

BILL NO. 24-059

AN ORDINANCE APPROVING THE REMOVAL OF REAL PROPERTY FROM THE COLBERN RIDGE COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, Sections 67.1401 to 67.1571 RSMo, 2000, as amended (the "CID Act"), authorize the governing body of any city, upon presentation of a proper petition requesting the removal of real property and after a public hearing, to adopt an ordinance removing the real property from the community improvement district; and,

WHEREAS, the City of Lee's Summit, Missouri (the "City") is a charter city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and,

WHEREAS, the City Council passed Ordinance No. 9680 on June 13, 2023 which approved the Colbern Ridge Community Improvement District (the "CID" or the "District"); and,

WHEREAS, property owners within the District filed a petition with the Lee's Summit City Clerk (the "City Clerk") for the removal of real property from the District pursuant to the CID Act (the "Petition"); and,

WHEREAS, the City Clerk verified that the Petition for the removal of property substantially complies with the CID Act, submitted the verified Petition to the City Council and set a public hearing with all proper notice being given in accordance with the CID Act or other applicable law; and,

WHEREAS, none of the signatures of the signers of the Petition for the removal of property were withdrawn within seven days after the Petition was filed with the City Clerk; and

WHEREAS, all the real property included in the portion of land to be removed from the District is entirely located within the City of Lee's Summit; and,

WHEREAS, the District passed Resolution No. 2023-2 on October 12, 2023, which authorized the removal of the property from the boundaries of the District; and,

WHEREAS, on March 26, 2024, the City Council held a public hearing, after notice in accordance with the CID Act, at which all persons interested in the matter were allowed an opportunity to speak; and,

WHEREAS, the Petition for the removal of real property from the District being fully heard before the City Council, the City now desires to remove such property from the District and make such other findings as necessary.

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

SECTION 1. All terms used in this Ordinance shall be construed as defined in the CID Act and the Petition to Remove Real Property from the Colbern Ridge Community Improvement District,

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SECTION 2. The City Clerk has verified that the Petition substantially complies with all submission requirements of the CID Act.

SECTION 3. The Petition to Remove Real Property from the Colbern Ridge Community Improvement District, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby approved.

SECTION 4. The City Clerk is hereby directed to prepare and file with the Missouri Department of Economic Development (the "Department") the report specified in subsection 6 of Section 67.1421 of the CID Act, substantially in the form provided by the Department, to notify the state of the removal of the property from the District.

SECTION 5. City officers 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.

SECTION 6. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. 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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

Trisha Fowler Arcuri, City Clerk

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A
PETITION TO REMOVE PROPERTY

[Attached]