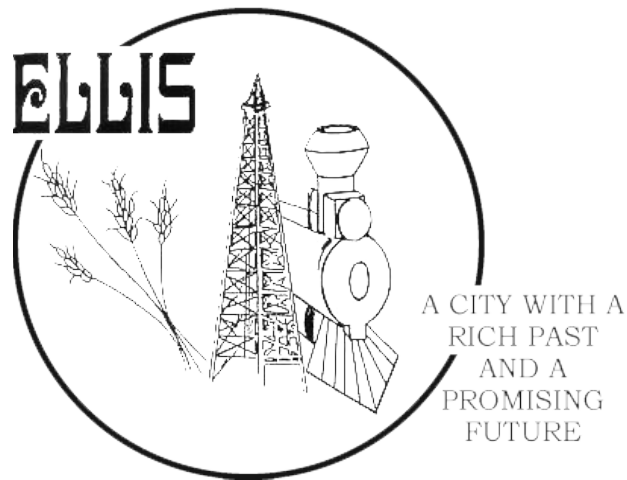


CITY OF ELLIS

NEIGHBORHOOD REVITALIZATION PLAN (NRP)



**CITY OF ELLIS
NEIGHBORHOOD REVITALIZATION PLAN (NRP)**

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City of Ellis Economic Development Neighborhood Revitalization Act Revitalization Plan

BEFORE THE CITY COUNCIL
OF ELLIS, KANSAS.

IN THE MATTER OF THE ADOPTION OF A
NEIGHBORHOOD REVITALIZATION PLAN

REVITALIZATION PLAN

The Ellis City Council of Ellis, Kansas (herein sometimes called "Governing Body"), pursuant to the Kansas Neighborhood Revitalization Act, K.S.A. 12-17,114 et. seq., does hereby adopt a Neighborhood Revitalization Plan (herein sometimes called "Plan") for the City of Ellis as follows:

Purpose and Factual Findings

The City of Ellis proposes adopting the Neighborhood Revitalization Plan to include the city limits of Ellis, Kansas. The intention of this program is to encourage healthy owner-occupied housing and safe commercial locations throughout the proposed area.

This plan is intended to promote the revitalization and development of the City of Ellis. The City seeks to stimulate new construction and the rehabilitation, conservation, or redevelopment of existing properties in the neighborhood revitalization area. An added goal is to promote redevelopment while protecting the public health, safety, or welfare of the residents of the City of Ellis. Participants will be provided certain incentives, which include tax rebates.

In accordance with the provisions of K.S.A. 12-17,114 et seq., the City Council held a public hearing and considered the existing conditions and alternatives with respect to the designated area. The City Council also considered criteria and standards for a tax rebate and the necessity for interlocal cooperation among the taxing units. Accordingly, the Council has carefully reviewed, evaluated, and determined the Area meets one or more of the conditions to be designated as a "neighborhood revitalization area."

Part 1: Legal Description of Neighborhood Revitalization Area

- a. The entire boundary of the City of Ellis, Kansas is described as follows:

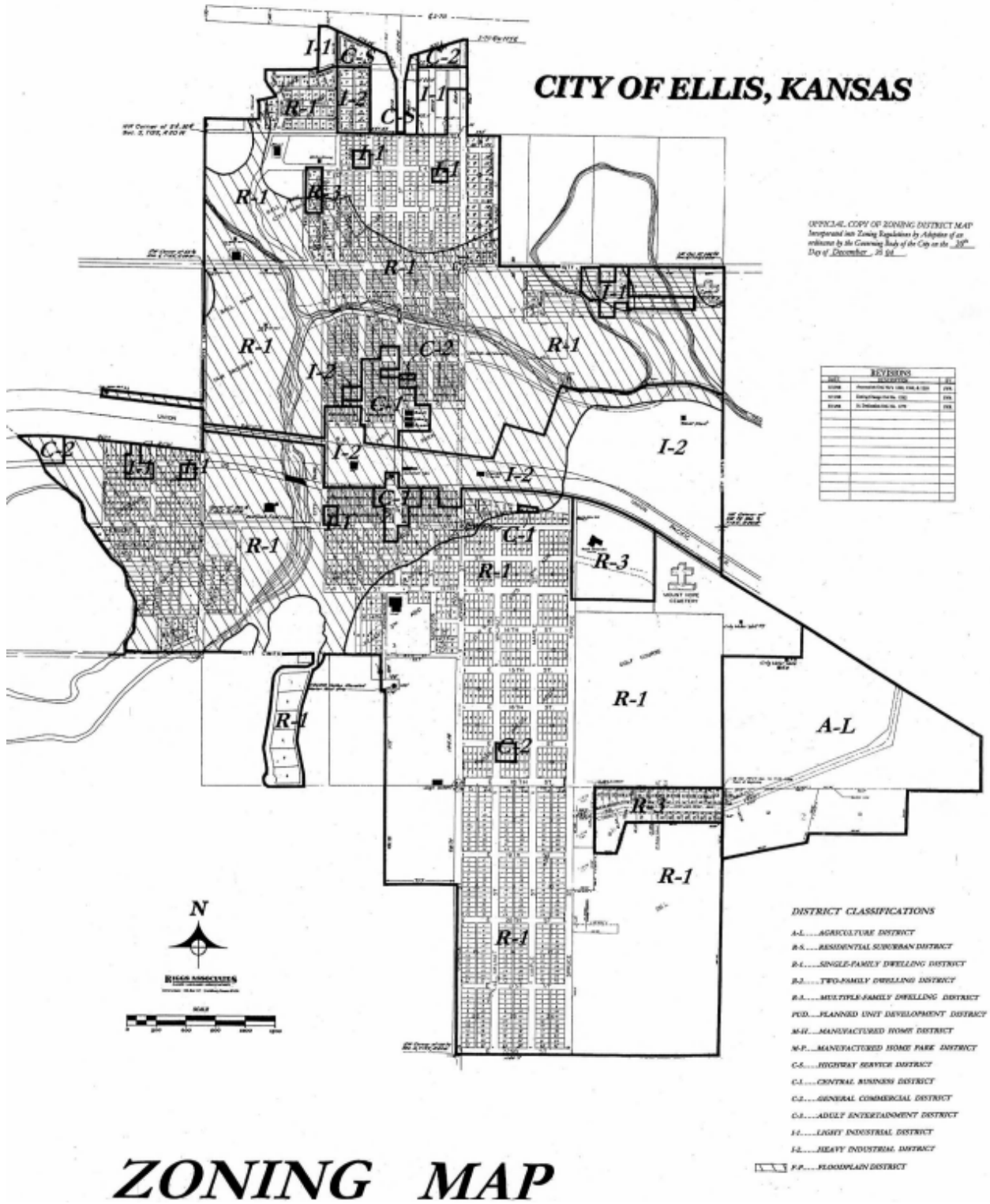
Beginning at a point on the South line of Section Four (4), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., which point is 360 feet East of the Southwest Corner (SW/c) of the Southwest Quarter (SW¼) of Section Four (4); thence North parallel to the West line of Section Four (4)

1,320 feet; thence West and parallel to the South line of Section Four (4), a distance of 330 feet; thence North 956.70 feet to the South line of that Highway known as Interstate 70; thence in a Southwesterly direction to a point which is 960.70 feet North of the Northeast Corner (NE/c) of Lot Eleven (11), Block Nine (9), Raynesford Addition to the City of Ellis, Kansas; thence at a deflection of 14 Degrees 35 Minutes to the left, 530.60 feet along the South line of that Highway known as Interstate 70; thence at a deflection of 62 Degrees 32 Minutes left 235.10 feet; thence South parallel to Washington Street 530.49 feet; thence West 100 feet; thence North parallel to Washington Street 530.49 feet; thence at a deflection of 23 Degrees 16 Minutes left 267.2 feet; thence at a deflection of 43 Degrees 51 Minutes to the left, 606.85 feet along the South line of Interstate 70 Highway; thence at a deflection angle of 00 Degrees 06 Minutes 43 Seconds left 89.89 feet; thence at a deflection angle of 20 Degrees 49 Minutes 30 Seconds left 67.25 feet; thence North 87 degrees 49 minutes 07 seconds West, along the South line of Interstate 70, a distance of 403.3 feet; thence South 00 degrees 08 minutes 28 seconds East, a distance of 452.96 feet to the North line of West Second Street; thence West on a line parallel with the South line of the North Half of the Southeast Quarter (N½ SE¼) of Section Five (5), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., a distance of 141.59 feet; thence at a deflection of 90 Degrees 00 Minutes 00 Seconds to the left, a distance of 60.00 feet; thence Southeasterly on a curve to the left having a radius of 130.00 feet, an arc distance of 91.51 feet; thence tangent to said curve, a distance of 33.11 feet; thence Southeasterly on a curve to the right having a radius of 310.00 feet, an arc distance of 123.21 feet; thence Southwesterly at a deflection of 90 Degrees 00 Minutes 00 Seconds to the right of the terminal tangent of the previously described curve, a distance of 170.00 feet; thence Southerly on a curve to the right having a radius of 140.00 feet, the initial tangent of which is at a deflection of 90 Degrees 00 Minutes 00 Seconds to the left of the last described course, an arc distance of 42.90 feet; thence tangent to said curve; a distance of 138.30 feet; thence at a deflection of 90 Degrees 00 Minutes 00 Seconds to the right on a line parallel with and 140 feet North of the South line of the North Half of the Southeast Quarter (N½ SE¼) of said Section Five (5), to the West line of the Southeast Quarter (SE¼) of said Section Five (5), thence South along the West line of the Southeast Quarter (SE¼) of said Section Five (5) to the South line of said Section Five (5); thence South along the West line of the Northeast Quarter (NE¼) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., 1435.5 feet to a point; thence North 85 Degrees 05 Minutes 19 Seconds West 1000.0 feet to a point; thence South 00 Degrees 00 Minutes 00 Seconds East 43.5 feet to a point; thence South 85 Degrees 05 Minutes 19 Seconds East along the North right-of-way of the Union Pacific Railroad 1000 feet to a point; thence South along the West line of the Northeast Quarter (NE¼) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M. to a point of the South right-of-way of the Union Pacific Railroad; thence Westerly along the South right-of-way line of the Union Pacific Railroad 1,860.00 feet, more or less; thence in a Southeasterly direction to a point in the North line of Old Highway 40, which point is 70 feet North of and 509 feet West of the intersection of the center line of Old Highway 40 and the center line of Baughman Street in the City of Ellis; thence in a Southerly direction along the center of Big Creek to the point of intersection of Big Creek and the South line of the Northwest Quarter (NW¼) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence Southeasterly meandering on the East Bank of Big Creek to a point which is the Southwest Corner (SW/c) of Hesse Brothers Addition; thence in a Southerly direction meandering along the East Bank of Big Creek to the North line of the County Road; thence East to a point 632.28 feet West of the Southeast Corner (SE/c) of Block Four (4), Keagy's Third Addition to the City of Ellis; thence South 00 Degrees 51 Minutes 30 Seconds West 29.8 feet to the North line of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20)

West of the 6th P.M., thence North 90 Degrees 00 Minutes 00 Seconds West 52.44 feet along the North line of the Southwest Quarter of the Southeast Quarter (SW¹/₄ SE¹/₄) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence South 00 Degrees 17 Minutes 20 Seconds West 93.50 feet to a point; thence along a curve to the right having a radius of 180.13 feet, central angle of 34 Degrees 10 Minutes 32 Seconds, chord length of 105.86 feet, chord azimuth of South 63 Degrees 56 Minutes 33 Seconds West and arc length of 107.44 feet to a point; thence North 90 Degrees 00 Minutes 00 Seconds West 199.28 feet to a point; thence along a curve to the left having a radius of 100.00 feet, central angle of 84 Degrees 19 Minutes 46 Seconds, chord length of 134.25 feet, chord azimuth of South 47 Degrees 50 Minutes 07 Seconds West, and arc length of 147.18 feet to a point; thence South 05 Degrees 40 Minutes 14 Seconds West 145.60 feet to a point; thence South 05 Degrees 47 Minutes 11 Seconds West 189.26 feet to a point; thence South 09 Degrees 35 Minutes 59 Seconds West 392.88 feet to a point; thence South 11 Degrees 08 Minutes 32 Seconds East 197.92 feet to a point; thence South 00 Degrees 00 Minutes 00 Seconds East 67.58 feet to a point; thence along a curve to the left having a radius of 60.00 feet, central angle of 155 Degrees 22 Minutes 32 Seconds, chord length of 117.24 feet, chord azimuth of South 12 Degrees 18 Minutes 44 seconds East and arc length of 162.71 feet to a point on the South line of the Southwest Quarter of the Southeast Quarter (SW¹/₄ SE¹/₄) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., thence North 90 Degrees 00 Minutes 00 Seconds West along the South line of the Southwest Quarter of the Southeast Quarter (SW ¹/₄ SE ¹/₄) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M. a distance of 383.47 feet to a point 309.13 feet East of the Northwest Corner of the Northeast Quarter of Section Seventeen (17), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence South 00 Degrees 00 Minutes 00 Seconds East a distance of 450.00 feet; thence South 90 Degrees 00 Minutes 00 Seconds East a distance of 250.00 feet; thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 225.00 feet; thence South 90 Degrees 00 Minutes 00 Seconds East a distance of 470.00 feet; thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 225.00 feet to the North line of the Northeast Quarter of Section Seventeen (17), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North 90 Degrees 00 Minutes 00 Seconds West along the South line of the Southwest Quarter of the Southeast Quarter (SW ¹/₄ SE ¹/₄) of Section Eight (8), Township Thirteen (13), Range Twenty (20) West of the 6th P.M. a distance of 32.05 feet; thence North 00 Degrees 00 Minutes 00 Seconds East 116.10 feet to a point; thence North 10 Degrees 58 Minutes 10 Seconds West 348.27 feet to a point; thence North 08 Degrees 58 Minutes 34 Seconds East 345.60 feet to a point; thence North 17 Degrees 36 Minutes 09 Minutes East 378.59 feet to a point; thence along a curve to the left having a radius of 230.13 feet, central angle of 53 Degrees 19 Minutes 08 Seconds, chord length of 206.51 feet, chord azimuth of North 36 Degrees 08 Minutes 43 Seconds East and arc length of 214.16 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter (SW¹/₄ SE¹/₄) of Section Eight (8), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North 90 Degrees 00 Minutes 00 Seconds West 1.0 feet to a point; thence East 582.42 feet to the Southeast corner (SE/c) of Block Four (4), Keagy's Third Addition to the City of Ellis; thence South 364 feet; thence East 40 feet; thence South on a line parallel with and 757 feet West of the East line of said Section 8, a distance of 975 feet to the South line of said Section Eight (8); thence South on a line parallel with the East line of Section Seventeen (17), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., a distance of 981.70 feet; thence East on a line parallel with the North line of said Section Seventeen (17), a distance of 757 feet to a point on the East line of said Section Seventeen (17); thence South along the East line of said Section Seventeen (17) to the Southwest Corner (SW/c) of the Northwest Quarter (NW¹/₄) of Section Sixteen (16), Township Thirteen (13) South, Range Twenty (20) West of the 6th

P.M.; thence South 89 Degrees 20 Minutes 5 Seconds East along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Sixteen (16), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., also known and described as the South line of East 22nd Street in the City of Ellis 2640.07 feet to the Southeast Corner (SE/c) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Sixteen (16), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North 00 Degrees 22 Minutes 53 Seconds East along the East side of the Northwest Quarter (NW $\frac{1}{4}$) of Section Sixteen (16), Township Thirteen (13) South, Range Twenty (20) West of the 6th Principal Meridian 1961.05 feet to a point; thence North 78 Degrees 34 Minutes 08 Seconds East 865.86 feet to a point; thence North 12 Degrees 46 Minutes 22 Seconds East 91.75 feet to a point; thence North 89 Degrees 28 Minutes 25 Seconds East 972.45 feet to a point; thence North 1 Degree 26 Minutes 8 Seconds East 441.03 feet to a point on the South Side of the Southeast Quarter (SE $\frac{1}{4}$) of Section Nine (9) Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North 89 Degrees 28 Minutes 25 Seconds East 785.15 feet along the South side of the Southeast Quarter (SE $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M. to the Southeast Corner (SE/c) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North 00 Degrees 24 Minutes 33 Seconds West 573.16 feet along the east side of the Southeast Quarter (SE $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M. to a point on the South right-of-way of Old Highway 40, now Ellis County right-of-way; thence North 59 Degrees 55 Minutes 40 Seconds West 1061.15 feet along said County right-of-way to a point; thence North 58 Degrees 59 Minutes 22 Seconds West 1813.87 feet along said County right-of-way to a point; thence Northwesterly along the South line of Old Highway 40 to the East line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence North along the East line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., and the East line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., to the South line of Section Four (4), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M.; thence West along the South line of Section Four (4), Township Thirteen (13) South, Range Twenty (20) West of the 6th P.M., to the place of beginning.

Neighborhood Revitalization Boundary Area Map



Part 2: Assessed Valuation of Real Property

Per the Ellis County Clerk, the assessed valuation of taxable real estate within the designated area is \$16,165,335.

Part 3: Listing of Owners of Record in Area

Each owner of record of each parcel of land within the Neighborhood Revitalization area, along with its corresponding address, is on file in the Ellis County Appraiser's Office.

Part 4: Zoning Classification, District Boundaries, and Land Use Maps

Maps indicating the existing zoning classifications, district boundaries, and the existing and proposed land uses can be viewed in the office of the City Clerk of Ellis, Kansas, located at 815 Jefferson Street.

Part 5: Capital Improvements Planned for the Area

The Plan does not include any proposals for improving or expanding municipal services as described in K.S.A. 12-17,117(a)(5) and, if any proposals for any such improvements or expansions of municipal services are hereafter proposed by the Governing Body, then any such proposal will be prepared and considered independently of this Plan.

Part 6: Criteria for Determination of Eligibility and Rebate Formula

Criteria for Determination of Eligibility

- A. "Structure" means any building, wall, or other structure, including the building and improvements to existing structures and fixtures assimilated and attached to the real estate.
- B. The Neighborhood Revitalization Plan shall continue indefinitely, until and unless it is terminated or modified as provided by law by one or more of the three taxing entities (City, County, or USD 388 School District).
- C. New construction and remodeling of commercial and industrial properties, single-family homes, and purpose-built multifamily housing will be allowed into the program.
- D. A minimum investment of \$15,000 for residential improvements or \$25,000 for commercial properties is required for program eligibility. Cost estimates of the proposed investment must be submitted with the application.
- E. Improvements and new construction must conform to all applicable building/fire codes, rules, and regulations in effect at the time the improvements are made, and if applicable, the project must be issued a building permit. If the owner/developer fails to conform to this section, the rebate application may be terminated.

- F. Any property taxpayer who is delinquent on **any and all** Federal, State or local tax payment(s) and/or special assessment may not be eligible for the current rebate or future rebate. Real estate property tax payment deadlines are December 20 (first half) and May 10 (second half). If tax payment is not received by December 31 for the first half and May 15 for the second half, the current year rebate will no longer be eligible to be received and will be forfeited. If prior year taxes are due, they must be paid before a property is eligible to receive the current year rebate and future year rebates.
- G. Only one application will be allowed per project.
- H. A multi-year project shall only be allowed if approved at the time of application as a phased project.
- I. Tax rebate will be based on the increase of appraised value on January 1, the year after completion. That fixed dollar differential will be the incremental difference used for calculating the tax rebate for the entire 10 years; however, the County Appraiser has the right to adjust the tax rebate amount if, due to certain circumstances, the rebate amount is higher than the tax amount established from a revised evaluation, such as may happen upon a tax or valuation appeal.
- J. Tax rebate transfers with ownership of the property.
- K. Applications must be submitted and approved prior to the commencement of any construction on a project.
- L. Construction must be completed within one year from the date of permit. Extensions beyond that period will be considered on a case-by-case basis by the County Appraiser.
- M. All projects must receive a “Certificate of Compatibility” issued by City Staff before the County Appraiser accepts the tax rebate application.
- N. Project improvements shall be 100% complete prior to the first tax rebate payment being paid by the County.
- O. Any appeals will be to the City Council and must follow established rules and regulations for an appeal.
- P. All project improvements must comply with local building codes and flood plain regulations, if applicable.

CRITERIA FOR RESIDENTIAL AND COMMERCIAL PROPERTY REBATE

RESIDENTIAL REBATE:

Criteria:

\$15,000.00 Minimum investment for residential improvements.

Rebate Formula:

95% of increased taxes (based on assessed value after improvements) paid in the first year after completion of construction and each year thereafter for 10 years.

COMMERCIAL REBATE:

Criteria:

\$25,000.00 Minimum investment for commercial improvements.

Rebate Formula:

95% of increased taxes (based on assessed value after improvements) paid in the first year after completion of construction and each year thereafter for 10 years.

Residential AND Commercial:

- 5% of the increased tax bill will be withheld annually by the County for administration of the plan.
- Properties on the National or Kansas Historical Registry will be eligible for a 100% rebate.
- A \$100.00 up-front, non-refundable application fee will be charged to cover the administration and processing of the application.

(Part 1, continued)

Improvements and Associated Cost: (Attach drawings and dimensions)

(Use additional sheets if necessary)

Ellis County, Appraised Value, January 1, _____ \$ _____

Estimated or Actual Date of Completion: _____

Estimated or Actual Cost of Improvements: Materials \$ _____ Labor \$ _____
(Documentation is needed to support these)

The applicant is hereby informed that the difference in value before and after rehabilitation will be determined by the change in appraised value and may not equal the dollars spent.

List of buildings proposed to be demolished, if any:

Does the applicant own the land? (circle one) yes no

Will the proposed project be on a foundation? (circle one) yes no

Will it be permanently attached to the property? (circle one) yes no

I have read and do hereby agree to follow all application procedures and criteria. I further understand that this application will be void one year from the date below, if improvements or construction hasn't begun. I further agree to complete the questionnaire attached to this application.

Signature of Applicant

Date

• A non-refundable \$100 application fee must accompany this application.

FOR COUNTY APPRAISER'S USE ONLY

Based upon the above listed improvements and associated costs supplied by the applicant, the improvement (circle one) will/ will not meet the terms for a tax rebate.

By: _____ Date: _____
(Ellis County Appraiser's Office)

Certificate of Compatibility (if required) (circle one) yes no
Proposed improvements (circle one) will meet/ will not meet minimum requirements.

Part 2

**Application for Tax Rebate under the City of Ellis
Neighborhood Revitalization Plan**

COMMENCEMENT OF CONSTRUCTION

Construction Estimated to Begin On: _____ Building Permit No: _____
(Where applicable)

Estimated Date of Completion of Construction: _____

By: _____ Date: _____
(Applicant's Signature)

Part 3

**APPLICATION FOR TAX REBATE
STATUS OF CONSTRUCTION/COMPLETION**

_____ Project incomplete as of January 1, following commencement.

_____ Project complete as of January 1, following commencement.

Signed: _____ Date: _____
(Applicant)

FOR COUNTY APPRAISER'S USE ONLY

The Above Improvements:

- Meets the \$15,000 Minimum Investment for Residential Property
- Does Not Meet the \$15,000 Minimum Investment for Residential Property

- Meets the \$25,000 Minimum for Commercial Property
- Does Not Meet the \$25,000 Investment for Commercial Property

By: _____ Date: _____
(Ellis County Appraiser's Office)

FOR COUNTY CLERK'S OFFICE USE ONLY

As of _____, 20____, Taxes on This Parcel: Are Current/Are Not Current.

By: _____ Date: _____
(Ellis County Clerk's Office) _____ (Ellis County Clerk's Office)

Part 8: Application Procedure

1. Applications for Tax Rebate under the City of Ellis Neighborhood Revitalization Plan are available at the Ellis City Hall, 815 Jefferson St., Ellis, KS. The City Administrator/Clerk is the contact person.

Complete Part 1 of the application within 60 days of building permit issuance on any improvement or new construction for which a tax rebate will be requested and attend a City Council Meeting at which the application shall be considered for approval. City Staff will forward the approved application to the County Appraiser for further review and approval following action by the City Council.

2. If an application is denied for any reason, the applicant may appeal the decision of the City or the County to the City Council.
3. After approval, Part 1 of the application must be filed with the County Appraiser's Office, with a nonrefundable \$100.00 application fee.
4. The County Appraiser's Office will return a copy of Part 1 to the applicant within fifteen (15) working days, indicating approval or denial of the project.
5. For any improvement that is only partially completed as of January 1, following the commencement of construction:
 - a. The owner-applicant shall file Part 3 of the application with the County Appraiser indicating the status of construction on January 1. Part 3 shall be filed on or before December 15, preceding the commencement of the tax rebate period.
6. For any improvement that is completed on or before January 1, following the commencement of construction:
 - a. The owner-applicant shall file Part 3 of the application with the County Appraiser on or before December 15, preceding commencement of the tax rebate period, certifying the completion of construction.
7. Upon completion, the County Appraiser shall conduct an on-site inspection of the construction project (improvement, rehabilitation, or new) and determine the new valuation of the real estate accordingly, which may include an interior inspection if the appraiser deems it necessary. The valuation is then reported per K.S.A. 79-1466. The tax records may be revised.
8. Upon filing of Part 3, and the determination of the new valuation of said real estate, the form will be filed with the County Clerk and the County Appraiser certifying the project is in compliance with the eligibility requirements for a tax rebate and shall notify the owner-applicant immediately.

9. **Upon payment in full of the real estate tax** for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Ellis County to the other taxing units, a tax rebate in the amount of the tax increment (less an administrative fee as specified in the Interlocal Agreement) shall be made to the owner. The tax rebate shall be made by the County Treasurer's Office of Ellis County through the Neighborhood Revitalization Fund established in conjunction with the other taxing units participating in an Interlocal Agreement. A periodic report from Ellis County shall be made available upon request to the local taxing units.