

BILL NO. 21-223

AN ORDINANCE APPROVING THE PETITION TO REMOVE PROPERTY FROM THE SUMMIT FAIR COMMUNITY IMPROVEMENT DISTRICT AND APPROVING THE DOCUMENT TITLED TERMINATION OF SUMMIT PLACE COOPERATIVE AGREEMENT.

WHEREAS, Sections 67.1441, RSMo, of the Missouri Community Improvement District Act (the "CID Act"), authorize the governing body of any city, upon presentation of a proper document requesting the removal of property from a community improvement district, to adopt an ordinance approving such request if the board of directors of the district consents to the removal of such property and if the district can meet its obligations without the revenues generated by or on the real property proposed to be removed; and,

WHEREAS, property owners within the Summit Fair Community Improvement District (the "CID" or the "District") have filed with the Lee's Summit City Clerk (the "City Clerk") a petition requesting the removal of property from the District; and

WHEREAS, after giving proper publication and mailed notice, the City Council held a public hearing on November 2, 2021 to consider the request to remove property from the District, at which all persons interested in the matter were allowed an opportunity to speak; and,

WHEREAS, the property that is requested to be removed from the District can meet its obligations without the revenues generated by or on the real property proposed to be removed from the District, given that the property within the Summit Fair shopping center will remain within the boundaries of the CID; and,

WHEREAS, the Petition to remove property being fully heard before the City Council, the City now desires to approve this ordinance to remove the requested property from the District.

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

SECTION 1. The City Council hereby finds that it is in the best interests of the City to amend the boundaries of the District by removing the real property described in Exhibit A to the Petition to Remove Property which is attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Petition which is attached hereto as Exhibit A and incorporated herein by reference is hereby approved.

SECTION 3. The document titled Termination of Summit Place Cooperative Agreement which is attached hereto as Exhibit B and incorporated herein by reference is hereby approved and the City Manager is authorized and directed to execute such Termination document in substantial compliance with the attached form of document.

SECTION 4. City staff and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

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SECTION 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of October, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

PETITION TO REMOVE PROPERTY FROM THE DISTRICT

[Attached]

EXHIBIT B

TERMINATION OF SUMMIT PLACE COOPERATIVE AGREEMENT

[Attached]