

BILL NO. 23-214

AN ORDINANCE APPROVING THE ASSIGNMENT AGREEMENT AMONG NLV FARM OFFICE, LLC, BRITTANY HARRINGTON, AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE PROPERTY DESIGNATED AS REDEVELOPMENT PROJECT M, CONTAINING THE FARM OFFICE AND THE DAIRY MANAGER HOUSE AS HISTORIC PRESERVATION IMPROVEMENTS, PURSUANT TO THE NEW LONGVIEW TAX INCREMENT FINANCING PLAN.

WHEREAS, on December 15, 2015, the City Council approved the New Longview Tax Increment Financing Plan (the "TIF Plan") through the adoption of Ordinance No. 7779 in accordance with the Real Property Tax Increment Allocation Redevelopment Act, sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended; and,

WHEREAS, on January 22, 2019, the Council approved Ordinance No. 8548 which approved the Second Amendment to the Second Amended and Restated Longview Farm Tax Increment Financing Plan, the First Amendment to the New Longview Tax Increment Financing Plan, and the First Amendment to the TIF Contract between the City and M-III Longview, LLC, to revise the amounts and priority of funding for Historic Preservation Improvements; and,

WHEREAS, property that is proposed for sale is designated as "Redevelopment Project M" pursuant to the TIF Plan which contains the Farm Office and the Dairy Manager's House, which are designated as Historic Preservation Improvements pursuant to the TIF Plan and the TIF Contract, and TIF revenues may be used to reimburse the appropriate party for Reimbursable Project Costs for eligible historic preservation work to such structures in accordance with the requirements of the TIF Contract; and,

WHEREAS, Section 7.02 of the TIF Contract provides in relevant part: "Prior to the issuance of a Certificate of Substantial Completion for an Historic Preservation Improvement, the Developer's rights and obligations hereunder with respect to that Historic Preservation Improvement and the property on which it is located may not be assigned, in whole or in part, to any entity other than the Sunflower Development Group, LLC, without the prior approval of the City Council."; and,

WHEREAS, the City Council desires to approve an Assignment Agreement to assign Developer's rights and obligations under the TIF Contract for the Historic Preservation Improvements on the Project M property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The Assignment Agreement for the Farm Office & Dairy Manager House which is attached hereto as Exhibit A and which is incorporated herein by reference is hereby approved, and the City Manager is authorized to execute an Assignment Agreement in substantial compliance with the attached document.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

ASSIGNMENT AGREEMENT FOR THE
FARM OFFICE & DAIRY MANAGER HOUSE IN REDEVELOPMENT PROJECT M

[Attached]