



AGENDA
LAND BANK MEETING
7651 E. Central Park Ave, Bel Aire, KS
June 20, 2023 7:30 PM
or immediately following City Council



I. CALL TO ORDER: By Chairman Jim Benage

II. ROLL CALL

Jim Benage ____ Greg Davied ____ Tyler Dehn ____

Emily Hamburg ____ Justin Smith ____ John Welch ____

III. MINUTES

A. Minutes of the February 7, 2023 Bel Aire Land Bank meeting.

Action: Motion to (approve / deny / table) the February 7, 2023 Bel Aire Land Bank Minutes as (presented / amended).

Motion ____ Second ____ Vote ____

IV. PUBLIC COMMENTS

V. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussing the subject of: Consultation with Attorney about proposed contract negotiations pursuant to the KSA 75-4319 exception for: Attorney-Client Privilege. Invite Land Bank Treasurer and City Attorney. The meeting will be for a period of ____ minutes, and the open meeting will resume at ____ PM.

Motion ____ Second ____ Vote ____

VI. RESOLUTIONS AND FINAL ACTIONS

A. Consideration of reappointing City Manager Ty Lasher as Land Bank Treasurer.

Action: Motion to reappoint Ty Lasher as Bel Aire Land Bank Treasurer.

Motion ____ Second ____ Vote ____

B. Consideration of appointing City Attorney Maria Schrock as Land Bank Attorney.

Action: Motion to appoint Maria Schrock as Bel Aire Land Bank Attorney.

Motion ____ Second ____ Vote ____

C. Consideration of a Letter of Intent with Dev Properties, LLC to Purchase Lots 1 & 2, Block A of the Lycee Addition, Bel Aire, Kansas.

Action: Motion to (approve / deny / table) the Letter of Intent to Purchase Lots 1 & 2, Block A of the Lycee Addition, Bel Aire, Kansas with Dev Properties, LLC and authorize the Chairman to sign.

Motion _____ Second _____ Vote _____

VII. OTHER ITEMS

VIII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments:

A. Treasurers Report - June 20, 2023



MINUTES

LAND BANK MEETING

7651 E. Central Park Ave, Bel Aire, KS
February 07, 2023 6:45 PM



I. CALL TO ORDER: Chairman Jim Benage called the meeting to order at 6:45 p.m.

II. ROLL CALL

Present were Jim Benage, Greg Davied, John Welch, Tyler Dehn, Justin Smith, and Emily Hamburg.

Also present were Land Bank Treasurer Ty Lasher, Land Bank Attorney Jacqueline Kelly, and City Finance Director Ted Henry.

III. MINUTES:

A. Minutes of the October 18, 2022 Bel Aire Land Bank meeting.

MOTION: Justin Smith moved to approve the October 18, 2022 Bel Aire Land Bank Minutes as presented. Tyler Dehn seconded the motion. *Motion carried 5-0.*

IV. PUBLIC COMMENTS: No one spoke.

V. EXECUTIVE SESSION: There was no need for an executive session, and none was held.

VI. RESOLUTIONS AND FINAL ACTIONS

A. Consideration of approving the Property Ownership List for the Bel Aire Land Bank for 2023 and authorize publication.

Mr. Henry noted that certain properties listed as “sold in 2022” would be removed from the Property Ownership List before publication.

MOTION: John Welch moved to approve the Property Ownership List for the Bel Aire Land Bank for 2023 as amended and authorize publication. Justin Smith seconded the motion. *Motion carried 5-0.*

B. Consideration of approving the Bel Aire Land Bank 2022 ending sales and financial report.

MOTION: Justin Smith moved to accept and file the Bel Aire Land Bank 2022 Ending Sales and Financial Report. Greg Davied seconded the motion. *Motion carried 5-0.*

VII. OTHER ITEMS: No other items were discussed.

VIII. ADJOURNMENT

MOTION: At 6:59 p.m., Emily Hamburg moved to adjourn the meeting. Greg Davied seconded the motion. ***Motion carried 5-0.***



June 1, 2023

VIA E-MAIL

Ty Lasher
City of Bel Aire
7651 E. Central Park Ave.
Bel Aire, KS 67226

RE: Rock Rd & Lycee – Bel Aire, Southeast corner 3.38 acres

Dear Ty,

This letter of intent shall set forth the general business terms to be more fully negotiated and resolved in a purchase agreement (the "Purchase Agreement") between Dev Properties, LLC or permitted assigns (as "Buyer") and City of Bel Aire (as "Seller"). This LOI is not a binding agreement but is intended as the foundation for an agreement the parties intend to negotiate in good faith.

- Buyer:** Dev Properties, LLC, a Kansas limited liability company
- Seller:** City of Bel Aire
- Property:** +/- 3.38 acres (147,442 SF) located near the southeast corner of Rock Rd & Lycee St in Bel Aire, KS. See aerial depiction marked as Exhibit "A" attached hereto and incorporated herein.
- Purchase Price:** \$30,000 per acre
- Earnest Money:** Within five (5) business days after purchase agreement execution, Buyer shall deposit Three Thousand Dollars (\$3,000), with the Title Company. Earnest deposit to be fully refundable through the end of the Inspection Period.
- Due Diligence Period:** 14 day period commencing upon the Seller's and Buyer's execution and delivery of the Purchase Agreement.
- Closing Date:** Buyer is able to close on or before July 6th, 2023 or after August 10th, 2023 (Buyer will be traveling outside of the United States and unavailable between those dates)
- Title Company:** Security 1st Title, 727 N. Waco Ave., Ste. 300, Wichita, KS 67203
- Closing Costs:** Buyer and Seller shall split equally the cost of the owner's title policy. Buyer and Seller shall split the title company's closing fee and cost to record the deed. Buyer and Seller shall each bear their own respective closing costs, professional fees, etc. Buyer to pay for any new survey, environmental inspection, or financing related costs.

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 Rock Rd & Lycee St, Bel Aire – 3.38 Acres
 June 1, 2023
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Agency: NAI Martens is acting as a designated seller's agent. Berkshire Hathaway HomeServices PenFed Realty is acting as a buyer's agent. Seller shall pay a real estate commission equal to six percent (6%) based upon the gross Purchase Price at Closing.

If this proposal is acceptable, please acknowledge the above general business terms by signing on the page to follow. The submission of these terms for examination and negotiation does not constitute an offer to enter into an agreement, and these terms shall not be binding on any party. No agreement to buy or sell the property shall exist until a purchase agreement is executed and delivered by each party.

Sincerely,

NAI Martens

Ryan Hubbard

SELLER

CITY OF BEL AIRE

By: _____
 Name: _____
 Title: _____
 Date: _____

BUYER

DEV PROPERTIES, LLC,
 a Kansas limited liability company

By: Rupan Dev
Rupan Dev (Jun 1, 2023 18:34 CDT)
 Name: _____
 Title: _____
 Date: Jun 1, 2023

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EXHIBIT A

Depiction of the Property

Legal Description:

The City Of Bel Aire, Sedgwick County, Kansas, Lots 1-2 Block A Lycee Addition

The Property is depicted below as the red outlined area









LOI - Rock Rd & Lycee_Rupan 06.01.2023

Final Audit Report

2023-06-01

Created:	2023-06-01
By:	Ryan Hubbard (rhubbard@naimartens.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7-sHluYi7NjTfjBzHRGstJws2vCblmof

"LOI - Rock Rd & Lycee_Rupan 06.01.2023" History

-  Document created by Ryan Hubbard (rhubbard@naimartens.com)
2023-06-01 - 11:21:39 PM GMT- IP address: 174.71.153.164
-  Document emailed to rupankanti@yahoo.com for signature
2023-06-01 - 11:22:32 PM GMT
-  Email viewed by rupankanti@yahoo.com
2023-06-01 - 11:32:03 PM GMT- IP address: 68.102.121.46
-  Signer rupankanti@yahoo.com entered name at signing as Rupan Dev
2023-06-01 - 11:34:24 PM GMT- IP address: 68.102.121.46
-  Document e-signed by Rupan Dev (rupankanti@yahoo.com)
Signature Date: 2023-06-01 - 11:34:26 PM GMT - Time Source: server- IP address: 68.102.121.46
-  Agreement completed.
2023-06-01 - 11:34:26 PM GMT

BEL AIRE LAND BANK TREASURER'S REPORT

DATE June 19, 2023
TO: Chairman Benage and Board Members
FROM: Ty Lasher, Treasurer
RE: June 20, 2023 Land Bank Annual Meeting Agenda

Executive Session (Item V):

There is no need for an executive session.

Letter of Intent with Dev Properties, LLC (Item A):

The Land Bank owns two lots along Rock and on the south side of Lycee. There are no special assessments on these parcels nor taxes. The lots are listed for sale at \$50,000 per acre. Dev Properties, LLC has submitted a letter of intent to purchase these two lots for \$30,000 per acre or roughly \$100,000 for the total 3.38 acres. Closing would occur on or before July 6, 2023.

