

## RESOLUTION NO. 6528

### A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS CONCERNING POSSIBLE ANNEXATION OF THE FORMER FARMLAND PROPERTY NORTH OF EAST 23<sup>RD</sup> STREET

*Whereas*, the public health, safety and welfare of the community is among the highest priorities of the City of Lawrence, including the strongest protection of the environment, the use of land pursuant to the adopted comprehensive plan, and development of economic development opportunities; and

*Whereas*, the former Farmland Nitrogen plant, generally located on the north side of East 23<sup>rd</sup> Street outside the current City boundaries "the Farmland property", was formerly a significant employer in the Lawrence community; and

*Whereas*, the plant is currently idle, Farmland is in bankruptcy proceedings, the bankruptcy court has approved a bankruptcy plan of complete liquidation, and the Farmland property is currently on the market for sale; and

*Whereas*, both the Environmental Protection Agency (EPA) and the Kansas Department of Environment (KDHE) have established certain environmental mandates for the Farmland property, including certain requirements on certain portions of the Farmland property which will likely require extensive financial expenditures over an extended period of time; and

*Whereas*, the governing body of the City of Lawrence has substantial concern that if portions of the former Farmland property are sold, it will strand other portions of the plant with substantial liabilities for environmental clean-up and monitoring without any continuing entity to provide adequate resources to ensure compliance with environmental mandates; and

*Whereas*, the interests of the City of Lawrence will be harmed by the development of all or a portion of the Farmland property unless such development occurs with the certainty that all remediation and monitoring and other federal and state environmental requirements on all portions of the Farmland property are or will be satisfied.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF  
THE CITY OF LAWRENCE, KANSAS:**

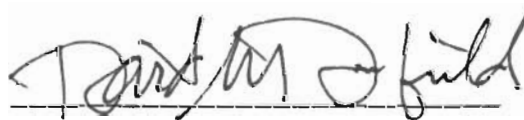
**Section 1.** The above recitals are incorporated by reference herein.

**Section 2.** It is the policy of the City of Lawrence that no portion of the Farmland property should be annexed into the City of Lawrence, and that City utility services, not existing on the date of adoption of this Resolution, should not be extended to any portion of the Farmland property, unless there is clear evidence and documentation that all remediation and monitoring and all other federal and state environmental requirements on all portions of the Farmland property are or will be satisfied.

**Section 3.** Copies of this Resolution shall be provided to the Farmland officials, and other appropriate entities and individuals.

**Adopted** this 2nd day of March, 2004.

PASSED:

A handwritten signature in black ink, appearing to read "David M. Dunfield", written over a horizontal line.

David M. Dunfield, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Frank S. Reeb", written over a horizontal line.

Frank S. Reeb, City Clerk