



NEIGHBORHOOD REVITALIZATION PLAN

CITY OF GIRARD, KANSAS, THE BOARD OF COUNTY COMMISSIONERS OF
CRAWFORD COUNTY, KANSAS AND UNIFIED SCHOOL DISTRICT #248

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (hereinafter referred to as “agreement”) entered in this _____ day of _____ 200__, by and between the City of Girard, Kansas, a duly organized municipal corporation hereinafter referred to as “City”, Board of County Commissioners of Crawford County, Kansas hereinafter referred to as “County” and Unified School District #248; and

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

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

WHEREAS, K.S.A. 12-17,114 et seq. Provides a program for neighborhood revitalization and further allows for the use of interlocal agreement 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. 12-17, 119 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 subsequently the same form and content as Exhibit A, attached hereto and incorporated by reference as if fully set forth herein.

2. The parties further agree that the County shall administer the neighborhood revitalization plan as adopted by each party on behalf of the signatory parties.

The County shall create a neighborhood revitalization fund pursuant to K.S.A. 12-17, 118 for the purpose of financing the redevelopment and to provide rebates.

Any increment in property taxes received by the City, the County, and the District resulting from qualified improvements to property pursuant to the neighborhood revitalization plan shall be credited to the a neighborhood revitalization fund.

3. This Agreement shall expire December 31, 2010. The parties agree that any party may terminate this agreement prior to December 31, 2010 by providing thirty (30) day advance notice provided however any application for tax rebate submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate period.

IN WITNESS WHEREOF, the parties have hereunto executed this contract as of the day and year first above written.

City of Girard

Maurice A. Harley, Mayor

Attest:

Coralie J. Bennett, CMC, City Clerk

The Board of County Commissioners
Of Crawford County, Kansas

Chairperson

Attest:

County Clerk

Unified School District #248
Girard, State of Kansas

Superintendent

Attest:

OFFICE OF THE ATTORNEY GENERAL
STATE OF KANSAS

BY _____ DATE _____

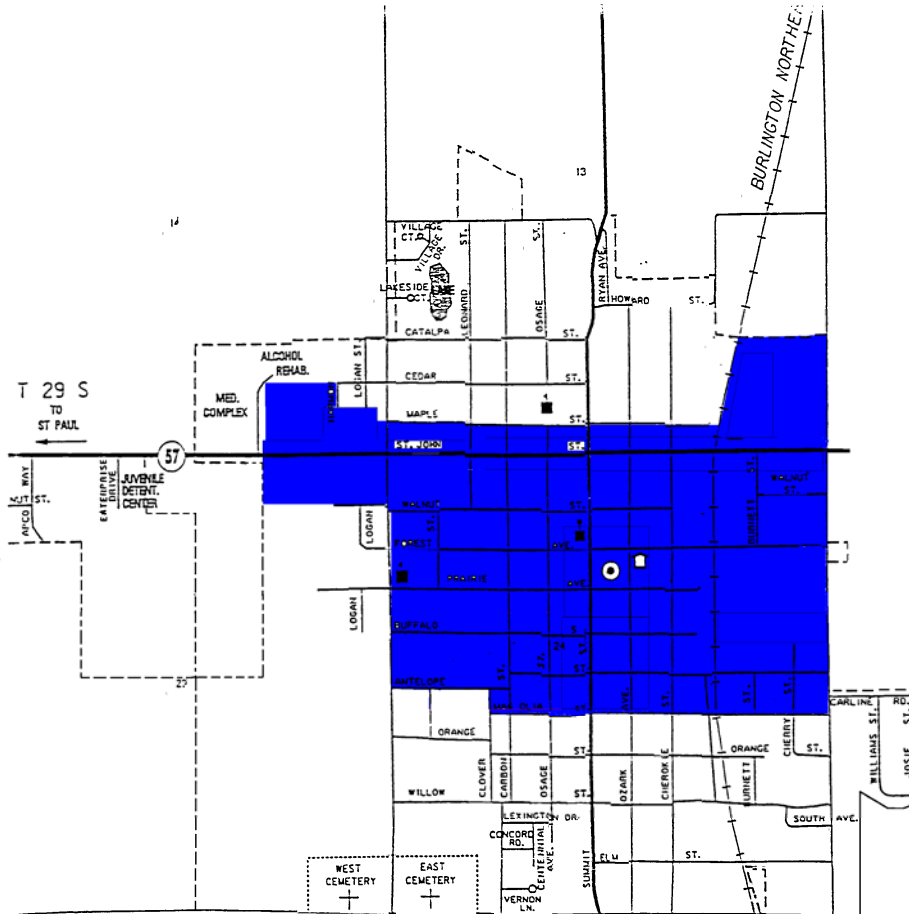
PART 1

Legal description of the real estate forming the boundaries of the Neighborhood Revitalization Area and a map depicting the existing parcels of real estate.

Legal Description:

Beginning at the Southeast Corner of Section 13, Township Range 29S, Range 23E, of the Sixth Principal Meridian, Crawford County, Kansas, Thence North following along the City Limits of Girard a distance of 1,337.5 feet, Thence West 1,137.5 feet to the West side of Burlington Northern Railroad Right of Way, Thence Southwesterly along said right of way 1,048 feet to the centerline of Maple Street, Thence West along the centerline of Maple 3,425 feet to the intersection of Maple and Western, Thence continuing West 446 feet, Thence North 143 feet, Thence West 486 feet, Thence North 315 feet, Thence West 375 feet, Thence South 1,381 feet to the Southwest Corner of Lot 1 of Orchard Place Addition, Thence East 1,293.5 feet to the intersection center of Walnut and Western, Thence South 1,867 feet to the intersection of Western and Antelope, Thence East 1,411.5 feet to the intersection of Antelope and Carbon, Thence South 266 feet to the intersection center of Carbon and Magnolia, Thence East along the center line of Magnolia 3,785 feet to the intersection of Magnolia and Sinnett, Thence North along the center line of Sinnett 2,968 feet to the point of beginning.

Map depicting the Neighborhood Revitalization Area:



PART 2

Existing assessed valuation of the real estate within the Neighborhood Revitalization Area.

Assessed valuation:

The assessed valuation of each parcel of real estate located within the Neighborhood Revitalization Area, including land and building values listed separately, is available at the City of Girard or the Crawford County Appraiser's office.

The appraised valuation for the properties located within the Neighborhood Revitalization Area is as follows:

Land-----	\$4,146,800
Improvements-----	<u>\$41,073,539</u>
Total Appraised Valuation-----	\$45,220,339

Each owner of record of each parcel is listed together with the corresponding address. The listing may not be all inclusive of the areas of land included in the legal description and any inadvertent exclusion will not prevent a parcel of land within the legal description boundaries of qualifying for the tax rebate.

PART 3

Names and addresses of owners of record within the Neighborhood Revitalization Area.

Names and addresses:

The list of names and addresses of owners of record of real estate within the Neighborhood Revitalization Area is available at the City of Girard or the Crawford County Appraiser's office.

PART 4

Existing zoning classification and district boundaries and existing and proposed land uses within the Neighborhood Revitalization Area.

Existing Zoning Classification and District:

Refer to Map 2, Zoning Districts, Appendix A

Existing Zoning Districts:

The existing zoning districts within the Neighborhood Revitalization Area Boundary are:

- R-1 Residential
- R-2 Residential Two Family
- R-3 Residential Multi-Family
- B-1 Neighborhood Business District
- B-2 Central Business District
- B-3 General Business District
- I-1 Planned/Light Industrial

Existing Land Use:

Refer to Map 3, Existing Land Use

Proposed Land Use:

PART 5

Proposed improvements for expanding municipal services within the Neighborhood Revitalization Area.

Capital Improvements Plan (CIP):

The City of Girard is committed to maintaining and improving the water lines, sewer lines, roads and streets within the areas. The City will continue using KDOT programs for road improvements for 47 and 7 highways. The City plans for a road improvement bond in 2007 that is paid by a ½ cent sales tax.

Water towers are a priority for Girard and will be addressed during this time frame.

Downtown revitalization is planned within the time frame with new streetscape including lighting, sidewalks and general improvements.

The current sidewalk replacement program will benefit this area.

The City is in the process of enlarging the electrical substation to help in the future growth of the community.

PART 6

Properties eligible for tax rebates under the Neighborhood Revitalization Program.

Eligible Properties:

New Residential Construction

New Single family dwelling structures as may be permitted by the City of Girard Zoning Ordinance are eligible for rebate provided that the new assessed valuation is increased by 5%.

Existing Residential Structures:

The rehabilitation, renovation or additions to residential dwelling structures located anywhere within the Neighborhood Revitalization Area will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

The rehabilitation, renovation or additions to multi-family, two (2) or more family, structures located within the Neighborhood Revitalization Area will be eligible for the rebate, provided the new assessed valuation is increased by 5%.

New Construction, Existing Structures/Commercial:

Rehabilitation, additions or new construction of any office, institutional or commercial structure as permitted by the City of Girard Zoning Regulations and within the designated Neighborhood Revitalization Area will be eligible for the rebate provided the new assessed valuation is increased by 5%.

Accessory Structures:

Improvements to existing or construction of new residential accessory structures such as garages, gazebos, storage buildings, workshops, swimming pools, etc. shall not be eligible.

PART 7

Criteria for determination of eligibility.

The following criteria are to be used to determine properties eligible under the Kansas Neighborhood Revitalization Act program.

- a. Construction of an improvement must have begun on or after July 1, 2006 the date of designation of the Neighborhood Revitalization area by the City.
- b. An application for rebate must be filed within sixty (60) days of the issuance of a building permit.
- c. The assessed value of residential property must be increased by 5%.
- d. The assessed value of commercial property must be increased by 5%.
- e. The improvements must conform with the City of Girard's Zoning Regulations in effect at the time the improvements are made.
- f. The new, as well as existing improvements on 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. Any 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.
- h. Properties eligible for tax incentives under any program shall be eligible to submit applications under only one program at a time.
- i. Only owners are eligible for tax rebates.
- j. Tax rebates transfer with ownership.
- k. Tax rebates are based on the increase of appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of a certificate of occupancy.

PART 8

Contents of application for tax rebate.

Part 1 – General Information

- a. Owner's Name
- b. Owner's mailing address
- c. School District Number
- d. Parcel I.D. number
- e. Building Permit number
- f. Address of property
- g. Legal description of property
- h. Day phone number
- i. Property use
- j. Proposed improvements
- k. Estimated date of completion
- l. Estimated cost of improvements
- m. Crawford County Appraiser's Statement of Assessed Value
- n. Applicant signature and date

Commencement of Construction

- a. Date of commencement of construction
- b. Estimated date of completion of construction

Part 2 – Status of Construction/Completion

- a. Incomplete project as of January 1, following commencement
- b. Complete project as of January 1, following commencement
- c. County Appraiser's statement of percentage test
- d. County Clerk's statement of tax status
- e. City of Girard's statement of application conformance for tax rebate

PART 9

Application Procedure

- a. The applicant shall obtain an Application for Tax Rebate from the City of Girard.
- b. The applicant shall complete and sign PART 1 of the application and file the original with the City of Girard within sixty (60) days of the issuance of the building permit.
- c. The City of Girard shall verify the existing appraised value with the Crawford County Appraiser's Office.
- d. The City of Girard will return the rebate application to the owner.
- e. The applicant will notify the Crawford County Appraiser's Office of the project status by completing PART 2 of the application as follows:

For any improvement that is only partially completed as of January 1 following commencement of construction, complete and sign PART 2.

For any improvement that is 100% completed on or before January 1 following commencement of construction, complete and sign PART 2 and file the application with the City of Girard which will then be forwarded to the Crawford County Appraiser's Office. This step must be completed by December 1 of the year preceding the commencement of the first year of the tax rebate period in order to qualify for the rebate.

- f. In the January following, the County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real estate and shall complete their portion of the application and shall report the new valuation to the Crawford County Clerk by June 1. The tax records on the project shall be revised by the Crawford County Clerk's office to reflect the change in valuation.
- g. Upon determination by the Crawford County Appraiser's Office that the improvements meet the percentage test for rebate and the Clerk's office has determined the status of the taxes on the property, the City of Girard shall certify to the County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.
- h. Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period, extending through the specified rebate period and within a thirty (30) day period following payment and submittal of a receipt

by the applicant to the Crawford County, a tax rebate in the amount of the tax increment (less an administration fee as specified in the Interlocal Agreement) will be made to the applicant. The tax rebate shall be made from the Neighborhood Revitalization Fund established in conjunction with City of Girard and the other taxing units participating in the interlocal agreement. The City shall make periodic reports on the tax rebate program to the City Council and other taxing units accordingly.

i. The City of Girard shall inform the Crawford County Clerk thirty (30) days prior to the expiration of the final rebate period for each property receiving a tax rebate.

PART 10

Standards and Criteria for Review

- a. Construction of an improvement must have begun on or after July 1, 2006 the date of designation of the Neighborhood Revitalization Area by the City.
- b. An application for rebate must be filed within sixty (60) days of the issuance of a building permit.
- c. The assessed value of residential property must be increased by 5%.
- d. The assessed value of commercial property must be increased by 5%.
- e. The improvements must conform with the City of Girard Zoning Regulations in effect at the time improvements are made.
- f. The new, as well as 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. Any 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.
- h. Properties eligible for tax incentives under any other program shall be eligible to submit applications under only one program at a time.
- i. Only property owners are eligible for tax rebate.
- j. Tax rebates transfer with ownership.
- k. Tax rebates are based on the increase of appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of certification of occupancy.

PART 11

Statement specifying program amounts and years of eligibility.

Program Period:

The Neighborhood Revitalization Fund and Tax Rebate Incentive Program shall expire on December 31, 2010.

Rebate Period:

Residential 7 years
Commercial 7 years

Rebate Amount:

Remodel 100%
New Construction 100%

PART 12

Additional issues under the Neighborhood Revitalization Act

- a. Failure to build or maintain the property to applicable codes, rules and regulations shall cause the rebate application to be terminated.
- b. Failure to timely pay all property taxes and required assessments shall result in removal from the rebate program. Late fees, fines surcharges and the like are not eligible for rebate.

Neighborhood Revitalization Plan

Purpose:

This Neighborhood Revitalization Plan is intended to promote the rehabilitation, conservation and/or redevelopment of the designated Neighborhood Revitalization Area within the City of Girard in order to protect the public health, safety and welfare of the residents of the city. A tax rebate incentive based on the incremental increase of qualified improvements will be available to property owners in the designated Neighborhood Revitalization Area.

In accordance KSA (1997 Supp.) 12-17, 114 et seq., the City Council conducted a public hearing on May15, 2006 and considered the Neighborhood Revitalization Plan. Accordingly, the City Council designates that the described area meets the condition contained in KSA (1997 Supp.) 12-17, 115 (c) (3), to be designated as a “Neighborhood Revitalization Area.”

**City of Girard Neighborhood Revitalization Program
Application for Tax Rebate**

Part 1:

Owner's Name _____ Day Phone Number _____

Owner's Mailing Address _____

Property Address _____

Parcel ID Number _____

(Parcel ID number and Legal description is on your tax Statement)

Legal Description of Property:

(Use additional sheets if necessary)

Property Type Residential Commercial

Existing Use _____ Proposed Use _____

Age of Principle Building _____ Occupancy Status During Last 5 years _____

List Building to be or Actually Demolished _____

List Proposed Improvements (Be Specific)

Cost

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Cost of Improvements: \$ _____ Actual Estimated

Date of Project Completion: _____ Actual Estimated

Date Construction is to Begin: _____

Building Permit Number: _____

_____ Date: _____

(Property Owner's Signature)

Part 2:

A. For Property Owner's Use Only:

As of January 1 following commencement of construction, the improvements are:

Check one box: Complete Incomplete

By _____ Date _____
(Applicant's Signature)

B. For Crawford County Appraiser Use Only:

As of _____ the assessed valuation of this property is:
(DATE)

Land \$ _____

Improvements \$ _____

Total \$ _____

By _____ Date _____
(Crawford County Appraiser's Office)

THE IMPROVEMENTS MADE TO THIS PROPERTY

DO meet the required percentage of increase in assessed valuation.

(5% for residential, 5% for commercial)

DO NOT meet the required percentage of increase in assessed valuation

By _____ Date _____
(Crawford County Appraiser's Office)

C. For County Clerk Use Only:

As of _____ taxes and special assessments on this parcel are:
(DATE)

Delinquent

Not Delinquent

By _____ Date _____
(Crawford County Clerk's Office)

D. For City of Girard Use Only:

The application IS IS NOT, in conformance with the requirements of the City of Girard Neighborhood Revitalization Program.

By _____ Date _____
(City of Girard)

**City of Girard
Revitalization Plan
Appendix A**