



ABILENE LAND BANK BOARD OF TRUSTEES - MEETING AGENDA  
ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET  
March 28, 2022 - 4:00 pm

**THIS MEETING WILL BE HELD IMMEDIATELY AFTER THE REGULAR CITY COMMISSION MEETING**

VIEW THIS CITY COMMISSION MEETING VIRTUALLY AT  
[www.abilenecityhall.com/watchlive](http://www.abilenecityhall.com/watchlive)

1. Call to Order
2. Roll Call:     \_\_\_ Marshall   \_\_\_ Witt   \_\_\_ Rein   \_\_\_ Miller   \_\_\_ Kollhoff

Consent Agenda (*Consent Agenda items will be acted upon by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.*)

3. Agenda approval for the March 28, 2022 Land Bank Board of Trustees meeting.
4. Meeting minutes: March 14, 2022 Land Bank Board of Trustees meeting.

Public Comments and Communications

5. Persons who wish to address the City Commission may do so when called upon by the Mayor.

Old and New Business

6. Consider approval of Land Bank Resolution No. 032822-1, **A RESOLUTION ESTABLISHING A POLICY FOR THE CITY OF ABILENE, KANSAS LAND BANK'S SALE OF LOTS WITHIN THE GOLDEN BELT HEIGHTS EAST SUBDIVISION.**
7. Consider approval of the City of Abilene, Kansas Land Bank Lot Purchase Offer and Application.

Adjournment

8. Consider a motion to adjourn the March 28, 2022 Land Bank Board of Trustees meeting.



**Abilene Land Bank Board of Trustees Meeting Minutes**  
**Abilene Public Library – 209 NW Fourth Street**  
**March 14, 2022 @ 4:05 p.m.**  
**Abilene, Kansas**

**1. Call to Order**

**2. Roll Call** – Trustees Present: Chairperson Marshall, Trustees: Witt, Rein, Miller and Kollhoff (via zoom).

Staff Present: City Manager Marsh, Human Resources Director/City Clerk Mohr, City Attorney Martin, Convention and Visitors Bureau Director Roller-Weeks, Fire Chief Strunk, Community Development Director Zook, Police Chief Hatter, and Public Works Director Schrader.

**Consent Agenda**

- 3. Agenda Approval for the March 14, 2022, Land Bank Board of Trustees Meeting**
- 4. Meeting minutes: June 20, 2020, Land Bank Board of Trustees Meeting**

Motion by Trustee Witt, seconded by Trustee Rein to approve the Consent Agenda as presented. Roll call vote: Kollhoff YES, Miller YES, Witt YES, Marshall YES, Rein YES. Motion carried unanimously 5-0.

**Public Comments and Communications**

- 5. Persons who wish to address the City Commission may do so when called upon by the Chairperson.**

There were no public comments or communications.

**Old and New Business**

- 6. Consider approval of the Golden Belt Heights Subdivision Covenants and Restrictions.**

City Manager Marsh explained these covenants and restrictions are designed to enhance the desirability, attractiveness, and value of the development. A few of the difference are. The minimum main floor square footage is one thousand square feet, a two-car attached garage, the attachment means a breezeway also, limit

of one accessory structure, the fence height maximum is six feet, no chickens allowed and boats, RV's, trailers, mobile homes, pickup campers, etc. must be enclosed in a garage.

Motion by Trustee Rein, seconded by Trustee Miller to approve the Golden Belt Heights Subdivision Covenants and Restrictions. Roll call vote: Kollhoff YES, Miller YES, Rein YES, Witt YES, Marshall YES. Motion carried unanimously 5-0.

**7. Consider approval of the Lot Purchase Agreement for lots located in the Golden Belt Heights Subdivision.**

City Manager Marsh explained these are the purchase agreement between City of Abilene Land Bank and the purchaser. The City Attorney, Community Development Director Zook and City Manager Marsh developed this. The cost will be \$7,500.00 with a \$2,500.00 rebate upon completion of the terms of the contract being met.

Mayor Marshall asked how the City could prevent people from buying lots and sitting on them, we want this property developed.

City Attorney Martin state they would be addressing this issued further and it would be coming before you soon. There is some verbiage in the current contract stating that there is a period for development to begin and a complete it within a specified time.

Motion by Trustee Miller, seconded by Trustee Witt to approve the Lot Purchase Agreement for lots located in the Golden Belt Heights Subdivision. Roll call vote: Kollhoff YES, Miller YES, Rein YES, Witt YES, Marshall YES. Motion carried unanimously 5-0.

**Adjournment**

**8. Consideration of a motion to adjourn the March 14, 2022, Land Bank Board of Trustees meeting.**

Motion by Trustee, seconded by Trustee to adjourn at 4:12 p.m. Roll call vote: Miller YES, Witt YES, Rein YES, Kollhoff YES, Marshall YES. Motion carried unanimously 5-0.

(Seal)

\_\_\_\_\_  
Dee Marshall, Chairperson

ATTEST:

\_\_\_\_\_  
Shayla L. Mohr  
City Clerk



CITY OF ABILENE  
Item for City Commission Agenda

Meeting Date: 

03/21/2022
03/28/2022

Originating Department

Prepared By:

Approved For Agenda By:  
*(Office Use Only)*

Administrative/Community Development
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Ron Marsh
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AGENDA ITEM HEADING:

Land Bank Policy Draft Resolution and Lot Purchase Application Form
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BACKGROUND:

<p>The intent and purpose of establishing Golden Belt Heights as an RHID, and having an agreement with Heartland Housing Partners, is to sell and build on the lots as expeditiously as possible. This benefits the city by allowing the taxes generated by new building to pay down the debt service.</p> <p>The attached resolution sets policy for purchasing lots in Golden Belt Heights. The Lot Purchase Application Form provides the purchaser's intent.</p> <p>We will start accepting and approving applications on April 1, 2022 with closing dates not sooner than April 21, 2022</p> <p>These documents govern Golden Belt Heights East development only.</p>
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FISCAL NOTE:

None
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COMMISSION ACTION:

Review and direct staff
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**LAND BANK RESOLUTION NUMBER 032822-1**

**A RESOLUTION ESTABLISHING A POLICY FOR THE CITY OF ABILENE, KANSAS LAND BANK'S SALE OF LOTS WITHIN THE GOLDEN BELT HEIGHTS EAST SUBDIVISION.**

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF ABILENE, KANSAS LAND BANK:**

**I. Purpose.**

The Land Bank, without competitive bidding, intends to sell individual lots within the Golden Belt Heights East Subdivision a/k/a Highlands East ("Development") for the purchase price of \$7,500.00. The Land Bank's sale of lots shall be for the purpose of transferring lots to buyers demonstrating a bond-fide intention to construct a single-family dwelling within the Development. This policy is intended to set forth the policies and procedures for the sale of lots owned by the Land Bank within the Development.

**II. Policies and Procedures Governing the Sale of Properties.**

- A. The City Manager is authorized to sell lots within the Development in accordance with the terms of this policy. All revenue derived from the sale of lots will be used for the Land Bank's purposes and operations, or paid to the City of Abilene and used for payment or reimbursement for prior payment of past, present, and future special assessments levied against property within the Development.
- B. To purchase a property, interested parties must complete and submit to the City Manager an application, in the form attached hereto as Exhibit A. The City Manager is authorized to request additional information in connection with the application process, as may be reasonably determined by the City Manager to be necessary in order to review and evaluate the application in accordance with the terms of this policy.
- C. Upon receipt of a completed application, the City Manager shall review the application to confirm compliance with the requirements of this policy, and to confirm the applicant's eligibility for, and ability to satisfy, the terms and conditions of the Lot Purchase Agreement attached hereto as Exhibit B.
- D. Any applicant to purchase a lot shall satisfy the following requirements:
  - 1. The applicant shall attach to the submitted application copies of an elevation, floor plan, and site layout for the proposed single-family dwelling, evidencing compliance with the requirements of the covenants and restrictions recorded against the Development;
  - 2. The applicant shall demonstrate adequate funding and financial ability and capacity to undertake and finance the proposed construction of the single-family dwelling;

3. The applicant, and its principals and affiliates, shall not be in breach or violation of any other Lot Purchase Agreement previously entered into with the Land Bank.
  4. The applicant shall not own or have any interest in other property located in Dickinson County, Kansas that has delinquent taxes, unpaid special assessments, or un-remediated code violations.
- E. If the City Manager determines that an applicant has complied with the requirements of this policy and is eligible for a contract, the City Manager is authorized to enter into a Lot Purchase Agreement with the applicant in a form substantially similar to the form attached hereto as Exhibit B. The City Manager is further authorized to execute such other documents, including a deed, in order to consummate and close the transaction contemplated by the executed Lot Purchase Agreement.
- F. Each Lot Purchase Agreement shall provide for the sale of the subject lot to the buyer for the purchase price of \$7,500.00; provided, however, that the purchase price to be paid by the buyer of more than one lot for the purpose of constructing a single-family dwelling structure on combined lots shall be determined by the City Manager, based on the City Manager's evaluation of the purchase price amount that is necessary to replicate the City of Abilene's expected economic circumstances if a separate single-family dwelling were to be constructed on each of the separate lots.
- G. The applicant is responsible for complying with all applicable City Codes and development requirements, including zoning and building permits. Transfer of property by the Land Bank does not guaranty the applicant will be able to meet these requirements.
- H. An applicant that meets the eligibility criteria set forth in this policy may reserve up to two (2) times the number of lots upon which homes are currently being constructed by such applicant, so long as such applicant is in compliance with the terms of the applicant's existing contract(s) upon which construction is occurring. The lot reserve will be in the form of a right of first refusal. If another qualified applicant has met the criteria of the application and desires to purchase a reserved lot and the current right of first refusal holder is unable to immediately purchase the lot and begin building within the terms of the contract, the other qualified buyer shall be entitled to purchase the reserved lot and commence construction.
- I. The City Manager is authorized to develop and implement administrative regulations and policies to implement the terms of this policy resolution.
- J. This resolution shall be in full force and effect from and after its adoption.

Adopted by the Land Bank Board of Trustees and signed by the Chairperson this 28<sup>TH</sup> day  
of March, 2022.

(SEAL)

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Dee Marshall, Chairperson

ATTEST:

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Shayla L. Mohr, City Clerk

**City of Abilene, Kansas Land Bank  
Lot Purchase Offer and Application**

This Lot Purchase Application, if signed and submitted to the City of Abilene Land Bank, constitutes an offer to purchase a lot in the Golden Belt Heights East Subdivision in Abilene, Kansas, for the sum of \$7,500.00, for the purpose of constructing a single-family home pursuant to the terms and conditions of the Land Bank's standard Lot Purchase Agreement. If you wish to purchase more than one property, use a separate application for each property. Submitting an application does not commit the Land Bank to sell or transfer property.

1. Name of Applicant(s): \_\_\_\_\_  
A. Address: \_\_\_\_\_  
B. Telephone: \_\_\_\_\_  
C. Email: \_\_\_\_\_

2. General Contractor/Builder: \_\_\_\_\_  
A. Address: \_\_\_\_\_  
B. Telephone: \_\_\_\_\_  
C. Email: \_\_\_\_\_

3. Subcontractor(s) (if known): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. If Applicant's offer to purchase a lot is accepted by the Land Bank, Applicant represents that Applicant intends to construct a single-family home on the purchased lot. Copies of the following documents for proposed single-family home must be attached to the submitted application:

*Applicant  
Initials*

1. Elevation \_\_\_\_\_  
2. Floor Plan \_\_\_\_\_  
3. Site Layout \_\_\_\_\_

5. \_\_\_\_\_ (*Initials required.*) Applicant represents that Applicant has adequate funding and financial ability and capacity to undertake and finance the proposed construction of the single-family home. A description of the source and sufficiency of funding to complete the project must be attached to the submitted application.

6. \_\_\_\_\_ (*Initials required.*) Applicant represents that Applicant does not own or have any interest in other property located in Dickinson County, Kansas that has delinquent taxes, unpaid special assessments, or un-remediated code violations.

7. \_\_\_\_\_ (*Initials required.*) Applicant represents that, if Applicant enters into a Lot Purchase Agreement with the Land Bank, Applicant intends to diligently pursue a building permit for the construction of the single-family dwelling, and to diligently pursue the completion of construction within 365 days of securing a building permit.



8. Applicant furnishes the following references who are personally known to applicant and have knowledge of applicant's ability to enter into and perform the terms and conditions of a Lot Purchase Agreement.

Financial institution reference:

- A. Name: \_\_\_\_\_
- B. Address: \_\_\_\_\_
- C. Telephone: \_\_\_\_\_
- D. Email: \_\_\_\_\_

Business or personal reference:

- A. Name: \_\_\_\_\_
- B. Address: \_\_\_\_\_
- C. Telephone: \_\_\_\_\_
- D. Email: \_\_\_\_\_

**I certify that I am authorized to execute this Application and any subsequent agreement on behalf of the Applicant. I further understand that if there are material omissions of information requested by this Application or deliberately false answers, the City may revoke any permit it has granted in reliance on the answers provided by on this Application and/or terminate any Lot Purchase Agreement entered into with Applicant in reliance on the information contained in this Application.**

Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Co-Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Title(s) (if applicant is an entity)