

ORDINANCE NO. 8842

AN ORDINANCE AUTHORIZING THE CITY OF LAWRENCE, KANSAS TO EXECUTE AND DELIVER THE ROCK CHALK PARK DEVELOPMENT AGREEMENT AND CERTAIN OTHER DOCUMENTS IN CONNECTION THEREWITH AND AUTHORIZING AND APPROVING AN ECONOMIC DEVELOPMENT GRANT OF CERTAIN FUNDS IN CONNECTION WITH THE ROCK CHALK PARK PROJECT.

WHEREAS, the City of Lawrence, Kansas (the "City") is a municipal corporation and political subdivision duly organized and validly existing as a city of the first class; and

WHEREAS, the City, RCP, LLC, a Kansas limited liability company ("RCP"), Bliss Sports, LC, a Kansas limited liability company ("Bliss Sports") and Bliss Sports II, LC, a Kansas limited liability company ("Bliss Sports II") desire to develop and construct on approximately 89 acres generally located at 6th Street and K-10 in the City a sports village ("Rock Chalk Park"), consisting of (i) an approximately 181,000 square foot recreation center, including parking and eight lighted tennis courts to be owned and operated by the City and located on approximately 26 acres (the "Recreation Center"), (ii) track and field, soccer, and softball facilities for Kansas Athletics, Inc. (the "Stadium Facilities") and (iii) certain additional amenities and infrastructure improvements, including parking and approximately five linear miles of walking trails, and all necessary sanitary sewer, potable water, storm sewer, water detention facilities, public and private streets, sidewalks and related improvements; and

WHEREAS, the City, RCP, Bliss Sports and Bliss Sports II have negotiated and desire to enter into the Rock Chalk Park Development Agreement (the "Development Agreement") that establishes the rights and responsibilities of the parties related to development and construction of the Rock Chalk Park; and

WHEREAS, the City will enter into a Purchase Agreement with RCP in connection with the City's acquisition of the approximately 26 acres of Rock Chalk Park to be owned by the City on which the Recreation Center will be located; and

WHEREAS, in connection with the development and construction of Rock Chalk Park certain impact, building permit, system development and other fees related to the development of Rock Chalk Park (the "Development Fees") will be paid to the City and the City has agreed to provide an economic development grant in the amount such fees to the parties who pay such fees in connection with the development of Rock Chalk Park; and

WHEREAS, the City further finds and determines that it is necessary and desirable that the City execute and deliver the Development Agreement, the Purchase Agreement and to make the economic development grant in connection with Rock Chalk Park and take certain other actions as herein provided;

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

Section 1. Authorization and Approval of Documents. The following documents are hereby approved in substantially the forms presented to and reviewed by the City (copies of which documents, upon execution thereof, shall be filed in the office of the City Clerk), and the officers of the City are hereby authorized to execute and deliver each of such documents (the "City

Documents") with such changes therein (including the dated date thereof) as shall be approved by the officials of the City executing such documents, such officials' signatures thereon being conclusive evidence of their approval and the City's approval thereof:

- (a) Development Agreement; and
- (b) Purchase Agreement.

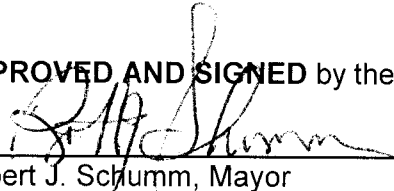
Section 2. Economic Development Grant. The City Manager of the City is hereby authorized and directed to make an economic development grant in the amount of the Development Fees to the party or parties that pay such fees.

Section 3. Further Authority. The City shall, and the officials, agents and employees of the City are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments, as may be necessary or desirable to carry out and comply with the intent of this Ordinance, and to carry out, comply with and perform the duties of the City with respect to the Development Agreement, the Purchase Agreement and the economic development grant.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the City and publication in the official newspaper of the City.

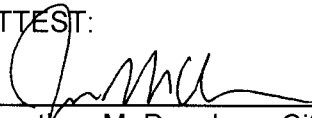
PASSED by the governing body of the City of Lawrence, Kansas on March 5, 2013.

APPROVED AND SIGNED by the Mayor.


Robert J. Schumm, Mayor

(Seal)

ATTEST:


Jonathan M. Douglass, City Clerk