

*Expedition Wind
Development Plan*

**MARION COUNTY, KANSAS
RESOLUTION NO. 2019-- 21**

A RESOLUTION APPROVING A COMPREHENSIVE DEVELOPMENT AGREEMENT FOR A WIND ENERGY CONVERSION SYSTEM FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF MARION COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE MARION COUNTY ZONING REGULATIONS ARTICLES 24 AND 27.

WHEREAS, Expedition Wind LLC ("Expedition Wind") is the holder of the following existing Conditional Use Permits: Marion County Commission Resolutions Numbered 2010-19; 2011-22; 2014-13; 2014-22; 2015-5; 2019-11; and 2019-15 (collectively, the "CUPs"); and

WHEREAS, in accordance with the CUPs, Expedition Wind desires to construct and operate a wind energy conversion system on the real property subject to the CUPs, with an expected total gross nameplate capacity of approximately two hundred (200) megawatts, subject to total size and configuration in Expedition Wind's discretion; and consisting of wind turbine generators, meteorological towers, substations, collection and transmission lines (overhead and underground), access roads, temporary construction areas, operation and maintenance facilities, and other infrastructures relating thereto (all collectively referred to as the "Project"); and

WHEREAS, it is in the best interest of the public health, safety and welfare of Marion County, Kansas ("County") that Expedition Wind and County reach an agreement to address possible issues that may arise pertaining to the design, construction, development, use, operation, maintenance, and decommissioning of the Project, including potential issues that may arise pertaining to the roads in, around and near the Project; and

WHEREAS, in accordance with the CUPs, and to effectuate the foregoing, County and Expedition Wind desire to enter into that certain Development Agreement, presented in the form as attached hereto as Exhibit "A" and incorporated herein (the "Development Agreement"), a copy of such agreement is available for public inspection at the Marion County Planning and Zoning Department, 203 S. 3rd Street, Marion, Kansas, during normal business hours; and

WHEREAS, the Board of County Commissioners of Marion County, Kansas (the "Governing Body") desire to authorize Kent. D. Becker, as Chairman of the Governing Body, in the name and on behalf of the Governing Body, to execute and deliver the Development Agreement and all such further documents, agreements, and instruments necessary or advisable to carry out the intent and accomplish the purpose of the Development Agreement and the transaction contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS, that the Development Agreement, as provided in Exhibit A, is approved and is the current and only Development Agreement in effect regarding any of the CUPs.

FURTHER RESOLVED, that Kent. D. Becker, as Chairman of the Governing Body, in the name and on behalf of the Governing Body, is hereby authorized to execute and deliver the Development Agreement and all such further documents, agreements, and instruments necessary or advisable to carry out the intent and accomplish the purpose of the Development Agreement and the transaction contemplated thereby.

This Resolution shall be in full force and effect from and after its publication in the official county newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Marion County, Kansas, this 25 day of November, 2019.

BOARD OF COUNTY COMMISSIONERS MARION
COUNTY, KANSAS

☒ Yea ☐ Nay ☐ Abstain


Kent D. Becker, Chairman

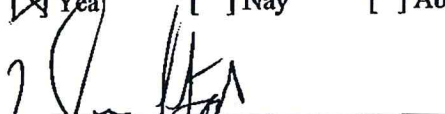
☐ Yea ☒ Nay ☐ Abstain


Dianne R. Novak, Member

☒ Yea ☐ Nay ☐ Abstain


Randy Dallke, Member

☒ Yea ☐ Nay ☐ Abstain


David Crofoot, Member

☐ Yea ☒ Nay ☐ Abstain


Jonah Gehring, Member

ATTEST: 

Tina D. Spencer, Marion County Clerk

