

**FIFTH AMENDMENT**  
**NORTH OAK**  
**TAX INCREMENT FINANCING PLAN**  
**KANSAS CITY, MISSOURI**


**TIF Commission Consideration:**

<u>January 13, 2010</u>	<u>1-07-10</u>
Date	Resolution No.

**City Council Approval:**

<u>February 11, 2010</u>	<u>100083</u>
Date	Ordinance No.

Attached herewith is a true and correct copy of the Fifth Amendment to the North Oak TIF Plan that was approved by the Tax Increment Financing Commission of Kansas City, Missouri by Resolution No. 1-07-10 on January 13, 2010.

  
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Chairman

## **FIFTH AMENDMENT TO THE NORTH OAK TIF PLAN**

### **I. Introduction**

The purpose of the Fifth Amendment to the North Oak Tax Increment Financing Plan (the “Fifth Amendment”) is to change the North Oak Tax Increment Financing Plan as approved by the Ordinance No. 050104 on February 24, 2005, the First Amendment to the North Oak TIF Plan as approved by the Ordinance 060534 on July 20, 2006, the Third Amendment to the North Oak TIF Plan as approved by the Ordinance 070996 on October 11, 2007 and the Fourth Amendment to the North Oak TIF Plan as approved by the Ordinance 090832 on October 1, 2009 (collectively referred to herein as the “Plan”). The Second Amendment was withdrawn by the developer prior to TIF Commission’s consideration.

The Fifth Amendment provides for revisions to the Budget of Redevelopment Project Costs. The TIF revenues generated within the Redevelopment Area would continue to be used for reimbursing TIF eligible project costs.

### **II. Specific Plan Text Amendments**

In accordance with this Fifth Amendment the Plan shall be amended as follows:

**Amendment No. 1:** Delete Section IV. A. “Estimated Redevelopment Project Costs” and replace with the following:

Redevelopment Project Costs are estimated to be approximately \$85,620,115 as set forth in detail on Exhibit 5. The Plan proposes that approximately \$17,853,643 in Redevelopment Project Costs be reimbursable from Payments in Lieu of Taxes and Economic Activity Taxes and \$2,862,789 be reimbursable from Super TIF. The estimated Redevelopment Project Costs and costs eligible for reimbursement from the Special Allocation Fund are identified on Exhibit 5.

The Commission has determined that certain planning and special services expenses of the Commission, which are not direct Redevelopment Project costs, are nonetheless reasonable and necessary for the operation of the Commission and are incidental costs to the Redevelopment Project. These incidental costs will be recovered by the Commission from the Special Allocation Fund in an amount not to exceed five percent (5%) of the Payments in Lieu of Taxes and Economic Activity Taxes paid annually into the fund.

**Amendment No. 2:** Delete Exhibit 5 of the Plan, “Estimated Redevelopment Costs” and insert the attached Exhibit 5 in its place.

**Amendment 2:**

**Exhibit 5**

**Estimated Redevelopment Costs**

**North Oak Corridor TIF Plan  
Fifth Amendment**

	Project Costs	TIF Reimbursable	STIF Reimbursable
<b>Projects 1 &amp; 2</b>			
TIF Staff/Legal/Administrative Expenses <sup>1</sup>	\$ 350,000	\$ 350,000	
Survey Consulting Service	2,800	2,800	
Building Purchase/Rehabilitation/Tenant Improvements	17,000,000	1,980,000	
Furniture, Fixture and Equipment	13,000,000	-	
Infrastructure improvements <sup>2</sup>	3,984,840	3,984,840	
Streetscape Design	500,000	100,000	
<b>Subtotal</b>	<b>\$ 34,837,640</b>	<b>\$ 6,417,640</b>	
<b>Projects 3-6</b>			
<b>Development Costs</b>			
Land Costs			
Land	\$ 8,219,880	\$ 2,840,252	\$ -
<b>Total Land Costs</b>	<b>\$ 8,219,880</b>	<b>\$ 2,840,252</b>	<b>\$ -</b>
Hard Costs			
Anchor Retail Shell	\$ 8,100,000	\$ -	\$ -
Anchor Retail Building Upgrades	675,000	-	-
Anchor Retail Sitework	1,950,000	-	-
Junior Box Shell	1,540,000	-	-
Junior Box Façade Upgrades	173,582	173,582	-
Buildings Constructed on Pad Sites - Shell	7,500,000	-	-
Pad Site - Sitework/Landscaping	2,040,000	-	-
Site/Landscape (Continental Engineering Estimate)	4,962,594	3,078,979	-
<b>Total Hard Costs</b>	<b>\$ 26,941,176</b>	<b>\$ 3,252,561</b>	<b>\$ -</b>
Soft Costs			
Professional Services Fees	\$ 2,120,000	\$ -	\$ -
Financing Cost	1,078,108	\$ 1,078,108	-
Interest Carry	1,272,000	-	-
Points	232,000	-	-
Closing - Loan and Land	75,000	-	-
Development Fee	1,200,000	-	-
Preliminary Studies	25,000	-	-
Taxes During Construction	15,000	-	-
TIF Commission Fees	250,000	250,000	-
Investment Banking Fee (IRR C&P)	480,940	-	-
Contingency	2,300,000	304,500	-
<b>Total Soft Costs</b>	<b>\$ 9,048,048</b>	<b>\$ 1,632,608</b>	<b>\$ -</b>
Public Improvements			
Park Land Dedication	\$ 229,900	\$ 229,900	\$ -
Additional Vivion Road ROW	405,000	405,000	-
Wetland Mitigation	14,991	14,991	-
Replace Water Main at Oak & Vivion that Frequently Breaks	108,624	108,624	-
Replace Overhead Electric Lines with Underground Lines	106,442	106,442	-
Sidewalks along Vivion Road and North Oak	71,837	71,837	-
Ornamental Perimeter Lighting	153,419	153,419	-
Offsite Road Improvements	390,100	390,100	-
Extraordinary Cost of Runoff Detention	1,230,269	1,230,269	-
Neighborhood Improvements Fund	2,862,789	-	2,862,789
North Oak Corridor Housing & Infrastructure Program	1,000,000	1,000,000	-
<b>Total Public Improvements Costs</b>	<b>\$ 6,573,371</b>	<b>\$ 3,710,582</b>	<b>\$ 2,862,789</b>
<b>Subtotal</b>	<b>\$ 50,782,475</b>	<b>\$ 11,436,003</b>	<b>\$ 2,862,789</b>
<b>TOTAL</b>	<b>\$ 85,620,115</b>	<b>\$ 17,853,643</b>	<b>\$ 2,862,789</b>

**ASSUMPTIONS:**

In addition, up to 5% of the annual PILOTS and Economic Activity Taxes deposited in the Special Allocation Fund may be retained by the TIF Commission to cover incidental expenses incurred by the TIF Commission. The amount will be figured and allocated prior to allocation of any other reimbursable costs.

1 This amount is an estimated total budget for plan and project administration expenses to be reimbursed to the selected consultant and the TIF Commission. The selected consultants will submit annually a budget for plan and project administration expenses which will be reviewed and approved by the TIF Commission.

2 Yet to be determined. They will be based on the recommendations of the Corridor Study.