or personal property.

5. If any provision of this agreement shall be held to be inoperative or unenforceable as applied in any particular case or to any particular participating Public Agency, or in all cases because it conflicts with any other provision or any other constitution or statute, or for any other such reason, such circumstances shall not render the provision in question inoperative or unenforceable in any other case or circumstance or render any other provision invalid or inoperative or unenforceable to any extent. The effect and meaning of this agreement, the plan and the rights of all Public Agencies shall be governed by and construed according to the laws of the State of Kansas.

6. This Agreement shall be executed in several counterparts, all of which together shall constitute one original agreement.

IN WITNESS WHEREOF, the Public Agencies have caused this agreement to be duly executed by their respective appropriate representatives.



ATTEST:

Susan Mendoza
Susan Mendoza, City Clerk

CITY OF EMPORIA

By:

Bobbie Agler
Bobbie Agler, Vice-Mayor

LYON COUNTY

By:

Marshall F. Miller
Marshall Miller, Chairman
Lyon County Commission



ATTEST:

Karen Hartenbower
Karen Hartenbower, County Clerk

UNIFIED SCHOOL DISTRICT #253
Lyon County, State of Kansas

By:

Grant Riles
Grant Riles, President
U.S.D. #253, School Board

ATTEST:

Norma Stinnett
Norma Stinnett, Board Clerk

STATEMENT OF FINDINGS

I, Patty Gilligan, Human Relations Director, City of Emporia, hereby certify that the Neighborhood Revitalization Area as designated by the City Council, City of Emporia contains the following conditions, (1) that there is a predominance of buildings or improvements by reason of the presence of certain conditions that are detrimental to the public health, safety, or welfare; and (2) that there is a presence of a substantial number of deteriorated and deteriorating structures and other conditions that substantially impairs housing and constitutes an economic or social liability and is detrimental to the public health, safety, or welfare in it's present condition and use; and (3) that there is a predominance of buildings and improvements because of age, history, architecture or other significance should be preserved or restored to productive use accordingly.

That the U.S. Bureau of the Census Report, 2000, together with the User Defined Area Profile sets forth both quantitatively and qualitatively a detailed description of the physical and social conditions that are present in the area, and that such report has been carefully examined and evaluated and found that it evidences and demonstrates the overcrowding; age; incompatible land use relationship; unsanitary conditions; substandard infrastructure; and other similar conditions creating a social liability to the Area and the entire city of Emporia. It is therefore, the opinion, position, and conclusion of the Human Relations Director that the Neighborhood Revitalization Area as defined, is dependent upon rehabilitation, conservation and or redevelopment measures in order to protect the public health, safety or welfare of the residents of the City of Emporia.

November 1, 2007
Date


Patty Gilligan
Human Relations Director

CITY OF EMPORIA, KANSAS Application # _____
NEIGHBORHOOD REVITALIZATION APPLICATION

Name:	_____
Address:	_____
Phone:	_____ SSN or FEIN: _____
Address of proposed project:	_____
Legal description (attach if metes and bounds):	_____
Existing Property Description:	_____
Demolition Plan (if proposed):	_____
Proposed Improvement Description (You may reference an attached development plan) :	_____
Estimated Cost of Improvements:	_____
Names and status of tenant families or occupants:	_____
Initial estimated date project will be completed :	_____

Attachments:

- Most recent paid tax statement
- Building Permit

NOTE: You must notify the County Appraiser upon completion of the improvements and you must pay your taxes in full in order to receive a rebate of taxable value of the improvements.

**CITY OF EMPORIA, KANSAS
NEIGHBORHOOD REVITALIZATION APPLICATION**

Application # _____

TO BE COMPLETED BY CITY STAFF:

Date Application received: _____	Eligible Target Area Confirmation _____
Appraised value before improvements: Land/buildings: _____	
Estimated cost of improvements: _____	
Other pertinent facts: _____	
Date _____	Human Relations Coordinator/Housing Specialist

TO BE COMPLETED BY COUNTY STAFF:

For any partial improvement that is completed before January 1 following commencement of construction complete the following and file with the County Treasurer's office: Date of partial completion and interim appraisal: _____ Amount of New Valuation: _____
--

Date of final completion and reappraisal by County Assessor: _____
Amount of new appraisal: \$ _____
Value added by improvements (\$ value to be used annually): \$ _____

CALCULATION OF REBATE BASED ON TAXES GENERATED BY IMPROVEMENTS

YEAR	DATE TAX PAYMENT RECEIVED	AMOUNT OF REBATE	5% COUNTY HANDLING FEE	DATE OF REBATE CHECK
1		\$	\$	
2		\$	\$	
3		\$	\$	
4		\$	\$	
5		\$	\$	
6		\$	\$	
7		\$	\$	
8		\$	\$	
9		\$	\$	
10		\$	\$	

** Please mail or FAX a copy of this completed form to the Human Relations Coordinator at the City of Emporia when a rebate check is sent. (FAX #341-4338).

CITY OF EMPORIA
TAX REBATE APPLICATION QUESTIONNAIRE

For Internal Use Only

This survey is to be completed and submitted with the application.

1. Would you have considered this project without the tax rebate incentive? ___Y ___N

2. Is your project? (Check all that apply) ___Residential ___Commercial
___New Construction ___Rehabilitation of existing Structure

3. If residential project, please complete the following:
___ Single Family ___ Multi-Family ___ Number of Units

4. If commercial project, please complete the following:
___ Number of new jobs created ___ Number of jobs retained
___ Inside City Limits ___ Outside City limits

5. Location of project: _____

6. Estimated project cost: _____

7. Intended use of property upon completion _____

The above information will be used in monitoring the tax rebate program. Your signature on this survey is optional. Thank you for completing the questionnaire!

Signature

Date