

AN ORDINANCE APPROVING THE EAST U.S. 50 HIGHWAY CORRIDOR IMPROVEMENT TAX INCREMENT FINANCING PLAN, ESTABLISHING THE REDEVELOPMENT AREA AND REDEVELOPMENT PROJECTS 1 AND 4, AND APPROVING PROJECT AREA 1.

WHEREAS, on September 10, 2007, the East U.S. 50 Highway Corridor Improvement Tax Increment Financing Plan (the "Redevelopment Plan") was submitted by the City of Lee's Summit (the "City") requesting that the City establish a redevelopment area in Lee's Summit, Missouri (the "Redevelopment Area"), pursuant to the provisions of the Real Property Tax Increment Allocation Act, Sections 99.800 to 99.865 R.S.Mo. (the "Act"); and,

WHEREAS, pursuant to the Act, the Lee's Summit Tax Increment Financing Commission (the "Commission"), notified the affected taxing jurisdictions of their right to participate in a public hearing in front of the Commission; and,

WHEREAS, in connection with the public hearing, the Commission invited interested parties to submit alternative proposals for redevelopment of some or all of the Redevelopment Area; and,

WHEREAS, notice of a public hearing on October 15, 2007, before the Commission to consider the proposed Redevelopment Plan and projects included therein, was provided in accordance with the provisions of the Act; and,

WHEREAS, a public hearing was held before the Commission on October 15, 2007, and all interested parties were provided with an opportunity to present evidence and provide testimony regarding the proposed Redevelopment Plan and projects and, on said date, the Commission, having heard and considered the comments and other evidence adduced at the public hearing, closed the public hearing and voted to adopt resolutions recommending that the City Council approve and adopt the Redevelopment Plan and designate the Redevelopment Area and the redevelopment projects included therein; and,

WHEREAS, on November 15, 2007, the City Council considered the Redevelopment Plan and the recommendations of the Commission to approve the Redevelopment Plan and the designation of the Redevelopment Area and the redevelopment projects included therein; and,

WHEREAS, on November 15, 2007, the City Council directed City staff to prepare amendments to the Redevelopment Plan and an ordinance for approval of the amended Redevelopment Plan; and notice of such amendments was provided in accordance with the provisions of the Act; and,

WHEREAS, the City Council, having heard and considered the comments and other evidence adduced at the meetings, as well as the evidence and testimony submitted during the Commission's public hearings, desires to approve the Redevelopment Plan, as amended, designate the Redevelopment Area and the redevelopment projects identified therein, and approve Project Area 1 as a redevelopment project, all as provided in and in accordance with the provisions of the Act.

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

SECTION 1. That the tracts of land legally described in Exhibit 1-A to the Redevelopment Plan are hereby designated as the Redevelopment Area. The Redevelopment Area includes only those parcels of real property and improvements thereon which will be directly and substantially benefited by the redevelopment project improvements therein.

SECTION 2. That the Redevelopment Plan, as amended, a copy of which is attached hereto as Exhibit "A", is hereby approved and adopted.

SECTION 3. That the City Council hereby finds:

1. That the Redevelopment Area on the whole is a blighted area and has not been subject to growth and development, due to the following factors:

- a. Defective or inadequate street layout;
- b. Unsanitary or unsafe conditions; and
- c. Existence of conditions that endanger life or property by fire or other causes

and would not reasonably be anticipated to be developed without the adoption of tax increment financing.

2. That the Redevelopment Plan conforms to the City's Comprehensive Plan for the development of the municipality as a whole.

3. That the estimated dates of completion of the redevelopment projects and retirement of obligations incurred to finance the redevelopment project costs are not more than 23 years from the estimated adoption of the ordinance approving the redevelopment projects.

4. That the Redevelopment Plan contains a plan for the relocation of businesses and residences.

5. That the Redevelopment Plan contains a cost-benefit analysis showing the economic impact of the Redevelopment Plan on each taxing jurisdiction which is at least partially within the boundaries of the Redevelopment Area.

6. That the Redevelopment Plan does not include a gambling establishment.

SECTION 4. That the projects described in the Redevelopment Plan as Project Area 1 and Project Area 4 and legally described in Exhibits 1-B and 1-C respectively are hereby designated as redevelopment projects.


SECTION 5. Tax increment allocation financing is hereby adopted for taxable real property in Project Area 1, described on Exhibit 1-B to the Redevelopment Plan. After the total equalized assessed valuation of the taxable real property in Project Area 1 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project Area 1, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

- a. That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized value of each such taxable lot, block, tract or parcel of property in Project Area 1 shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.
  
- b. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in Project Area 1, and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the City for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof.

SECTION 6. That in addition to the payments in lieu of taxes described in subsection b of Section 5 above, fifty percent (50%) of the total additional revenue from taxes, penalties and interest which are imposed by the City or taxing districts, and which are generated by economic activities within Project Area 1 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the adoption of this ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales of charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to Section 70.500 R.S.Mo., taxes levied for the purpose of public transportation pursuant to section 94.660, R.S.Mo., licenses, fees or special assessments, other than payments in lieu of taxes, and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement shall be allocated to, and paid by the local political subdivision collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds in a separate segregated account within the Special Allocation Fund.

SECTION 7. That 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 Lee's Summit, Missouri, this 13<sup>th</sup> day of December, 2007.

  
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Mayor Karen R. Messerli

ATTEST:

  
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City Clerk Denise R. Chisum

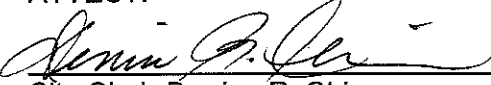
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**ORDINANCE NO. 6551**

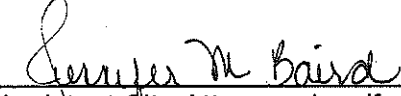
APPROVED by the Mayor of said city this 21<sup>ST</sup> day of December, 2007.

  
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Mayor Karen R. Messerli

ATTEST:

  
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City Clerk Denise R. Chisum

APPROVED AS TO FORM:

  
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Assistant City Attorney Jennifer M. Baird