

**ORDINANCE NO. 2017-3115**

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF CONCORDIA, 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 Concordia, Kansas (the "City"), after conducting a public hearing pursuant to published notice as provided by law, has determined that property belonging to Concordia Technologies, LLC (the "Company"), with operations commenced by May 1, 2017, 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 CONCORDIA, 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. 986 of the City and this Ordinance, currently existing buildings located on the following described property are hereby exempted from ad valorem taxation for a term of ten (10) calendar years, commencing with the calendar year 2018:

The East Four Hundred (400) feet of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Thirty-five (35), Township Five (5) South, Range Three (3) West of the 6th P.M., in Cloud County, Kansas, lying North of the Highway right-of-way, in said quarter section; and

Lots One (1) and Three (3) in Block B, in Nor'east Industrial Park, an addition to the City of Concordia, Cloud County, Kansas according to the recorded Plat thereof;

Lot One (1) in Block C in Nor'east Industrial Park, an addition to the City of Concordia, Cloud County, Kansas, being a part of a tract of land lying in the NE/4 of the SE/4 of Section 34, Township 5 South, Range 3 West of the 6th P.M., Cloud County, Kansas and;

Lots Two (2) and Three (3) in Block C, Nor'east Industrial Park, an addition to the City of Concordia, Cloud County, Kansas according to the recorded plat thereof.

**Section 2. Authorization of Tax Incentive Agreement and Agreement for Payment in Lieu of Taxes.** The forms of the Tax Incentive Agreement and Agreement for Payment in Lieu of Taxes 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 agreements by the Mayor and City, and the Mayor and City are hereby authorized to execute such agreements 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.


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

**Section 5.** This ordinance shall be summarized for publication as follows:

On February 22, 2017, the City of Concordia adopted Ordinance No. 2017-3115, granting exemption from ad valorem taxation for Concordia Technologies, LLC for a term of ten (10) years. A reproduction of this ordinance will be available for not less than one week following the publication of this summary of the ordinance at the website address of the City of Concordia, <http://www.concordiaks.org>. This summary is certified by the city attorney to be legally accurate and sufficient.


**Section 6. 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** by the governing body of the City of Concordia, Kansas, on February 22, 2017, and **SIGNED** by the Mayor.

  
\_\_\_\_\_  
Charles P. Lambertz, Mayor

(SEAL)

Attest:

  
\_\_\_\_\_  
Stacey Smith, 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. 2017-3115 of the City of Concordia, Kansas duly passed by the governing body, signed by the Mayor, and the summary 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]

  
\_\_\_\_\_  
City Clerk