

Planning & Zoning Commission  
February 27, 2024  
12:00 PM

1. Pledge of Allegiance
2. Call to Order
3. Consider Minutes of December 21, 2023, Special Meeting and January 23, 2024, Regular Planning Commission Meeting

Motion \_\_\_\_\_ Second \_\_\_\_\_ Action \_\_\_\_\_  
Bryan Parrish, Rhonda Rice, Karen Soliz, Richard Idelman, Joshua Lawrenz, Janet Wade, Marcus Hawkes

4. Public Forum.
5. Additional Agenda Items
6. Approval of Agenda

Motion \_\_\_\_\_ Second \_\_\_\_\_ Action \_\_\_\_\_  
Bryan Parrish, Rhonda Rice, Karen Soliz, Richard Idelman, Joshua Lawrenz, Janet Wade, Marcus Hawkes

7. Update of Comprehensive Plan
8. Discussion on Neighborhood Revitalization Plan
9. Commissioner Comments

10. Adjourn

Motion \_\_\_\_\_ Second \_\_\_\_\_ Action \_\_\_\_\_  
Bryan Parrish, Rhonda Rice, Karen Soliz, Richard Idelman, Joshua Lawrenz, Janet Wade, Marcus Hawkes

Public Forum Comments can be dropped in the deposit box or emailed to [cityoffice@cityofherington.com](mailto:cityoffice@cityofherington.com) . Must be received before 8:00AM, the day of the meeting. Please keep statements to a maximum of 3 minutes.

Planning & Zoning Commission Special Meeting  
Board of Zoning Appeals  
January 23, 2024  
12:00 PM

The planning commission members met on the above date and time in the commission chambers of Herington City Hall. In attendance were Karen Soliz, Rhonda Rice, Joshua Lawrenz, Janet Wade, Marcus Hawkes, City Manager Thatcher Moddie, Neighborhood Services Director James Masters, and Deputy City Clerk Chanda Wilson.

The meeting opened with the pledge of allegiance.

Chair Marcus Hawkes called the meeting to order.

Marcus Hawkes made a motion to accept the minutes of November 28, 2023. Joshua Lawrenz seconded motion. The motion passed 4-0

Welcome new member of the Planning and Zoning Commission Bryan Parrish.

Chair Marcus Hawkes opened the Public Forum and there was none. Add one item to the agenda this month, 14A Commissioner Comments.

Marcus Hawkes made a motion to approve the agenda with 14A added, seconded by Joshua Lawrenz. Motion passed 5-0.

Joshua Lawrenz nominated Marcus Hawkes for Commission Chair, Janet Wade Seconded and motion passed 5-0.

Janet Wade nominated Rhonda Rice for Vice-Chair, seconded by Joshua Lawrenz and motion passed 5-0.

A public hearing for updated floodplain ordinance was opened. There were no comments from the public and the hearing was closed.

Planning commission members considered and discussed the updated floodplain ordinance. A point was made that perhaps the ordinance should have come before the planning commission before being sent to the state for approval.

Points were made that the map we are using is from the 1980's and was last revised in 1999. The new map is very accurate. This ordinance was adopted by the department of agriculture. James reviewed the changes that were made from the template to our actual proposed ordinance. It was pointed out that the language regarding hazardous substances/materials was vague.

Josh Lawrenz made a motion to recommend the adoption of the updated floodplain ordinance pending staff review of the hazardous materials section. Motion was seconded by Bryan Parrish and passed 5-0.

Discussion on the Neighborhood Revitalization Plan was tabled to the February or March meeting.

Discussion was had on rezoning the 5<sup>th</sup> street business corridor to residential. Neighborhood Services Director James Masters presented the idea of rezoning the area between 4<sup>th</sup> and 5<sup>th</sup> and north of Trapp Street up to Clark Lumber Company to residential. It is unclear at the time why this is zoned commercial when the area is populated with housing except for the former car wash. A change in zoning would help aid in cleaning up the area. The item was discussed with no action taken.

Commissioner Comments:

Bryan Parrish expressed he was happy to be on the commission.

Janet Wade talked about the lack of announcements for the floodplain and public hearing besides in the newspaper. She asks for better advertising to include the city website and Facebook. She also thought the commission had a good discussion on the floodplain today.

Josh Lawrenz did not have any comments to share.

Rhonda Rice is happy to talk about the comprehensive and revitalization plan. The idea of Karen Soliz to have work sessions to work items out before the regular meetings is a good one. She would like to see the meeting notes, agenda, and attachments posted on the website in a timelier matter.

Janet Wade made a motion to adjourn. Motion was seconded by Josh Lawrenz and passed 5-0.

Planning & Zoning Commission Special Meeting  
Board of Zoning Appeals  
December 21, 2023  
12:00 PM

The planning commission members met on the above date and time in the commission chambers of Herington City Hall. In attendance were Karen Soliz, Rhonda Rice, Joshua Lawrenz, Janet Wade, Marcus Hawkes, City Manager Thatcher Moddie, Neighborhood Services Director James Masters, Maggie Eades and Deputy City Clerk Chanda Wilson.

The meeting opened with the pledge of allegiance.

Chair Marcus Hawkes called the meeting to order.

Janet Wade made a motion to approve the agenda, the motion was seconded by Karen Soliz and the motion passed 6-0.

Opened public hearing on variance request. There were no comments.

Closed public hearing on variance request.

There was a presentation of materials related to V4-2023-Cenex/Ampride adding more freezer space to the existing structure. A variance is needed due to setback regulations. Maggie Eades, from Ampride stated how the current freezer space is not enough for the needs of the business. The current area would be turned into a "beer cave cooler". The additional space would then be used more for food products with better access to the kitchen. Currently the city owns the parking spaces next to the building and has considered abandoning the property. There was discussion regarding the trash service/placement, the surrounding businesses and the rules for granting a variance. It was discussed about having an offsite freezer across the street on property Ampride owns. Maggie Eades stated how it would not be practical to build the freezer off site because staff are constantly needing to enter for the purpose of stocking etc. This would require staff to leave the building to get to the freezer. A concern was made about the proximity of the addition to the driving area behind the building. Vehicles might be more likely to hit the building. MS. Eades stated they can add caution poles outside of the new building.

Cynthia Naylor made a motion to grant the variance, seconded by Joshua Lawrenz. Motion passed 6-0. Janet Wade stated Aye with reservations.

Cynthia Naylor made a motion to adjourn. Joshua Lawrenz seconded, and the motion passed 6-0

# Herington

**NEIGHBORHOOD**

**REVITALIZATION PLAN**

**Interlocal Cooperation Agreement by and between the City of Herington,  
Dickinson County and  
USD #487 of Dickinson County  
Dated: THIRD DRAFT November 4, 2021**

**City of Herington  
Neighborhood Revitalization Plan**

**Purpose:** This plan is intended to promote the revitalization and development of all areas within the city limits of the City of Herington in order to protect the public health, safety, and welfare of the residents of the city. More specifically, the City of Herington will offer a tax rebate incentive that is available for certain improvements or renovation of property within the designated area, in accordance with the provisions of K.S.A. 12-17, 114 et seq.

## Part 1

### **LEGAL DESCRIPTION OF AREA AND MAP DEPICTING ELIGIBLE PARCELS OF REAL ESTATE**

#### **Legal Description of Neighborhood Revitalization Area**

All parcels within the legal city limits of the City of Herington, Kansas

See Exhibit A

#### **Map of Neighborhood Revitalization Area**

All parcels within the legal city limits of the City of Herington, Kansas

See Exhibit B

## PART 2

### **EXISTING ASSESSED VALUATION OF LAND AND BUILDINGS WITHIN THE NEIGHBORHOOD REVITALIZATION AREA**

The existing assessed valuation of the parcels of real estate in Dickinson County in the Neighborhood Revitalization Area is as follows:

See Exhibit C

## PART 3

### **NAMES AND ADDRESSES OF OWNERS OF RECORD WITHIN THE NEIGHBORHOOD REVITALIZATION AREA**

Each owner of record of each parcel of land is listed together with the corresponding address in the files of the Dickinson County Appraiser's office located at the Dickinson County Office Building, 109 East 1<sup>st</sup>. Street, Abilene, Kansas.

## **PART 4**

### **EXISTING ZONING CLASSIFICATIONS AND DISTRICTS AND EXISTING AND PROPOSED LAND USES WITHIN THE NEIGHBORHOOD REVITALIZATION AREA**

A zoning district classification map and list of zoning districts for the Neighborhood Revitalization Area is attached hereto.

See Exhibit D

## **PART 5**

### **PROPOSALS FOR IMPROVING OR EXPANDING MUNICIPAL SERVICES WITHIN THE NEIGHBORHOOD REVITALIZATION AREA**

## **PART 6**

### **PROPERTIES ELIGIBLE FOR TAX REBATES UNDER THE NEIGHBORHOOD REVITALIZATION PROGRAM**

Rehabilitation, alterations, additions and new construction affecting declared residential, commercial, and industrial property shall be eligible for the NRP tax rebate program. Public utility and railroad properties are ineligible. Personal property is not included.

## **PART 7**

### **CRITERIA TO BE USED IN DETERMINING PROPERTIES ELIGIBLE FOR THE NEIGHBORHOOD REVITALIZATION PROGRAM**

The following criteria are to be used to determine properties eligible under the Neighborhood Revitalization Act Program.

- a. All improvements must conform to zoning, building and other applicable regulations in effect in the Neighborhood Revitalization Plan target area at the time the improvements are made and remain in conformance with such regulations for the length of the rebate period;
- b. Construction of improvements must have begun on or after the date of inclusion of the property in the NRP target area;



- c. Improvements must increase the appraised value by at least 15% or \$25,000, **whichever is greater**, for all Residential, Commercial and Industrial Properties.
- d. Properties delinquent in tax payments or special assessments or under appeal or protest are not eligible until such delinquent payments or assessments have been paid;
- e. Properties eligible for tax incentives under any other program shall be eligible to submit applications under only one program at a time;
- f. Only owners are eligible for tax rebates;
- g. Tax rebates transfer with ownership of property and remain with the improved property, as per the original abatement schedule;
- h. Tax rebates are based on the increase of appraised value as of January 1 following the year of 100% completion and will be contingent on final inspection or issuance of certificate of occupancy.

## **PART 8**

### **CONTENTS OF APPLICATIONS FOR PROPERTY TAX REBATES UNDER THE NEIGHBORHOOD REVITALIZATION ACT PROGRAM**

Applicants for the Neighborhood Revitalization Act tax rebate program shall complete the application attached hereto.

See Exhibit E

## **PART 9**

### **PROCEDURE FOR SUBMISSION AND REVIEW OF APPLICATIONS UNDER THE NEIGHBORHOOD REVITALIZATION PLAN PROGRAM**

- a. Obtain an Application for Tax Rebate from the City of Herington.
- b. Complete and sign the application and file the original at the Herington City Office with a building permit. A copy will be returned to the applicant.
- c. Herington City Office will verify the applicant is the owner of record at the Dickinson County Appraiser's office, that the taxes are paid current with no delinquent taxes due, will inspect the site to ensure that no construction has been started and review the cost estimates to verify the minimum investment is being met.
- d. Owner will begin work on the improvements covered in the building permit.

- e. Owner will complete the rebate application upon 100% completion of the project and file at the Herington City office, which will then forward the application to the Dickinson County Appraiser's Office. This step must be completed by October 1 of the year preceding the commencement of the first year of the tax rebate period in order to qualify for the rebate.
- f. In the January following, the Dickinson County Appraiser's Office will conduct an onsite inspection of the construction project to determine the new valuation of the real estate, complete the appraiser's portion of the application and return the application to the Herington City Office, and report the new valuation to the Dickinson County Clerk by June 15. Tax records on the project will be revised by the Dickinson County Clerk's office to reflect the change in valuation.
- g. City of Herington will review the application to determine whether the percentage test for rebate has been met and check to see that taxes and assessments are not delinquent. If all criteria have been met, the City Clerk of Herington will certify the project for rebate.
- h. Upon payment of the real estate tax for the subject property for the initial and succeeding tax years of the rebate period, Dickinson County will make the appropriate rebates to the City within 30 days following payment and submittal of a receipt by the City to the County. The City is responsible for paying the owner within 2 weeks of receipt of the funds. The rebate will be made from the Neighborhood Revitalization Act Fund established in conjunction with other taxing jurisdictions participating in the Inter-local Agreement established for the program. Any increment in property taxes received by Dickinson County for a participating city and/or district shall be credited to the neighborhood revitalization fund.

## **PART 10**

### **STANDARDS AND CRITERIA FOR REVIEW AND APPROVAL OF PROJECTS UNDER THE NEIGHBORHOOD REVITALIZATION ACT PROGRAM**

- a. All improvements must conform to zoning, building and other applicable regulations in effect in the Neighborhood Revitalization Plan target area at the time the improvements are made and remain in conformance with such regulations for the length of the rebate period;
- b. Construction of improvements must have begun on or after the date of inclusion of the property in the NRP target area;

- c. Residential Improvements must increase the appraised value by at least 15% or \$25,000, **whichever is greater**, to qualify for the Rebate program.  
Commercial and Industrial improvements must increase the appraised value of the subject property by at least 15% or \$25,000, **whichever is greater** to qualify for the Rebate program.
- c. Properties delinquent in tax payments or special assessments or under appeal or protest are not eligible until such delinquent payments or assessments have been paid;
- d. Properties eligible for tax incentives under any other program shall be eligible to submit applications under only one program at a time;
- e. Only owners are eligible for tax rebates;
- g. Tax rebates transfer with ownership of property and remain with the improved property;
- h. On January 1, following the year the project is 100% completed, the rebates will be based on the increase of **appraised value**. This is contingent on final inspection and issuance of a certificate of occupancy.
- i. Conditions for rebate termination.
  1. Failure to build or maintain the property to applicable codes, rules and regulations shall cause the rebate application to be terminated.
  2. Failure to timely pay all property taxes and required assessments shall result in removal from the rebate program. Late fees, fines, surcharges and the like are not eligible for rebate.

## PART 11

### PROGRAM AMOUNTS AND YEARS OF ELIGIBILITY UNDER THE NEIGHBORHOOD REVITALIZATION PROGRAM

The Neighborhood Revitalization Plan and tax rebate incentive program shall expire on December 31, 2031. The program will be reviewed annually on or before December 31st by the council and modifications will be considered at that time. On or before December 31, 2031, the City of Herington, Dickinson County and USD #487 will consider a new interlocal agreement to continue the Neighborhood Revitalization Plan. The parties agree that any party may terminate this agreement prior to December 31, 2031, by providing thirty (30) days advance notice, provided, however, any applications for tax rebates submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate period.

The Rebate Period is for 10 Years on Residential and Commercial and Industrial Properties.

Five (5) percent of all rebates shall be retained and deposited in the Neighborhood Revitalization Act Fund for administrative costs.

Rebate periods and schedules shall be as follows for additional taxes due on **new construction or rehabilitation of Residential Property**:

Year 1	100% of the Increase in Appraised Value
Year 2	100% of the Increase in Appraised Value
Year 3	90% of the Increase in Appraised Value
Year 4	80% of the Increase in Appraised Value
Year 5	70% of the Increase in Appraised Value
Year 6	60% of the Increase in Appraised Value
Year 7	50% of the Increase in Appraised Value
Year 8	40% of the Increase in Appraised Value
Year 9	30% of the Increase in Appraised Value
Year 10	20% of the Increase in Appraised Value
Year 11	0%

Rebate periods and schedules shall be as follows for additional taxes due **on new construction and or rehabilitation of Commercial and Industrial Property**:

Year 1	100% of the Increase in Appraised Value
Year 2	100% of the Increase in Appraised Value
Year 3	100% of the Increase in Appraised Value
Year 4	100% of the Increase in Appraised Value
Year 5	100% of the Increase in Appraised Value
Year 1	100% of the Increase in Appraised Value
Year 2	100% of the Increase in Appraised Value
Year 3	100% of the Increase in Appraised Value
Year 4	100% of the Increase in Appraised Value
Year 5	100% of the Increase in Appraised Value
Year 6	50% of the Increase in Appraised Value
Year 7	40% of the Increase in Appraised Value
Year 8	30% of the Increase in Appraised Value
Year 9	20% of the Increase in Appraised Value
Year 10	20% of the Increase in Appraised Value
Year 11	0%

# EXHIBIT A

## DESCRIPTION

THAT PORTION OF SECTION 1, SECTION 11, SECTION 12, SECTION 13, AND SECTION 14, TOWNSHIP 16 SOUTH, RANGE 04 EAST OF THE SIXTH PRINCIPAL MERIDIAN AND THAT PORTION OF SECTION 6 AND SECTION 7, TOWNSHIP 16 SOUTH, RANGE 05 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LOCATED IN THE COUNTIES OF DICKINSON AND MORRIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

1. COMMENCING AT THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 13;
2. THENCE ON THE EAST LINE OF SAID SECTION 13, S00°37'18"W 45.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF TRAPP STREET;
3. THENCE ON SAID SOUTH RIGHT-OF-WAY LINE, S89°26'18"W 352.62 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;
4. THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, S05°47'14"W 338.38 FEET;
5. THENCE CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, S11°16'51"E 182.19 FEET;
6. THENCE CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, S09°23'56"W 451.39 FEET;
7. THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N84°12'42"W 189.33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;
8. THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, N03°20'06"E 250.73 FEET;
9. THENCE CONTINUING ON SAID WESTERLY RIGHT-OF-WAY LINE, N05°47'17"E 403.37 FEET MORE OR LESS TO A POINT 283 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF TRAPP STREET;
10. THENCE PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE, WESTERLY TO A POINT 210 FEET EAST OF THE EAST LINE OF BLOCK 1 OF DODDERRIDGES ADDITION;
11. THENCE PARALLEL WITH SAID EAST LINE, SOUTHERLY TO A POINT 60 FEET SOUTH AND 210 FEET EAST OF THE SOUTHEAST CORNER OF BLOCK 3 OF SAID DODDERRIDGES ADDITION;
12. THENCE EASTERLY NINETY (90) FEET;
13. THENCE SOUTHERLY SIX HUNDRED FIFTY-THREE (653) FEET;
14. THENCE WESTERLY SEVEN HUNDRED TEN (710) FEET;
15. THENCE SOUTHERLY TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13;
16. THENCE ON THE QUARTER SECTION LINE OF SAID SECTION 13, WESTERLY TO A POINT 208.7 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF SOUTH FIFTH STREET IN THE CITY OF HERINGTON;
17. THENCE PARALLEL TO SAID EASTERLY RIGHT-OF-WAY LINE, SOUTHERLY 450 FEET;

18. THENCE WESTERLY TO THE EAST RIGHT-OF-WAY LINE OF CHICAGO ROCK ISLAND & PACIFIC RAILWAY COMPANY RIGHT-OF-WAY;
19. THENCE ON SAID EAST RIGHT-OF-WAY LINE, NORTHERLY TO THE SOUTH RIGHT-OF-WAY LINE OF TRAPP STREET;
20. THENCE ON THE SAID SOUTH RIGHT-OF-WAY LINE, WESTERLY TO THE WEST RIGHT-OF-WAY LINE OF THE SOUTHWEST BRANCH OF THE CHICAGO ROCK ISLAND & PACIFIC RAILWAY;
21. THENCE ON SAID WEST RIGHT-OF-WAY LINE, SOUTHWESTERLY TO A POINT 30 FEET SOUTH AND 30 FEET WEST OF THE SOUTH CORNER OF LOT 21 IN BLOCK 3 OF DOLAN ADDITION;
22. THENCE NORTHERLY TO THE CENTER LINE OF TRAPP STREET;
23. THENCE ON SAID CENTERLINE, WESTERLY TO A POINT 30 FEET WEST OF THE SOUTHWEST CORNER OF BLOCK 185 OF LUCE & WILSON'S ADDITION;
24. THENCE NORTHERLY TO A POINT 140 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF WALNUT STREET;
25. THENCE PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE, WESTERLY TO A POINT 690 FEET EAST OF THE WEST SECTION LINE OF SAID SECTION 11;
26. THENCE NORTHERLY 140 FEET TO SAID SOUTH RIGHT-OF-WAY LINE;
27. THENCE ON SAID SOUTH RIGHT-OF-WAY LINE, WESTERLY TO THE WEST RIGHT-OF-WAY LINE KANSAS HIGHWAY 218;
28. THENCE ON SAID WEST RIGHT-OF-WAY LINE, NORTHERLY 380 FEET;
29. THENCE EASTERLY TO A POINT 300 FEET EAST OF SAID WEST SECTION LINE OF SECTION 11;
30. THENCE NORTHERLY TO THE SOUTH RIGHT-OF-WAY LINE OF MISSOURI PACIFIC RAILROAD COMPANY;
31. THENCE ON SAID SOUTH RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RIGHT-OF-WAY, SOUTHWESTERLY TO A POINT 30 FEET WEST OF THE NORTHWEST CORNER OF LOT 2 IN BLOCK 179 OF LUCE & WILSON'S ADDITION;
32. THENCE NORTHERLY TO A POINT 30 FEET WEST AND 30 FEET NORTH OF THE NORTHWEST CORNER OF BLOCK 178 OF LUCE & WILSON'S ADDITION;
33. THENCE EASTERLY TO THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 11;
34. THENCE NORTHERLY TO THE NORTH LINE OF SAID SECTION 11;
35. THENCE EASTERLY ON SAID NORTH SECTION LINE 705 FEET;
36. THENCE SOUTHERLY 1052 FEET;
37. THENCE EASTERLY TO THE NORTHERLY PROLONGATION OF THE WEST RIGHT-OF-WAY LINE OF NORTH NINTH STREET;
38. THENCE ON SAID NORTHERLY PROLONGATION, NORTHERLY TO SAID NORTH LINE OF SECTION 11;
39. THENCE ON SAID NORTH LINE AND THE NORTH LINE OF SAID SECTION 12, EASTERLY TO A POINT 30 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 9 IN BLOCK 4 OF CALKIN'S ADDITION;
40. THENCE NORTHERLY 230 FEET TO THE NORTHWEST CORNER OF LOT 6 IN BLOCK 4 OF CALKIN'S ADDITION;
41. THENCE EASTERLY TO THE NORTHEAST CORNER OF LOT 6 IN BLOCK 2 OF CALKIN'S ADDITION;

42. THENCE ON THE EAST LINE OF BLOCK 2 AND BLOCK 11 OF CALKIN'S ADDITION, NORTHERLY TO THE NORTHEAST CORNER OF LOT 1 IN BLOCK 11 OF CALKIN'S ADDITION;
43. THENCE WESTERLY 1085 FEET TO THE CENTER LINE OF LIME CREEK;
44. THENCE WITH SAID CENTERLINE OF LIME CREEK, NORTHWESTERLY TO A POINT WHERE THE EAST RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND & PACIFIC RAILROAD COMPANY, NOW ABANDONED, INTERSECTS SAID CENTERLINE OF THE LIME CREEK;
45. THENCE ON SAID EAST RIGHT-OF-WAY TO A POINT 757.76 FEET WEST AND 2831.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;
46. THENCE EASTERLY TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1;
47. THENCE ON SAID WEST LINE, NORTHERLY TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 1;
48. THENCE ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, EASTERLY TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER;
49. THENCE ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, SOUTHERLY TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
50. THENCE ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, WESTERLY TO THE EAST RIGHT-OF-WAY LINE OF D STREET;
51. THENCE ON SAID EAST RIGHT-OF-WAY LINE, SOUTHERLY TO A POINT 30 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF LOGAN AVENUE;
52. THENCE ON SAID NORTH RIGHT-OF-WAY LINE, EASTERLY TO WEST RIGHT-OF-WAY OF U.S. HIGHWAY 77;
53. THENCE ON SAID WEST RIGHT-OF-WAY LINE, N74°07'08"E 171.61 FEET;
54. THENCE CONTINUING ON SAID WEST RIGHT-OF-WAY LINE, N00°04'18"E 930.20 FEET;
55. THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, S89°55'42"E 150.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;
56. THENCE ON SAID EAST RIGHT-OF-WAY LINE, SOUTHERLY TO A POINT 555 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF R AVE;
57. THENCE EASTERLY 582 FEET;
58. THENCE SOUTHERLY 610.9 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF R AVE;
59. THENCE ON SAID NORTH RIGHT-OF-WAY LINE, WESTERLY TO SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;
60. THENCE ON SAID EAST RIGHT-OF-WAY LINE, SOUTHERLY TO A POINT 990 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 7;
61. THENCE EASTERLY 1320 FEET;
62. THENCE SOUTHERLY 1155 FEET;

63. THENCE WESTERLY TO SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

64. THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, SOUTHERLY TO THE NORTH RIGHT-OF-WAY LINE OF TRAPP STREET;

65. THENCE ON SAID NORTH RIGHT-OF-WAY LINE, EASTERLY TO THE EAST LINE OF SAID SECTION 12;

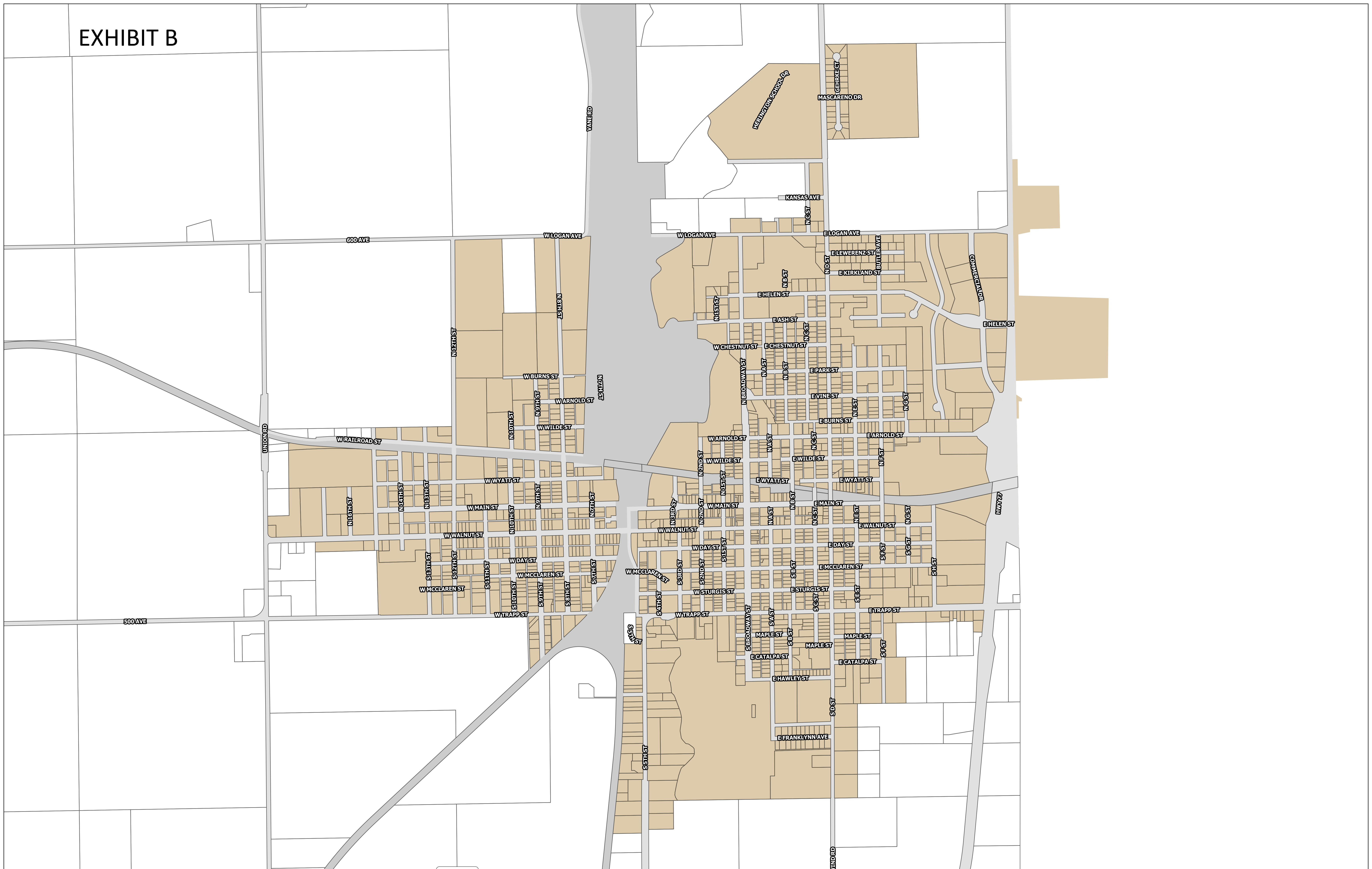
66. THENCE ON SAID EAST LINE, SOUTHERLY TO THE POINT OF BEGINNING.

67. THE ABOVE DESCRIPTION MUST NOT BE USED FOR THE CONVEYANCE OF REAL PROPERTY.

68. END OF DESCRIPTION



# EXHIBIT B



### City of Herington - Parcels

Legend:

- Parcels
- Road ROW
- Railroad ROW
- City Limits

This map is for informational purposes only and should not be used to determine precise boundaries, roadways, property boundary lines or legal descriptions. It shall not be construed to be an official survey of any data depicted.  
-Dickinson County GIS-

**2021 Abstract of Appraised and Assessed Values**  
**Taxing Unit Group: 005-005**

**Appraised Values**

Class	Description	Total Occurrences	Land Value	Improvement Value	Total Value	TIF Base Value	TIF Incremental Value
R	Residential Including Apartments	1,153	7,139,960	47,318,370	54,458,330	0	0
F	Residences on Farm Homesites	14	133,130	813,180	946,310	0	0
A	Agricultural Use Land & Improvements	46	52,650	30,980	83,630	0	0
C	Commercial & Industrial	101	794,150	4,856,480	5,650,630	0	0
V	Vacant Lots	176	400,760	0	400,760	0	0
N	Not For Profit	0	0	0	0	0	0
O	All Other Real Property	0	0	0	0	0	0
U	Utilities	5	206,290	404,410	610,700	0	0
ED	Exempt Dam	0	0	0	0	0	0
EI	Exempt IRB	0	0	0	0	0	0
EIC	Exempt IRB for Com	0	0	0	0	0	0
EIR	Exempt IRB for Res	0	0	0	0	0	0
EIV	Exempt IRB for Vac	0	0	0	0	0	0
EX	Exempt Ec Dev	0	0	0	0	0	0
EXC	Exempt Ec Dev for Com	0	0	0	0	0	0
EXR	Exempt Ec Dev for Res	0	0	0	0	0	0
EXV	Exempt Ec Dev for Vac	0	0	0	0	0	0
E	All Other Tax Exempt Property	91	1,909,220	36,450,840	38,360,060	0	0
<b>Total Appraised Value</b>			<b>10,636,160</b>	<b>89,874,260</b>	<b>100,510,420</b>	<b>0</b>	<b>0</b>
<b>No. of Parcels Read</b>		<b>1564</b>					

**Assessed Values**

Class	Description	Total Occurrences	Land Value	Improvement Value	Total Value	TIF Base Value	TIF Incremental Value
R	Residential Including Apartments	1,153	821,177	5,441,644	6,262,821	0	0
F	Residences on Farm Homesites	14	15,310	93,518	108,828	0	0
A	Agricultural Use Land & Improvements	46	15,795	7,747	23,542	0	0
C	Commercial & Industrial	101	198,555	1,214,145	1,412,700	0	0
V	Vacant Lots	176	48,097	0	48,097	0	0
N	Not For Profit	0	0	0	0	0	0
O	All Other Real Property	0	0	0	0	0	0
U	Utilities	5	0	0	0	0	0
ED	Exempt Dam	0	0	0	0	0	0
EI	Exempt IRB	0	0	0	0	0	0
EIC	Exempt IRB for Com	0	0	0	0	0	0
EIR	Exempt IRB for Res	0	0	0	0	0	0
EIV	Exempt IRB for Vac	0	0	0	0	0	0
EX	Exempt Ec Dev	0	0	0	0	0	0
EXC	Exempt Ec Dev for Com	0	0	0	0	0	0
EXR	Exempt Ec Dev for Res	0	0	0	0	0	0
EXV	Exempt Ec Dev for Vac	0	0	0	0	0	0
E	All Other Tax Exempt Property	91	0	0	0	0	0
<b>Total Assessed Value</b>			<b>1,098,934</b>	<b>6,757,054</b>	<b>7,855,988</b>	<b>0</b>	<b>0</b>
<b>No. of Parcels Read</b>		<b>1564</b>					

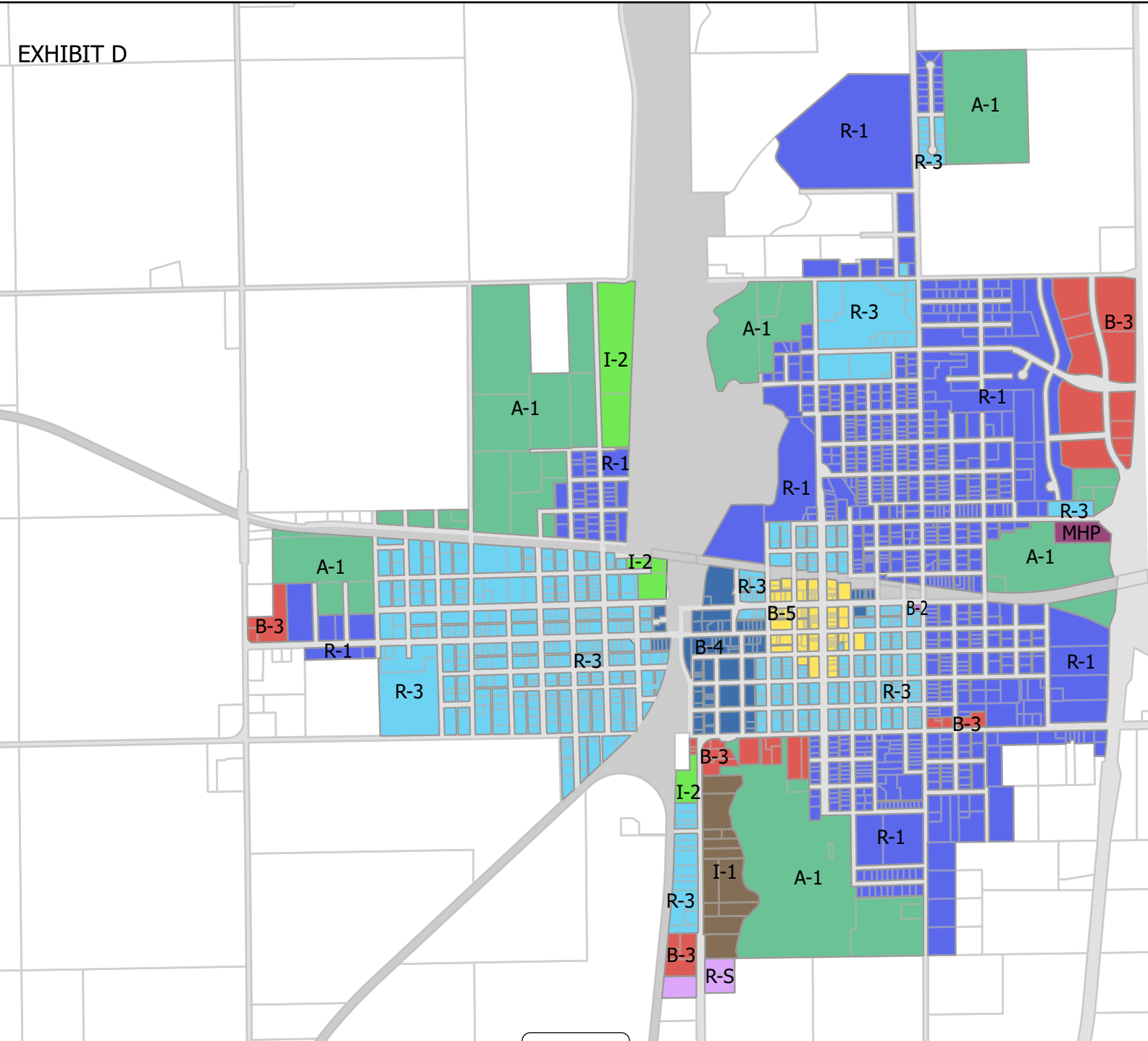
2021 Abstract of Appraised and Assessed Values

Improvement Gain		New Construction Gain			Remodel or Renovation Gain		
Class	Description	Occurrences	Value Increase Appraised	Value Increase Assessed	Occurrences	Value Increase Appraised	Value Increase Assessed
R	Residential Including Apartments	11	40,990	4,714	2	8,670	997
F	Residences on Farm Homesites	2	156,930	18,047	0	0	0
A	Agricultural Use Land & Improvements	0	0	0	0	0	0
C	Commercial & Industrial	0	0	0	0	0	0
V	Vacant Lots	0	0	0	0	0	0
N	Not For Profit	0	0	0	0	0	0
O	All Other Real Property	0	0	0	0	0	0
U	Utilities	0	0	0	0	0	0
<b>Total Occurrences and Value Increases</b>		13	197,920	22,761	2	8,670	997

### Zoning Districts

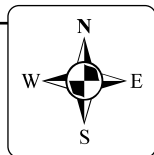
Zone ID : Description

- A-1 : Agriculture District
- B-2 : Neighborhood Commercial District
- B-3 : Highway Business District
- B-4 : General Business District
- B-5 : Central Business District
- I-1 : Light Industrial District
- I-2 : Heavy Industrial District
- MHP : Manufactured Home Park
- R-1 : Single Family Residential District
- R-3 : General Residential District
- R-S : Residential Suburban District



# City of Herington - Zoning

Printed: 10/25/2021



This map is for informational purposes only and should not be used to determine precise boundaries, roadways, property boundary lines or legal descriptions. It shall not be construed to be an official survey of any data depicted.  
-Dickinson County GIS-



# Exhibit E

## Application for Tax Rebate For the Herington Neighborhood Revitalization Plan Part One

Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

Address of Property: \_\_\_\_\_ Owner's E-Mail Address: \_\_\_\_\_

Parcel ID#: \_\_\_\_\_ Legal Description: \_\_\_\_\_

**RESIDENTIAL:** (Improvements must increase the appraised value by at least 15% or \$5,000, whichever is greater to be eligible for this Tax Rebate)

\_\_\_\_ New Construction \_\_\_\_ Remodel \_\_\_\_ Single Family or \_\_\_\_ Multi-family \_\_\_\_ Attached Garage \_\_\_\_ Detached Garage

\_\_\_\_ Other Construction (Please Describe) \_\_\_\_\_

Foundation Type: \_\_\_\_ Basement \_\_\_\_ Walk-out Basement \_\_\_\_ Crawl Space \_\_\_\_ Slab

Brief Description of your project: \_\_\_\_\_

**Estimated costs and dimensions and detailed drawings must be attached.**

**COMMERCIAL OR INDUSTRIAL:** (Improvements must increase the appraised value by at least 15% or \$5,000, whichever is greater to be eligible for this Tax Rebate)

\_\_\_\_ Commercial \_\_\_\_ Industrial \_\_\_\_ New Construction \_\_\_\_ Remodel

\_\_\_\_ Other Construction (Please Describe) \_\_\_\_\_

Foundation Type: \_\_\_\_ Basement \_\_\_\_ Walk-out Basement \_\_\_\_ Crawl Space \_\_\_\_ Slab

Brief Description of your project: \_\_\_\_\_

**Estimated costs and dimensions and detailed drawings must be attached.**

Estimated Date of Beginning Construction \_\_\_\_/\_\_\_\_/\_\_\_\_ Estimated Date of Completion \_\_\_\_/\_\_\_\_/\_\_\_\_

I have read and do hereby agree to follow all application procedures and criteria of the Herington Neighborhood Revitalization Plan.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

### For County Appraiser's Use Only

Based upon the above listed improvements and associated costs applied by the applicant, the improvements \_\_\_\_ will \_\_\_\_ will not meet the terms for a tax rebate.

\_\_\_\_\_  
Dickinson County Appraiser Office

\_\_\_\_\_  
Date

**Application for Tax Rebate  
For the Herington Neighborhood Revitalization Plan**

**Part Two**

**Status of Completion**

Date of Completion: \_\_\_\_\_

Total Cost of Project: \_\_\_\_\_

Final Costs and A List of Any Changes from the Original Application must be Included with this Form.

**FOR COUNTY APPRAISER'S USE ONLY**

The Above Improvements:

\_\_\_\_\_ Meets the \$25,000 minimum investment or increases the appraised value by at least 15% for Residential Property

\_\_\_\_\_ Does Not Meet the \$25,000 minimum investment or increase the appraised value by at least 15% for Residential Property

\_\_\_\_\_ Meets the \$25,000 minimum investment or increases the appraised value by at least 15% for Commercial and Industrial Property

\_\_\_\_\_ Does Not Meet the Meets the \$25,000 minimum investment or increases the appraised value by at least 15% for Commercial and Industrial Property

\_\_\_\_\_ will be the First Year this property goes into the Herington Neighborhood Revitalization Plan.

\_\_\_\_\_  
Dickinson County Appraiser Office

\_\_\_\_\_  
Date