

**SECOND AMENDMENT TO  
THE MIDTOWN REDEVELOPMENT TAX INCREMENT FINANCING PLAN**

The Midtown Redevelopment Tax Increment Financing Plan shall be amended as follows:

1. Section I, General Description: Delete the parenthetical phrase of subsection A.
2. Section II, Estimated Redevelopment Project Costs:
  - 2.1 Change the estimated Redevelopment Project Costs from \$37,509,640 to about \$68,000,000.
  - 2.2 Change the estimated Reimbursable Project Costs from \$6,845,500 to about \$34,000,000.
  - 2.3 Delete the third sentence of the first paragraph.
  - 2.4 Delete the last sentence of the second paragraph.
3. Section III, Anticipated Sources of Funds: Delete the section in its entirety, and insert the following in its stead:

The Anticipated Sources of Funds to pay Redevelopment Project Costs are public debt in the amount of about \$34,000,000, private equity and debt, various federal and local grants, tenant/user construction costs and property sales. The public debt will be secured by payments in lieu of taxes in an estimated amount of \$19,000,000, city economic activity taxes of about \$46,000,000, and state economic activity taxes of about \$38,000,000, for a total of about \$84,000,000. Amounts not required to finance public debt shall be devoted to the housing project. About \$50,000,000 is estimated to be available for that purpose.

4. Section VII, Estimated Equalized Assessed Valuation After Redevelopment:
  - 4.1 Change the estimated assessed valuation upon completion of project improvements from \$6,692,800 to \$7,700,000.
  - 4.2 Delete the last three sentences.
5. Section XII, Estimated Date of Completion: Delete the final sentence in its entirety; delete the first sentence, and insert the following in its stead:

The completion of the construction of the Redevelopment Projects shall be as set forth in the Development Schedule attached as Exhibit 9.

6. Section XIV, Acquisition and Disposition: Delete the final sentence of the first paragraph, and insert the following in its stead:

No property for redevelopment projects shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project.

7. Section XV, Affirmative Action: Delete the section in its entirety, and insert the following in its stead:

The Commission has adopted an Affirmative Action Policy which is intended to secure equal opportunities for minority business enterprises and women's business enterprises to provide professional and construction services contracted for by the Tax Increment Financing Commission and its redevelopers, and an equal opportunity for minorities and women to be employed in the work forces of all contractors, subcontractors and assignees of TIFC and its redevelopers. TIFC's Affirmative Action Policy shall be incorporated in and made a part of any agreement for the implementation of the Plan.

8. Section XVI, Design Review Process: Delete the section in its entirety, and insert the following in its stead:

The Commission has adopted Design Criteria and Review Procedures which require to allow the Commission to evaluate the quality and appropriateness of redevelopment proposals. Such procedures shall be incorporated in or made a part of any agreement entered into for the implementation of the Plan.

9. Section XXI, Provisions for Amending the Tax Increment Plan:

9.1 Add the word "Financing" to the title.

9.2 Add the following sentence:

Changes to the Redevelopment Plan or Projects which do not alter the exterior boundaries, affect the general land uses or change the nature of a Redevelopment Project may be made by action of TIFC and need not be approved by ordinance of the City Council.

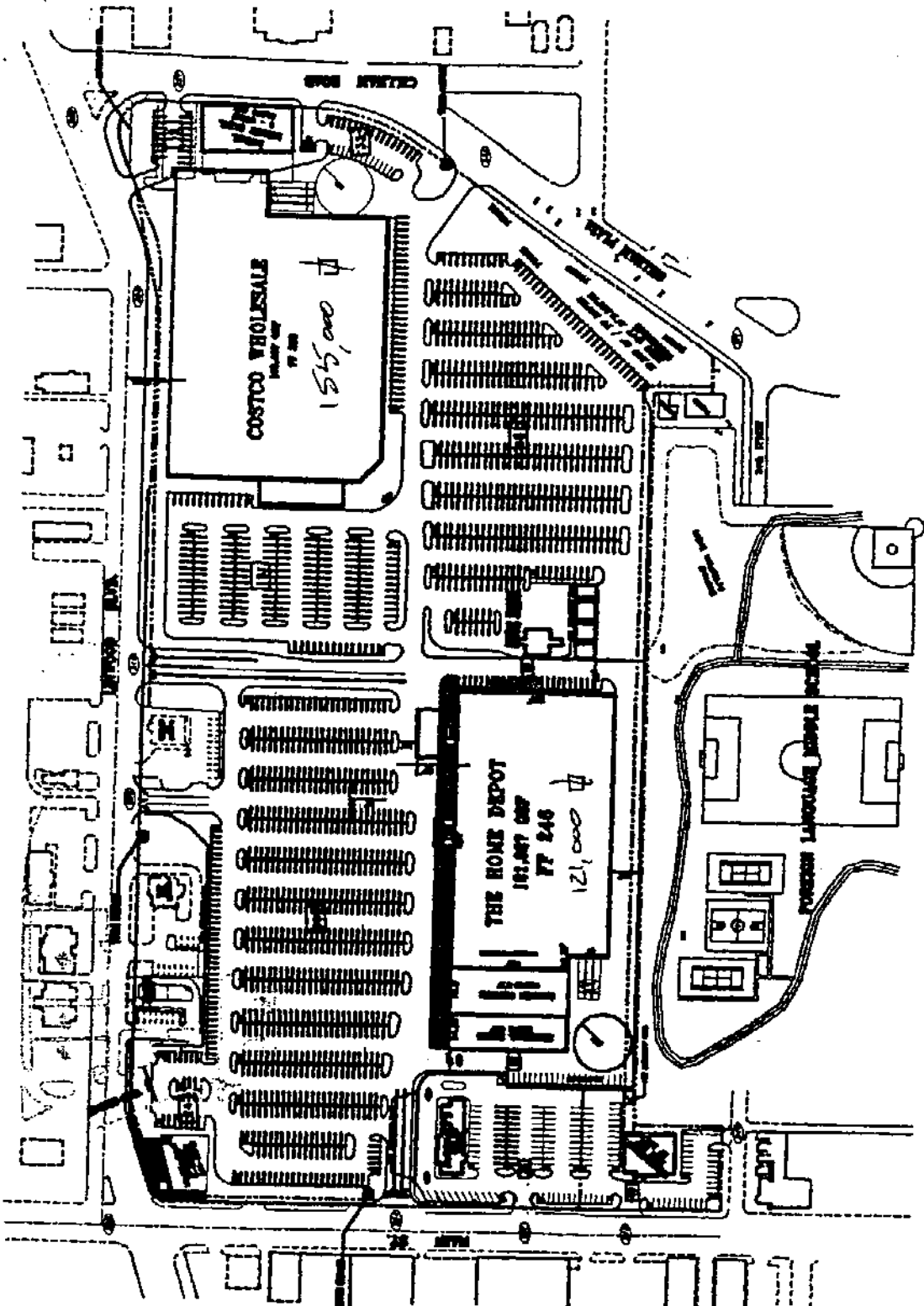
10. Amendment Exhibits

10.1 Delete the Linwood Corridor Project Site Plan from Exhibit 2, and insert the attached Linwood Corridor Site Plan in its stead.

10.2 Delete Exhibit 9, Development Schedule, in its entirety, and insert the attached Exhibit 9 in its stead.

10.3 Delete Paragraph 2 of Exhibit 3 in its entirety, and insert the following in its stead:

To construct approximately 300,000 to 375,000 square feet of retail space at the Mill Street Project and the Linwood Corridor Project.



<ul style="list-style-type: none"> <li>ALL DIMENSIONS ARE IN FEET</li> <li>ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE</li> <li>ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE</li> <li>ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE</li> </ul>	<ul style="list-style-type: none"> <li>ALL DIMENSIONS ARE IN FEET</li> <li>ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE</li> <li>ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE</li> <li>ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE</li> </ul>
---	---

**PRELIMINARY**

## EXHIBIT 9

### REDEVELOPMENT SCHEDULE

<u>ACTIVITY</u>	<u>TIMELINE</u>
40 <sup>th</sup> AND MILL PROJECT	Complete
LINWOOD CORRIDOR PROJECT	
All TIFC and City Council approvals of Amended TIF Plan and financing	0
Definitive agreements with anchor tenants effective	0 + 6 mos.
Construction commences	0 + 9 mos.
Construction complete	0 + 18 mos.
Shopping center opens	0 + 20 mos.
HOUSING PROJECT	
TIFC forms committee to recommend process	0
TIFC committee reports to TIFC	0 + 6 mos.
TIFC holds public hearing re: plan amendment to adopt housing project	0 + 12 mos.
City Council approves Plan amendment for housing project	0 + 14 mos.

**AFFIDAVIT**

STATE OF MISSOURI        )  
  ) ss:  
COUNTY OF JACKSON     )

BEFORE ME, the undersigned Notary Public, this day personally appeared James C. Potter, to me well known, and who, upon being first duly sworn on oath, deposes and says:

1. I am over the age of eighteen years, am employed by the Tax Increment Financing Commission of Kansas City, Missouri ("the Commission"), and have personal knowledge of the facts set forth herein.

2. Section 99.830.3, RSMo requires that:

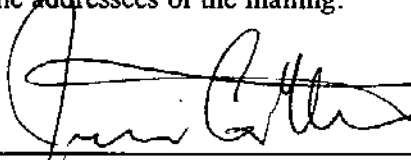
Not less than forty-five days prior to the date set for the public hearing, the commission shall give notice by mail as provided in subsection 1 of this section to all taxing districts from which taxable property is included in the redevelopment area, redevelopment project or redevelopment plan, and in addition to the other requirements pursuant to subsection 2 of this section, the notice shall include an invitation to each taxing district to submit comments to the commission concerning the subject matter of the hearing prior to the date of the hearing.

3. In my capacity as a planner for the Commission, on July 30, 1999, I caused to be mailed by certified mail, return receipt requested, a Notice of Public Hearing regarding the Second Amendment to the Midtown Redevelopment Tax Increment Financing Plan scheduled for September 15, 1999, to the representatives of the taxing districts with interests in the property in the Linwood Corridor Project portion of the Midtown Redevelopment Area.

4. Attached hereto as Exhibit A is a copy of the Notice.

5. Attached hereto as Exhibit B is a list of the addressees of the mailing.

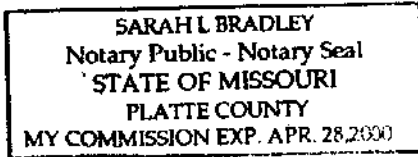
Further Affiant sayeth naught.

  
\_\_\_\_\_  
James C. Potter

Sworn to and subscribed this 13<sup>th</sup> day of September, 1999, State and County aforesaid.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:



COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991390

Accepting the recommendations of the Tax Increment Financing Commission as to the Second Amendment to the Midtown Redevelopment Tax Increment Financing Plan; approving the Second Amendment to the Midtown Redevelopment Tax Increment Financing Plan; amending Committee Substitute for Ordinance No. 930066, as further amended, and as amended by Ordinance No. 941127, by repealing Sections 7 and 9 and enacting new similar sections.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, 1986, as amended (the "Act"), the City Council of Kansas City, Missouri, by Ordinance No. 54556, passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute to Ordinance No. 911076, as amended, passed on August 29, 1991, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the Council adopted the Midtown Redevelopment Tax Increment Financing Plan (the "Plan") and designated the area therein ("the Redevelopment Area") as a Redevelopment Area and found it to be blighted by Committee Substitute for Ordinance No. 930066, as further amended, on April 1, 1993, and thereafter amended in certain respects by Ordinance No. 941127, passed on August 25, 1994 ("the Ordinance"); and

WHEREAS, on October 25, 1994, the Commission notified the City Clerk that it had reached the requisite agreement with the designated Redeveloper; and

WHEREAS, the First Amendment to the Plan was approved by the Commission and passed by the City Council on June 8, 1995, by Ordinance No. 950731; and

WHEREAS, the Project Improvements contemplated for the 40th & Mill Project of the Plan have been completed; but, because of unfavorable individual economic circumstances, the major tenants contemplated for the Linwood Corridor Project were forced to rescind their agreements and substitute major tenants have now been identified; and

WHEREAS, a further amendment to the Plan entitled "The Second Amendment to the Midtown Redevelopment Tax Increment Financing Plan" ("the Second Amendment") has been approved by the Commission, which has recommended approval by the City Council; and

WHEREAS, the Second Amendment makes certain changes to the Plan relating to the Linwood Corridor Project regarding the Site Plan, Estimated Redevelopment Project Costs, Estimated Payments in Lieu of Taxes and Economic Activity Taxes to reflect the changed circumstances and changes the eminent domain provisions to conform to statutory changes; and

WHEREAS, the Second Amendment does not alter the exterior boundaries of the Redevelopment Area of the Plan, affect the general land uses established by the Plan, nor change the general nature of the redevelopment projects; the Second Amendment does not affect any of the findings made by the City Council when approving the Plan; the areas selected for Redevelopment

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991390

Projects in the Second Amendment include only those parcels of real property and improvements thereon which will be substantially benefitted by the Redevelopment Project improvements; the Second Amendment does not provide for the initial establishment or redevelopment of any gambling institution; and

WHEREAS, the Ordinance provided for an effective date conditioned upon certain occurrences in Section 7 and a deadline for the submission of a complete housing component in Section 9, both of which, in order to reflect the changed circumstances, should be repealed and new sections enacted in their stead; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The recommendations of the Commission concerning the Second Amendment as set forth in the Resolution attached hereto as Exhibit "A" are hereby accepted and the Second Amendment, a copy of which is attached hereto as Exhibit "B", is hereby approved and adopted as valid.

Section 2. The Commission is authorized to issue obligations in one or more series of bonds secured by the Midtown Redevelopment Tax Increment Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs within the Redevelopment Area and, subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan pursuant to the power delegated to it in Ordinance No. 54556. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance; provided that no such obligations shall be issued until an amended agreement satisfactory to the Commission shall have been executed by the Commission and Developer which shall provide for, *inter alia*, sharing of excess returns and sale proceeds based upon the relative ratio of public and private funding, a mechanism for Commission or City to obtain control of the Project Improvements in the event either anchor ceases doing business, a competitively-bid budget, shared responsibility for budget overages, and incentives for Developer to produce budget savings.

Section 3. Pursuant to the provisions of the Redevelopment Plan, the City Council approves the pledge of all funds that are deposited into the Account of the Midtown Redevelopment Tax Increment Plan Special Allocation Fund to the payment of Redevelopment Project Costs within the Redevelopment Area and authorizes the Commission to pledge such funds on its behalf.

Section 4. That Committee Substitute for Ordinance No. 930066, as further amended, and as amended by Ordinance No. 941127 is hereby amended by repealing Section 7 and enacting a new section 7 in its place to read as follows:

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991390

Section 7. This Ordinance shall not become effective until the latter of the following: expiration of ten (10) days after the date the Council approves this Ordinance or the date on which the Tax Increment Financing Commission files notice for the City Clerk that the Tax Increment Financing Commission has entered into an agreement with the designated redeveloper.

Section 5. That Committee Substitute for Ordinance No. 930066, as further amended, and as amended by Ordinance No. 941127 is hereby amended by repealing Section 9 and enacting in its place a new section 9 to read as follows:

Section 9. That the Commission shall, no later than May 1, 2000, recommend an amendment to the Plan for City Council approval which will provide for a complete housing plan provided that the Commission shall provide a progress report on the housing plan to the Planning, Zoning and Economic Development Committee of the City Council by March 30, 2000. The elements of the housing component shall include the agreement by the City Council to annually appropriate one hundred percent (100%) of all taxes in excess of statutory economic activity taxes generated by economic activities within the Redevelopment Area not required to service obligations or repay redevelopment costs for benefit of the housing component, the selection and prioritization process and all other necessary administrative details, including identification of the agency to administer the housing plan. No expenditures under the housing component portion shall be made until approval of a housing component plan has been approved by the City Council. The Commission shall commence this process no later than January 15, 2000, which shall allow for input and comment from a broad spectrum of neighborhood and other interested groups and individuals.

---

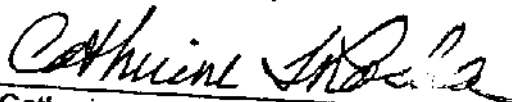
Approved as to form and legality:

Authenticated as Passed

Assistant City Attorney



KAY BARNES, Mayor



Catherine T. Rocha, City Clerk

DATE PASSED **NOV 23 1999**



RESOLUTION NO. 9-12-99

**RESOLUTION OF THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, APPROVING THE SECOND AMENDMENT TO THE MIDTOWN REDEVELOPMENT TAX INCREMENT FINANCING PLAN AND EXPRESSING ITS RECOMMENDATION TO THE CITY COUNCIL OF KANSAS CITY, MISSOURI.**

**WHEREAS**, the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"), was created pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, 1986, as amended (the "Act"), and by Ordinance No. 54556 of the City Council of Kansas City, Missouri, adopted on November 24, 1982, and amended by Ordinance No. 911076 adopted on August 29, 1991; and

**WHEREAS**, by Ordinance #941127, the City Council approved the Midtown Redevelopment Tax Increment Financing Plan ("the Plan"); and

**WHEREAS**, the Commission, Redeveloper and City entered into an agreement for the implementation of the Plan on January 14, 1999; and

**WHEREAS**, the Second Amendment to the Plan (the "Second Amendment") has been presented to the Commission for consideration; and

**WHEREAS**, pursuant to law and the By-Laws of the Commission the Board of Commissioners has caused the affected school and other taxing districts to be notified of their right to designate representatives to sit as members of the Commission for the purpose of conducting a public hearing and making recommendations with respect to the Amendment to the City Council of Kansas City, Missouri; and

**WHEREAS**, the affected taxing districts appointed representatives in accordance with the Act; and

**WHEREAS**, on September 15, 1999, after due notice, the Commission so constituted held a public hearing, at which all interested persons and taxing districts affected by the Amendment were afforded an opportunity to file written objections, protests and be heard orally.

**NOW, THEREFORE, BE IT RESOLVED** that:

I. The Second Amendment does not alter the exterior boundaries of the Redevelopment Area of the Plan, affect the general land uses established by the Plan, nor change the general nature of the redevelopment projects.

II. The Second Amendment does not affect any of the findings made by the City Council when approving the Plan.

III. The Second Amendment does not provide for the initial establishment or redevelopment of any gambling institution.

IV. The Commission does hereby recommend that the City Council of Kansas City, Missouri:

A. Approve the Second Amendment.

B. Staff and counsel be and hereby are authorized and directed to prepare the Second Amendment as approved for certification by the Executive Director and Chairman.

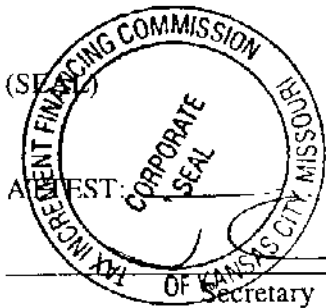
C. Upon final execution of definitive agreements with Costco and Home Depot, the Executive Director and Chairman be and hereby are authorized and directed to forward a certified copy of the Second Amendment along with this Commission's recommendation to the City Council.

D. Staff and counsel be and hereby are authorized and directed to prepare appropriate ordinances for City Council consideration and to take such actions as are necessary and required to see to their introduction within 14-90 days from the date the public hearing was closed, and to take such further actions as are deemed desirable and appropriate to advocate favorable consideration of the Commission's recommendations set forth herein by the City Council.

E. Staff and Counsel be and hereby are authorized and directed to take such actions as are necessary to amend the Redevelopment Agreement to confirm to the Plan as amended.

Done this 19<sup>th</sup> day of September, 1999, at Kansas City, Missouri.

  
\_\_\_\_\_  
Peter Yelorda, Chairman



**COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991374**

**Approving an amendment to a previously approved development plan in District URD (Urban Redevelopment District) on approximately a 32 acre tract of land generally located at the southeast corner of Main Street and Linwood Boulevard. (10744-URD-6)**

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That an amendment to a previously approved development plan in District URD (Urban Redevelopment District) on approximately a 32 acre tract of land generally located at the southeast corner of Main Street and Linwood Boulevard, and more specifically described as follows:

Part of the South 1/2 of Section 17, Township 49 North, Range 33 West of the 5th P.M., Kansas City, Jackson County, Missouri, generally bounded by Main Street on the west, Linwood Boulevard on the north, Gillham Plaza on the east to its intersection with the west line of the north-south alley which runs north from 34th Street and on the south by the north line of the east-west alley which lies between 34th Street and 33rd Street; also Lots 1, 2, 3 and 4 of Dudley's & Hornbeck's Allotment and Lot 38 of Halsey & Dudley's Addition; all more particularly described as follows:

TRACT 1 OF 3: Beginning at the southeast corner of Lot 4, Halsey & Dudley's Addition, a subdivision of land in Kansas City, Jackson County, Missouri; thence North  $87^{\circ}18'47''$  West, (this bearing and all subsequent bearings are based on the Kansas City, Missouri Metro Control Project 1987 thru 1989) 120.02 feet to a point 10.00 feet easterly from the southwest corner of said Lot 4, said point being on the east right-of-way line of Main Street as established by Kansas City, Missouri, Ordinance No. 1289, approved and passed in March of 1890; then North  $2^{\circ}18'35''$  East on said east right-of-way line, 872.50 feet to a point on the west line of Lot A, Talbott Place, a subdivision of land in Kansas City, Jackson County, Missouri, said point being on the south right-of-way line of Linwood Boulevard as established by Kansas City, Missouri, Ordinance No. 36036, approved and passed in November of 1919; thence North  $74^{\circ}05'03''$  East on said south right-of-way line, 165.96 feet (168.67 feet by ordinance) to a point 25.00 feet southerly from the north line of said Lot A; thence South  $87^{\circ}13'24''$  East on said south right-of-way line, 937.17 feet to a point on the east line of Lot 12, said Talbott Place, said point being 25.00 feet southerly from the northeast corner of said Lot 12; thence South  $81^{\circ}31'03''$  East on said south right-of-way line, 50.29 feet to the southwest corner of Lot 13 of said Talbott Place; thence South  $87^{\circ}13'24''$  East on said south right-of-way line, 135.0 feet to the southeast corner of said Lot 13; thence  $86^{\circ}39'15''$  East, on said south right-of-way line, 14.00 feet to a point on the west line of Lot 29, Springfield Park, a subdivision of land in Kansas City, Jackson County, Missouri, said point being 17.50 feet northerly from the southwest corner of said Lot 29; thence South  $87^{\circ}06'12''$  East on said south right-of-way line, 129.94 feet to a point on the east line of said Lot 29, said point being 17.50 feet northerly from the southeast corner of said Lot 29; thence

## COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991374

South  $67^{\circ}51'55''$  East on said south right-of-way line, 53.15 feet to the northwest corner of Lot 45 of said Springfield Park; thence South  $87^{\circ}06'12''$  East on said south right-of-way line, 131.61 feet to a point 5.00 feet easterly from the northeast corner of said Lot 45 and on the easterly prolongation of the north line of said Lot 45; thence North  $2^{\circ}20'37''$  East on said south right-of-way line, on a line 5.00 feet easterly from, and parallel with, the east line of Lots 46 and 47 of said Springfield Park, 58.47 feet (58.44 feet by ordinance); thence North  $69^{\circ}00'00''$  East on said south right-of-way line, 33.72 feet to a point on the west right-of-way line of Robert Gillham Road (now known as Gillham Plaza) as established by Kansas City, Missouri, Ordinance No. 50154, approved and passed in July of 1925; thence northeasterly on a curve to the right of said west right-of-way line, said curve having a radius of 200.00 feet, a central angle of  $11^{\circ}59'21''$  ( $14^{\circ}39'$  by ordinance), an arc length of 41.85 feet (51.14 feet by ordinance) to a point of compound curvature; thence continuing southeasterly on a curve to the right of said west right-of-way line, said curve having a radius of 50.00 feet, a central angle of  $102^{\circ}55'36''$  ( $100^{\circ}26'13''$  by ordinance), an arc length of 89.82 feet (87.65 feet by ordinance) to a point of tangency; thence South  $3^{\circ}54'57''$  West on said west right-of-way line, 249.56 feet (242.39 feet by ordinance) to a point of curvature; thence continuing southwesterly on a curve to the right of said west right-of-way line, said curve having a radius of 300.00 feet, a central angle of  $33^{\circ}11'47''$  ( $33^{\circ}14'33''$  by ordinance), an arch length of 173.82 feet (174.06 feet by ordinance) to a point of tangency; thence South  $37^{\circ}06'44''$  on said west right-of-way line, 210.51 feet (218.23 feet by ordinance) to a point on the south line of Lot 11, Block 4, Tullis Park, a subdivision of land in Kansas City, Jackson County, Missouri; thence North  $87^{\circ}07'53''$  West on said west right-of-way line, 81.13 feet (80.81 feet by ordinance) to the southwest corner of said Lot 11; thence South  $79^{\circ}23'31''$  West on said west right-of-way line, 51.30 feet to the southeast corner of Lot 6, Block 5 of said Tullis Park; thence South  $2^{\circ}18'37''$  West on said west right-of-way line, 90.02 feet to the southeast corner of Lot 7, Block 5 of said Tullis Park; thence South  $87^{\circ}07'12''$  East on said west right-of-way line, 5.80 feet to the northeast corner of Lot 25, E. Chellis's Resurvey of Chellis & Dudley's 1st Addition, a subdivision of land in Kansas City, Jackson County, Missouri; thence South  $2^{\circ}19'58''$  West on said west right-of-way line 79.60 feet to the southeast corner of said Lot 26 of said E. Chellis's Resurvey of Chellis & Dudley's 1st Addition; thence South  $37^{\circ}06'44''$  West on said west right-of-way line, 144.41 feet to the south line of Lot 29, of said E. Chellis's Resurvey of Chellis & Dudley's 1st Addition; thence southwesterly on a straight line to the southeast corner of Lot 38 of Halsey and Dudley's Addition, a subdivision of land in Kansas City, Jackson County, Missouri, thence west along the south line of said Lot 38 to the southwest corner thereof; thence north along the west line of said Lot 38 to the north line of the alley lying between Dudley and Hornbeck's Allotment, a subdivision of land in Kansas City, Jackson County, Missouri, and Halsey & Dudley's Addition; thence westerly along said line to the west line of the alley which runs north and south and abuts Lots 30, 31, 32, and 33 of Dudley & Hornbeck's Allotment and Lots 1, 2, 3 and 4 of Halsey & Dudley's Addition; thence south along said line to the point of beginning.

**COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 991374**

TRACT 2 OF 3: That part of Linwood Boulevard right-of-way as established by Kansas City, Missouri, Ordinance No. 36036, approved and passed in November of 1919 described as follows: Beginning at the intersection of the south right-of-way line of said Linwood Boulevard right-of-way and the east line of Lot 29, Springfield Park, a subdivision of land in Kansas City, Jackson County, Missouri, said point being 17.50 feet northerly from the southeast corner of said Lot 29; thence South 67°51'55" East (this bearing and all subsequent bearings are based on the Kansas City, Missouri Metro Control Project 1987 thru 1989) on said south right-of-way line, 53.15 feet to the northwest corner of Lot 45 of said Springfield Park; thence South 87°06'12" East on said south right-of-way line, 131.61 feet to a point 5.00 feet easterly from the northeast corner of said Lot 45 and on the easterly prolongation of the north line of said Lot 45; thence North 2°20'37" East on said south right-of-way line, on a line 5.00 feet easterly from, and parallel with, the east line of Lots 46 and 47 of said Springfield Park, 58.47 feet (58.44 feet by ordinance); thence South 80°09'45" West, 185.80 feet to the point of beginning.

TRACT 3 OF 3: That part of Robert Gillham Road right-of-way (now known as Gillham Plaza) as established by Kansas City, Missouri, Ordinance No. 50154, approved and passed in July of 1925 and described as follows: Beginning at the intersection of the west right-of-way line of said Robert Gillham Road and the south line of Lot 11, Block 4, Tullis Park, a subdivision of land in Kansas City, Jackson County, Missouri; thence North 87°07'53" West, (this bearing and all subsequent bearings are based on the Kansas City, Missouri Metro Control Project 1987 thru 1989) on said west right-of-way line 81.13 feet (80.81 feet by ordinance) to the southwest corner of said Lot 11; thence South 79°23'31" West on said west right-of-way line, 51.30 feet to the southeast corner of Lot 6, Block 5 of said Tullis Park; thence South 2°18'37" West on said west right-of-way line, 90.02 feet to the southeast corner of Lot 7, Block 5 of said Tullis Park; thence South 87°07'12" East on said west right-of-way line, 5.80 feet to the northeast corner of Lot 25, E. Chellis's Resurvey of Chellis & Dudley's 1st Addition, a subdivision of land in Kansas City, Jackson County, Missouri; thence South 2°19'58" West on said west right-of-way line 79.60 feet to the southeast corner of Lot 26 of said E. Chellis's Resurvey of Chellis & Dudley's 1st Addition; thence North 37°06'44" East, 219.65 feet to the point of beginning.

is hereby approved, subject to the following conditions:

1. That the developer cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Subdivision Regulations.
2. That the developer submit a storm drainage study for the entire development to the City Engineer's Office for approval when the first final plat is submitted and that the developer make any necessary improvements as required by the City Engineer's Office.

**RESOLUTION FOR ORDINANCE NO. 991374**

to approve development plan in District URD (Urban Residential) on approximately a 32 acre tract of land generally located at the intersection of Linwood Boulevard. (10744-URD-6)

**COUNCIL OF KANSAS CITY:**

to approve previously approved development plan in District URD (Urban Residential) on approximately a 32 acre tract of land generally located at the intersection of Linwood Boulevard, and more specifically described as follows:

Section 11, Township 49 North, Range 33 West of the 5th Principal Meridian, Missouri, generally bounded by Main Street on the north, Gillham Plaza on the east to its north line of the north-south alley which runs north from 34th Street to the north line of the east-west alley which lies between Lots 1, 2, 3 and 4 of Dudley's & Hornbeck's & Dudley's Addition; all more particularly described

beginning at the southeast corner of Lot 4, Halsey & Dudley's Addition, Kansas City, Jackson County, Missouri; thence bearing North 89°18'35" East and all subsequent bearings are based on the Control Project 1987 thru 1989) 120.02 feet to a point on the southwest corner of said Lot 4, said point being on the line of Main Street as established by Kansas City, Missouri, Ordinance No. 10744 passed in March of 1890; then North 2°18'35" East, 872.50 feet to a point on the west line of Lot A, Halsey & Dudley's Addition, Kansas City, Jackson County, Missouri, said point being on the south right-of-way line of Linwood Boulevard as established by Ordinance No. 36036, approved and passed in November of 1989; then East on said south right-of-way line, 165.96 feet to a point 25.00 feet southerly from the north line of said Lot 12; then East on said south right-of-way line, 937.17 feet to the southeast corner of said Lot 12; thence South 81°31'03" East on the north line of said Lot 12, 129.29 feet to the southwest corner of Lot 13 of said Block 11; then East on said south right-of-way line, 135.0 feet to the southeast corner of Lot 13; thence 86°39'15" East, on said south right-of-way line, 17.50 feet to a point on the west line of Lot 29, Springfield Park, a Subdivision, Kansas City, Jackson County, Missouri, said point being 17.50 feet north of the southeast corner of said Lot 29; thence South 87°06'12" East on the west line of said Lot 29, 129.94 feet to a point on the east line of said Lot 29, 129.94 feet north of the southeast corner of said Lot 29; thence

*2nd Amendment  
Midtown*

RESOLUTION NO. 9-12-99

**RESOLUTION OF THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI, APPROVING THE SECOND AMENDMENT TO THE MIDTOWN REDEVELOPMENT TAX INCREMENT FINANCING PLAN AND EXPRESSING ITS RECOMMENDATION TO THE CITY COUNCIL OF KANSAS CITY, MISSOURI.**

**WHEREAS**, the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"), was created pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, 1986, as amended (the "Act"), and by Ordinance No. 54556 of the City Council of Kansas City, Missouri, adopted on November 24, 1982, and amended by Ordinance No. 911076 adopted on August 29, 1991; and

**WHEREAS**, by Ordinance #941127, the City Council approved the Midtown Redevelopment Tax Increment Financing Plan ("the Plan"); and

**WHEREAS**, the Commission, Redeveloper and City entered into an agreement for the implementation of the Plan on January 14, 1999; and

**WHEREAS**, the Second Amendment to the Plan (the "Second Amendment") has been presented to the Commission for consideration; and

**WHEREAS**, pursuant to law and the By-Laws of the Commission the Board of Commissioners has caused the affected school and other taxing districts to be notified of their right to designate representatives to sit as members of the Commission for the purpose of conducting a public hearing and making recommendations with respect to the Amendment to the City Council of Kansas City, Missouri; and

**WHEREAS**, the affected taxing districts appointed representatives in accordance with the Act; and

**WHEREAS**, on September 15, 1999, after due notice, the Commission so constituted held a public hearing, at which all interested persons and taxing districts affected by the Amendment were afforded an opportunity to file written objections, protests and be heard orally.

**NOW, THEREFORE, BE IT RESOLVED** that:

I. The Second Amendment does not alter the exterior boundaries of the Redevelopment Area of the Plan, affect the general land uses established by the Plan, nor change the general nature of the redevelopment projects.

II. The Second Amendment does not affect any of the findings made by the City Council when approving the Plan.

III. The Second Amendment does not provide for the initial establishment or redevelopment of any gambling institution.

IV. The Commission does hereby recommend that the City Council of Kansas City, Missouri:

A. Approve the Second Amendment.

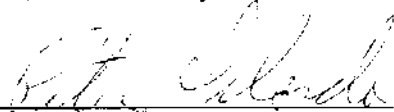
B. Staff and counsel be and hereby are authorized and directed to prepare the Second Amendment as approved for certification by the Executive Director and Chairman.

C. Upon final execution of definitive agreements with Costco and Home Depot, the Executive Director and Chairman be and hereby are authorized and directed to forward a certified copy of the Second Amendment along with this Commission's recommendation to the City Council.

D. Staff and counsel be and hereby are authorized and directed to prepare appropriate ordinances for City Council consideration and to take such actions as are necessary and required to see to their introduction within 14-90 days from the date the public hearing was closed, and to take such further actions as are deemed desirable and appropriate to advocate favorable consideration of the Commission's recommendations set forth herein by the City Council.

E. Staff and Counsel be and hereby are authorized and directed to take such actions as are necessary to amend the Redevelopment Agreement to confirm to the Plan as amended.

Done this 15<sup>th</sup> day of September, 1999, at Kansas City, Missouri.

  
\_\_\_\_\_  
Peter Yelorda, Chairman

