

(Published in the *The Rose Hill Reporter*, April 14, 2016)

**ORDINANCE NO. 646**

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF ROSE HILL, KANSAS FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES.**

**WHEREAS**, Article 11, Section 13 of the Kansas Constitution permits the governing body of any city by ordinance to exempt from ad valorem taxation all or any portion of the appraised valuation of all buildings, together with the land upon which such buildings were located, and all tangible personal property associated therewith used exclusively by a business for the purpose of manufacturing articles of commerce for not more than ten (10) calendar years after the calendar year in which the business commences its operations or in which expansion of an existing business is completed; and

**WHEREAS**, the governing body of the City of Rose Hill, Kansas (the "City"), after conducting a public hearing pursuant to published notice as provided by law, has determined that property belonging to Viking Corporation (the "Company") and used exclusively in the Company's business of manufacturing articles of commerce should be granted tax exemption for economic development purposes; and

**WHEREAS**, the governing body of the City has by previously adopted resolution made the findings of fact required by K.S.A. 79-251;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, KANSAS:**

**Section 1. Grant of Exemption.** In accordance with Article 11, Section 13 of the Kansas Constitution, and pursuant to K.S.A. 79-251, Resolution No. 549 of the City and this Ordinance, the following described property located at 731 S. Industrial Court in the City is hereby exempted from ad valorem taxation for a term of ten (10) calendar years, commencing with the calendar year 2016:

Lot 1, and the south half of Lot 2, all in Block 1, in the final plat of the Rose Hill Industrial Park First Addition, lying in a portion of the southwest quarter of Section 6, Township 29 South, Range 3 East of the 6<sup>th</sup> P.M., an addition to the City of Rose Hill, Butler County, Kansas.

**Section 2. Authorization of Development Agreement for Tax Abatement and Donation Agreement.** The forms of the Development Agreement for Tax Abatement and Donation Agreement exhibited to the governing body of the City at this date are hereby approved, with such minor corrections or modifications as may be approved by the Mayor, such approval to be conclusively evidenced by execution of such agreement by the Mayor and City Clerk, and the

Mayor and City Clerk are hereby authorized to execute such Development Agreement for Tax Abatement and Donation Agreement on behalf of the City.

**Section 3. Transferability of Exemption.** The ad valorem tax exemption granted by this ordinance is not transferable if there is a change in ownership of the exempt assets without the express approval of the City if there is a change in ownership of the exempt assets.

**Section 4. Copies of Documents.** The City will provide the owner of the property and the County Appraiser of Butler County, Kansas a copy of this ordinance, a copy of the fully executed Development Agreement for Tax Abatement, a copy of the fully executed Donation Agreement and copies of the other proofs of compliance with the requirements of K.S.A. 79-251.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, signature and publication in the official city newspaper as provided by law.

**PASSED AND SIGNED April 4, 2016.**

(SEAL)

Attest:



*Beth Pompa*  
Beth Pompa, Mayor

*Kelly Mendoza*  
Kelly Mendoza, City Clerk

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CERTIFICATE OF COPY

I hereby certify that the attached copy is a true and correct copy of Ordinance No. 646 of the City of Rose Hill, Kansas duly passed by the governing body, signed by the Mayor, and published in the official City newspaper on the respective date stated therein, and that the signed original of such Ordinance is on file in my office.

[SEAL]



*Kelly Mendoza*  
City Clerk