

## RESOLUTION NO. 7042

**A RESOLUTION EXEMPTING FROM AD VALOREM TAXATION FIFTY PERCENT (50%) OF THE APPRAISED VALUE OF THE LAND AND BUILDING LOCATED AT 4811 QUAIL CREST PLACE IN LAWRENCE, KANSAS USED BY SUNLITE SCIENCE & TECHNOLOGY, INC. FOR THE MANUFACTURING OF ARTICLES OF COMMERCE, CONDUCTING RESEARCH AND DEVELOPMENT, AND STORING GOODS OR COMMODITIES WHICH ARE SOLD OR TRADED IN INTERSTATE COMMERCE, AS PROVIDED BY ARTICLE 11, SECTION 13 OF THE CONSTITUTION OF THE STATE OF KANSAS**

WHEREAS, on July 30, 2013, Sunlite Science & Technology, Inc. (“Sunlite”) submitted an application for the exemption from ad valorem taxation of fifty percent (50%) of the appraised value of its land and building used in the manufacturing of articles of commerce in the City of Lawrence, Douglas County, Kansas;

WHEREAS, the Governing Body of the City of Lawrence, Kansas, did, on May 18, 2010, adopt an updated policy setting forth the official policies and procedures for the granting of exemptions pursuant to Article 11, Section 13 of the Constitution of the State of Kansas, as required by K.S.A. 79-251;

WHEREAS, pursuant to the City’s Economic Development Policy, the Public Incentives Review Committee, having met on August 20, 2013, to review and consider the application for Sunlite, for exemption from payment of said ad valorem taxes, did, on August 20, 2013, upon motion made, seconded and approved, agreed to recommend to the Governing Body of the City of Lawrence, Kansas, that a fifty percent (50%) tax abatement for a ten (10) year period be granted to Sunlite on its land and building, as permitted by Article 11, Section 13 of the Constitution of the State of Kansas;

WHEREAS, on August 27, 2013, the Governing Body of the City of Lawrence, Kansas, conducted a public hearing on the granting of the exemption requested by Sunlite, prior to which the notices by both publication and in writing, required by K.S.A. 79-251 (b) were made and given in strict conformity with such requirements;

WHEREAS, pursuant to information presented by Sunlite, the Governing Body of the City of Lawrence, Kansas, finds the subject property will be used exclusively for the purposes specified by Section 13 of Article 11 of the Kansas Constitution;

WHEREAS, at said public hearing, the Governing Body of the City of Lawrence, Kansas, approved the request by Sunlite for the exemption from ad valorem taxation to-with a fifty percent (50%) tax abatement for ten (10 years);

WHEREAS, the Governing Body made the factual determination that the exemption was required to retain jobs in the State of Kansas, as required by K.S.A 79-251;

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

SECTION I. The above recitals are incorporated herein by reference and made a part hereof as if fully stated and repeated herein.

SECTION II. Fifty percent (50%) of the appraised valuation for the land and building located at 4811 Quail Crest Place in Lawrence, Kansas, a property owned by Sunlite and used by Sunlite in the manufacturing of articles of commerce, conducting research and development, and storing goods or commodities which are sold or traded in interstate commerce, is hereby exempted from ad valorem taxation for a ten (10) year period.

SECTION III. The exemption from ad valorem taxation hereby granted shall begin with the taxes levied in the calendar year 2014.

SECTION IV. Each year during the exemption period, the Douglas County, Kansas Appraiser shall exempt fifty percent (50%) of the appraised valuation of the land and building located at 4811 Quail Crest Place, Lawrence, Kansas, and place the balance of the appraised valuation on the tax rolls;

SECTION V. Sunlite shall be responsible for the preparation, initiation, timely filing, pursuing and follow-up of all applications and related paper work required by any state or local body or agency having authority of or over the allowance of approval of such exemption.

SECTION VI. The Mayor and City Clerk of the City of Lawrence, Kansas are hereby authorized to execute and submit the proper documents to effectuate the exemption hereby granted.

SECTION VII. The exemption from ad valorem taxation hereby granted is subject to limitation of fifty percent (50%) tax abatement on the land and building value as determined annually by the Douglas County, Kansas Appraiser.

SECTION VIII. If Sunlite fails to pay the ad valorem taxes which are assessed against the subject property, a penalty and/or interest will be assessed against Sunlite by the Douglas County Treasurer in accordance with applicable State laws relating to late tax payments. If Sunlite fails to timely pay any such ad valorem taxes and such failure shall

continue for one (1) year, the exemption from ad valorem taxation hereby granted shall be terminated December 31, in the year such payment was due.

SECTION IX. The exemption granted herein shall be subject to a Performance Agreement between the City of Lawrence, Kansas and Sunlite Science & Technology, Inc., setting forth additional conditions that may affect the exemption status.

SECTION X. The resolution shall be in force and effect from and after its adoption and publication as provided by law.

Adopted the \_\_\_ day of August, 2013, by the Governing Body of the City of Lawrence, Kansas.

---

Michael Dever, Mayor

ATTEST:

---

Jonathan Douglass, City Clerk

Approved as to form:

---

Toni Wheeler, Director of the Legal Department