



April 2023
(Amended April 3, 2023)

Greensburg Land Bank Policy

Mission Statement:

The Goal of the Greensburg Land Bank is to return tax delinquent property to productive use that benefits the community. When considering proposals to the Land Bank, preference will be given to projects that support home ownership, improve neighborhoods and otherwise advance the economic and social interests of the City of Greensburg, Kansas, and its residents.

Conditions set on Land Bank Properties

The Governing Body of the City of Greensburg serves in the capacity of the Land Bank Board of Trustees and makes all final decisions on Land Bank property conveyances.

The Land Bank Board of Trustees will annually, and as needed, identify development areas which are actively being developed. Any Land Bank properties in these particular geographical areas will be held for the developer(s) for that area. Any Land Bank parcels in actively developed areas will be marked as “not available for purchase” in the Land Bank published inventory list.

Land is conveyed with no guarantee as to quality or content, subject to covenants stated in the Land Bank Deed. Any parcel failing to meet requirements listed in the Deed may be subject to reversion to the Land Bank. Applicants will forfeit any funds spent on the property.

The Land Bank Board of Trustees may set a different minimum price on any Land Bank Property and may set a minimum price on commercial/industrial zoned properties and those containing structures.

Except as herein provided, donations of real property to the Land Bank will only be accepted if the donors own 100% of the property and have marketable title. Assurance of ownership and title shall be done through title insurance, attorney title opinion or such other means

approved by the Land Bank upon recommendation of the City Administrator after consultation with the City Attorney. The donor shall pay all costs of the proof of title and any title clearance cost unless waived by the Land Bank on recommendation of City Staff. Less than 100% ownership or defection marketable title may be accepted by the Land Bank if the Land Bank, in its sole discretion, determines doing so is in the best interest of the Land Bank and the City.

Persons gifting property to the Land Bank may request confirmation or receipt from the Land Bank as to the property value for tax deductible contribution purposes. Such value statement shall use the County Fair Market Value Appraisal. If desired, a third party, independent appraisal can be obtained at the applicant's expense subject to Land Bank approval.

The Land Bank Board of Trustees reserves the right to accept or reject any or all proposals without cause.

The Land Bank may aggregate and sell land for use as community parking. If an applicant wishes to purchase property for mixed uses business parking, it must state that intent on the application. Only parking that is for the benefit of community improvement will be considered by the Land Bank. Once the Land Bank parcel is conveyed for community parking, the owner will be responsible for the upkeep of the improved paved surface.

When completed proposals are accepted by the Land Bank, a review and recommendations of the proposal is completed by City staff.

Applicant's proposals are forwarded with recommendations to the Land Bank Board of Trustees.

The City staff, 30 days prior to the sale or transfer of any property owned by the Land Bank, will publish in the official City newspaper a notice announcing such sale.

Except as herein provided, Buyer is purchasing the Property in "as is" condition without warranty, express or implied, as to condition. Buyer acknowledges prior to execution of a contract of sale that they had adequate time to inspect the Property and agree it was in satisfactory condition or Buyer agrees to accept it with existing defects. Buyer takes the Property subject to the terms, conditions and limitations set forth in the Land Bank Policy of the City of Greensburg, Kansas.

Conditions for Applicants Prior to Purchase of Land Bank Property:

Applicant must not be delinquent on any licenses or taxes in Kiowa County.

Applicant must not have a history of code enforcement violations at properties they own or not have any outstanding violations. A history of 3 notices to appear in court for code violations or abatement notices from the City in the previous calendar year or 5 notices to appear in court for code violations or abatement notices from the City in the past 3 calendar years will make an individual ineligible to apply.

Conditions for Applicants After Purchase of Land Bank Property:

All applicants' property must be properly maintained with no notices to appear in court or before City Council for code violations.

Applicant must not be delinquent on any licenses or taxes in Kiowa County.

Failure to comply with the above requirements will render the land owner ineligible for future Land Bank opportunities or Economic Incentives from the City of Greensburg.

Land Bank Procedures

- Non-buildable lots are lots with a frontage that is generally less than 25 foot frontage. Non-buildable lots will generally be sold for \$100.
- Buildable lots/parcels will be generally sold for \$300. Buildable residential properties are generally those with over 70 foot frontage. The priority is for homeownership.
- Buildable lots for non-buildable purposes (yard expansion, parking, play ground area etc...) are sold for \$10.00 per front footage. For example, 70 foot frontage lots will cost \$700.
- The City staff will notify the Land Bank Trustees of Non-buildable and Buildable lots that contain razing assessments. Non-buildable and Buildable lots razing assessments will be abated. Commercial/Industrial lots are subject to special assessments.
- The Land Bank may set a minimum price on commercial/industrial zoned properties and those containing structures.

Process for Purchasing Land Bank Properties.

- Applicant must agree with Conditions set forth above in Land Bank Policy.
- Applicant must completely fill out the Land Bank Application. Application assistance from the City staff is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.
- If only one property is under consideration the applicant must completely fill out the Land Bank Application. Application assistance from the City staff is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.
- If the zoning is not appropriate, the applicant will need to get approval of zoning changes prior to any building.
- If the property under consideration is not in a targeted development area, the applicant must attach drawings of the proposed structure for City staff to review. At a minimum, the drawings should consist of the following: (1) The location of the building or structure; (2) The building work proposed; (3) The outside dimensions of the building by floors and dimensions of the basement (if any); (4) Basic drawings for New Construction of Buildings; (5) Such other information as may be pertinent to the issuance of the application. The structure should be compatible with the existing neighborhood.
- If multiple proposals are received for a specific property, all applicants will be asked to make a best and final offer on the property. No new applications will be allowed after the best and final offer letter is sent out. In addition to the bid price, proposals will be evaluated on their ability to finance the project, the quality of the building, the compatibility of the building with existing neighborhoods, individual experiences with building, and if the proposal is for homeownership.
- Proposals that are accepted will need to submit all their plans to the City staff prior to the building commencement. City Staff can send this information to successful applicants.
- The successful applicant should begin construction and shall substantially complete the same, within 12 months after the purchase of the Land Bank property. In the event that construction is not completed within 24 months, the applicant must notify the City Administrator in writing to request an extension.
- If Buyer fails or refuses to comply with the conditions assumed by

Buyer, or to perform all Buyer's obligations hereunder, Land Bank Board may at its option: (a) rescind and terminate the Contract, whereupon all rights and obligations hereunder shall cease and determine; or (b) enforce this Contract by appropriate action, including an action for specific performance, or for damages for breach, and retain all monies paid or deposited by Buyer pending the determination of such action. The Land Bank Board shall give Buyer written notice of election with respect to their exercise of either of these options.