

(Published in the *COLBY FREE PRESS* on December 4, 2024)

**RESOLUTION NO. 1217**

**A RESOLUTION OF THE CITY OF COLBY, KANSAS, STATING THAT THE CITY IS CONSIDERING ESTABLISHMENT OF A STAR BOND PROJECT DISTRICT WITHIN AN ELIGIBLE AREA OF THE CITY AND PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER SUCH ESTABLISHMENT UNDER THE AUTHORITY OF THE STAR BOND ACT.**

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**WHEREAS**, pursuant to K.S.A. 12-17,160 *et seq.*, as amended (the “Act”), the City of Colby, Kansas (the “City”) is authorized to create a STAR bond project district within an eligible area of the City for certain purposes set forth in the Act; and

**WHEREAS**, the City is considering establishment of a STAR bond project district to be known as the “Colby STAR Bond Project District” to promote, stimulate and develop the general and economic welfare of the State of Kansas and the City as a major commercial entertainment and tourism area; and

**WHEREAS**, the City intends to hold a public hearing to consider establishment of the “Colby Star Bond Project District” which shall be generally located south of Walking Trail Lane, west of Sewell Avenue, north of and including the Oasis Travel Center, and east of the western City limit, and also including the property within City limits and east of Sewell Avenue, South of Davis Avenue, west of Franklin Avenue and north of Interstate 70, all within the City; and

**WHEREAS**, the Act provides that prior to creating any STAR bond project district, the City will, by resolution, call a public hearing to consider establishment of the STAR bond project district and will give notice of the public hearing in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, AS FOLLOWS:**

**Section 1. Public Hearing.** Notice is hereby given that the City Council will conduct a public hearing to consider establishment of the Colby STAR Bond Project District on December 17, 2024 at 5:30 p.m. or as soon thereafter as possible, in the Council Chambers, 585 N. Franklin Avenue, Colby, Kansas. At the public hearing, the City Council will consider findings necessary for establishment of a STAR bond project district. Following the conclusion of the public hearing, the City Council will consider an ordinance making certain findings related to and establishing the Colby STAR Bond Project District.

**Section 2. District Boundaries and Location.** The legal description of the proposed boundaries of the Colby STAR Bond Project District are described on *Exhibit A* attached hereto. A map generally outlining the boundaries of the proposed Colby STAR Bond Project District is attached hereto as *Exhibit B*. A description and map of the proposed Colby STAR Bond Project District will be available for inspection at 585 N. Franklin Avenue, Colby, Kansas during regular business hours.

**Section 3. District Plan.** The Colby STAR Bond Project District plan is as follows:

The buildings and facilities to be constructed or improved in the Colby STAR Bond Project District generally include a mixed-use development consisting of some or all of the following uses: exhibition uses; amusement uses; entertainment uses; museum uses; retail uses; restaurant uses; other general commercial development; hotel uses; visitor amenities; and associated public and private infrastructure. The Colby STAR Bond Project District may consist of multiple STAR bond project areas as delineated in one or more STAR bond project plans to be approved for property within the STAR bond project district.

**Section 4. Applicable Incentives.** The following state, federal, and local tax incentives apply, or are anticipated to apply, within the Colby STAR Bond Project District, or a business located or to be located within the Colby STAR Bond Project District:

STAR bond financing; tax exempt financing; community improvement district financing; general improvement and assessment financing; and/or economic development revenue bond financing and related tax abatements and exemptions.

**Section 5. Notice.** The Clerk will give notice of the public hearing in accordance with the provisions of the Act, which include that a copy of this Resolution, including *Exhibits A* and *B*, will be:

(a) provided via certified mail, return receipt requested, to the Board of County Commissioners of Thomas County, Kansas and the Board of Education of USD 315, Thomas County, Kansas (Colby);

(b) provided via certified mail, return receipt requested, to each owner and occupant of land within the proposed Colby STAR Bond Project District not more than 10 days following the date of adoption of this Resolution;

(c) published once in the official City newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing; and

(d) posted at a prominent location on the first page of the website of the City.

**Section 6. Bond Authority; Reimbursement.** The Act provides that certain STAR bond project costs, interest on interim financing and associated financing costs are to be paid by the issuance of bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

**Section 7. Further Action.** The Mayor, City Manager, and other officials and employees of the City, including Gilmore & Bell, P.C., Special Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

**Section 8. Effective Date.** This Resolution shall be effective upon adoption by the City Council.

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ADOPTED by the City Council of the City of Colby, Kansas on November 19, 2024.



*Lee Leiker*  
\_\_\_\_\_  
Lee Leiker, Mayor

*Joni Ketchum*  
\_\_\_\_\_  
Joni Ketchum, Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the foregoing resolution of the City of Colby, Kansas, adopted by the City Council on November 19, 2024, as the same appears of record in my office.

DATED: November 19, 2024.

*Joni Ketchum*  
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Joni Ketchum, Clerk

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## EXHIBIT A

### Legal Description of Proposed STAR District

Preliminary Legal Description included, to be confirmed via survey.

An area of land in the Southeast and Northeast Quarters of Section 12, Township 8 South, Range 34 West; the Northwest and Southwest Quarters of Section 7, Township 8 South, Range 33 West; the Northwest and Northeast Quarters of Section 18, Township 8 South, Range 33 West, and Northeast Quarter of Section 13, Township 8 South, Range 34 West of the Sixth Principal Meridian, in the City of Colby, Thomas County, Kansas described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of Section 12, Township 8 South, Range 34 West, said corner being the Southwest corner of I-70 Industrial Park;  
thence North along the West line of the Southeast Quarter of said Section 12, 2646.6 feet, more or less to the Northwest corner of said Quarter Section, said corner being the Northwest corner of I-70 Industrial Park;

thence East along the North line of the Southeast Quarter of said Section 12, 2154.8 feet, more or less to the Southwest corner of a tract of land recorded as The Western State Bank, Book 249, page 787;

thence North along the West line of said tract to the Southwest corner of Saddler Family Grounds Addition, 235.2 feet, more or less;

thence East along the South line of said addition to the Southwest corner of Lot 1 in said addition 213.5 feet, more or less;

thence North along the West line of said Lot 1 to the Northwest corner of said Lot 1, 125.0 feet, more or less;

thence East 286.5 feet, more or less along the North line of said lot 1 extended to the east line of said Section 12;

thence continuing east in the Northwest Quarter of Section 7, Township 8 South, Range 33 West 159 feet, more or less to the east line of Frontage Road in Lot 1, Block 1, Davis Addition No. II;

thence North along the West line of said Lot 1 525.0 feet, more or less to the Northwest corner of said Lot 1;

thence East along the North line of said Lot 1 489.6 feet, more or less to the Northeast corner of said Lot 1;

thence South along the East line of said lot 1 620.9 feet, more or less to the North line of Williams Avenue;

thence West along the North line of Williams Avenue 130.0 feet, more or less to the extended East line of the North-South Alley of Block 1, Replat of Block 1, Davis Addition No. 1;

thence South along the East line of said alley, 736.8 feet, more or less to the Southwest corner of Lot 15 of Block 1 of said addition;

thence East along the South line of said Lot 15, 62.1 feet more or less to the West line of Lot 16, Block 1, of said addition;

thence South along the West line of said Lot 16, 110.0 feet more or less, to the North line of the East-West Alley of Block 1 of said addition;

thence East along the North line of said alley extended 407.9 feet, more or less to the West line of Sewell Avenue;

thence South along the West line of Sewell Avenue 1340.0 feet, more or less to the extended North line of a tract of land recorded as Book 173, Page 482, said point being 60.0' west of the Northwest corner of Block 1, Dornoch Addition;

thence East along the North line of said tract, 705.2 feet, more or less to the West line of a tract of land recorded as WAL-MART, Book 167, Page 35;

thence North along the West line of said tract 203.4 feet, more or less to the Northwest corner of said tract;

thence East along the North line of said tract 782.0 feet, more or less to the West line of South Franklin Avenue;

thence South along the extended West line of South Franklin Avenue 921.5 feet, more or less to the North line of Section 18, Township 8 South, Range 33 West;

thence continuing South in the Northwest Quarter of Section 18, Township 8 South, Range 33 West 280.0 feet, more or less to the South line of Interstate 70 and the north line of Block 1, Rodenbeck Industrial Park;

thence West along said line 1394.6 feet, more or less to the Northeast Corner of Woofter 3<sup>rd</sup> Addition;

thence South along the East line of Woofter 3<sup>rd</sup> Addition 706.7 feet, more or less to the Southeast corner or Woofter 3<sup>rd</sup> Addition and the North right-of-way line of Horton Avenue;

thence East along said right-of-way line 246.5 feet, more or less to the Northeast corner of Dell Addition;

thence South along the east line of said addition 580.5 feet, more or less to the Southeast corner of Petro Lube Addition;

thence Southwesterly along a curve of said addition 938.0 feet, more or less to the Southwest corner of Petro Lube Addition;

thence North along the West line of said addition 690.7 feet, more or less to the South line of Dell Addition;

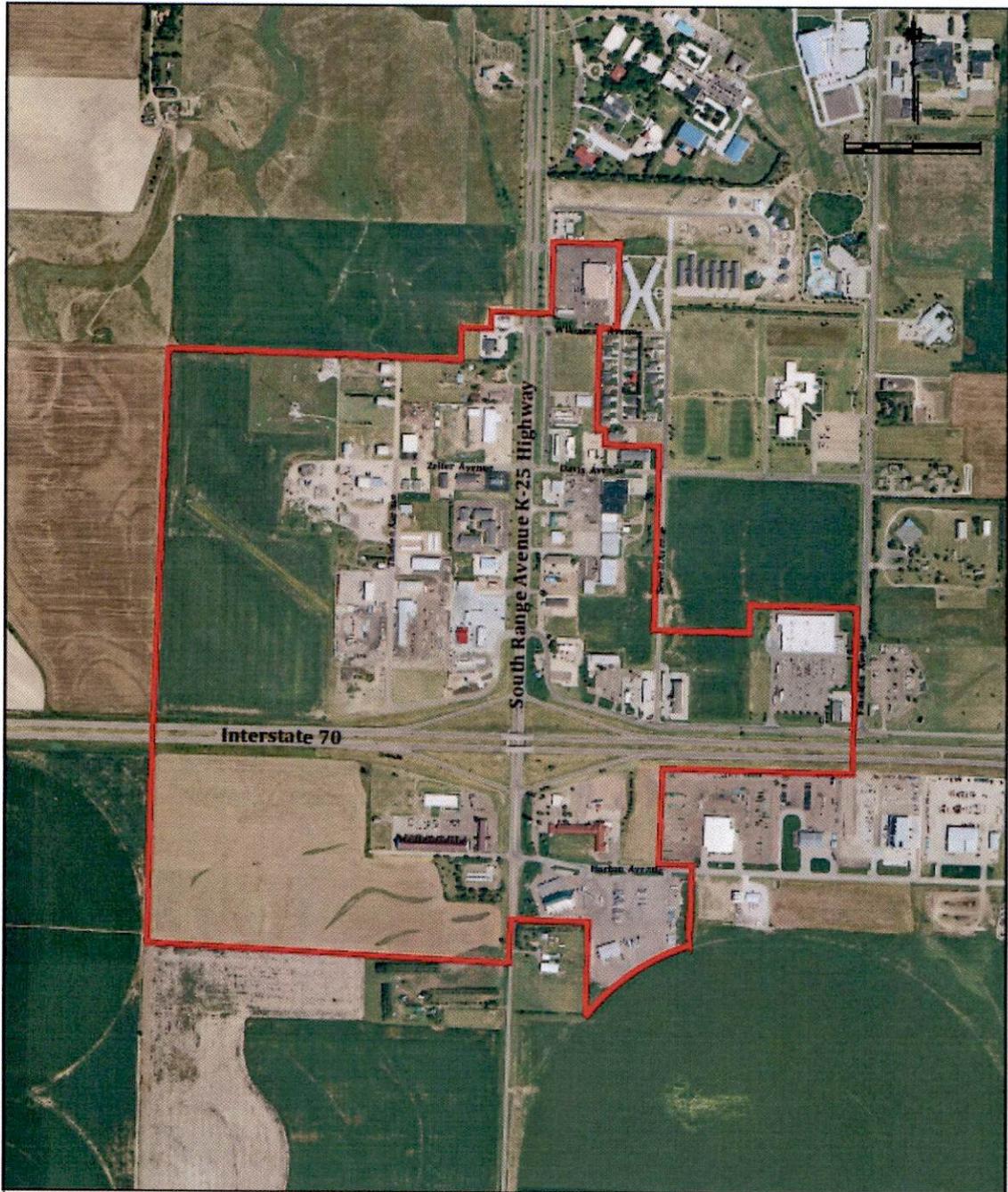
thence West along the extended said South line 575.4 feet, more or less to the East line of Section 13, Township 8 South, Range 34 West;

thence South along the East line of the Northeast Quarter of said Section 13, 318.0 feet, more or less to the extended South line of a tract of land owned by Wooden, Inc.;

thence West along said extended south line 2671.0 feet, more or less to the West line of said Northeast quarter;

thence North along the West line of said quarter, 1687.4 feet, more or less to the Northwest Corner of said Northeast Quarter of Section 13 and the Southwest Corner of 1-70 Industrial Park and the Point of Beginning.

EXHIBIT B



Proposed STAR District  
Boundary Sketch  
City of Colby, Thomas County, Kansas  
October 2024

