

(Published in *The Times, Pottawatomie County* on April 16, 2026)

ORDINANCE NO. 1837

AN ORDINANCE OF THE CITY OF WAMEGO, KANSAS, ESTABLISHING A REINVESTMENT HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH (KAINE ADDITION REINVESTMENT HOUSING INCENTIVE DISTRICT).

WHEREAS, K.S.A. 12-5241 *et seq.* (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 reinvestment 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 reinvestment 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 the Kansas Department of Commerce (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 reinvestment 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 Wamego, Kansas (the “City”) has an estimated population of under 60,000 and therefore constitutes a city as the term is defined in the Act; and

WHEREAS, the governing body of the City (the “Governing Body”) received a 2025 Wamego Housing Assessment Tool (the “Analysis”) in July 2025, a copy of which is on file in the office of the City Clerk; and

WHEREAS, Resolution No. 20251104, adopted by the governing body of the City (the “Governing Body”), made certain findings relating to the need for financial incentives for the construction of quality housing within the City, declared it advisable to establish a reinvestment housing incentive district pursuant to the Act and authorized the submission of such Resolution and the Analysis to the Kansas Department of Commerce in accordance with the Act; and

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated December 10, 2025, authorized the City to proceed with the establishment of a reinvestment housing incentive district pursuant to the Act; and

WHEREAS, the City has caused to be prepared a plan (the “Plan”) for the development or redevelopment of housing and public facilities in the proposed Kaine Addition Reinvestment Housing Incentive District (the “District”) in accordance with the provisions of the Act; and

WHEREAS, the Plan includes:

1. The legal description and map required by K.S.A. 12-5244(a);
2. The existing assessed valuation of the real estate in the proposed District listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District; and
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, which shows that the public benefits derived from such District will exceed the costs and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in the District.

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 20260217, which stated that the City is considering establishing the proposed District and adopting the proposed Plan pursuant to the Act, set forth the boundaries of the proposed District, provided a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for April 7, 2026, and provided for notice of such public hearing as provided in the Act; and

WHEREAS, a public hearing was opened and held on April 7, 2026; and

WHEREAS, upon and considering the information and public comments received at the public hearing, the Governing Body of the City hereby deems it advisable to establish the proposed District and to adopt the proposed Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS:

Section 1. Findings. The Governing Body hereby finds that notice of the public hearing conducted April 7, 2026, was duly made in accordance with the provisions of the Act.

Section 2. Creation of Reinvestment Housing Incentive District. The Kaine Addition Reinvestment Housing Incentive District is hereby created within the City in accordance with the provisions of the Act, which shall consist of the following described real property:

All that part of an un-platted tract of land lying in the Southwest Quarter (SW 1/4) of Section Thirty-Three (33), Township Nine (9) South, Range Ten (10) East, in the City of Wamego, Pottawatomie County, Kansas, more particularly described by Gregory Chad Weller, Kansas PLS-1417 of Olsson, LS-114, on February 2, 2026, as follows:

COMMENCING at the Southwest corner of said Southwest Quarter (SW 1/4); thence North 00 degrees 57 minutes 38 seconds East, on the West line of said Southwest Quarter (SW 1/4), a distance of 468.77 feet to a point; thence South 89 degrees 02 minutes 22 seconds East, departing said line a distance of 35.00 feet to a point, said point being the POINT OF BEGINNING; thence North 00 degrees 57 minutes 38 seconds East a distance of 399.21 feet to a point; thence South 89 degrees 02 minutes 22 seconds East a distance of 185.00 feet to a point; thence North 00 degrees 57 minutes 38 seconds East a distance of 20.79 feet to a point; thence South 89 degrees 02 minutes 22 seconds East a distance of 775.22 feet to a point; thence North 69 degrees 09 minutes 46 seconds East a distance of 65.81 feet to a point; thence North 50 degrees 48 minutes 38 seconds East a distance of 64.42 feet to a point; thence South 50 degrees 48 minutes 12 seconds East a distance of 185.00 feet to a point of curvature; thence on a non-tangent curve to the right, having a radius of 345.00 feet, an arc length of 28.74 feet, a chord bearing of South 41 degrees 35 minutes 00 seconds West, with a chord length of 28.73 feet; thence South 46 degrees 01 minutes 49 seconds East a distance of 166.48 feet to a point on the North line of a tract of land as recorded in Book 323, Page 137; thence South 88 degrees 57 minutes 50 seconds West, along said North line a distance of 29.95 feet to a point on the East line of the Southwest Quarter (SW 1/4) of the Southwest Quarter (1/4) of said Section Thirty-Three (33), said point also being the West line of said tract recorded in Book 323, Page 137; thence South 01 degrees 04 minutes 18 seconds West on said line, a distance of 622.42 feet to a point on the North right-of-way line of Say Road; thence South 88 degrees 56 minutes 30 seconds West, on said right-of-way line a distance of 1.34 feet to a point; thence continuing on said right-of-way line South 89 degrees 02 minutes 18 seconds West a distance of 400.27 feet to a point; thence departing said line North 00 degrees 57 minutes 42 seconds West a distance of 401.05 feet to a point; thence North 89 degrees 02 minutes 22 seconds West a distance of 872.92 feet to the POINT OF BEGINNING. Contains 693,895 Square Feet, or 15.9296 Acres, more or less.

All public rights of way and easements abutting or contiguous to the foregoing property, and the public rights-of-way and easements in which a sanitary sewer main will run from the north end of Poplar Street north and then west along Say Road to Lilac Lane.

The District's boundaries do not contain any property not referenced in Resolution No. 20260217, which provided notice of the public hearing on the creation of the District and adoption of the Plan.

Section 3. Approval of Development Plan. The Plan for the development or redevelopment of housing and public facilities in the District, as presented to the Governing Body this date, is hereby approved.

Section 4. Other Governmental Units. If, within 30 days following the conclusion of the public hearing on April 7, 2026, any of the following occurs, the Governing Body shall take action to repeal this Ordinance:

(a) The Board of Education of Unified School District No. 320, Pottawatomie County, Kansas (Wamego) determines by resolution that the District will have an adverse effect on such school district; or

(b) The Board of County Commissioners of Pottawatomie County, Kansas, determines by resolution that the District will have an adverse effect on such county.

Section 5. Further Action. The Mayor, City Manager, Finance Coordinator, City Clerk, and other City officials and employees, including the City Attorney, 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 Ordinance.

Section 6. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body, execution by the Mayor, and publication one time in the official City newspaper.

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PASSED by the Governing Body of the City of Wamego, Kansas, and **SIGNED** by the Mayor, on April 7, 2026.

(SEAL)



ATTEST:

Michele Jacobs
Mayor

Shanda Baluk
City Clerk

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