

AN ORDINANCE APPROVING A PETITION FOR THE ESTABLISHMENT OF THE RAINTREE 150 CENTER COMMUNITY IMPROVEMENT DISTRICT AND CREATING THE RAINTREE 150 CENTER COMMUNITY IMPROVEMENT DISTRICT AND APPROVING THE APPOINTMENT OF THE BOARD OF DIRECTORS.

WHEREAS, on June 2, 2005, the City Council adopted Ordinance No. 5958 which approved a preliminary development plan for approximately eight (8) acres of land generally lying at the southwest corner of Highway M-150 and Highway 291, on property legally described in Exhibit A, which will contain structures intended for a bank, retail, restaurant and fast food restaurants, more commonly known as the Raintree 150 Center development ("Development"); and,

WHEREAS, a condition of said Ordinance is that Developer shall use good faith efforts to cause the formation of a community improvement district and to participate in the funding of road improvements for Highway M-150; and,

WHEREAS, on June 27, 2006, pursuant to the Community Improvement District Act, Section 67.1401 et seq. ("Act"), a Petition to the City Council of Lee's Summit, Missouri for the creation of the Raintree 150 Center Community Improvement District, signed by (1) property owners collectively owning more than fifty percent by assessed value of the real property and (2) fifty percent per capita of all owners of real property within the boundaries of the proposed Raintree 150 Center Community Improvement District, was filed with the City Clerk ("Petition"); and,

WHEREAS, as required by the Act, the Petition contains the following information: (a) The legal description of the proposed district, including a map illustrating the district boundaries; (b) The name of the proposed district; (c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk; (d) A five-year plan stating a description of the purposes of the proposed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; (e) A statement as to whether the district will be a political subdivision or a not for profit corporation and if it is to be a not for profit corporation, the name of the not for profit corporation; (f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated; (g) If the district is to be a political subdivision, the number of directors to serve on the board; (h) The total assessed value of all real property within the proposed district; (i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area; (j) The proposed length of time for the existence of the district; (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval; (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition; (m) The limitations, if any, on the borrowing capacity of the district; (n) The limitations, if any, on the revenue generation of the district; (o) Other limitations, if any, on the powers of the district; (p) A request that the district be established; and (q) Any other items the petitioners deem appropriate; and,

WHEREAS, the Petition has been examined by the City Clerk and found to comply with the requirements of the Act; and,

WHEREAS, a public hearing was held on July 13, 2006 in compliance with the Act; and

WHEREAS, the City Council desires to adopt an ordinance approving the Petition and establishing the Raintree 150 Center Community Improvement District and approving the appointment of the Board of Directors for the Raintree 150 Center Community Improvement District.

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

SECTION 1. The City Council hereby finds and determines that the Petition requesting the establishment of the Raintree 150 Center Community Improvement District is complete and proper in all respects and in compliance with the requirements of the Act, and the Petition is hereby approved.

SECTION 2. The Raintree 150 Center Community Improvement District is hereby established as set forth in the Petition.

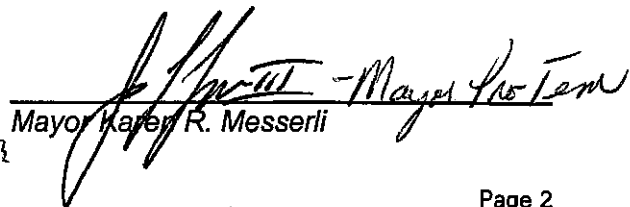
SECTION 3. The City Clerk is directed to report in writing the creation of the Raintree 150 Center Community Improvement District to the Missouri Department of Economic Development.

SECTION 4. The Raintree 150 Center Community Improvement District will be governed by an initial Board of Directors consisting of the following five (5) members for the terms indicated and the Mayor shall have authority to appoint, with the consent of the City Council, future Board members:

	<u>Name</u>	<u>Term</u>
1.	Lou Trigg	4 years
2.	David Block	4 years
3.	Rae Block	2 years
4.	Chris George	2 years
5.	Kurt Powelson	2 years

SECTION 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 27th day of July, 2006.

for  Mayor Karen R. Messerli

ATTEST:

for Shirley D. Wath - Deputy
City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this 27th day of July, 2006.

for [Signature] - Mayor Pro Tem
Mayor Karen R. Messerli

ATTEST:

for Shirley D. Wath - Deputy
City Clerk Denise R. Chisum

APPROVED AS TO FORM:

Jennifer M. Orr
Assistant City Attorney Jennifer M. Orr

EXHIBIT A

Lee's Summit M-150 LLC Tract: Lot 2-B, 2-C, 2-D and Tract A of Raintree 150 Center-Second Plat, a subdivision in Lee's Summit, Jackson County, Missouri; and

Bank of America Tract: Lot 1, Raintree 150 Center, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof; and

Remaining Property

Lot 2-A, Raintree 150 Center- Second Plat, a subdivision in Lee's Summit, Jackson County, Missouri; and

All of the right-of-way of Raintree Drive and Missouri Highway 150 immediately adjacent to the property included within the plat and second plat of Raintree 150 Center, including all of the driving surface, curb, gutter, islands, inlets and related road and drainage improvements.