

## PETITION FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT

To the City of Lee's Summit, Missouri:

The undersigned petitioner (the "**Petitioner**") is the owner or representative of the owners of record of more than fifty percent (50%) (a) by assessed value of all real property within the hereinafter described community improvement district, and (b) per capita of all owners of real property within the hereinafter described community improvement district. Petitioner hereby petitions and requests that the City of Lee's Summit, Missouri (the "**City**"), create a community improvement district as described herein, to be known as the **PINE TREE COMMUNITY IMPROVEMENT DISTRICT** (the "**District**"), pursuant to the authority of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "**CID Act**").

1. The proposed District is contiguous and located entirely within the City.
2. A legal description of the proposed District is set forth as **Exhibit A**, attached hereto and incorporated herein by reference. A map illustrating the boundaries of the proposed District is set forth as **Exhibit B**, attached hereto and incorporated herein by reference.
3. The name of the proposed District is the Pine Tree Community Improvement District.
4. The proposed District consists of one (1) parcel, as more particularly described in **Exhibit A** and **Exhibit B**, attached hereto and incorporated by reference herein.
5. The proposed District consists of approximately 12.2 acres and all real property located within the proposed District has a total current assessed value of \$2,411,646, per the preliminary 2017 assessment notice.
6. The Petitioner represents more than 50% per capita of all owners of the real property located within the boundaries of the District, and more than 50% of all real property within the boundaries of the proposed District by assessed value.
7. Property within the District is located within the US 50/M291 Urban Renewal Project Area, declared as a blighted area pursuant to the provisions of the Land Clearance for Redevelopment Authority Law, Sections 99.300 through 99.660 RSMo., as amended, and City Ordinance NO. 7108, incorporated herein by reference
8. The proposed District shall be formed as a political subdivision governed by a board of directors composed of five directors appointed by the Mayor, with the consent of the City Council. Each director shall, during his or her term, meet the qualifications of Section 67.1451.2(1)-(2) of the CID Act. In addition, so long as NSI Investments LLC owns any interest in real property within the District, at least three of the five directors shall be legally authorized representatives of NSI Investments LLC. Two of the directors shall

always be representatives of the City of Lee's Summit. Successor directors shall be appointed in the same manner. Successor directors shall serve for a term of four years.

9. The initial directors and their respective terms of office shall be as follows:

<b>Name</b>	<b>Initial Term</b>
<u>Trent Overhue</u>	Four years
<u>Tammy Miller</u>	Four years
<u>Adam Winquist</u>	Two years
<u>City Representative</u>	Two years
<u>City Representative</u>	Two years

The date of appointment of each of the initial directors shall be the date of passage of an ordinance by the City establishing the District.

10. Petitioner ~~does not~~ seeks the limitations on the borrowing capacity of the District stated in the attached five-year plan.
11. Petitioner does not seek limitations on the revenue generation of the District.
12. The District shall have all powers provided in the CID Act, except as otherwise provided in this Petition.
13. The proposed District may, upon approval by the qualified voters of the District, impose a sales and use tax (the "**Sales Tax**") at a rate of up to of one percent (1%) on all eligible retail sales made in the proposed District in accordance with Section 67.1545 of the CID Act, for the duration permitted by the CID Act.
14. The Petitioner does not intend to petition the District for the levy of special assessments and, therefore, the maximum rates of special assessments proposed in this Petition are zero.
15. The Petitioner does not intend to submit real property taxes or business license taxes to the qualified voters for approval and, therefore, the maximum rates of real property taxes and business license taxes proposed in this Petition are zero.
16. A five-year plan stating a description of the purposes of the proposed District, ~~the services it will provide,~~ the improvements it will make and an estimate of costs of these ~~services and~~ improvements to be incurred (collectively, the "**CID Project**"), is set forth in **Exhibit C**, attached hereto and incorporated herein by reference. It is anticipated that the District will use the CID Revenues to finance and reimburse those eligible CID Project costs incurred on its behalf.
17. The estimated cost of the CID Project is \$2,611,605 ~~\$2,810,605~~ (excluding costs of financing, underwriters' fees and discounts, costs of printing any notes, bonds or other

obligations and any official statements relating thereto, ~~costs of credit enhancement, if any,~~ interest, capitalized interest, debt service reserves and the fees of any rating agency, placement fees, or other costs of issuance of any obligations issued by the proposed District), as further defined in **Exhibit C**, attached hereto and incorporated herein by reference.

18. The term of the District shall be ~~from the date of establishment by the City until all of the obligations that the District issues to finance and reimburse all of the eligible CID Project costs incurred within the boundaries of the District have been fully redeemed in accordance with the terms of the CID Act, provided that the term of the District shall in no event be longer than~~ 205 years.
19. The signatures of the signers to this Petition may not be withdrawn later than seven days after this Petition is filed with the City Clerk.
20. Petitioner respectfully requests that the proposed District be established pursuant to the CID Act.

Dated this \_\_\_ day of June, 2017.

**EXECUTION PAGE FOR PETITION FOR THE CREATION  
OF A COMMUNITY IMPROVEMENT DISTRICT**

Name of owner: Northern States Investments, LLC  
Owner's telephone number: 402-659-3540  
Owner's mailing address: 601 E South, Ozark, MO 65721  
Authority to sign: Trent Overhue

**IF SIGNER IS DIFFERENT FROM OWNER:**

Name of signer: Trent Overhue  
Signer's telephone number: same as above  
Signer's mailing address: same as above

If owner is an individual:  Single  Married  
If owner is not an individual, state what type of entity:  Corporation  General Partnership  
 Limited Partnership  Limited Liability Company  
 Partnership  Urban Redevelopment Corp.  
 Not-for-profit Corp  Other \_\_\_\_\_

Parcel Locator # and map: 61-410-19-72-00-0-00-000 for map see Exhibit B

Assessed value: \$ (approximately 12.2 acres)

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Before me personally appeared \_\_\_\_\_, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_



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## EXHIBIT A

### CID LEGAL DESCRIPTION

TRACT 1: A tract of land in the Northeast quarter of Section 7, Township 47, Range 31, in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southwest corner of the East one half of the Northeast Quarter of said Section 7; thence North 0 degrees 00 minutes 00 Seconds East, along the West line of the East one half of said Northeast Quarter of said Section 7, 990.24 feet to a point on the West line of Mission Road, said point being the Southeast corner of Lot 116, of Lots 109 to 117, BAYLES ADDITION, a subdivision in the City of Lee's Summit, Jackson County, Missouri and being the Northeast corner of the second of the two tracts described in Document No. I-584524 in Book I-1341 at page 1036, and being the point of beginning; thence South 0 degrees 00 minutes 00 seconds East along the West line of the East one half of the Northeast quarter of said Section 7 and the West line of Mission Road, a distance of 74.83 feet to the Northwest corner of the tract as described in Document No. I-584525 in Book I-1341 at page 1037; thence North 88 degrees 45 minutes 20 seconds East, along the North line of said tract, 789.36 feet to the Northeast corner of said tract; thence South 1 degree 14 minutes 40 seconds East, along the East line of said tract, 102.01 feet to the Northwest corner of the tract as described in document No. I-604652 in Book I-1380 at Page 2240; thence North 88 degrees 45 minutes 20 seconds East, along the North line of said tract, 125.07 feet; thence North 1 degree 14 minutes 40 seconds West, along said Northerly line, 11.00 feet thence North 88 degrees 45 minutes 29 seconds East, along said Northerly line 101.07 feet to the Northeast corner of said tract, and being on the West line of Jefferson Street; thence South 5 degrees 06 minutes 12 seconds East, along the West line of Jefferson Street, 169.90 feet to the Southeast corner of the tract as described in Document No. 678928 in Book 1226 at Page 318 thence South 88 degrees 45 minutes 20 seconds West, along the south line of said tract, 300.00 feet to the Southwest corner of said tract and being on the East line of the tract as described in Document No. I-5584524 in Book I-1341 at Page 1036; thence South 5 degrees 06 minutes 12 seconds East, along said East line and the East line of the tract as described in Document No. I-344326 in Book I-867 at Page 1796, 323.75 feet to the Southeast corner of said tract and the Northerly right-of-way line of U.S. Highway 50; thence South 87 degrees 41 minutes 37 seconds West along said Northerly right-of-way line, 9.91 feet; thence South 87 degrees 56 minutes 47 seconds West, along said Northerly right-of-way line 179.91 feet thence North 80 degrees 08 minutes 13 seconds West along said Northerly right-of-way line, 199.27 feet; thence North 62 degrees 52 minutes 34 seconds West along said Northerly right-of-way line, 689.64 feet; thence continuing along said Northerly right-of-way line Northwesterly on a 5,663.62 feet radius chord curve to the right at a distance of 271.94 feet (long Chord = North 61 degrees 16 minutes 58 seconds West 271.91 feet) to a point on a curve on the Easterly line of Madison Street; thence Northeasterly on a 193.27 feet radius curve to the left a distance of 281.01 feet (Long chord = North 49 degrees 50 minutes 23 seconds East 256.90 feet) along the East line of said Madison Street to the Southwest corner of Lot 117 of Lots 109 to 117, BAYLES ADDITION said being the Northwest corner of the second of the two tracts described in Document: No. I-58424 in Book I-1341 at Page 1036; thence North 89 degrees 23 minutes 32 seconds East, along the South line of Lots 117 and 116 a distance 280.63 feet to the Point of Beginning except the following described tract.

TRACT 2: A parcel of land in the East half of the Northeast quarter of section 7, Township 47, Range 31, Jackson County, Missouri described as commencing at the Southwest corner of said East half, thence North 00 degrees 00 minutes 00 seconds East along the West line of said East half a distance of 567.86 feet to the North right-of-way line of Missouri U.S. Highway 50; thence South 62 degrees 52 minutes 34 seconds East along said Right-of-way line a distance at 180.64 feet to the Point of Beginning; thence North 27 degrees 05 minutes 39 seconds East a distance of 112.00 feet; thence South 62 degrees 52 minutes 34 seconds East a distance of 75.25 feet; thence South 27 degrees 05 minutes 39 seconds West a distance of 112.00 feet to the North right-of-way line Missouri U.S. Highway 50; thence North 62 degrees 52 minutes 34 seconds West along said right-of-way line a distance of 75.25 feet to the Point of Beginning.

**EXHIBIT B**

**BOUNDARY MAP OF THE PROPOSED DISTRICT**





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**EXHIBIT C**

**Five Year Plan**

(Attached hereto.)

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