

**RESOLUTION NO. 1091**

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

**WHEREAS**, K.S.A. 12-5241 et seq. (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 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and

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

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

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

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

**WHEREAS**, the City of Colby, Kansas (the “City”) has an estimated population of 5,387, is located in Thomas County, Kansas which has an estimated population of 7,900 and therefore constitutes a city as said term is defined in this act; and

**WHEREAS**, the Governing Body of the City has performed a Housing Needs Analysis dated November 16, 2012 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

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

**THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Colby, Kansas, as follows:

**Section 1.** The Governing Body has previously adopted and incorporated reference as part of this Resolution the Needs Analysis, a copy of which is on file

in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

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

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

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

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

**Section 6.** Based on the findings and determinations contained in Sections 2 through 5 of this Resolution, the Governing Body proposes to establish a rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described and depicted in the map in Exhibits "A-1" and "A-2" attached hereto.

**Section 7.** This Resolution shall take effect after its adoption and publication once in the official City newspaper.

**APPROVED AND PASSED** by the Governing Body of the City of Colby, Kansas, this 4th day of February, 2016.

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Gary L. Adrian, Mayor

ATTEST:

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Joni L. Ketchum, City Clerk

APPROVED AS TO FORM:

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John D. Gatz, City Attorney

**EXHIBIT A-1**

**PROPERTY DESCRIPTION**

All of Lots Thirteen (13), Fourteen (14) and Fifteen (15), Block One (1), Re-Plat of Davis Addition No. 1 to the City of Colby, Kansas, as shown by the recorded plat thereof.

AND

All of Lots One (1), Two (2), Eight (8), Ten (10), Eleven (11) and Thirteen (13), Block Two (2), Re-Plat of Davis Addition No. 1 to the City of Colby, Kansas as shown by the recorded plat thereof.

**EXHIBIT A-2**

**MAP OF PROPOSED RURAL HOUSING INCENTIVE DISTRICT  
BOUNDARIES FOR DAVIS ADDITION NO. 2**

**EXHIBIT A-2**

**MAP OF PROPOSED RURAL HOUSING INCENTIVE DISTRICT  
BOUNDARIES FOR DAVIS ADDITION NO. 2**

