

(Published in the *Colby Free Press* on September 24, 2025)

RESOLUTION NO. 1233

A RESOLUTION OF THE CITY OF COLBY, KANSAS, PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER ADOPTION OF A STAR BOND PROJECT PLAN PURSUANT TO K.S.A. 12-17,160 ET SEQ.

WHEREAS, pursuant to K.S.A. 12-17,160 *et seq.* (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, pursuant to Ordinance No. 1679, adopted by the City Council on December 17, 2024, and published December 20, 2024 (the “District Creation Ordinance”), the City established a STAR bond project district known as the Colby Star Bond Project District (the “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 received from the Secretary of Commerce of the State of Kansas (the “Secretary”) a determination that the proposed Colby STAR Bond Project District is an “eligible area” as said term is defined in the Act; and

WHEREAS, pursuant to the Act, the City is authorized to undertake one or more STAR Bond projects within the District, which may be implemented in separate development stages, and prepare a STAR Bond project plan, in consultation with the City’s planning commission; and

WHEREAS, the City is considering adoption of the Colby STAR Bond Project Plan (the “Project Plan”) submitted to the City Council on this date, which has been prepared in consultation with the City’s Planning Commission pursuant to the Act and provides for the redevelopment of all real property within the District (the “Project Area”), as more particularly described on *Exhibit A* hereto; and

WHEREAS, on August 14, 2025, the City’s Planning Commission made a finding that the Project Plan is consistent with the intent of the City’s comprehensive plan for the development of the City; and

WHEREAS, a copy of the Project Plan will be delivered by the City to the Board of County Commissioners of Thomas County, Kansas and to the Board of Education of USD 315, Thomas County, Kansas (Colby); and

WHEREAS, the Act provides that prior to adoption, the City shall, by resolution, call a public hearing to consider adoption of the Project Plan and shall give notice of said 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 shall conduct a public hearing to consider adoption of the Project Plan on October 7, 2025, 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 a representative of the City shall present the Project Plan, the City Council will receive public comment on the Project Plan, and after the conclusion of such public hearing, the City Council may adopt the Project Plan by Ordinance passed upon a 2/3rds vote of the City Council in accordance with the provisions of the Act.

Section 2. STAR Bond Project Area. The Project Plan provides for the redevelopment of the Project Area, which consists of property 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. A map generally outlining the boundaries of the Project Area is attached hereto as *Exhibit B*.

Section 3. STAR Bond Project Plan. The Project Plan for the redevelopment of the Project Area may be described in a general way as a major multi-sport athletic complex as well as a major commercial entertainment and tourism area that will include a multi-purpose arena and equestrian center, retail uses, restaurant uses, hotel, lodging, and recreational vehicle resort uses, commercial amusement, recreation, and museum uses, and other general commercial development.

The Project Plan to be considered by the City Council at the public hearing includes, but is not limited to: (a) a summary of the feasibility study required by the Act; (b) a reference to the District Plan as described in the District Creation Ordinance; (c) a description and map of the Project Area; (d) the relocation assistance plan as required by the Act; (e) a detailed description of the buildings and facilities proposed to be constructed or improved within the Project Area; (f) the names of the owners, partners, officers or principals of any developer of the project and of any associated business partner of any developer of the project that is involved in the Project Plan; and (g) any other information the City Council deems necessary to advise the public of the intent of the Project Plan.

Section 4. Document Availability. Copies of the Project Plan, including a summary of the feasibility study, relocation assistance plan and any financial guarantees of the proposed developer and a description and map of the Project Area to be redeveloped within the District are public records and are available for public inspection at City Hall, 585 N. Franklin Avenue, Colby, Kansas, during regular business hours.

Section 5. Notice. The City Clerk will give notice of the public hearing in accordance with the provisions of the Act, which include that a copy of this Resolution and *Exhibits A* and *B* attached hereto, 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 Project Area 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.

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

Section 6. Further Action. The Mayor, City Manager, and other officials and employees of the City, including Gilmore & Bell, P.C., Bond 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 7. 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 September 2, 2025 and signed by the Mayor.

(SEAL)

Lee Leiker, Mayor

ATTEST:

Joni L Ketchum, City 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 September 2, 2025, as the same appears of record in my office.

DATED: September 2, 2025.

Joni L Ketchum, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF THE PROJECT AREA

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 3rd Addition;

thence South along the East line of Woofter 3rd Addition 706.7 feet, more or less to the Southeast corner or Woofter 3rd 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.

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EXHIBIT B
MAP OF PROJECT AREA

