



**CITY OF DERBY  
MEETING OF THE CITY COUNCIL  
SPECIAL MEETING  
July 16, 2015  
4:00 P.M.**

*Our mission is to create vibrant neighborhoods, nurture a strong business community, and preserve beautiful green spaces.*

---

1. **CALL MEETING TO ORDER**
2. **FLAG SALUTE**
3. **INVOCATION**
4. **ROLL CALL**
5. **NEW BUSINESS**
5. A. **Proposal for a STAR Bond Project District**

Recommend a Motion to:

- Adopt a resolution providing for notice of a public hearing to consider establishing a STAR bond project district.

6. **EXECUTIVE SESSION**
7. **ADJOURNMENT**

## City Council Special Meeting

5. A.

Meeting Date: 07/16/2015  
Submitted By: Kathy Sexton, City Manager  
Agenda Category: New Business

---

Subject:

### **Proposal for a STAR Bond Project District**

Guests:

- Rick Worner, Managing Director, National Realty Advisors
- Guy Gsell, Executive Producer, Field Station: Dinosaurs

Background:

- Mr. Rick Worner of Leawood, Kansas is developing a proposal for a destination development on the west side of Rock Road at the north end of town. The proposal is for a commercial entertainment and tourism district themed on dinosaurs.
- The project would be financed using STAR bonds, which is a program established by state law to allow the incremental sales tax revenues from the district to pay the debt service over time on bonds issued to pay for certain aspects of the development.
  - The sales tax rate does NOT increase for the district. Consumers would pay the same amount of state, county and city sales tax as they would pay in any other part of the city.
  - Instead of remitting a portion of sales tax to the state, county, and city, that portion would be used to pay debt service.
- Mr. Worner has developed STAR bond projects in Kansas City, Kansas (NASCAR racetrack area) and in other places, the closest of which are in northeast Wichita at K-96 (Wichita Sports Forum--in process) and in Goddard (natatorium for U.S. Olympic Swimming and Diving--in process), among others.
- Mr. Worner will introduce himself and his colleagues at the meeting. Mr. Gsell will make a presentation about his ideas for dinosaurs in Derby. Field Station Dinosaurs would anchor the destination development, and various retail and service businesses would also be in the district.

Financial/Sustainability Considerations:

- STAR bonds are a form of public/private partnership in which public funds (sales tax revenue) are used to pay for certain capital costs of creating a destination development.
- A feasibility study is underway and when completed will shed light on the financial aspects of the proposal.

Legal Considerations:

- Joe Norton of Gilmore & Bell, P.C., represents the City on this issue and will be present and available for questions.
- Per state law, the City Council begins the process of considering a STAR bond project request by having a public hearing on the matter. The attached resolution is recommended for Council consideration to set the hearing for August 25 at its regular Council meeting at 6:30 p.m.

Recommend a Motion to:

- Adopt a resolution providing for notice of a public hearing to consider establishing a STAR bond project district.

---

Attachments

Dinosaur Proposal  
Resolution

---



Stegosaurus

# Field Station: Dinosaurs - Derby

An Opportunity 65 Million Years in the Making



---

**Field Station: Dinosaurs** will produce a world-class, science theme park and family entertainment center in Derby, Kansas designed to attract tourism, increase foot traffic to local businesses, and serve the educational needs of the region.

Field Station: Dinosaurs is the ideal partner for this project; our management team has created, produced and launched some of the best known and highly acclaimed science themed exhibits and attractions in the country, including the World Science Festival, Discovery Times Square and Field Station: Dinosaurs.

Our mission is to create the next generation of great American scientists by producing immersive, interactive and entertaining attractions that appeal to family audiences while highlighting the mystery and adventure of scientific discovery.

**Field Station: Dinosaurs – Derby** will be a world-class dinosaur exhibition and major family attraction designed with a firm foundation in the world of science, an understanding of a child’s imagination and a Broadway producer’s flare for spectacle.

For **Field Station: Dinosaurs – Derby**, we will create a unique dinosaur exhibition featuring meticulously crafted, full-sized animatronic dinosaurs, a museum with a skeleton and fossil exhibit, a fossil dig-site and a 3D movie experience. Other highlights of this family attraction include an open-air amphitheater, an 18-hole miniature golf course, a tri-level ropes course under the dome, and a Fitness Trail Par Course.

Field Station: Dinosaurs is one of the most recognized dinosaur brands in the country and has been featured on *Good Morning, America*, *Nightline*, *Fox & Friends* and in press outlets ranging from *The New York Times*, *The Wall Street Journal* and *Businessweek* to *The Huffington Post* and *Maxim*.

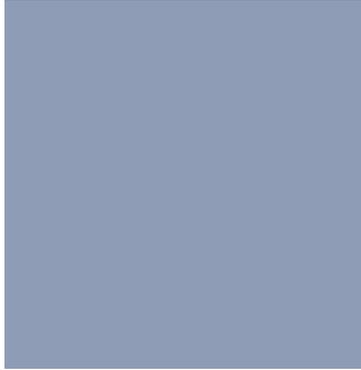
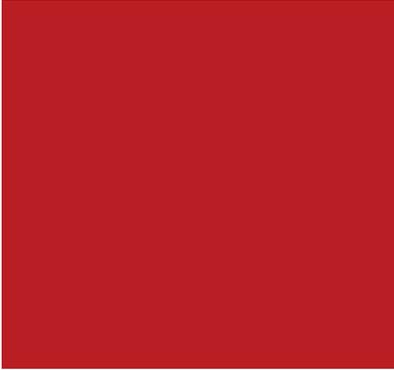
Our success is based on our ability to conceptualize and produce high quality family attractions at a competitive price and to support the exhibitions with educational programming, technical assistance, and proven marketing strategies and collateral.

**Field Station: Dinosaurs is committed to being good neighbors, supporting the business community and preserving beautiful green spaces in Derby.**

**We recognize the importance of participation and involvement in the regional community and in the state of Kansas.**

## Summary





## Our Demographic

### Families with children

We define our target demographic market as families with children between the ages of three and eleven. Our programming will serve students from pre-K -8th Grade, summer camp groups and daycare centers.

Our ticket buyers are

- **Wealthy** - 49% have an annual household income over \$100,000
- **Educated** - 51% have a bachelor degree or higher
- **Parents** - 72% report one or more children in the home

---

## The Story and the Science of Dinosaurs



Field Station: Dinosaurs – Derby will be a world-class family attraction and entertainment center created with a firm foundation in the world of science, an understanding of a child’s imagination and a Broadway producer’s flair for spectacle. We will build a unique indoor and outdoor attraction featuring:

- an outdoor exhibition and park with life-size artistically rendered animatronic dinosaurs with state of the art robotics,
- an indoor museum with dinosaur skeletons and fossils,
- educational programming aligned with STEM and the core curriculum of the state of Kansas,
- National Dinosaur Camp – an overnight science adventure,
- an open-air amphitheater,
- 3D movie venue,
- a ropes course under the dome,
- 18-hole dig-site themed miniature golf course,
- 20-station Fitness Trail Par Course
- a fossil dig site,
- a family picnic area with a fire pit, and
- Tricera-Shops, the Field Station’s souvenir gift shop and green screen photo opportunity.

We will create an immersive, fun, educational, and entertaining experience for every visitor.



## The Dinosaurs

The dinosaurs at Field Station: Dinosaurs – Derby will be the same magnificent, beautifully rendered dinosaurs that have been wowing children and generating press at Field Station: Dinosaurs in Secaucus, New Jersey.



# Field Station: Dinosaurs

is one of the most  
recognized dinosaur  
brands in the country.



## Featured on:

- Good Morning, America
- Nightline
- Fox & Friends
- *The New York Times*
- *The Wall Street Journal*
- *Businessweek*
- The Huffington Post



## The Heartland Dinosaur Museum

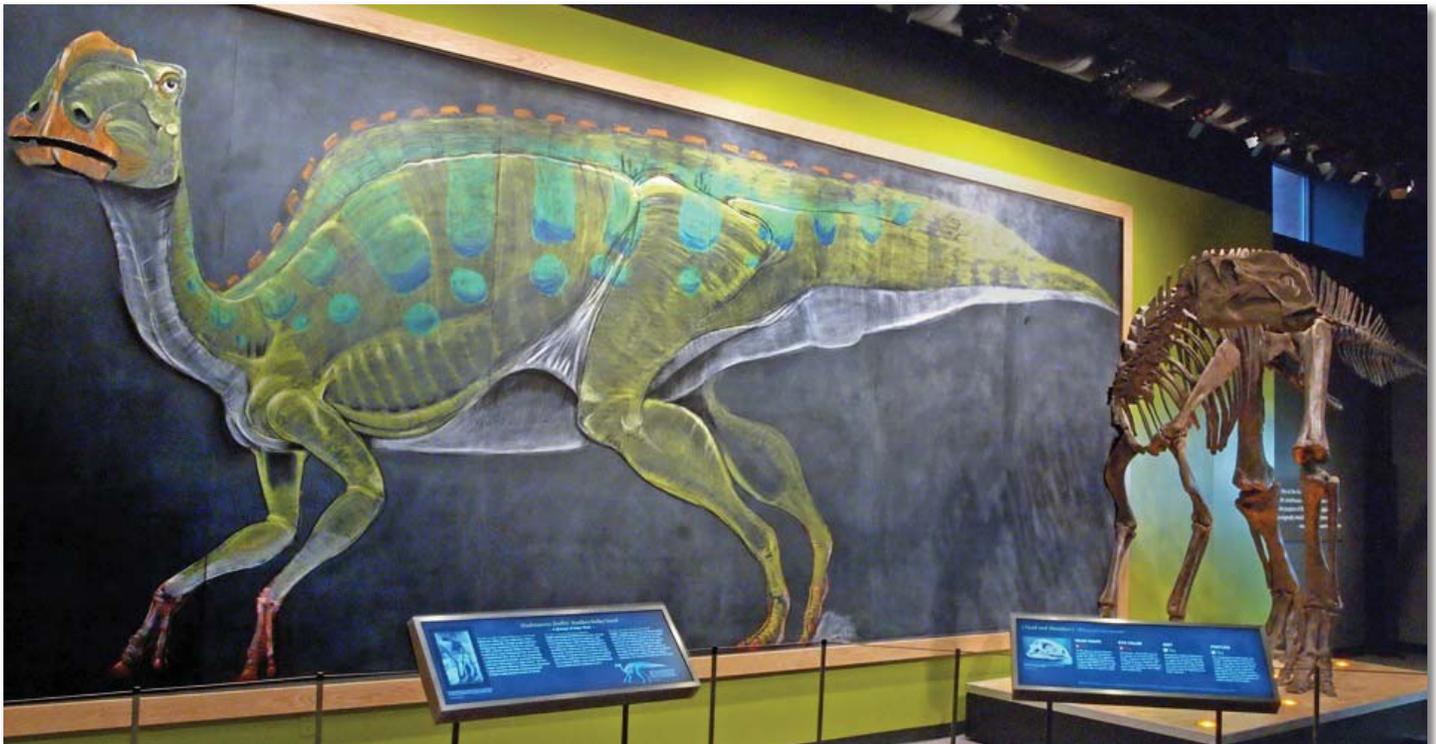


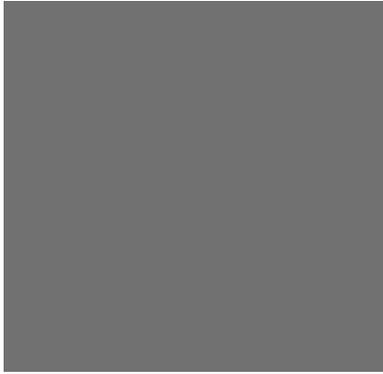
## Dinosaur Skeletons and Fossil Exhibit

In addition to the life-like animatronic dinosaurs, Field Station: Dinosaurs – Derby will be the home to the Heartland Dinosaur Museum. This indoor exhibition will feature skeletons, fossils and the Dinosaur Footprint Gallery.

## Dinosaur Footprint Gallery

Inside the exhibition, a giant world map will cover the floor and a garden of dinosaur footprint fossils will mark their discovery locations on the map. This Dinosaur Footprint Gallery will be surrounded by original illustrations by renowned paleo artist, Jason Poole from the Academy of Natural Sciences in Philadelphia.





Jason Schein  
Paleontologist  
NJ State Museum



## Educational Programming

Educational programming designed for Field Station: Dinosaurs – Derby will be aligned with the Core Curriculum Content Standards in Science Practices, Life Science and Earth Systems Science for the State of Kansas.

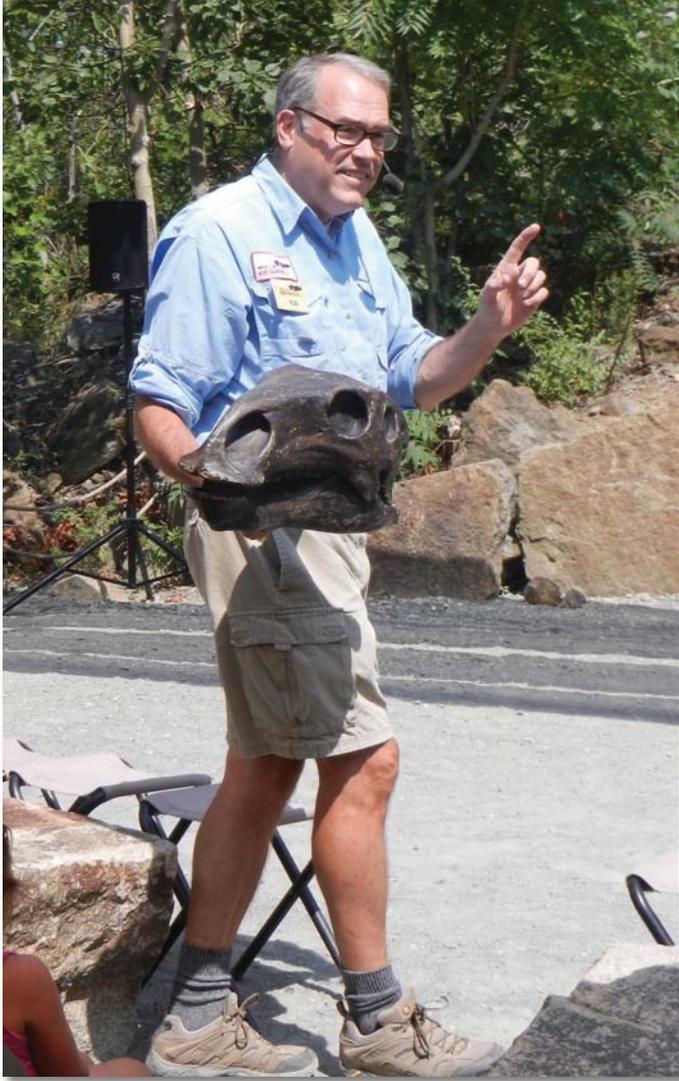
Modeled on our successful collaboration with the New Jersey State Museum, we will work closely with scientists and paleontologists from the University of Kansas to ensure quality in our educational programming.

**Field Station: Dinosaurs supports and partners with schools and libraries. We continually seek creative teaching opportunities while providing quality educational programming for guests of all ages.**

## Teachers are talking...

After 10 years of teaching kindergarten, I have finally found a class trip that my entire class truly enjoyed! They LOVED every moment of the trip. Our tour guide was patient and professional. The facility was cleaned and well maintained. We could have spent hours more there! We will be back!" - Christ the King, Manville, NJ

"We wanted to tell you what a WONDERFUL time we had on our field trip yesterday. It was so well organized, thanks to the terrific staff! It was a pleasure working with you in planning this awesome field trip for our third grade classes."  
- Lynn Crest School, Colonia, NJ



## National Dinosaur Camp

**National Dinosaur Camp** will be an adventure-filled summer jam-packed with outdoor exploring and scientific discoveries. Fun and engaging Trail Talks will cover the topics of environmental science, geology and paleontology. The Dinosaur Troubadour will lead the singing (and the dancing) while teaching kids about everything from what the dinosaurs ate to the link between dinosaurs and birds. National Dinosaur Camp will include:

- Paleontology Training
- Plaster Casting of Fossils
- Geology and Dinosaur History of Kansas
- Fossil Hunting
- River tubing
- Dinosaur Games including Raptor Feud and Mesozoic Concentration plus Nighttime Flashlight Scavenger Hunt
- Campfire with s'mores, songs and the Dinosaur Dance Party





## Open-Air Amphitheater

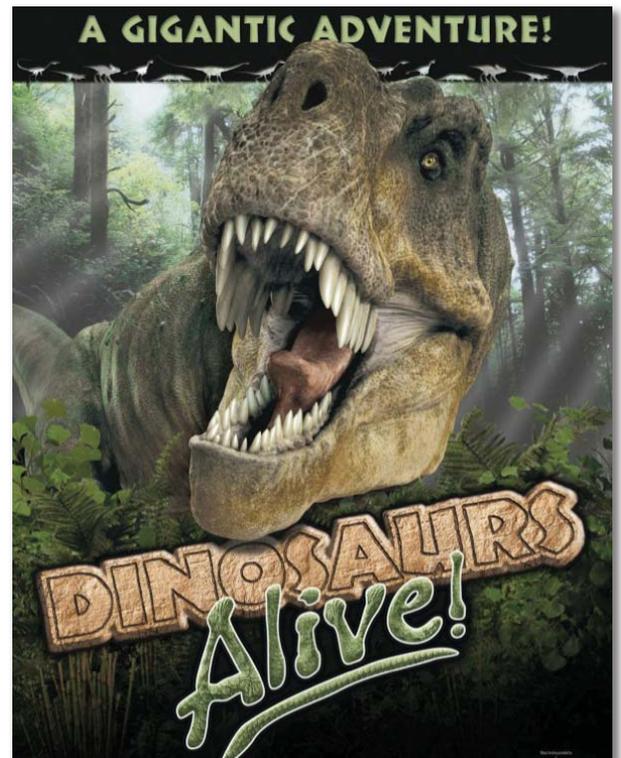


By day, this open-air performance space will be home to the many shows, games and dinosaur dance parties that delight, entertain, and teach visitors at the Field Station.

By night, this unique venue will be available to host special events, science lecture series, movies and music concerts while guests picnic under the stars.

## 3D Movie

Field Station: Dinosaurs – Derby will have a 3D movie venue that will host up to 100 guests per viewing of *Dinosaurs Alive!* This 20-minute film was produced in association with the American Museum of Natural History, and is perfect for student groups and families alike.





## Ropes Course under the Dome

Field Station: Dinosaurs – Derby will feature the very latest in ropes course design. This tri-level course is built under the dome so it can be active year-round. The first dome of this kind is scheduled to open in England in the fall of 2014. Nothing like this exists yet in North America. Field Station: Dinosaurs will bring the dome to Derby.





## 18-hole Miniature Golf

Fun for the entire family, our 18-hole miniature golf course will be constructed for interesting play and maximum throughput. Built to look like the famous paleontological dig site museum in Zigong, China and surrounded by a moat, it will feature traditional putt-putt golf favorites like contour change challenges, sand traps, and water features.





## Fitness Trail Par Course

Field Station: Dinosaurs – Derby will feature a Fitness Trail Par Course that will circle the perimeter of the dinosaur park. The Fitness Trail combines scientifically designed exercises with walking or jogging to provide a well-balanced physical fitness routine. The President’s Council on Physical Fitness and Sports has recognized the Fitness Trail as “an ideal resource for communities dedicated to improving the health and fitness of Americans.” The 20-station Fitness Trail at Field Station: Dinosaurs will be easily accessible and free for use by residents of Derby.

Field Station: Dinosaurs is committed to healthy living and will provide a beautiful and clean environment with recreational opportunities to engage with the residents of Derby.





## Fossil Dig Site



Buried treasures await discovery in the Field Station's dig site. Giant dinosaur skeletons and prehistoric fossils lurk beneath the surface waiting to be unearthed by our youngest scientists - ages 2 through 8.

## Tricera-Shops

### A store for dinosaur lovers

Field Station: Dinosaurs will provide a smartly designed pop-up retail store stocked with high quality Field Station: Dinosaurs product at a variety of price points. The store will be accessible to all park guests looking for unique dinosaur souvenirs and gifts.





## Employment Opportunities

In the height of the season, Field Station: Dinosaurs needs approximately 85 employees for a variety of positions. Box Officers, Park Guides, Performers including Musicians and Actors, Educators, Retail Customer Service Reps, Landscaping and Janitorial Services will all be needed to operate the park.

**As part of Derby's growing business community, Field Station: Dinosaurs will provide jobs for local residents.**



**Guy Gsell**, the founder of Field Station: Dinosaurs, is a nationally respected producer of live theater and exhibits with a career that spans thirty years and three continents. As the Executive Producer and creator of Field Station: Dinosaurs, Mr. Gsell developed a world-class, family friendly science theme park that combines live entertainment, dinosaur exhibitry and educational programming. Field Station: Dinosaurs has been named the Best Local Theme Park by Time Out/ NY and the second best Dinosaur Theme Park in the world by Maxim. In its first two seasons of operation, Field Station: Dinosaurs has welcomed over 250,000 visitors representing all fifty states, Europe, Asia and Africa.

As founding director of Discovery Times Square, a 40,000sf exhibition hall in the former New York Times building in Manhattan, Mr. Gsell was responsible for all aspects of the venue's start-up from conceptualization, through construction and launch - creating from scratch a major New York tourist attraction. He was a Producer at the 2011 World Science Festival and, for six years, Managing Director of the Two River Theater Company in Red Bank, New Jersey, where he took a small professional theater with an annual audience of 8,000 and operating budget of less than \$1 million and turned it into a major regional entertainment center with an audience of 54,000 and annual operating budget of \$4.2 million. While in Red Bank, Mr. Gsell oversaw the planning, construction and launch of the new state-of-the-art \$21,000,000 Two River Theater building.

Watch this Huffington Post video:  
[http://www.huffingtonpost.com/2013/07/17/field-station-dinosaurs\\_n\\_3611186.html](http://www.huffingtonpost.com/2013/07/17/field-station-dinosaurs_n_3611186.html)

**Jayne Powers**, Vice President and Chief Operating Officer. Jayme comes to the Field Station from Discovery Times Square where she was the Director of Operations leading the daily operations of the museum and managing one hundred employees in guest services, human resources, security, and building maintenance.

Before Discovery Times Square, Jayme was the Communications Director for the Two River Theater Co in Red Bank, NJ where she led the marketing, sales, public relations, audience services and front of house efforts. Jayme increased sales revenue by 48%, attendance by 37% and secured national press features on NPR's *All Things Considered* and ABC News Radio, and in *The Wall Street Journal*, *The New York Times*, *The Washington Post*, *Variety*, and *American Theatre Magazine*. As Director of Marketing and Public Relations for Philadelphia's Arden Theatre Co, Jayme increased the attendance by 25% and landed seven of the top ten best-selling shows in the company's 18-year history. Jayme was Director of Marketing and Programming at the Mann Center for the Performing Arts and Marketing Director for Seattle's ACT Theatre.

Prior to working in performing arts and exhibitions, Jayme spent ten years in the newspaper industry. She is a graduate from the University of Washington.

**David Waggett**, Counterpane Productions LLC. David brings 30 years of experience producing and managing world-class entertainment properties to the project. David was General Manager for the World Science Festival, a celebration and exploration of science taking place annually throughout NYC, where he presided over an expansion of programming and the commission of *Icarus at the Edge of Time*, a multimedia orchestral theater piece composed by Philip Glass.

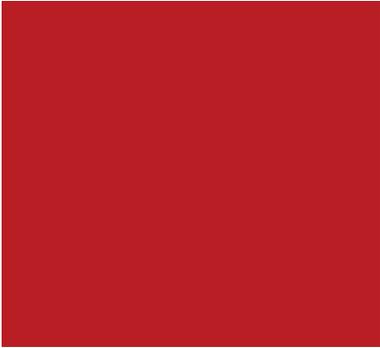
Before WSF, David worked for Running Subway, a theatrical and exhibit production company based in NYC. At Running Subway, David was the General Manager for *Bodies: The Exhibition*, *The Rock and Roll Hall of Fame Annex* and *Dr. Seuss' How The Grinch Stole Christmas: The Musical* on Broadway and on tour.

Before joining Running Subway, was General Manager at MSG/ Radio City Entertainment for their production of *Sinatra: His Voice, His World, His Way*. While at MSG, David was part of the producing team for the annual presentation of *A Christmas Carol*, the Broadway and National Touring productions of *The Scarlet Pimpernel*, and the National Tour of *The Wizard of Oz*, for which he also managed the merchandising operation.

## Meet the Team.

Guy Gsell,  
Executive Producer  
Field Station: Dinosaurs





**Marty Chafkin**, Owner of *Perfection Electricks*. Marty's recent projects include: Fox TV (Live Events), Tower Heist (Film), NFL (Draft Day - time clocks and displays), GM Auto Show (new product launch), Radio City Christmas Spectacular - (special effects), A Beautiful Mind (Film), Broadway: Little Mermaid, the Musical (electronic and illuminated props), Shrek, the Musical (electronic and illuminated props), Catch Me If You Can (special effects), Addams Family, the Musical (Uncle Fester's light bulb).

**Andy Hall**, *Scenic Design and Art Direction* From his work with Broadway directors such as Maria Aitken and Michael Mayer, to his recent work on the museum exhibition Leonardo's Workshop at Discovery Times Square, Andy has had a varied and active life as a designer. Currently he runs the scenic design department at SUNY Purchase where he teaches Design and Rendering. Andy has an MFA from NYU.

**Andrew Martini**, *President of Hayden Production Services*. Andrew has worked on theatrical productions, concerts, cruise ships, and corporate events from Hong Kong to Helsinki. Recent NYC credits include *Garden of Earthly Delights*, *Titanic: The Artifact Exhibition* and *Tutankhamun and the Golden Age of the Pharaohs*. Currently, Andrew is the touring production manager for *Dead Sea Scrolls: Life and Faith in Biblical Times*. So far, the exhibition has toured into six of the country's largest metropolitan markets. Andrew studied lighting design at USC and has over twenty years of experience in technical theater.

**Jason P. Shein**, *Paleontologist*. Jason is the Assistant Curator of Natural History at the New Jersey State Museum where he curates exhibitions, plans and implements educational programming, develops the plans for the renovation of the Museum's Natural History Hall, and conducts research into the state's natural history resources.

Jason's primary interests reflect his academic background in geology, paleontology, and paleoecology at Auburn University, and his early field-based paleontological experiences in the Late Cretaceous marine units of the Southeast and Western Interior regions of North America. Most Jason's research is devoted to vertebrate animals, including turtles, crocodiles, fish, and mosasaurs, that inhabited the shallow seas off of New Jersey's Late Cretaceous coasts. Jason has extended his research into the fields of Late Cretaceous dinosaurs and their ecosystems throughout North America and beyond. As a part of Drexel University's Southern Patagonia Dinosaur Project, he is helping to excavate and study some of the world's largest and newest dinosaurs in southern Argentina and their ecosystems.

## Meet the Team.

Jason Schein, Paleontologist  
New Jersey State Museum



Our management team has a track record of success developing and managing similar projects in the entertainment and exhibition industry. Our dinosaur educational programs and exhibitions are unlike any other in the country. The audience is demographically suited to Field Station: Dinosaurs - Derby in Kansas.

Field Station: Dinosaurs will develop relationships with area educators, community leaders, and local government to secure a successful launch of the family attraction.

Field Station: Dinosaurs will produce and oversee the management of the Museum and park. Field Station: Dinosaurs will commit the full weight of its marketing and press team for the successful launch of Field Station: Dinosaurs - Derby.

## Conclusion



**Sixty five million years ago dinosaurs ruled the earth.  
We're bringing them back!**

**Field Station: Dinosaurs**

973.748.4561 • [fieldstationdinosaurs.com](http://fieldstationdinosaurs.com)

Office: 365 Broad Street, Bloomfield, NJ 07003

Park: One Dinosaur Way, Secaucus, NJ 07094

**EXCERPT OF MINUTES OF A MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF DERBY, KANSAS  
HELD ON JULY 16, 2015**

The City Council met in special session at the usual meeting place in the City, at 4:00 p.m., Mayor RANDY WHITE and the following Councilmembers being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

Thereupon, a Resolution was presented entitled:

**A RESOLUTION OF THE CITY OF DERBY, KANSAS, PROVIDING FOR  
NOTICE OF A PUBLIC HEARING TO CONSIDER ESTABLISHMENT OF A  
STAR BOND PROJECT DISTRICT PURSUANT TO K.S.A. 12-17,160 *ET SEQ.***

Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea:

Nay:

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. \_\_\_-2015, and was signed by the Mayor and attested by the Clerk. The Clerk was directed to provide for notice of public hearing as set forth in K.S.A. 12-17,160 *et seq.*

\* \* \* \* \*

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Derby, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

\_\_\_\_\_  
Clerk

RESOLUTION NO. \_\_\_-2015

**A RESOLUTION OF THE CITY OF DERBY, 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 K.S.A. 12-17,160 ET SEQ.**

---

**WHEREAS**, pursuant to K.S.A. 12-17,160 et seq. (the “Act”), the City of Derby, 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 “Derby 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 “Derby Star Bond Project District” which shall be generally located along Rock Road from north of Patriot Avenue to Meadowlark Road and comprised of (a) a certain parcel situated north of Patriot Avenue and west of Rock Road (the “North Tract”), (b) a certain parcel situated on the west side of Rock Road south of Patriot Avenue to Tall Tree and on either side of Rock Road south of Tall Tree to Meadowlark Road (the “South Tract”); and (c) that portion of Patriot Avenue situated between the North Tract and the South Tract, and that portion of South Rock Road situated on the entire east side of the North Tract and then extending south to the intersection of South Rock Road and E. Tall Tree Road (collectively, the “ROW Tract”), all within the City; and

**WHEREAS**, the Act provides that prior to creating any STAR bond project district, the City shall, by resolution, call a public hearing to consider establishment of said STAR bond project district 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 DERBY, KANSAS, AS FOLLOWS:**

**Section 1. Public Hearing.** Notice is hereby given that the City Council shall conduct a public hearing to consider establishment of the Derby Star Bond Project District on August 25, 2015 at 6:30 p.m. or as soon thereafter as possible, in the Council Room, Derby City Hall, 611 Mulberry Rd, Suite 300, Derby, Kansas 67037.

**Section 2. District Boundaries and Location.** The legal description of the proposed boundaries of the Derby Star Bond Project District are described on *Exhibit A* attached hereto. A map generally outlining the boundaries of the proposed Derby Star Bond Project District is attached hereto as *Exhibit B*.

**Section 3. District Plan.** The Derby Star Bond Project District plan is as follows:

The buildings and facilities to be constructed or improved in the STAR bond project district generally include a mixed-use development consisting of some or all of the following uses: theme park and entertainment center, retail uses, restaurant uses, and other general commercial development; hotel uses; residential uses; and associated public and private infrastructure. The Derby 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. Document Availability.** A description and map of the proposed Derby Star Bond Project District shall be available for inspection at Derby City Hall, 611 Mulberry Rd., Suite 300, Derby, Kansas during regular business hours.

**Section 5. District Establishment Findings.** At such public hearing, the City Council of the City of Derby, Kansas will consider findings necessary for establishment of a STAR bond project district.

**Section 6. Notice.** The City Clerk shall give notice of the public hearing in accordance with the provisions of the Act, which shall include that a copy of this Resolution, including *Exhibits A and B*, shall be:

(a) provided via certified mail, return receipt requested, to the Board of County Commissioners of Sedgwick County, Kansas and the Board of Education of USD 260, Sedgwick County, Kansas (Derby);

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

(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.

**Section 7. Bond Authority; Reimbursement.** The Act provides that certain STAR bond project costs in an approximate amount of \$39 million, 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 8. Effective Date.** This Resolution shall be effective upon adoption by the City Council.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**ADOPTED** by the City Council of the City of Derby, Kansas on July 16, 2015.

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the foregoing resolution of the City of Derby, Kansas, adopted by the City Council on July 16, 2015, as the same appears of record in my office.

DATED: July 16, 2015.

\_\_\_\_\_  
Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

## EXHIBIT A

### NORTH TRACT:

A tract of land located in the Southeast Quarter of Section 30, Township 28 South, Range 2 East of the 6<sup>th</sup> Principal Meridian, said tract being a part of Anderson Farm Commercial 3<sup>rd</sup> Addition, part of Anderson Farm Commercial 2<sup>nd</sup> Addition, part of Calvary Baptist Church Second Addition and Water Tower Addition, all in the City of Derby, Sedgwick County, Kansas, more particularly described as follows:

Commencing at the northeast corner of said Southeast Quarter of Section 30; thence South 89°42'16" West, coincident with the north line of said Southeast Quarter, 70.00 feet to the northeast corner of Lot 1, Block A in said Water Tower Addition, said point being the Point of Beginning; thence South 0°00'00" East, coincident with the east line of said Lot 1, Block A, Water Tower Addition and the west line of Rock Road, 400.01 feet to the southeast corner of said Lot 1, Block A, Water Tower Addition and the northeast corner of Lot 2, Block A in said Anderson Farm Commercial 3<sup>rd</sup> Addition; thence continue southerly, coincident with the west line of Rock Road and the east line of Lots 2 thru 7, Block A in said Anderson Farm Commercial 3<sup>rd</sup> Addition and the east line of Lots 2 and 3, Block A in said Anderson Farm Commercial 2<sup>nd</sup> Addition along the following courses: South 0°00'00" East, 1,911.71 feet; thence South 11°18'36" West, 101.98 feet; thence South 0°00'00" East, 175.00 feet to the southeast corner of said Lot 2, Block A, Anderson Farm Commercial 2<sup>nd</sup> Addition; thence westerly, coincident with the north line of Patriot Avenue (63<sup>rd</sup> Street South) and the south line of Lot 2, Anderson Farm Commercial 2<sup>nd</sup> Addition and Lots 8 and 9 Anderson Farm Commercial 3<sup>rd</sup> Addition, Block A along the following courses: South 89°21'37" West, 175.00 feet; thence South 80°49'47" West, 101.12 feet; thence South 89°21'37" West, 295.38 feet to the southwest corner of said Lot 9 and the southeast corner of Lot 1 in said Calvary Baptist Church Second Addition; thence North 0°02'12" West, coincident with the west line of said Lot 8 and Lot 9 and Lot 6 in Anderson Farm Commercial 3<sup>rd</sup> Addition and the east line of said Lot 1 in Calvary Baptist Church Second Addition, 800.00 feet; thence South 89°21'37" West, 660.91 feet to the west line of last said Lot 1; thence North 0°05'12" West, coincident with the west line of last said Lot 1, a distance of 474.97 feet to the northwest corner of last said Lot 1 and the southwest corner of Reserve A in said Anderson Farm Commercial 3<sup>rd</sup> Addition; thence North 0°07'21" West, coincident with the west line of said Reserve A and the east line of Stone Creek 4<sup>th</sup> Addition, 1,334.40 feet to the northwest corner of said Reserve A and the northeast corner of said Stone Creek 4<sup>th</sup> Addition; thence North 89°42'16" East, coincident with the north line of said Anderson Farm Commercial 3<sup>rd</sup> Addition, 855.13 feet to the northern most northeast corner of said Anderson Farm Commercial 3<sup>rd</sup> Addition and the northwest corner of said Lot 1, Block A, Water Tower Addition; thence continue North 89°42'16" East, coincident with the north line of said Water Tower Addition, 400.01 feet to the and the Point of Beginning, containing 63 acres, more or less.

### SOUTH TRACT:

A tract of land located in the Northeast Quarter and Southeast Quarter of Section 31 and the Northwest Quarter and Southwest Quarter of Section 32, all in Township 28 South, Range 2 East of the 6<sup>th</sup> Principal Meridian, said tract also being a part of The Oaks, The Oaks 2<sup>nd</sup>, The Oaks Commercial, Mac's Corner Commercial, Mac's Corner Commercial 2<sup>nd</sup>, Derby Marketplace Second, and Derby Marketplace Third, all additions to the City of Derby, Sedgwick County, Kansas, more particularly described as follows:

Commencing at the northeast corner of said Section 31; thence North 89°59'45" West, coincident with the north line of said Northeast Quarter of Section 31, 90.00 feet; thence South 00°29'09" West, 75.00 feet to the northeast corner of Lot 5, Block A in said The Oaks, said point being the Point of Beginning; thence southerly, coincident with the west line of Rock Road and the east line of Lots 1, 4 and 5, Block A,

Reserve A and Lots 1 thru 4, Block C in said The Oaks and the east line of Lot 1, Block A in said The Oaks Commercial, on the following courses: South 00°29'09" West, 175.00 feet; thence South 08°02'42" East, 101.12 feet; thence South 00°29'09" West, 1,942.35 feet; thence South 09°01'00" West, 101.12 feet; thence South 00°29'09" West, 175.00 feet to the southeast corner of said Lot 4, Block C; thence South 89°30'51" East, 150.00 feet to a point on the east line of Rock Road; thence Southerly, coincident with the east line of said Rock Road and the west line of Lot 1, Phillips Rock Road Addition, South 00°29'09" West, 11.91 feet to the southwest corner of said Lot 1, Phillips Rock Road Addition and the northwest corner of said Derby Marketplace Second Addition; thence on Derby Marketplace Second Addition bearings, North 88°46'34" East, coincident with the north line of last said Addition, 1,034.67 feet to the northeast corner of said Derby Marketplace Second Addition; thence coincident with the east line of said Derby Marketplace Second Addition and the west line of said Tall Tree Addition on the following courses: South 01°13'26" East, 80.00 feet; thence on a non tangent curve to the right, said curve having a radius of 210 feet, a chord bearing of South 78°38'18" East, a chord length of 91.52 feet, for a length of 92.26 feet; thence South 00°27'08" East coincident with the east line of said Derby Marketplace Second Addition and the west line of Tall Tree Addition, 1,311.26 feet to the southeast corner of said Derby Marketplace Second Addition; thence South 00°26'41" East, coincident with the east line of said Derby Marketplace Third Addition and the west line of Amber Ridge Addition and Amber Ridge 2<sup>nd</sup> Addition, 1,270.25 feet to the southeast corner of said Derby Marketplace Third Addition; thence westerly, coincident with the north line of Meadowlark Road and the south line of said Derby Marketplace Third Addition, on the following courses: South 88°42'12" West, 834.73 feet; thence North 82°45'58" West, 101.12 feet; thence South 88°42'12" West, 175.00 feet to the southwest corner of said Derby Marketplace Third Addition; thence on Mac's Corner Commercial Addition bearings, South 89°46'57" West, 150.10 feet to the southeast corner of said Mac's Corner Commercial Addition; thence coincident with the south line of said Mac's Corner Commercial Addition and Mac's Corner Commercial 2<sup>nd</sup> Addition and the north line of Meadowlark Avenue (71<sup>st</sup> Street South) on the following courses: South 90°00'00" West, 175.00 feet; thence South 75°57'50" West, 72.10 feet; thence North 00°25'41" East, 7.01 feet; thence South 81°28'09" West, 30.46 feet; thence South 90°00'00" West, 314.48 feet to the southwest corner of said Mac's Corner Commercial 2<sup>nd</sup> Addition and the southeast corner of Lot 1, Block F, in said The Oaks; thence on The Oaks bearings, North 00°47'46" East, coincident with the east line of said Lot 1, Block F and the east line of Reserve K of said The Oaks 2<sup>nd</sup>, 605.75 feet to the southwest corner of Reserve A, The Oaks Commercial 3<sup>rd</sup> Addition; thence on The Oaks Commercial 3<sup>rd</sup> Addition bearings, coincident with said east line of Reserve K, North 00°47'18" East, 665.29 feet; thence continuing coincident with the east line of said Reserve K, North 00°47'56" East, 665.55 feet to the southwest corner of Reserve M in said The Oaks 2<sup>nd</sup>; thence continuing coincident with said east line of Reserve K, the west line of said Reserve M and the east line of Lots 5 thru 10, Block 1 in said The Oaks 2<sup>nd</sup>, North 00°47'56" East, 665.55 feet to the south line of Lot 4, Block 1 in said The Oaks 2<sup>nd</sup>; thence South 89°41'59" East, coincident with the south line of last said Lot 4, a distance of 28.93 feet to the southeast corner of last said Lot 4; thence North 00°29'09" East, coincident with the east line of last said Lot 4, a distance of 113.96 feet to a point on the southerly line of Tall Tree Road; thence northwesterly, coincident with last said southerly line on a curve to the right having a radius of 800 feet, a chord bearing of North 53°15'29" West, and a chord length of 152.98 feet, for a length of 153.21 feet; thence North 42°13'47" East, 80.00 feet to a point on the northerly line of Tall Tree Road; thence northwesterly, coincident with last said northerly line, on a curve to the left having a radius of 755 feet, a chord bearing of North 62°16'23" West, and a chord length of 378.14 feet, for a length of 382.21 feet to the southwest corner of Lot 6, Block B in said The Oaks and the southeast corner of Reserve GC-B in said The Oaks 2<sup>nd</sup>; thence North 00°29'09" East, coincident with the west line of last said Lot 6 and the east line of said Reserve GC-B, 354.67 feet to the southwest corner of Lot 5, Block B in said The Oaks; thence South 89°30'51" East, coincident with the south line of last said Lot 5, a distance of 408.42 feet to a point on the west line of Newberry Street; thence northerly, coincident with the west line of said Newberry Street and the east line of last said Lot 5 on the following courses: on a curve to the left with a radius of 305 feet, a chord bearing of North 14°33'35" West, and a chord length of 172.73 feet, for a length of 175.13 feet; thence on a curve to the right with a radius of 370

feet and a length of 193.10 feet; thence North 01°06'28" West, 544.93 feet; thence on a curve to the left with a radius of 281.65 feet and a length of 33.91 feet; thence departing last said line, North 44°59'45" west, coincident with the north line of last said Lot 5 and the south line of Lot 4, Block B in said The Oaks, 66.98 feet; thence North 89°59'45" West, coincident with last said north line of Lot 5 and south line of Lot 4, the south line of Lot 3, Block B in said The Oaks and the north line of Lot 1, Block C in said The Oaks 2<sup>nd</sup>, 806.54 feet to the southwest corner of last said lot 3; thence North 00°00'15" East, coincident with the west line of Lots 1 thru 3, Block B in said The Oaks and the east line of said Lot 1, Block C, 815.85 feet to the northwest corner of said Lot 1, Block B and the northeast corner of Lot 1, Block C; thence easterly, coincident with the south line of 63<sup>rd</sup> Street South and the north line of said Lot 1, Block B and Lots 3, 4 and 5, Block A in said The Oaks, on the following courses: South 81°27'54" East, 19.21 feet; thence South 89°59'45" East, 434.00 feet; thence North 81°28'25" East, 101.12 feet; thence South 89°59'45" East, 693.37 feet; thence South 81°27'54" East, 101.12 feet; thence South 89°59'45" East, 175 feet to the Point of Beginning, containing 170 acres, more or less.

**ROW TRACT:**

That portion of East Patriot Avenue/East 63rd Street South situated between the North Tract and the South Tract from the west edge of the South Tract to the east edge of the South and North Tracts, and that portion of South Rock Road situated on the entire east side of the North Tract and then extending south to the intersection of South Rock Road and E. Tall Tree Road.



# South Tract



**Sedgwick County GIS**  
 Geographic Information Services  
 Division of Information & Operations  
[www.sedgwickcounty.org/gis](http://www.sedgwickcounty.org/gis)  
 525 N. Main, Suite 212, Wichita, KS 67203  
 Tel: 316.660.9290 Fax: 316.262.1174  
 Tue Apr 28 09:02:29 GMT-0500 2015

DISCLAIMER: It is understood that, while Sedgwick County Geographic Information Services (SGIS), City of Wichita GIS, (for purposes of the road centerline file), participating agencies, and information suppliers, have no indication or reason to believe that there are inaccuracies in information provided, SGIS, its suppliers make no representations or warranties of any kind, including, but not limited to, warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the information, data or service furnished herein. In no event shall the Data Providers become liable to users of these data, or any other party, for any loss or damages, consequential or otherwise, including but not limited to time, money, or goodwill, arising from the use, operation or modification of the data. In using these data, users further agree to indemnify, defend, and hold harmless the Data Providers for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data. No person shall sell, give or receive for the purpose of selling or offering for sale, any portion of the information provided herein.

The boundaries of the South Tract are outlined in red.  
 The boundaries of a portion of the ROW Tract are outlined in black.