

**Received in the office of the City Clerk
for the City of Lee's Summit, MO
on February 29, 2024 at 1:25pm**

**PETITION FOR REMOVAL OF REAL PROPERTY FROM
THE COLBERN RIDGE COMMUNITY IMPROVEMENT DISTRICT
CITY OF LEE'S SUMMIT, MISSOURI**

FEBRUARY 2024

**PETITION FOR THE REMOVAL OF REAL PROPERTY FROM
THE COLBERN RIDGE COMMUNITY IMPROVEMENT DISTRICT**

To the Mayor and City Council of the City of Lee's Summit, Missouri:

The undersigned real property owner(s) (the "Petitioner"), being the owner of real property within the Colbern Ridge Community Improvement District (the "District"), hereby requests, pursuant to Section 67.1441.1, RSMo., that certain real property, as more particularly set forth in Exhibits B and C (the "Subject Property"), be removed from the District.

As required under the statutory procedure for such removal, the Petitioner hereby requests that the City Council hold a public hearing for the removal of the Subject Property, and in furtherance of this request, please find attached the following:

1. Exhibit A: A resolution from the Board of Directors of the District, consenting to the removal of the Subject Property from the District, which includes a statement that the District can meet its obligations without the revenues generated by or on the Subject Property proposed to be removed.
2. Exhibit B: A map illustrating the boundaries of the existing District.
3. Exhibit C: Legal Description of the real property proposed to be removed from the District.
4. Exhibit D: A map illustrating the real property proposed to be removed from the District.

[Remainder of Page Intentionally Blank; Separate Execution Page Follows]

**EXECUTION PAGE FOR PETITION FOR THE REMOVAL OF REAL PROPERTY FROM
THE 3-TRAILS VILLAGE COMMUNITY IMPROVEMENT DISTRICT**

Name of owner: Nelson Development 1, LLC, an Iowa limited liability company

Owner's telephone number: (515) 457-9000

Owner's address: 405 6th Avenue, Suite 201, Des Moines, IA 50309

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Michael K. Nelson

Title: Manager

If owner is not an individual, state what type of entity (Mark Applicable Box):

<input type="checkbox"/>	Corporation	<input type="checkbox"/>	General Partnership
<input type="checkbox"/>	Limited Partnership	<input checked="" type="checkbox"/>	Limited Liability Company
<input type="checkbox"/>	Partnership	<input type="checkbox"/>	Urban Redevelopment Corporation
<input type="checkbox"/>	Not-for-Profit Corporation	<input type="checkbox"/>	Other

Map and parcel number(s): Portions of 52-500-01-11-1-00-000 and 52-500-01-15-01-2-00-000

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

Date: 2/23/2024

Nelson Development 1, LLC, an Iowa limited liability company



By: [Signature]

Name: Michael K. Nelson

Its: Manager

STATE OF IA)
) ss:
COUNTY OF Polk)

On this 23 day of February 2024, before me appeared Michael K. Nelson, to me personally known, who, being by me duly sworn did say that he is the Manager of Nelson Development 1, LLC, an Iowa limited liability company and that said instrument was signed on behalf of said corporation, and said corporation acknowledged said instrument to be the free act and deed of said entity.

WITNESS my hand and official seal this 23 day of February, 2024.

My Commission Expires: Jan 24, 2026

[Signature]
Notary Public

EXHIBIT A

COLBERN RIDGE COMMUNITY IMPROVEMENT DISTRICT

RESOLUTION OF THE BOARD OF DIRECTORS

RESOLUTION NO. 2023-2

CONSENTING TO REMOVAL OF PROPERTY FROM THE DISTRICT

WHEREAS, Nelson Development 1, LLC recently purchased approximately 10-acres of property from Colbern-Rice Investments, LLC generally located at the northeast corner of NE Colbern Road and NE Rice Road (the "Nelson Property") and has requested that the Nelson Property be removed from the CID;

WHEREAS, before property may be removed from a community improvement district, Section 67.1441.(1), RSMo, requires that the community improvement district's board of directors' consent to such removal;

WHEREAS, before property may be removed from a community improvement district, Section 67.1441.1(2), RSMo, requires a determination that the community improvement district can meet its obligations without the revenues associated with the property proposed to be removed;

WHEREAS, the District's obligations consist of public improvement costs and other costs authorized to be reimbursed pursuant to the Redevelopment Agreement entered into by and among the City of Lee's Summit, the CID District, and the Developer.

WHEREAS, the property being removed from the District is being developed for residential use and will not generate any sales tax revenues. Therefore, it is the Board's determination that the CID can meet all its obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLBERN RIDGE COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

1. The District can meet all of its obligations without the development of the Nelson Property.
2. The Board consents to the removal of the Nelson Property, such that the new legal description of the District will be set forth on Exhibit A, and a depiction of the new District boundaries as set forth on Exhibit B.
3. This Resolution shall take effect immediately.

PASSED by the Board of Directors of the Colbern Ridge Community Improvement District on October 12, 2023.



Michael Atcheson, Executive Director

EXHIBIT B



EXHIBIT C

ALL OF LOT 3, COLBERN RIDGE, LOT 3, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

EXCEPT FOR A TRACT OF LAND LOCATED IN SECTION 29, TOWNSHIP 48, RANGE 31, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 4 OF RICE ACRES LOTS 4 & 5, A SUBDIVISION IN SAID LEE'S SUMMIT, RECORDED AS DOCUMENT NO. 2021E0043061; THENCE S 1° 23' 04" W, A DISTANCE OF 134.91 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 1° 20' 27" E AND A RADIUS OF 56.00 FEET, AN ARC DISTANCE OF 29.27 FEET; THENCE N 1° 23' 04" E, A DISTANCE OF 114.46 FEET; THENCE S 88° 38' 44" E, A DISTANCE OF 307.51 FEET; THENCE S 1° 23' 04" W, A DISTANCE OF 7.50 FEET; THENCE N 88° 38' 44" W, A DISTANCE OF 300.01 FEET TO THE POINT OF BEGINNING.

EXHIBIT D

