THE SANTA FE
TAX INCREMENT FINANCING PLAN
KANSAS CITY, MISSOURI

APPROVED BY THE
TAX INCREMENT FINANCING COMMISSION
OF KANSAS CITY, MISSOURI
JULY 21, 1993
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# TABLE OF CONTENTS

## REQUIRED PLAN ELEMENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. GENERAL DESCRIPTION</td>
<td>1</td>
</tr>
<tr>
<td>A. SUMMARY</td>
<td>1</td>
</tr>
<tr>
<td>B. REDEVELOPMENT AREA</td>
<td>1</td>
</tr>
<tr>
<td>C. REDEVELOPMENT PROJECTS</td>
<td>1</td>
</tr>
<tr>
<td>D. REDEVELOPMENT PLAN OBJECTIVES</td>
<td>1</td>
</tr>
<tr>
<td>II. ESTIMATED REDEVELOPMENT PROJECT COSTS</td>
<td>2</td>
</tr>
<tr>
<td>III. ANTICIPATED SOURCES OF FUNDS</td>
<td>2</td>
</tr>
<tr>
<td>A. PAYMENT IN LIEU OF TAXES</td>
<td>2</td>
</tr>
<tr>
<td>B. ECONOMIC ACTIVITY TAXES</td>
<td>3</td>
</tr>
<tr>
<td>IV. EVIDENCE OF THE COMMITMENTS TO FINANCE</td>
<td>4</td>
</tr>
<tr>
<td>V. ANTICIPATED TYPE AND TERMS OF OBLIGATIONS</td>
<td>4</td>
</tr>
<tr>
<td>VI. MOST RECENT EQUALIZED ASSESSED VALUATION</td>
<td>4</td>
</tr>
<tr>
<td>VII. ESTIMATED EQUALIZED ASSESSED VALUATION AFTER REDEVELOPMENT</td>
<td>5</td>
</tr>
<tr>
<td>VIII. GENERAL LAND USE</td>
<td>5</td>
</tr>
</tbody>
</table>

## STATUTORY FINDINGS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>IX. EXISTING CONDITIONS</td>
<td>5</td>
</tr>
<tr>
<td>X. BUT FOR TIF</td>
<td>5</td>
</tr>
<tr>
<td>XI. CONFORMANCE TO THE COMPREHENSIVE PLAN</td>
<td>6</td>
</tr>
<tr>
<td>XII. ESTIMATED DATE OF COMPLETION</td>
<td>6</td>
</tr>
<tr>
<td>XIII. RELOCATION ASSISTANCE PLAN</td>
<td>6</td>
</tr>
</tbody>
</table>
OTHER CONDITIONS

XIV. ACQUISITION AND DISPOSITION

A. ACQUISITION AND CLEARANCE 7
B. ASSEMBLAGE AND DISPOSITION OF LAND 7

XV. AFFIRMATIVE ACTION 7

XVI. DESIGN REVIEW PROCESS 8

XVII. ENTERPRISE ZONE 8

XVIII. PROVISION OF PUBLIC FACILITIES 8

XIX. REQUEST FOR PROPOSALS 8

XX. TAX INCREMENT FINANCING 9

XXI. PROVISIONS FOR AMENDING THE TAX INCREMENT PLAN 9
APPENDICES

EXHIBIT 1 - LOCATION AND LEGAL DESCRIPTION OF THE REDEVELOPMENT AREA
EXHIBIT 2 - SITE PLAN
EXHIBIT 3 - SPECIFIC OBJECTIVES OF REDEVELOPMENT PLAN
EXHIBIT 4 - ESTIMATED REDEVELOPMENT PROJECT COSTS
EXHIBIT 5 - SOURCE OF FUNDS
EXHIBIT 6 - ESTIMATED ANNUAL PAYMENTS IN LIEN OF TAXES AND ECONOMIC ACTIVITY TAXES OVER THE LIFE OF THE REDEVELOPMENT PLAN
EXHIBIT 7 - DEVELOPER'S PROPOSAL
EXHIBIT 8 - EXISTING CONDITIONS STUDY
EXHIBIT 9 - DEVELOPMENT SCHEDULE
EXHIBIT 10 - RELOCATION PLAN
EXHIBIT 11 - LAND ACQUISITION AND DISPOSITION MAP
EXHIBIT 12 - AFFIRMATIVE ACTION POLICY
EXHIBIT 13 - DESIGN REVIEW PROCESS
EXHIBIT 14 - DEFINITION OF TERMS
REQUIRED PLAN ELEMENTS

I. GENERAL DESCRIPTION

A. Summary. The Santa Fe Tax Increment Financing Plan (the "Plan") calls for the reclamation of the site and development of the Redevelopment Area through the construction of approximately 724,000 square feet of retail, 837,000 square feet of office, 345,000 square feet of light industrial, 221,000 square feet of warehouse, 1,000 residential units, together with all necessary utilities, street improvements and appurtenances necessary to adequately address the blighted conditions within the Redevelopment Project Areas.

It is anticipated that Redevelopment Project Areas 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c (as shown on Exhibit 2 attached hereto) will be the most feasible to redevelop and will occur first. Anticipated redevelopment in these Redevelopment Project Areas are anticipated to be 724,000 square feet of retail, 250,000 square feet of office, 170,000 square feet of light industrial, 221,000 square feet of warehouse, together with all necessary utilities, street improvements and appurtenances necessary to adequately address the blighted conditions within the Redevelopment Project Areas.

The Redevelopment Area was previously designated as a 353 Urban Redevelopment Project in order to assist the developer with land reclamation and redevelopment activities. The 353 designation was proven insufficient to accomplish the necessary land reclamation activities. Therefore the Tax Increment Financing Commission and the City Council of Kansas City have authorized this Plan in order to accomplish the reclamation and redevelopment activities not feasible under the 353 designation.

B. Redevelopment Area. The Redevelopment Area consists of approximately 513 acres bound by 87th Street on the north, Interstate 435 on the east, Bannister Road on the south and U.S. Highway 71 (the Bruce R. Watkins Freeway) on the west (the "Redevelopment Area") in Kansas City, Jackson County, Missouri (the "City") as described in Exhibit 1 attached hereto.

C. Redevelopment Projects. The development activities within the Redevelopment Area will be undertaken in a series of approximately thirty-five (35) redevelopment projects (the "Redevelopment Projects"), each of which will be separately approved by ordinance in conformance with Missouri's Tax Increment Financing Statute. This Plan will be implemented by construction of the depicted development described on the site plan attached as Exhibit 2 and described in the specific objectives of the Plan set forth in Exhibit 3.

D. Redevelopment Plan Objectives. The general objectives of the Redevelopment Plan are:

1. To eliminate conditions of blight which are detrimental to public health, safety, morals or welfare in the Redevelopment Area and to eliminate and prevent the recurrence thereof.

2. To enhance the tax base of the City and the other Taxing Districts by developing the Redevelopment Area to its highest and best use, encouraging private investment in the surrounding area, increasing employment opportunities
and to discourage residents, commerce, industry and manufacturing from moving to another state.

3. To increase employment and housing opportunities in the City.

4. To stimulate development which would not occur without Tax Increment Financing assistance.

Specific objectives of the Plan are set forth in Exhibit 3.

II. ESTIMATED REDEVELOPMENT PROJECT COSTS

Estimated redevelopment project costs for the Santa Fe Trail Project are projected to be approximately $283,074,585 over the life of the Plan. The Plan proposes that approximately $113,999,585 in Redevelopment Project Costs. The reimbursable Project Costs include: mine stabilization and land reclamation, including the use of the controlled blasting technique; streets, sewers and sidewalks to serve the Redevelopment Project Areas 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c as shown on Exhibit 2 attached hereto; construction of Hickman Mills between Bannister Road and 87th Street; and TIF related administration, legal and financial fees. Construction costs for Hickman Mills Road and land reclamation costs for the remaining Redevelopment Project Areas will be eligible for reimbursement after all other eligible reimbursable project costs have been paid in full and to the extent funds are available from the Special Allocation Fund.

Included as a part of the Redevelopment Project Costs are those costs of site acquisition, preparation and construction of public improvements necessitated by the Redevelopment Projects and any costs incidental to a redevelopment plan or redevelopment project. These costs, along with the estimated Project Costs, are set forth in Exhibit 4.

The Commission has determined that certain planning and special services expenses of the Commission which are not direct project costs are nonetheless reasonable and necessary for the operation of the Commission and are incidental costs to the 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 PILOTS and Economic Activity Taxes paid annually into the fund.

III. ANTICIPATED SOURCES OF FUNDS

Anticipated sources and amounts of funds to pay Redevelopment Project Costs and amounts to be available from those sources are shown on Exhibit 5. The expected source of funds to be used to reimburse eligible expenses include PILOTS and Economic Activity Tax proceeds.

If bonds are issued, bond proceeds will be deposited in a special construction fund for use in payment of Reimbursable Project Costs. If property is acquired by the Commission and sold or leased to a selected Developer, land disposition or lease proceeds will be utilized by the Commission for payment of Reimbursable Project Costs.

A. Payment in Lieu of Taxes. The total Payment in Lieu of Taxes ("PILOTS")
generated over the duration of the Plan is estimated to be approximately $82,523,000. The resulting Payments in Lieu of Taxes available to pay redevelopment project costs by year are shown in Exhibit 6. Approximately $41,375,000 is anticipated from development of Redevelopment Projects 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c as shown on Exhibit 2 attached hereto. The remaining $41,148,000 is anticipated only if development occurs in the balance of the Redevelopment Area.

Calculations of expected proceeds of PILOTS are based on current real property assessment formulas and current property tax rates, both of which are subject to change due to many factors, including statewide reassessment, the effects of real property classification for real property tax purposes, and the roll back in tax levies resulting from reassessment or classification. Furthermore calculations are based on increases in assessments of 4% every other year that can be expected to result from inflation with no levy increases, which would also increase PILOTS.

The amount of PILOTS in excess of the funds deemed necessary by the Commission for implementation of this Plan, may be declared as surplus by the Commission. The declared surplus will be made available for distribution to the various Taxing Districts in the Redevelopment Area in the manner provided by the Act.

B. Economic Activity Taxes. Over the life of the Plan, the total Economic Activity Tax revenues are estimated to be approximately $135,900,000. Of the total additional revenue from taxes imposed by the municipality or other taxing districts and which are generated by economic activities within the Redevelopment Project Areas, as defined in Section 99.845.3, fifty percent (50%), or approximately $67,950,000 will be made available upon annual appropriation, to pay eligible Redevelopment Project Costs. Those Economic Activity Taxes available to pay project costs are shown in Exhibit 6. Approximately $61,788,000 is anticipated for deposit in the Special Allocation Fund from development of Redevelopment Projects 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c as shown on Exhibit 2 attached hereto. The remaining $6,162,000 is anticipated only if development occurs in the balance of the Redevelopment Area.

Anticipated Economic Activity Taxes are based upon projected net earnings taxes paid by businesses and employees, as well as sales tax. It is assumed that net earnings and sales tax revenues will increase due to inflation at a rate of 2% a year in addition to the assumed increases due to job creation and business expansion. The estimated PILOTS and Economic Activity Tax revenues are set forth in Exhibit 6 attached hereto.

The amount of Economic Activity Taxes in excess of the funds deemed necessary by the Commission for implementation of this Plan, may be declared as surplus by the Commission. The declared surplus will be made available for distribution to the various Taxing Districts in the Redevelopment Area in the manner provided by the Act.

The Plan requires that all affected businesses and property owners shall be identified and that the Commission shall be provided with documentation regarding payment of Economic Activity Taxes. The Commission shall make available information to the City of Kansas City regarding the identity and location of the affected businesses. It shall be the obligation and intent of the City of Kansas City to determine the Economic Activity taxes and to appropriate such funds into the Special Allocation Fund, no less frequently than yearly and no more frequently than quarterly, in accordance with the Act.
IV. EVIDENCE OF THE COMMITMENTS TO FINANCE

Any proposal submitted by a developer to implement this Plan shall include evidence of commitments to finance the Redevelopment Project Costs in addition to those allowable project costs to be paid out of the Special Allocation Fund. Such evidence shall be a part of this Plan and be attached hereto as Exhibit 7.

V. ANTICIPATED TYPE AND TERMS OF OBLIGATIONS

Without excluding other methods of financing, Bonds may be issued pursuant to this Plan for a term not to exceed 23 years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, at an interest rate determined by the Issuing Body. In order to market such Bonds, it is estimated that available Project revenues must equal 125% - 175% of the annual debt service payments required for the retirement of the Bonds. Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the Bonds or for reserves, sinking funds, or reimbursable project costs may be used to call Bonds in advance of their maturities or may become available for distribution annually to the Taxing Districts. Bonds may be sold in one or more series in order to implement this Plan. All obligations shall be retired no later than 23 years after the adoption of the ordinance approving the redevelopment project, the costs of which are to be paid from the proceeds thereof. No redevelopment project may be approved by Ordinance adopted more than ten years from the adoption of the ordinance approving the redevelopment plan under which the project is authorized. Therefore the latest date of retirement of the Bonds, if the ordinance approving the redevelopment plan is adopted in 1993, will be 2026.

VI. MOST RECENT EQUALIZED ASSESSED VALUATION

The total initial equalized assessed valuation of the areas selected for Redevelopment Projects, according to the Kansas City Assessor's records, is $1,803,830. The current combined tax levy is projected to be $8.56 (including 1987 M & M replacement surcharge tax) per $100 assessed valuation on land and $7.81 (including 1987 M & M replacement surcharge tax) per $100 assessed valuation on improvements. The current annual tax revenue, without any property tax exemptions, is approximately $154,396.

The Total Initial Equalized Assessed Valuation of an area selected for a redevelopment project will be determined when the individual Redevelopment Project is approved by ordinance. The municipality or the Commission may then issue tax increment bonds to finance redevelopment within the Redevelopment Project. PILOTS measured by subsequent increases in property tax revenue which would have resulted from increased valuation had Tax Increment Financing not been adopted, will be segregated from taxes resulting from the Total Initial Equalized Assessed Valuation as defined herein, and deposited in a special allocation fund earmarked for bond retirement or payment of Redevelopment Project Costs as defined herein.
VII. ESTIMATED EQUALIZED ASSESSED VALUATION AFTER REDEVELOPMENT

Upon completion of all of the Redevelopment Projects, the assessed valuation of the areas selected for Redevelopment Projects is anticipated to be approximately $70,058,880. The increase in assessed valuation therefore is anticipated to be approximately $68,255,050. The resulting Payments in Lieu of Taxes available to pay Redevelopment Project Costs by year are shown in Exhibit 6. When complete will yield an estimated $5,316,000 in additional real property taxes annually. Approximately 46% of the additional real property taxes are expected upon completion of Redevelopment Projects 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c.

VIII. GENERAL LAND USE

The property within the Redevelopment Area currently contains a PACE membership warehouse at the southeast corner, with the remainder of the area being vacant or mined as a rock quarry. The proposed general land use for the Redevelopment Area is envisioned to be a mixture of uses including retail, office, hotel, light industrial and residential uses. The Site Plan, Exhibit 2, attached hereto and made part of this Redevelopment Plan, designates the intended predominant land use categories for which tracts in the area will be sold, leased, or otherwise conveyed. The individual Redevelopment Projects shall be subject to the applicable provisions of the Municipality's Zoning Ordinance as well as other codes and ordinances as may be amended from time to time.

STATUTORY FINDINGS

IX. EXISTING CONDITIONS

The Redevelopment Area, including each of the Redevelopment Projects contained therein, qualifies as a "Blighted Area" under Missouri's Tax Increment Financing Statute. A significant portion of the Redevelopment Area has been severely undermined and was previously found to be a "blighted area" as part of the 353 designation process. The conditions defined therein are here again found to be existent under Section 99.810 of the Act at the time of approval of this Plan.

These physical conditions preclude any further development and will continue to jeopardize health, safety and welfare without the adoption of this Tax Increment Financing Plan. Further, this Plan is feasible only if all of the specified Redevelopment Projects are designated as such under Missouri's Tax Increment Financing Statute.

A study of the Redevelopment Area has been conducted documenting existing conditions and is attached as Exhibit 8.

X. "BUT FOR TIF"

The Redevelopment Area has not been subject to growth and development by private enterprise, even with the availability of tax abatement under the 353 Urban Redevelopment Project designation, and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan. The availability of 353
assistance is found to be insufficient to accomplish the redevelopment of this area. The best and most economically viable use for the property in the Redevelopment Area is for a mixture of uses including retail, office, hotel, light industrial and residential uses. Because of the existing condition of the property within the Redevelopment Area, and particularly the condition and location of the area selected for redevelopment projects, the property has not been subject to growth or development in the past. The cost of curing the existing conditions and construction of the improvements contemplated by the Plan is not economically viable, if fully borne by the developer. The use of Tax Increment Financing makes the Plan feasible and thus attractive to private enterprise investment.

XI. CONFORMANCE TO THE COMPREHENSIVE PLAN

The Plan is generally consistent and conforms with the City's Comprehensive Plan. The uses proposed for the Redevelopment Area are generally consistent with the South Development Area Plan approved by Ordinance Number 38861 on January 15, 1971 and amended for the Redevelopment Area by Resolution Number 62713 on February 2, 1989. Additional revisions to the South Development Area Plan are needed to bring the Plan into complete compliance. The necessary revisions will be made to the area plan prior to approval of this Plan.

The redevelopment activities are also consistent with the BCR 353 Redevelopment Plan approved by Committee Substitute for Ordinance Number 920377, as amended on May 28, 1992 and the Major Street Plan approved by Ordinance Number 64073 on September 28, 1989.

XII. ESTIMATED DATE OF COMPLETION

The completion of the construction of the redevelopment projects is expected to occur in 2016. In any event, the completion of any redevelopment project and retirement of obligations incurred to finance redevelopment costs will be completed no later than twenty three (23) years from the adoption of the ordinance approving the redevelopment project within the Redevelopment Area, provided that no ordinance approving a redevelopment project shall be adopted later than ten (10) years from the adoption of the ordinance approving this Redevelopment Plan.

The Development Schedule is set forth in the attached Exhibit 9.

XIII. RELOCATION ASSISTANCE PLAN

No relocation is anticipated under the Plan. If necessary, relocation assistance will be available to all eligible displaced occupants in conformance with the Relocation Assistance Plan as set forth in Exhibit 10 or as may be required by other state, federal or local laws.
OTHER PLAN CONDITIONS AND CONSIDERATIONS

XIV. ACQUISITION AND DISPOSITION

A. Acquisition and Clearance. To achieve the redevelopment objectives of this Plan, property or interests therein, including easements and rights-of-way, identified on Exhibit 11, "Land Acquisition and Disposition Map", attached hereto, and made a part of this Plan, may be acquired by purchase, donation, lease or eminent domain in the manner provided for corporations in Chapter 523, R.S.Mo. by the Municipality or the Commission. The property acquired by the Municipality or the Commission may be cleared, and either (1) sold or leased for private redevelopment or (2) sold, leased, or dedicated for construction of public improvements or facilities. The Municipality or the Commission may determine that to meet the redevelopment objectives of the Redevelopment Plan, other properties listed on said map and not scheduled for acquisition should be acquired or certain property currently listed for acquisition should not be acquired. No property for a redevelopment project shall be acquired by eminent domain later than five (5) years from adoption of the ordinance approving the redevelopment Plan under which such project is authorized.

Individual structures may be exempted from acquisition if they are located so as not to interfere with the implementation of the objectives of this Redevelopment Plan or the Redevelopment Projects implemented pursuant to the Redevelopment Plan and their owner(s) agree to rehabilitate or redevelop their property, if necessary, in accordance with the objectives of this Redevelopment Plan.

Clearance and demolition activities will, to the greatest extent possible, be timed to coincide with redevelopment activities so that tracts of land do not remain vacant for extended periods of time and so that the adverse affects of clearance activities may be minimized.

The Municipality or the Commission may devote property which it has acquired to temporary uses prior to such time as property is needed for redevelopment. Such uses may include, but are not limited to, parking or other uses the Municipality or the Commission may deem appropriate.

B. Assemblage and Disposition of Land. Land assemblage shall be conducted for (1) sale, lease or conveyance to private developers or (2) sale, lease, conveyance or dedication for the construction of public use, improvements or facilities. The terms of conveyance shall be incorporated in appropriate disposition agreements which may contain more specific planning and design controls than those stated in this Plan.

XV. AFFIRMATIVE ACTION

It is the Commission's policy to encourage participation in the bidding process by minority and women owned business concerns. The Commission has developed an affirmative action process and a minority business enterprise (MBE) participation goal of 15% and a women business enterprise (WBE) participation goal of 5% for both professional services and consultants and a similar goal for all construction activity within all phases of the redevelopment projects.

The Commission's Affirmative Action Policy is set forth in the attached Exhibit 12.
XVI. DESIGN REVIEW PROCESS

The Commission has adopted a design review process which shall be carried out to review all proposed improvements in the Redevelopment Area. This Design Review Process is attached hereto as Exhibit 13.

The following design controls shall apply to the Plan:

A. General: New development shall be designed and constructed so that it is integrated into and complements the surrounding environment. Any buildings that remain shall be made to conform to the development guidelines as approved by the Commission.

B. Pedestrian Walkways, Streets and Open Walk Spaces: Streets, pedestrian paths or open walk spaces shall be designed as an integral part of the overall site design, properly related to existing and proposed buildings and City streetscape elements.

C. Parking: Parking areas shall be designed with careful regard given to orderly arrangement, landscaping, ease of access, and as an integral part of the total site design. Vehicular access to the parking areas shall minimize conflicts with other vehicular and pedestrian movements. Ingress and egress points shall be well distanced from intersections in order to avoid congestion and interference with traffic.

D. Landscape Design: A coordinated landscape program shall be developed in the Redevelopment Area to incorporate the landscape treatment sought for open spaces, roads, sidewalks, and parking areas into a coherent and integrated arrangement.

XVII. ENTERPRISE ZONE

In the event mandatory abatement is sought or received pursuant to Section 135.215, R.S.Mo., as amended, such abatement shall not serve to reduce payments in lieu of taxes that would otherwise have been available pursuant to Section 99.845, R.S.Mo. without Commission approval. Said designation shall not relieve the assessor or other responsible official from ascertaining the amount of equalized assessed valuation of all taxable property annually as required by Section 99.855, R.S.Mo.

XVIII. PROVISION OF PUBLIC FACILITIES

Adequate public facilities and utilities will be assured to service each of the Redevelopment Project Areas.

XIX. REQUEST FOR PROPOSALS

Requests for proposals have been sent to developers. A developer will be selected to implement this Plan or components thereof (the "Developer"). If a Developer is selected who does not now own all the property required to implement the Plan, the
Developer, the Commission and the City will be required to identify the funds necessary for the acquisition or lease, of the property by purchase or eminent domain. The proposal of the Developer(s) selected must include evidence of financial commitments sufficient to complete the project. That proposal will then be attached to this Plan as Exhibit 7 and become a part of the Plan.

**XX. TAX INCREMENT FINANCING**

This Plan is adopted pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Missouri Revised Statutes, Section 99.800 through 99.865, 1990 (the "Act"). The Act enables municipalities to finance redevelopment costs with the revenue generated from PILOTS or Economic Activity Taxes. This Plan shall be filed of record against all properties in approved redevelopment project areas.

**XXI. PROVISIONS FOR AMENDING THE TAX INCREMENT PLAN**

This Redevelopment Plan or Projects may be amended pursuant to the provisions of the Act.
EXHIBIT 1
LOCATION AND LEGAL DESCRIPTION
OF THE REDEVELOPMENT AREA

The area which the Corporation proposes to redevelop is legally described as follows:

Portions of Sections 22, 23, 26 and 27 all in Township 48 North, Range 33 West of the Fifth Principal Meridian, in Kansas City, Jackson County, Missouri, bounded generally on the North by 87th Street, on the East by U.S. Interstate Route No. 435, on the South by Missouri State Route "W," commonly known as Bannister Road, and on the West by the right-of-way of the St. Louis and San Francisco Railway Company, and now part of the Burlington-Northern Railroad Company, as said street, highways and railway rights-of-way are now established, and all more particularly described as follows: Beginning at the point of intersection of the North line of the Southeast Quarter of said Section 22 with the Easterly line of said right-of-way of the St. Louis and San Francisco Railway Company; thence East along the North line of said 1/4 Section 1,046.46 feet to the Northeast corner thereof, being also the Southwest corner of the Northwest Quarter of said Section 23; thence North along the West line of said 1/4 Section 494.01 feet to its intersection with the Southerly line of said 87th Street; thence generally Easterly along said Southerly line the following courses and distances: Thence Southeasterly, making a Southeast angle of 59°33'24" with the last described course, a distance of 262.87 feet; thence Southeasterly, East and Northeasterly along a curve to the left, from the last described course as a tangent, having a radius of 411.89 feet and a central angle of 50°32', an arc distance of 363.28 feet; thence Northeasterly, tangent to the last described curve, 198.64 feet; thence Southeasterly, perpendicular to the last described course, 60 feet; thence Northeasternly, East and Southeasterly, along a curve to the right, from the last described course as a normal, having a radius of 92.27 feet and a central angle of 83°00'10", an arc distance of 133.67 feet; thence Southeasterly, tangent to the last described curve, 50 feet; thence Northeasterly, perpendicular to the last described course, 60 feet; thence Southeasterly, perpendicular to the last described course, 161.16 feet; thence Southeasterly and East along a curve to the left, from the last described course as a tangent, having a radius of 346.87 feet and a central angle of 61°50'40", an arc distance of 374.41 feet; thence East, tangent to the last described curve, 633.99 feet to an angle point; thence East, deflecting 0°12'19" right from the last described course 182.28 feet; thence South, perpendicular to the last described course 5 feet; thence East, perpendicular to the last described course, 100 feet; thence North, perpendicular to the last described course 5 feet; thence East, perpendicular to the last described course, 379.62 feet to an angle point; thence East deflecting 0°22'49" left from the last described course, 1,319.22 feet to a point on the West line of the Northeast Quarter of the Southeast Quarter of said Section 23; thence South along said West line, and no longer along the Southerly line of said 87th Street, making a Southwest angle of 90°46'30" with the last described course, a distance of 785 feet to a point which is 825 feet South of the Northwest corner of said 1/4-1/4 Section, measured along said West line; thence East, parallel with the North line of said 1/4-1/4 Section, 1,084.86 feet to a point on the Westerly line of said Route 435; thence generally Southwesterly along said Westerly line the following courses and distances: Thence Southwesterly, making a Southwest angle of 64°35'56" with the last described course, 258.58 feet to an angle point; thence Southwesterly, deflecting 14°02'10" left from the last described course, 206.16 feet to an angle point; thence Southwesterly deflecting 14°02'10" right from the last described course, 1,529.94 feet to a point on the North line of the Northeast Quarter of said Section 26; thence West along said North line, being also a jog in said westerly right-of-way line, deflecting 64°35'45" right from the last described course, a distance of
55.35 feet; thence Southwesterly, deflecting 64 35'45" left from the last described course, 2,346.32 feet to an angle point; thence deflecting 9 13'48" right from the last described course, 405.25 feet to an angle point; thence deflecting 22 15'51" right from the last described course, 177.42 feet to an intersection with the North line of said Route "W" (Bannister Road); thence West along said North line the following courses and distances: Thence West, deflecting 33 13'44" right from the last described course, 346.08 feet to an angle point; thence West, deflecting 0 13'41" right from the last described course, 1,541.69 feet to an angle point; thence West, deflecting 8 31'51" right from the last described course, 101.12 feet to an angle point; thence West, deflecting 8 31'51" left from the last described course, 154.66 feet to an intersection with the Easterly line of said St. Louis & San Francisco Railway Company right-of-way; thence generally Northwesterly along said Easterly line, the following courses and distances: Thence Northwesterly along a curve to the right having a radius of 1,860.08 feet, a central angle of 26'11'28" and an initial tangent which deflects 46 29'21" right from the last described course, an arc distance of 850.28 feet; thence Northwesterly, tangent to the last described curve, 1,182.27 feet; thence Northwesterly along a curve to the right, from the last described course as a tangent, having a radius of 2,814.93 feet and a central angle of 7 44'20" an arc distance of 380.22 feet; thence Northwesterly, tangent to the last described curve, 403.85 feet; thence Northwesterly along a curve to the left, from the last described course as a tangent, having a radius of 2,914.93 feet and a central angle of 7 18'29", an arc distance of 371.80 feet; thence Northwesterly, tangent to the last described curve, 1,292.87 feet; thence Northwesterly along a curve to the left, from the last described course as a tangent, having a radius of 2,914.93 feet and a central angle of 6 44'15", an arc distance of 342.77 feet; thence Northwesterly, tangent to the last described curve, 659.97 feet to the point of beginning. Containing 513.073 acres, more or less.
EXHIBIT 3
SPECIFIC OBJECTIVES OF REDEVELOPMENT PLAN

1. To cure the blighted conditions currently existing on the properties with those areas selected for redevelopment projects by means of mine stabilization and land reclamation, clearance of deteriorating buildings and structures, provision for adequate street layout, utilities, and other site improvements, and removal of other unsanitary and unsafe conditions.

2. To construct approximately 724,000 square feet of retail, 250,000 square feet of office, 170,000 square feet of light industrial, 221,000 square feet of warehouse in Redevelopment Project Areas 1 through 1c, 2a through 2k, 3a, 3b, 3d and 4a through c.

3. To construct approximately 15,000 square feet of retail, 587,000 square feet of office, 175,000 square feet of light industrial and 1,000 multifamily units in Redevelopment Project Areas 3c through f, 4b, 4d through i and 5.

4. To create a safe environment conducive to quality retail development.

5. To install, repair, construct, reconstruct and relocate streets, utilities, sidewalk improvements, essential to the preparation of the areas selected for redevelopment projects.

6. To construct a north-south street connecting Bannister Road to 87th Street which will provide access to Project Areas 1 through 3b, along with all necessary utilities, sidewalk improvements and appurtenances.

7. To make the following improvements to Bannister Road in compliance with City standards and guidelines:

A. Construct one eastbound left turn lane which will be located at the Bannister-Hickman Mills Drive (relocated) intersection and make necessary traffic signal modifications as needed. The lane is to be constructed at the time Hickman Mills is connected to Bannister Road.

B. Construct one westbound right turn lanes which will be located at the Bannister-Hickman Mills Drive (relocated) intersection and make necessary traffic signal modifications as needed. The lane is to be constructed at the time Hickman Mills approach connection to Bannister is constructed.

C. Widen Bannister Road to construct a second eastbound left turn lane on Bannister Road at relocated Hickman Mills Drive and construct a second eastbound left turn lane at the signalized entrance to the commercial development located directly south of the Redevelopment Area at such time as the City determines the need for each second turn lane when the level of traffic service for the intersection increases beyond level D as determined by the City Engineer.

D. Construct at the north approach to Bannister Road opposite the entrance to the commercial development located directly south of the Redevelopment Area, two left turn lanes, one through land and two right turn lanes.
8. To make the following improvements to 87th Street in compliance with City standards and guidelines:

A. Construct a minimum three lane street cross section at 87th Street on the easternmost arterial street to provide left and right turn lanes northbound to 87th Street and construct a westbound left turn lane on 87th Street to the eastern arterial street.

B. Widen 87th Street by one and one half lanes as contiguous parcels are platted; provided that any improvement to 87th Street shall extend from the west lane of the parcel contiguous to 87th Street and extend easterly to the easternmost arterial street and construct additional lanes as required to serve the site.

C. Dedicate right of way along the south side of 87th Street for a total of 65 feet from the center line and dedicate 130 feet of right of way for 87th Street (relocated) proposed to cut through the northwest corner of the Redevelopment Area.

D. Improve 87th Street to four lanes with westbound turn between the easternmost arterial street and I-435.

E. Design 87th Street as an arterial with street lighting and sidewalks and a landscape median subject to the concurrence of the City.

9. To construct, upgrade and refurbish utilities, and other infrastructure facilities serving the areas selected for redevelopment projects as well as other areas contiguous thereto.

10. To vacate any existing public rights-of-way inconsistent with the Plan and to make them a part of the Redevelopment Area.

11. To replat the land into parcels suitable for redevelopment in accordance with this Redevelopment Plan in accordance with City requirements.

12. To enhance the tax base and economy by inducing development of the Redevelopment Area to its highest and best use, and to encourage private investment in surrounding areas.

13. To promote the health, safety, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

14. To provide development/business opportunities in the areas selected for redevelopment projects and the surrounding areas.

15. To stimulate construction employment opportunities and increased demand for secondary and support services for the surrounding commercial area.

16. To develop the site as an attractive location for commercial and residential projects.

17. To provide attractive landscaped buffers along Bruce R. Watkins Freeway, Bannister Road and 87th Street.
18. To have the developer retain an independent registered engineer, expert in mine land stabilization to certify to the City, through the Director of Public Works, that the subject property has been reclaimed over the mines and area affected thereby and can be built upon prior to any construction over such land; such engineer selected by developer shall have in force a policy of professional liability insurance with limits of liability of not less than $1,000,000.00 and the Director of Public Works shall have absolute discretion to approve or disapprove the selection of such engineer. Further, that the developer agrees to retain an independent registered structural engineer to certify to the City, through the Director of the Codes Administration, that the buildings and appurtenances can be safely constructed on the reclaimed land in question; such engineer shall be acceptable to and previously approved by the Director of Codes Administration.
## EXHIBIT 4

### ESTIMATED REDEVELOPMENT PROJECT COSTS

<table>
<thead>
<tr>
<th>REIMBURSABLE AMOUNT</th>
<th>PROJECT EXPENSE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMMISSION EXPENSES</strong></td>
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</tr>
<tr>
<td>1. Estimated Reimbursable Costs for Plan Implementation</td>
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<tr>
<td>A. Legal</td>
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<td>B. Agenda</td>
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<tr>
<td>C. Staff Time</td>
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<td>D. Miscellaneous</td>
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<tr>
<td>2. Final Development Plan Approval Fees ($0.05 per square foot @ 2,127,000 s.f. and $50 per Dwelling Unit @ 1000 units)</td>
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<tr>
<td>3. Plan Administration and TIF General Expenses</td>
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<tr>
<td><strong>SUBTOTAL COMMISSION EXPENSES</strong></td>
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### REDEVELOPMENT PROJECT COSTS FOR PROJECTS 1 - 1C; 2A - K; 3A, B & D; AND 4A - C

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<tbody>
<tr>
<td>1. Land Acquisition</td>
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<td>$0</td>
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<tr>
<td>2. Building Demolition</td>
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<td>0</td>
</tr>
<tr>
<td>3. Building Construction (250,000 s.f. Office @ $75/s.f. &amp; 1,100,000 s.f. other space @ $50/s.f.)</td>
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<td>0</td>
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<td>4. Mine Stabilization &amp; Land Reclamation</td>
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<td>52,995,110</td>
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<tr>
<td>5. Public Works Projects (streets, sewers, sidewalks)</td>
<td>6,760,835</td>
<td>6,760,835</td>
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</tbody>
</table>

| SUBTOTAL | 1,312,500 | 1,312,500 |

REDEVELOPMENT PROJECT COSTS FOR PROJECTS 3C, E & F; 4D - I; AND 5:

| 1. Land Acquisition | $ 0 | $ 0 |
| 2. Building Demolition | 250,000 | 0 |
| 3. Building Construction (580,000 s.f. Office @ $75/s.f.; 190,000 s.f. other space @ $50/s.f.; 1000 d.u. @ $40,800/ d.u.) | 94,325,000 | 0 |
| 4. Mine Stabilization & Land Reclamation | 51,067,990 | 51,067,990 |
| 5. Hickman Mills Street Improvements | 1,113,300 | 1,113,300 |

| SUBTOTAL | 146,943,790 | 52,368,790 |

TOTAL

| $283,074,585 | $113,999,585 |

* The selected developer shall pay all fees and expenses of the TIF Commission for Plan preparation, approval and implementation including, but not limited to, staff time, agenda costs, legal fees, printing and publication of notices. The selected developer shall be billed for these expenses by the Commission as needed. These expenses shall be considered reimbursable project costs to the developer from the Special Allocation Fund.
In addition, up to five percent (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. This amount will be figured and allocated prior to allocation of any other reimbursable costs.

Mine stabilization and land reclamation includes site work required to bring to rough grade each building site for its intended construction purpose. This assumes use of controlled blasting, as well as conventional methods of reclamation. Using this technique, the cost of land reclamation for the whole Redevelopment Area is estimated to be approximately $104,063,096. If conventional techniques are necessary, total reclamation costs are estimated to be approximately $166,797,337.

The costs incurred to construct Hickman Mills Drive between Bannister Road and 87th Street shall be eligible for reimbursement after all other eligible reimbursable project expenses have been paid in full and to the extent funds are available from the Special Allocation Account.
EXHIBIT 5

A. SOURCE OF FUNDS FOR ALL
ESTIMATED REDEVELOPMENT PROJECT COSTS

1. Estimated Amount of Reimbursable
   Costs from PILOTS and Operation
   and Activity Taxes within proposed
   Redevelopment Project Areas
   $113,999,585

2. Estimated Private Investment and
   other Sources within proposed
   Redevelopment Project Areas
   $169,075,000

TOTAL
$283,074,585

B. BONDS

The total estimated amount of PILOTS and Economic Activity Taxes over twenty-three years available to reimburse project costs is $150,473,000. The Commission may dedicate part or all of this amount to help support the issuance of bonds to defray the cost of the projects. This amount of PILOTS will support approximately $67,850,600 in bonds over 23 years assuming an interest rate of 8%. (No coverage ratio was included as part of the calculation of the bonds.)
## EXHIBIT 6

### ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES OVER THE LIFE OF THE REDEVELOPMENT PLAN

<table>
<thead>
<tr>
<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
<th>ANNUAL TOTAL</th>
<th>CUMULATIVE TOTAL</th>
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</thead>
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**TOTAL** | **82,523,000** | **67,950,000** | **150,473,000** | **150,473,000**

REVISED
**PACE STORE — EXISTING**

**ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
<th>ANNUAL TOTAL</th>
<th>CUMULATIVE TOTAL</th>
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**TOTAL** 2,892,000 12,090,000 14,982,000 14,982,000

Existing 138,000 s.f. PACE Warehouse.

TIF Reimbursable Project Costs: none.
## PROJECT 1A

### ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES

<table>
<thead>
<tr>
<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
<th>ANNUAL TOTAL</th>
<th>CUMULATIVE TOTAL</th>
</tr>
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TOTAL 489,000 1,205,000 1,694,000 1,694,000

Proposed Construction: Two 7,500 s.f. pads adjacent to PACE built over 2 years.

TIF Reimbursable Project Costs: none.
# PROJECT IB

## ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES

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<th>YEAR</th>
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**TOTAL**: 4,699,000 | 12,752,000 | 17,451,000 | 17,451,000

**Proposed Construction**: 100,000 s.f. Home Quarters in 1993, 53,000 s.f. retail in 1994

**TIF Reimbursable Project Costs**:

- **Public Improvements**: Street Improvements **$234,825**
  - Sanitary Sewers **56,400**
  - Storm Drainage **239,000**
  - Water **179,000**
  - Street Lighting **73,000**
  - Streetscape/Landscape **19,300**
  - Bannister Road Improvements **827,450**

**TOTAL**: **$1,628,975**

- **Land Reclamation**: Conventional **$4,412,628**
  - Controlled Blasting **2,752,992**
### PROJECT 1C

**ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES**

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<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
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**TOTAL**

| 907,000 | 2,348,000 | 3,255,000 |

Proposed Construction: Three 7,500 s.f. retail pads built over three years.

TIF Reimbursable Project Costs: none.
### PROJECT 2B

**ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES**

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**TOTAL** 4,342,000 11,598,000 15,940,000 15,940,000

Proposed Construction: 96,000 s.f. in 1996
12,000 s.f. in 1997
40,000 s.f. in 1998

**TIF Reimbursable Project Costs:**

- Public Improvements: Street Improvements $434,895
- Sanitary Sewers 149,800
- Storm Drainage 372,035
- Water 183,835
- Street Lights 192,335
- Streetscape/Landscape 47,770  **TOTAL $1,380,670**

**Land Reclamation:** Conventional $13,237,884
Controlled Blasting 8,258,976
## PROJECT 2C
### ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES

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<th>100% PILOT</th>
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**TOTAL** 4,544,000 11,837,000 16,381,000 16,381,000

Proposed Construction: 14,000 s.f. in 1996
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7,000 s.f. in 1998
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5,000 s.f. in 2000

TIF Reimbursable Project Costs:

Public Improvements: Street Improvements $511,570
Sanitary Sewers 149,800
Storm Sewers 372,035
Water 183,835
Street Lights 192,335
Streetscape/Landscape 47,770

TOTAL $1,457,345

Land Reclamation: Conventional $13,237,884
Controlled Blasting $8,258,976
## PROJECTS 2D - 2G

### ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES

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**TOTAL**: 1,589,000  

**4,046,000**:  

**5,635,000**:  

**5,635,000**:  

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Proposed Construction: Eight 7,200 s.f. retail pads. Two to be built in each of the first two years and one pad per year thereafter.  

TIF Reimbursable Project Costs: none.
# Projects 2H - 2K

## Estimated Annual Payments in Lieu of Taxes and Economic Activity Taxes

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**Total**

- 6,322,000
- 399,000
- 6,721,000
- 6,721,000

**Proposed Construction:**
- **Project 2H:** A 50,000 s.f. and a 26,000 s.f. warehouse structure in 1996.
- **Project 2I:** A 20,000 s.f. and a 35,000 s.f. warehouse structure in 1997.
- **Project 2J:** Two 25,000 s.f. warehouse structures in 1998.
- **Project 2K:** A 40,000 s.f. warehouse structure in 1999.

**TIF Reimbursable Project Costs:**

- **Public Improvements:** Street Improvements @ $88,225 (for each of 4 Projects)
  - Sanitary Sewers: 37,450 (for each Project)
  - Storm Drainage: 93,010 (for each Project)
  - Water: 45,960 (for each Project)
  - Street Lights: 48,085 (for each Project)
  - Streetscape/Landscape: 11,940 (for each Project)
  - **Total:** $1,218,680
- **Land Reclamation:** Conventional: $3,309,471 (for each Project)  **Total:** $13,327,880
  - Controlled Blasting: 2,064,744 (for each Project)  **Total:** $8,258,980
### PROJECT 3A

**ESTIMATED ANNUAL PAYMENTS IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES**

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Proposed Construction: Four 30,000 s.f. light industrial buildings over 4 years.

TIF Reimbursable Project Costs: none

- Land Reclamation: Conventional $7,324,962
- Controlled Blasting 4,569,970
PROJECT 3B

ESTIMATED ANNUAL
PAYMENTS IN LIEU OF TAXES
AND ECONOMIC ACTIVITY TAXES

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TOTAL 1,611,000 155,000 1,766,000 1,766,000

Proposed Construction: 50,000 s.f. light industrial building.

TIP Reimbursable Project Costs: none
  Land Reclamation: Conventional $3,662,481
  Controlled Blasting 2,284,980
# Project 3D

## Estimated Annual Payments In Lieu of Taxes and Economic Activity Taxes

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</table>

**Total: 2,388,000**

Proposed Construction: One 50,000 s.f. office building.
TIF Reimbursable Project Costs: None
Land Reclamation: Conventional $7,324,960
Controlled Blasting 4,569,970

2,960,000
### PROJECT 4A - 4C

**ESTIMATED ANNUAL PAYMENT IN LIEU OF TAXES AND ECONOMIC ACTIVITY TAXES**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
<th>ANNUAL TOTAL</th>
<th>CUMULATIVE TOTAL</th>
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<td>82,000</td>
<td>436,000</td>
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<td>83,000</td>
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<td>85,000</td>
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<td>12,598,000</td>
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</table>

**TOTAL** 8,148,000 4,450,000 12,598,000 12,598,000

Proposed Construction: Four 50,000 s.f. office buildings built over 4 years.

TIF Reimbursable Project Costs: none

- **Street Improvements to 87th Street:** $1,075,165
  - (proposed for construction after Projects 4A - 4C)
- **Land Reclamation:** Conventional $11,252,201 each for 4A and 4C
  - Controlled Blasting 7,020,130
EXHIBIT 6
PROJECTS 3C-F; 4B,D-I; 5

ESTIMATED ANNUAL
PAYMENTS IN LIEU OF TAXES
AND
ECONOMIC ACTIVITY TAXES
OVER THE LIFE OF THE REDEVELOPMENT PLAN

<table>
<thead>
<tr>
<th>YEAR</th>
<th>100% PILOT</th>
<th>50% OF ECONOMIC ACTIVITY TAXES</th>
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<th>CUMULATIVE TOTAL</th>
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<td>154,000</td>
<td>613,000</td>
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TOTAL 41,148,000 6,162,000 47,310,000

Proposed Construction: 1,000 Multifamily units over 6 year beginning in 2005.
7,500 s.f. of retail in 2004 and 2005.
175,000 s.f. of light industrial between 2000 and 2004.
587,000 s.f. of office between 2004 and 2016.

TIF Reimbursable Project Costs:
Hickman Mills Road 1,113,300

INSERTED
EXHIBIT 7
DEVELOPER'S PROPOSAL
HAND DELIVERED

Mr. Mark Bunnell
Tax Increment Financing Commission
10 Petticoat Lane, Suite 250
Kansas City, MO 64106

Re: Santa Fe Trail TIF Plan
PWVS File No.: N1600/25935

Dear Mark:

Enclosed please find 10 copies of Mason Land Reclamation’s revised Proposal for the Development of the Santa Fe Trail Tax Increment Financing Plan dated May 19, 1993. This revised Proposal contains the information requested by the Commission regarding mine stabilization, land reclamation, and public works projects. The revised Proposal also contains the letters for commitments of financing and the completed HUD form 6004 (9-69).

Additionally, enclosed please find the analysis of the 353 contract, as requested by the Commission, and the documentation reflecting the City’s approval of the proposed mine stabilization methodology on a test site.

I hope all of this information will allow for the Commission to recommend approval of the Plan and Mason Land Reclamation as the approved developer at the upcoming hearing. For your information, we have met with the school district on several occasions and are quite close to reaching an agreement regarding the project.

Very truly yours,

James C. Bowers, Jr.

JCB:ms
Enclosures
cc: Ms. Laura Whitener (w/enclosures)
    Ms. Patricia A. Elbert (w/enclosures)
    Mr. Michael Mahoney (w/enclosures)
    Mr. Aaron G. March
    Ms. Elaine Iler

N1600/25935
PWVS: M:\JCBOW\LTR.MAY\122599.1
MASON LAND RECLAMATION'S PROPOSAL

FOR DEVELOPMENT OF THE
SANTA FE TRAIL
TAX INCREMENT FINANCING PLAN

April 9, 1993
Revised April 14, 1993
Revised May 19, 1993
PROPOSAL FOR THE REDEVELOPMENT OF THE
SANTA FE TRAIL REDEVELOPMENT AREA

I. IDENTITY OF REDEVELOPER

Mason Land Reclamation, a Missouri corporation submits
this proposal for the implementation of the Santa Fe Trail Tax
Increment Financing Plan (the "Plan") in response to the
request for proposals dated March 29, 1993 (the "RFP"),
published by the Tax Increment Financing Commission of Kansas
City, Missouri, the ("Commission").

Mason Land Reclamation ("MLR") and its wholly owned
subsidiary, BCR Redevelopment Corporation ("BCR") have been
involved with the redevelopment of the Redevelopment Plan Area
as defined in the RFP since 1986. Since 1986, BCR has thor-
oughly investigated the unique characteristics of the Redevel-
opment Plan Area and has expended vast sums of money to explore
the various methods through which the Redevelopment Plan Area
can be redeveloped. Most recently, MLR and BCR were successful
in developing the least blighted portion of the Redevelopment
Plan Area the "PACE SITE." The utilization of payments in lieu
of taxes and economic activity taxes from the PACE SITE, which
was developed under the parameters of the Amended B.C.R.
Development Plan, will allow for the acceleration of the
redevelopment of the remaining portions of the Redevelopment
Plan Area which have more difficult development characteris-
tics.

II. DEVELOPMENT PLAN

A. Land Acquisition. MLR is the owner of the entire
Redevelopment Plan Area with the exception of the PACE SITE.
The owner of the PACE SITE has agreed to allow its property to
be placed within the Redevelopment Plan Area in order to hasten
the redevelopment of the Redevelopment Plan Area.

B. General Description of Construction. MLR proposes to
develop the Redevelopment Plan Area in five overall phases each
of which will have numerous sub-phases and constructing therein
approximately 803,000 square feet of retail space; 436,000
square feet of warehouse space; 530,000 square feet of light
industrial space; 4,996,000 square feet of office space;
150,000 square feet of hotel space; 1,284 multi-family dwelling
units and a 19,000 square feet clubhouse, together with all
necessary utilities, street improvements and appurtenances.

Subject to the approval of the Commission, MLR wishes to
reserve the right to designate the size and location of
structures and appurtenances thereto and determine the final
size and sequence in which each of the phases and sub-phases
shall be developed. In all events, the total square footage of
the commercial, office and warehouse structures constructed will not exceed the total square footage proposed in the Plan.

C. Construction Budget/Allocation of Costs. MLR's estimated construction budget is attached hereto as Exhibits A, A-1, A-2 and A-3. MLR proposes that Exhibit 4 of the Plan be modified to reflect the estimates set forth in Exhibits A, A-1, A-2 and A-3. The allocation of public and private participation by estimated dollar amount and category of cost between the developer and TIF revenue is set forth on Exhibit A.

D. Schedule. MLR proposes to follow the schedule set forth on the attached Exhibit B-1, as further detailed in Exhibit B-2.

E. Financing. MLR has already committed significant equity by purchasing the vast majority of the property within the Redevelopment Plan Area. MLR further commits that upon its selection as the Developer that it will provide additional funds for normal equity financing. MLR will provide firm commitments for financing of the debt portion of the project by phase or sub-phase when the Plan is approved and individual leases for each sub-phase are signed. Attached hereto as Exhibits C-1 and C-2 are letters of financing from financial institutions stating their interest in financing the project.

III. MBE/WBE PARTICIPATION

MLR will strive to reach a goal of participation of 15% participation by minority and 5% women business enterprises in all phases of the project. This goal will be attained through the use of MBE/WBE contractors and suppliers to the project. MLR will work with the Commission to accomplish its affirmative action goals.

IV. MISCELLANEOUS

A. Control. MLR will enter into a Redevelopment Contract under the Plan in order to allow the City and the Commission to maintain firm control over the development process, and, to the greatest extent possible, ensure the completion of the overall project.

B. Contingencies. The following are specific contingencies to MLR's Proposal:

1. Selection of MLR as the Developer of the Plan.

2. Approval of development plans, i.e. zoning plans, plats and all necessary permits by the City.
3. Ability of MLR to secure an economical and engineer-
ingly feasible mine reclamation program which per-
mits MLR to reclaim the Redevelopment Plan Area.

4. Ability of MLR to attract tenants to the project.

5. Ability of MLR to "capture" TIF Revenues generated
by Redevelopment Projects in Phase I.

6. Approval of a Plan which utilizes MLR's Proposed
Exhibit 4, including 4-A, 4-B and 4-C.

7. Termination of the Amended B.C.R. Development Plan
and B.C.R. Redevelopment Corporation's obligations
thereunder.

C. Description of building materials and design. The
nature and character of the building materials are not known at
this time. However, all new development will create an
integrated and unified design. Furthermore, streets, pedestri-
an paths or open walk spaces will be designed as an integral
part of the overall site design, properly related to existing
and proposed buildings. Parking areas will be designed with
careful regard to orderly arrangement, landscaping, ease of
access and as an integral part of the total site design.
Vehicular access to the parking areas will minimize conflicts
with other vehicular and pedestrian movements. Ingress and
egress points will be well distanced from intersections in
order to avoid congestion and interference with traffic.
Finally, a coordinated landscape program will be developed in
the area to incorporate the landscape treatment sought for open
spaces, roads, sidewalks and parking areas into a coherent and
integrated arrangement.

A proposed site plan drawn at a scale of approximately 1
inch equals 200, showing the limits of property, approximate
property dimensions, building locations and size, parking
layout, ingress and egress to and from the site, landscape
areas and adjoining streets is attached hereto as Exhibit D.

D. Anticipated Sale Values. Given the nature of this
project, anticipated sale values or rents to be charged are not
known at this time. A plan for marketing the properties will
be implemented in phases as the Redevelopment Plan Area is
reclaimed and developed.

V. SUBMISSION

A. Copies. Three copies of this submission are hereby
filed with Mr. Mark Bunnell, Executive Director/Secretary, Tax
Increment Financing Commission, 10 Petticoat Lane, Suite 250,
Kansas City, Missouri 64106.
B. Representation. The official representative of MLR is Polsinelli, White, Vardeman & Shalton, 700 West 47th Street, Suite 1000, Kansas City, Missouri 64112 (James C. Bowers, Jr., Aaron G. March).
### COMMISSION EXPENSES

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<th>Project Expense</th>
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<td>COMMISSION EXPENSES</td>
<td>COMMISSION EXPENSES</td>
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1. Estimated Reimbursable Costs for Plan Implementation
   - A. Legal $30,000
   - B. Agenda 2,000
   - C. Staff Time 40,000
   - D. Miscellaneous 4,000

2. Final Development Plan Approval Fees ($0.05 per square foot @ 2,127,000 s.f. and $50 per Dwelling Unit @ 1000 units) 156,350

3. Plan Administration and TIF General Expenses 330,000

**SUBTOTAL COMMISSION EXPENSES** 562,350

---

### REDEVELOPMENT PROJECT COSTS FOR PROJECTS 1 - 1C; 2A - K; 3A, B & D; AND 4A - C

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<th>Amount</th>
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<td>Building Construction</td>
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<td>52,995,110</td>
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<td>Public Works Projects (streets, sewers, sidewalks)</td>
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<td>6,760,835</td>
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<td></td>
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**Subtotal**

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<td>146,943,790</td>
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<tr>
<td>283,074,585</td>
<td>113,999,585</td>
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* The selected developer shall pay all fees and expenses of the TIF Commission for Plan preparation, approval and implementation including, but not limited to, staff time, agenda costs, legal fees, printing and publication of notices. The selected developer shall be billed for these expenses by the Commission as needed. These expenses shall be considered reimbursable project costs to the developer from the Special Allocation Fund.
In addition, up to five percent (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. This amount will be figured and allocated prior to allocation of any other reimbursable costs.

** Mine stabilization and land reclamation includes site work required to bring to rough grade each building site for its intended construction purpose. This assumes use of controlled blasting, as well as conventional methods of reclamation. Using this technique, the cost of land reclamation for the whole Redevelopment Area is estimated to be approximately $104,063,096. If conventional techniques are necessary, total reclamation costs are estimated to be approximately $166,797,337.

*** The costs incurred to construct Hickman Mills Drive between Bannister Road and 87th Street shall be eligible for reimbursement after all other eligible reimbursable project expenses have been paid in full and to the extent funds are available from the Special Allocation Account.
<table>
<thead>
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<th></th>
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<th>III</th>
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<td>36,624,812 (CONV)</td>
<td>45,008,805 (CONV)</td>
<td>41,037,440 (CONV)</td>
<td>166,797,337 (CONV)</td>
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<td>24,776,928 (C.B.)</td>
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<td>28,080,518 (C.B.)</td>
<td>25,602,825 (C.B.)</td>
<td>104,063,096 (C.B.)</td>
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<td>-5,432,017</td>
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<td>-940,000</td>
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<td>137,134,329</td>
<td>402,710,085</td>
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<td>Developer Funded</td>
<td>9,660,770 (57%)</td>
<td>32,381,630 (41%)</td>
<td>94,690,000 (69%)</td>
<td>353,885,850 (88%)</td>
<td>52,675,900 (54%)</td>
<td>543,294,150 (74%)</td>
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<td>TF Funded</td>
<td>7,232,190 (43%)</td>
<td>46,797,820 (59%)</td>
<td>42,444,329 (31%)</td>
<td>48,824,235 (12%)</td>
<td>45,146,047 (46%)</td>
<td>190,444,621 (25%)</td>
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</table>

1. Preliminary estimates. Actual costs may be different. Professional service costs and financing costs are not included in the estimated totals shown. Professional service costs and financing costs shall be considered as reimbursable project costs to the Developer from the Special Allocation Fund.

2. Preliminary Allocation of Costs between Phase II and V which have buildings.

3. Preliminary Estimate:
   CONV = conventional mine reclamation methodology, full excavation, refill and grade to rough grade ($10.13/s.f.)
   C.B. = controlled blasting where applicable, CONV where not applicable and grade to rough grade ($6.32/s.f.)

4. Including Bannister Road improvements and detention pond relocation.

5. Including 87th Street improvements.

6. Does not include professional fees associated with issuance of TIF Bonds or other financing.

7. (*) reflects conventional (CONV) mine stabilization.
Estimated Reclamation Costs

1. Estimated Volumes of Space Undermined:

Approximately 80% of the entire 500 acres is mined.

Of that total area mined, approximately 16% of the area is columns, and 84% of the area is void area.

500 Acres X 90% = 450 Acres Undermined
450 Acres X 84% = 378 Acres of Void Area

2. 450 Acres (2/3 of which has 72' of rock)

450 acres x .66 = 297 acres
297 acres x 43,560 sq. ft. = 12,937,320 sq. ft.
12,937,320 sq. ft. x 72' = 931,487,040 cubic ft.
931,487,040 ÷ 27 = 34,499,520 cubic yds.

450 Acres (1/3 of which has 12' of rock)

450 acres x .33 = 148.5 acres
148.5 acres x 43,560 sq. ft. = 6,468,660 sq. ft.
6,468,660 sq. ft. x 12' = 77,623,920 cubic ft.
77,623,920 ÷ 27 = 2,874,360 cubic yds.

34,499,520 cubic yds
2,874,360
37,374,480 cubic yds.

Open pit adjustment:

2,874,480
35,000,000 cubic yds.

450 Acres (1/3 of which has had overburden removed, leaving 300 acres with approximately 31' of overburden)

300 acres x 43,560 sq. ft. = 13,068,000 sq. ft.
13,068,000 sq. ft. x 31' = 405,108,000 cubic yds.
405,108,000 ÷ 27 = 15,004,000 cubic yds.
Say - 15,000,000 cubic yds.

EXHIBIT 4B
Summary of Overburden:

35,000,000 Cubic Yards of Rock
15,000,000 Cubic Yards of Other
50,000,000 Cubic Yards of Total Overburden

3. Conventional Reclamation Costs VS Controlled Blasting Costs:

Conventional Reclamation is accomplished by blasting and excavating the overburden and then placing a controlled fill back in the same area to the desired elevation. This cost has been verified by construction estimates on Phase I-B and actual bids taken on Phase I-E, the construction of the PACE project.

Conventional Reclamation Cost = $10.13/sq. ft.

378 acres x 43,560 sq. ft. = 16,465,680 sq. ft.
16,465,680 sq. ft. x $10.13/sq. ft. = $166,797,000

Controlled Blasting technique is accomplished by blasting the of overburden with charges located at a uniform, predetermined vertical and horizontal spacing, in a blasting configuration that will cause the rock rubble from the blast to be directed downward towards the mine floor and at the same time cause the rubble to be compacted due to the energy from the blast. The blasting would progress from the bottom upward. Thus, compacted rock rubble will rise toward the ground surface and fill the resulting free space from the blasting with the compacted rock rubble.

Controlled Blasting Costs = $6.32/sq. ft.

378 acres x 43,560 sq. ft. = 16,465,680 sq. ft.
16,465,680 sq. ft. x $6.32/sq. ft. = $104,083,097
Opinion of Probable Construction Cost

for

Development Plan
Santa Fe Trails T.L.F. Plan

Bannister Road and I-435
Kansas City, Missouri

Prepared By:

LTD Engineering, Inc.
Consulting Engineers and Land Surveyors
10322 N.W. Prairie View Road
Kansas City, Missouri 64153

EXHIBIT 4C
SUMMARY BY PHASE OF DEVELOPMENT

| PHASE 1 - PUBLIC IMPROVEMENTS | $1,042,112.50 |
| PHASE 2 - PUBLIC IMPROVEMENTS | $5,946,668.00 |
| PHASE 3 - PUBLIC IMPROVEMENTS | $5,432,017.50 |
| PHASE 4 - PUBLIC IMPROVEMENTS | $3,517,930.00 |
| PHASE 5 - PUBLIC IMPROVEMENTS | $2,490,377.50 |
| BANNISTER ROAD IMPROVEMENT | $627,450.00 |
| 67TH STREET IMPROVEMENTS | $1,075,165.00 |

TOTAL ESTIMATED CONSTRUCTION COST $20,331,720.50

GENERAL NOTES

Assumptions and conditions are as noted:

1. The opinion of probable construction costs included herein are based on the conceptual site plan dated April 13, 1993. No design work has been performed to date, therefore costs will vary based on the final layout and construction plans.

2. No costs are included for any site grading required to bring the site to within two tenths of a foot (0.2') of finish grade. The costs of finish grading of the public roadway rights-of-way are included in the estimates.

3. The costs of relocation of the Kansas City Power & Light overhead power lines across the site are not included. This cost will vary with the proposed alignment of the power lines. Based on preliminary information available from KCP&L, an estimated cost would be approximately $750,000. Power lines must be relocated prior to blasting for the mine reclamation work.

4. The costs of installing gas, telephone and other such utilities to serve the proposed sites are not included.

5. The cost of constructing the proposed lakes is assumed to be included in the earthwork estimate prepared by others.

6. No costs have been included in this estimate for development of the individual sites including: parking lot paving, retaining walls, utility service lines, pavement marking, engineering, surveying, or construction staking.

7. No costs have been included for the construction of the 91st Street interchange at I-435 or the construction of the of a feeder/collector road along I-435.

8. Streetscape and Landscaping costs provided herein are for street trees and seeding for the public street rights-of-way, as required by the city.

9. This opinion of construction cost does not include TIF bond costs or interest costs. The item shown as bonds is for performance and maintenance bonds required by the city or permits to construct the public improvements.
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<tr>
<th>ITEM</th>
<th>QUANTITY</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>TOTAL COST</th>
<th>NOTES</th>
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<td>BONDS @ 3%</td>
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<p>|                | TOTAL ESTIMATED COST             | $5,946,668.00  |</p>
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<th>UNIT COST</th>
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### 7. STREETSCAPING & LANDSCAPING

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Total Estimated Construction Cost $4,178,475.00

- Contingencies @ 20% $835,695.00
- Permits @ 7% $292,499.25
- Bonds @ 3% $125,354.25

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$5,432,017.50
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<th>ITEM</th>
<th>QUANTITY</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>TOTAL COST</th>
<th>NOTES</th>
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<tr>
<td>1. SITE IMPROVEMENT WORK</td>
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TOTAL ESTIMATED CONSTRUCTION COST $2,706,100.00

CONTINGENCIES @ 20% $541,220.00

PERMITS @ 7% $189,427.00

BOND @ 3% $81,183.00

TOTAL $3,517,930.00
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<tr>
<td>1. SITE IMPROVEMENT WORK</td>
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TOTAL ESTIMATED CONSTRUCTION COST $1,915,675.00
CONTINGENCIES @ 20% $383,135.00
PERMITS @ 7% $134,097.25
BONDS @ 3% $57,470.25

TOTAL ESTIMATED COST $2,400,377.50
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TOTAL ESTIMATED CONSTRUCTION COST $632,500.00
CONTINGENCIES @ 20% $127,300.00
PERMITS @ 7% $44,555.00
SODS @ 3% $19,095.00

TOTAL ESTIMATED COST $827,450.00
<table>
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<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
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<tr>
<td><strong>1. SITE IMPROVEMENT WORK</strong></td>
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<tr>
<td>12&quot; Asphalt Concrete Pavement</td>
<td>11750</td>
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<td>$19.00</td>
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<td><strong>3. STREET LIGHTING</strong></td>
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<td>Street Lighting</td>
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<td><strong>4. STREETSCAPING &amp; LANDSCAPING</strong></td>
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<td>Streetscaping</td>
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<td>Erosion Control</td>
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<td>Contingencies @ 20%</td>
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<td>Permits @ 7%</td>
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<td>Bonds @ 3%</td>
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<td><strong>TOTAL ESTIMATED COST</strong></td>
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<td>$1,075,165.00</td>
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### DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date</th>
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<tbody>
<tr>
<td>TIF Commission Holds Public Hearing</td>
<td>April 14, 1993</td>
</tr>
<tr>
<td>City Council Adopts Ordinance</td>
<td>May 1993</td>
</tr>
<tr>
<td>Approving TIF Plan</td>
<td></td>
</tr>
<tr>
<td>Project 1 Ordinance Adopted and</td>
<td>1993</td>
</tr>
<tr>
<td>Project 1 Commenced</td>
<td></td>
</tr>
<tr>
<td>Project 2 Ordinance Adopted and</td>
<td>1994</td>
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<tr>
<td>Project 2 Commenced</td>
<td></td>
</tr>
<tr>
<td>Project 1 Completed</td>
<td>1998</td>
</tr>
<tr>
<td>Project 3 Ordinance Adopted and</td>
<td>2000</td>
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<tr>
<td>Project 3 Commenced</td>
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<td>Project 2 Completed</td>
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<td>Project 4 and 5 Ordinances Adopted</td>
<td>2003</td>
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<td>Project 4 Commenced</td>
<td>2004</td>
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<td>Project 5 Commenced</td>
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<tr>
<td>Project 3 Completed</td>
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<tr>
<td>Project 5 Completed</td>
<td>2010</td>
</tr>
<tr>
<td>Project 4 Completed</td>
<td>2016</td>
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</table>

**NOTE:** Subject to the approval of the Commission, MLR wishes to reserve the right to designate the size and location of structures and appurtenances thereto and determine the final size and sequence in which each of the phases and sub-phases shall be developed. In all events, the total square footage of the commercial, office and warehouse structures constructed will not exceed the total square footage proposed in the Plan.
EXHIBIT B-2

PLAN SUMMARY

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Start</th>
<th>Completion</th>
<th>Phase</th>
<th>Description</th>
<th>Square Footage</th>
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<tbody>
<tr>
<td>1992-1994</td>
<td>1999-2001</td>
<td>Phase II</td>
<td>Retail; Warehouse; Retail (Pad site)</td>
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<tr>
<td>2000-2002</td>
<td>2004-2010</td>
<td>Phase III</td>
<td>Light Industrial; Office</td>
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<td>2004-2008</td>
<td>2012-2016</td>
<td>Phase IV</td>
<td>Office; Hotel; Retail</td>
<td>4,227,000 s.f.</td>
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<td>2005-2006</td>
<td>2009-2010</td>
<td>Phase V</td>
<td>Retail; Clubhouse; Multi-Family</td>
<td>39,000 s.f.</td>
<td></td>
</tr>
</tbody>
</table>

1,284 dwelling units

Subject to the approval of the Commission, MLR wishes to reserve the right to designate the size and location of structures and appurtenances thereto and determine the final size and sequence in which each of the phases and sub-phases shall be developed. In all events, the total square footage of the commercial, office and warehouse structures constructed will not exceed the total square footage proposed in the Plan.
May 19, 1993

Mr. Michael Mahoney
Mason Land Reclamation Company, Inc.
5 Thomas Mellon Circle, Suite 266
San Francisco, California 94134

RE: Santa Fe Trails Tax Increment Finance Plan

Dear Mike:

Commerce Bank of Kansas City, N.A. ("Commerce Bank") has reviewed Macon's application for amendment to the URD Zoning Plan at the intersection of Bannister Road and Interstate 435 in Kansas City, Missouri, and Mason's Santa Fe Trails TIF Plan proposal. This Plan covers approximately 513 acres and proposes construction of improvements totaling more than $560 million. Commerce Bank will consider making available sufficient funds upon approval of the URD zoning amendment and adoption of the TIF plan for the redevelopment of the area.

The making of any loan will be subject to the review and approval of the project and proper permanent financing acceptable to Commerce Bank. The loan will be further subject to review and approval by the pertinent levels at Commerce Bank, and the adoption of loan documentation in form and substance acceptable to Commerce Bank. Any commitment of funds will remain in place by Commerce Bank until the construction of the project is complete, subject to the terms and conditions set forth in the applicable loan documents.

Commerce Bank appreciates the opportunity to be considered for financing improvements on the subject property. Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

COMMERCe BANK OF KANSAS CITY, N.A.

[Signature]

Brent Blake
Vice President

EXHIBIT C-1
May 17, 1993

Mr. Michael Mahoney
Norcal Waste Systems, Inc.
5 Thomas Mellon Circle, Suite 266
San Francisco, CA  94134

Re:  Santa Fe Trails Tax Increment Finance Plan

Dear Mike:

Bear Stearns understands that Norcal Waste Systems, Inc. through its wholly-owned subsidiary, Mason Land Reclamation Company, Inc., is in the process of undertaking the reclamation and redevelopment of 513 acres in Kansas City, Missouri. Part of the redevelopment project may include the issuance of up to $190 million of taxable or tax-exempt municipal obligations to clear existing blight and make improvements to the property. The anticipated sources of bondholder security are property tax on the incremental value of assessed property within the redevelopment district and a gross receipts tax on businesses within the affected area. Bear Stearns will consider structuring and underwriting financing upon approval of the redevelopment plan for the redevelopment of the area.

The financing will be subject to the review and approval of the project and proper documentation acceptable to Bear Stearns, bond counsel and the bond trustee. The financing will be further conditioned upon the receipt of investment grade ratings and approval by the firm's credit committee or a municipal bond insurance policy. Bear Stearns will also require that bondholder security documents, underwriting agreements and marketing and disclosure documents be in form and substance acceptable to Bear Stearns.

Bear Stearns appreciates the opportunity to be of service and looks forward to developing a cost-effective means to finance improvements to the subject property. Should you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

[Signature]
K.C. Slichter
Associate Director
EXHIBIT "D" HAS BEEN PREVIOUSLY PROVIDED.

AN UPDATED EXHIBIT WILL BE PROVIDED UNDER SEPARATE COVER.
approved 353 development schedule, the requirement to remove blight will continue to be a covenant which runs with the land and a binding obligation upon MLR.

b. **Relocation of Occupants.** Under the 353 Plan, displaced occupants would receive a choice of actual moving expenses or a lump sum payment of $500. Displaced businesses were to receive a choice of a lump sum payment of $1,500 or actual moving expenses. Handicapped displaced occupants in addition to the payments received as displaced occupants were also entitled to receive a sum not to exceed $400 to adapt a replacement dwelling. The TIF Plan obligates MLR to provide relocation benefits to displaced business and occupants. These benefits are set out in the TIF Plan.

6. **Building Maintenance.** The 353 Contract required the developer to maintain the development area excluding those buildings which have been demolished in a good state of repair and attractive appearance. The TIF Plan has no similar provision.

7. **Control of Project.** The 353 Corporation has complete and exclusive control over the construction, construction management, leasing and the fixing of rentals, subject to all applicable laws, ordinances, etc. However, the 353 Corporation granted to the City the right to enter onto the property at reasonable times in order to inspect the redevelopment projects. Under the TIF Plan, MLR proposes that the same restrictions and rights apply including the right to develop out of sequence, subject to the approval of the TIF Commission, which approval will not be unreasonably withheld.

8. **Certificate of Compliance.** Upon the written request of the 353 Corporation, if the City Planning Commission determines that the blight has been removed and the property has been reclaimed pursuant to the 353 Plan, then the City Planning Commission would request that the City Council issue a certificate of compliance. If the property has not been reclaimed in accordance with the 353 Plan and a default declared, that declaration of default is not to be considered as a default in another phase, subphase or lot. Upon the receipt of the certificate of compliance a subsequent purchaser was relieved from all obligations to cure blight on the purchased property. The provisions for the issuance of a certificate of compliance are not found in the policies or procedures of the TIF Commission.

9. **Tax Abatement.** The 353 Plan provided for traditional tax abatement, taxes on land only during years 1-10 after the property is titled in the name of the redevelopment corporation; taxes during years 11-25 would be based upon 50% of normal. The tax abatement was contingent on compliance with the 353 Plan and upon removal of blight.

Under the TIF Program, there is no tax abatement. Rather the developer is reimbursed for reimbursable redevelopment project costs if and only if they have been incurred and properly certified to the TIF Commission. Under the TIF Plan there is greater accountability and control over the benefits which the developer may receive.
10. **Earnings Limitation.** Under the 353 laws, the 353 Corporation may not have earnings in excess of 8% of the cost to the 353 Corporation of implementing the redevelopment plan, subject to certain accounting provisions. This limitation is not provided for under the TIF statute.

11. **Indebtedness Limitation.** As with the earnings limitation, the 353 statute places a limitation on the type of indebtedness which a 353 Corporation may incur. This limitation is not provided for under the TIF statute.

12. **Annual Reports.** The 353 Contract places the obligation upon the developer to file annual reports. The TIF statute also requires an annual report but the annual report is prepared by the TIF Commission and filed with the City. Furthermore, every five years the TIF Commission must conduct a hearing to determine whether the development is proceeding in compliance with the TIF Plan.

Under the annual report requirement of the 353 Contract, the 353 Corporation must file a statement which sets forth all of the cure costs expended during the previous year and a statement indicating how it desired to allocate and pro rate the cure cost surplus. A similar obligation is provided by the TIF Contract. The developer must certify to the TIF Commission the reimbursable redevelopment project costs which it has incurred. Since there is no concept of cure surplus under the TIF Plan, the accounting is much simpler.

13. **Accounting Practices.** The 353 Contract required the 353 Corporation to establish and maintain depreciation, obsolescence and other reserves including a reserve for the payment of taxes. No such obligation is authorized under the TIF statute.

14. **Sale or Disposition of Project Property.**

a. **Continuation of Tax Abatement.** The 353 Contract provided for the continuation of tax abatement upon the sale or disposition of property within the 353 Plan area so long as the property was held in accordance with the 353 Plan. Under the TIF Plan, however, there is no abatement to pass on. Rather, any purchasers of property must make their payments in lieu of taxes and their payments of economic activity taxes. Under the 353 Plan there was the ability to opt out of the 353 Program. No similar provision is provided for under the TIF statute.

b. **Obligation to Clear Blight.** Under the 353 Contract, the obligation to clear and eliminate the physical blight was a covenant running with the land which was not affected by the sale or disposition of the property within the 353 Plan area. A purchaser of property in the 353 Plan area who desired to receive tax abatement was required to clear the blight. Since there is no tax abatement and since there is no specific benefit which inures to the benefit of a purchaser of property in the TIF Plan area, no similar provision is needed. However, under the TIF Plan, the obligation to cure blight will still be a covenant running with the land.
c. **Notice to City of Transfer Property.** Under the 353 Contract, the 353 Corporation must notify the Director of Finance in writing of any sale or disposition of land within the 353 Plan area. No similar provision is provided for under the TIF Contract.

15. **Modification - Interpretation.** The terms and conditions of the 353 Contract and the 353 Development Plan could not be modified except by mutual agreement between the parties and approval by ordinance. A similar provision can be provided in the TIF Plan and TIF Contract.

16. **Effective Date.** The 353 Contract became effective on the effective date of the ordinance which approved the execution of the 353 Contract or the date of the actual execution of the Contract. A similar provision may be provided for in the TIF Contract.

17. **Applicability.** The 353 Contract rights and obligations only applied to property within the 353 Plan area. A similar provision will apply to the TIF Plan and Contract.

18. **Breach - Compliance.** The 353 Contract contained a standard breach/compliance provision which allowed the City to enforce the 353 Contract if the 353 Corporation, except for reasonable delays caused by unforeseen circumstances beyond its control, does not comply with or does anything contrary to the 353 Contract. A similar provision will be provided for in the TIF Contract.

19. **Litigation Cancellation.** The 353 Contract provided for the termination of the rights and obligations under the 353 Plan and 353 Contract if litigation prohibited the developer from implementing the 353 Plan. A similar provision may be provided for in the TIF Contract.

20. **Excusable Delays.** The 353 Contract contains standard language which excuses delays for performance of the developer’s obligations under the 353 Plan when the delays are caused by actions outside of the control of the developer. A similar provision should be provided for in the TIF Contract.

21. **Abandonment.** Under the 353 Contract the 353 Corporation was entitled to abandon the 353 Plan upon providing the City with 30 days’ notice of the election to abandon. No such right is provided for under the TIF Plan for the simple reason that if the developer does not incur reimbursable redevelopment project costs, it receives no benefits of the TIF Plan.

22. **Default.** The 353 Contract provides that in the event the developer defaulted in the performance of its obligations under the 353 Plan and the 353 Contract, the City was entitled to terminate the Contract including the developer’s rights under the 353 Plan. No such right is provided for under the TIF Plan for the simple reason that if
the developer does not incur reimbursable redevelopment project costs, it receives no benefits of the TIF Plan.

23. **Notice.** This provision detailed to whom and how notice was to be provided on behalf of the City and the developer. A similar provision will be found within the TIF Contract.

24. **Recording.** The 353 Contract had a requirement that it be recorded within 30 days after execution. A similar provision will be provided for in the TIF Contract.

25. **Interpretation of Contract.** Under this provision, conflicts between the terms of the 353 Plan and the terms of its various amendments were to be controlled by the terms of the First Supplemental 353 Contract. This provision has no application in the TIF context.

26. **Payments in Lieu of Taxes.**

a. **Payment on All Property.** Under this provision of the 353 Contract, the 353 Corporation agreed to make payment in lieu of taxes based upon the assessed value of the improvements in 1988, the year in which the original 353 development plan was approved. This provision is similar to the establishment of the initial equalized assessed value under the TIF Plan and assures that none of the taxing jurisdictions will receive less tax money than they are receiving at the time of approval of the TIF Plan.

b. **Abatement Related to Cost of Cure.** Under this provision, an exceedingly convoluted and complicated methodology was established which related the amount of abatement to the cost of curing the blight. Times of adjustment and carrying forward past, present and future values of tax abatement and cure cost were provided for. Under the TIF Plan and Contract, this convoluted methodology is eliminated and the standard TIF methodology used. The property owners pay their PILOTS and Economic Activity Taxes and the developer certifies the reimbursable redevelopment project costs which it has incurred.

c. **PACE Site.** Under the 353 Contract, there was a formula which needed to be satisfied prior to the PACE site being entitled to receive tax abatement. This provision provided the developer with a negative incentive to continue to reclaim the 353 Plan Area and eliminate blight. Furthermore, under the Second Supplemental 353 Contract, the owner of the PACE site "opted out" of the 353 Plan. Since MLR can only receive benefits under a TIF Plan if it cures blight, the same incentive will exist by virtue of the TIF methodology.

d. **Five-year Obligation.** Under the 353 Contract, the 353 Corporation had to spend at least $1 million per year in years 1-5 to cure blight. This was a similar negative incentive methodology which is not needed under the TIF Plan since MLR will only receive TIF benefits if it cures blight and incurs reimbursable redevelopment project costs.
27. **Affect of Sale on Tax Relief.** The 353 Contract provided for the tax abatement to inure to the benefit of a subsequent purchaser of property within the 353 Plan area. No similar provision is required under the TIF Plan.

28. **Valuation of Property Acquired by Eminent Domain.** This provision set forth the methodology for valuing property acquired through the exercise of the 353 corporation’s condemnation powers. No similar provision is provided for under the TIF Plan or TIF Contract since it will be the TIF Commission acquiring any property through eminent domain and not the developer.

29. **Assignment of Development Plan.** The 353 Contract allowed the 353 Corporation to assign its rights under the 353 Plan and 353 Contract. However, the assignment did not discharge the 353 Corporation from its obligations under the 353 Plan until the assignment was approved by ordinance of the City Council. The TIF Plan and the TIF Contract similarly provide for the right of assignment subject to the approval of the TIF Commission.

30. **Street Improvements and Traffic Fund.** Under the 353 Contract, the street improvement and traffic fund conditions of the URD rezoning were incorporated into the 353 Plan and Contract. Similarly, the URD rezoning street improvement conditions and traffic fund conditions will, at the election of the TIF Commission and City Council be incorporated into the TIF Contract. While the developer is not requesting the classification of the traffic fund contributions as a reimbursable redevelopment project cost, the street improvements required by the URD rezoning are requested to be classified as reimbursable redevelopment project costs.

31. **Other Provisions.**

a. The 353 Corporation agreed to indemnify and hold the City harmless from damages resulting from the improper reclamation of the 353 development area. A similar indemnification will be included within the TIF Contract.

b. The 353 Corporation agreed to disclose to lenders, buyers or lessees for a term of 20 years the nature and extent of the mine reclamation. A similar disclosure will be made by MLR under the TIF Plan.

c. The 353 Corporation agreed to retain an independent registered engineer, expert in mine land stabilization who was acceptable to and previously approved by the director of public works. This engineer has already been selected and the mine reclamation methodology of this engineer has been approved for a test site by the City. If the TIF Commission wishes for a similar provision which includes the engineer’s certification that the lands have been properly reclaimed prior to construction, MLR will include this provision within the TIF Contract.
d. The 353 Corporation agreed to retain an independent registered structural engineer, acceptable to the City, who would certify that the proposed buildings and appurtenances could be safely constructed on the reclaimed land area in question. MLR will agree to a similar provision in the TIF Contract.

e. The 353 Corporation agreed to comply with the City’s subdivision regulations. MLR similarly agrees to comply with the City’s subdivision regulations.

f. The 353 Corporation agreed to submit a storm drainage study on each platted parcel to the City Engineer. Similarly, MLR agrees to submit a storm drainage study on each parcel to be platted prior to the final plats introduction to the City Council.

g. The 353 Corporation agreed to extend sanitary sewers at its own cost. MLR would request that the extension of sanitary sewers be classified as a reimbursable redevelopment project cost.

h. The 353 Corporation agreed to obtain permits from the Missouri Highway and Transportation Commission for any construction within the State right-of-way. Similarly, MLR will agree to this provision.

i. The 353 Corporation agreed to construct temporary cul-de-sacs as required during the phase build out of the development plan. Similarly, MLR will agree to this provision.

j. The 353 Corporation agreed to meet with the City Engineer to review improvement plan criteria prior to construction. Similarly, MLR will agree to this provision.

k. The 353 Corporation agreed to submit standards for a master sign program, master landscaping plan and open space plan for review and approval by the director of city development. Similarly, MLR will agree to this provision.

l. The 353 Corporation agreed to delineate a 100 foot wide corridor for the 91st Street connection. Similarly, MLR has indicated this 100 foot wide corridor for the 91st Street connection on its site plan it submitted in response to the RFP.

m. The 353 Corporation agreed to removal all off-premises advertising signs on each parcel prior to final plat approval. Similarly, MLR agrees to this provision.

n. The 353 Corporation agreed to submit detailed site development plans and general design guidelines for each building’s final site plan for approval by the Director of City Development prior to the issuance of a building permit. Similarly, MLR will agree to this provision.
32. **Sunset Provision.** The 353 Contract contained a sunset provision as mandated by the 353 statute. No similar provision is provided for under the TIF statute.
January 21, 1993

VIA HAND DELIVERY

Mr. George L. Satterlee
Director of Public Works
20th Floor, City Hall
414 E. 12th Street
Kansas City, MO 64106

Re: BCR Redevelopment Corporation ("BCR") - Contract
with the City of Kansas City, Missouri
Dated September 3, 1992 (the "Contract")

Dear George:

Yesterday morning in the City Attorney’s office BCR agreed, pursuant to Section 31 of the Contract, to submit to you the qualifications of its independent registered engineer demonstrating it is expert in mine land stabilization, for your review and approval.

I enclose a copy of Howard Consultants, Inc.‘s ("HCI") Statement of Qualifications dated January 20, 1993, submitted by H. Robert Howard, P.E. Managing Principal of HCI. I understand that you will review HCI’s Statement of Qualifications, make whatever inquiries you believe are appropriate and advise us within two weeks as to whether or not you have approved HCI as BCR’s independent registered engineer expert in mine land stabilization. Questions you have about HCI should be directed to Terry Howard, phone no. (208) 882-1006, Moscow, Idaho.

We recognize the Contract requires HCI to have in force a policy of professional liability insurance with limits of liability of not less than $1,000,000 applicable to the work described in HCI’s proposal to BCR to develop a 17 acre commercial development known as Phase II of the Amended BCR Development Plan. I also enclose a copy of HCI’s revised proposal dated January 20, 1993, for your review and consideration.

I have forwarded nine additional copies of these documents to Mr. Jim Hedstrom, Manager, Business Assistance Center for distribution to the appropriate City officials.
We believe HCI's proposal to stabilize and reclaim the undermined area offers an exciting opportunity to redevelop this land on an economical basis for retail commercial reuse. We look forward to working with you on this project.

Very truly yours,

[Signature]

James C. Bowers, Jr.

JCB: ms
Enclosures

cc: Mr. Michael Mahoney
    Mr. Jeff Peterson
    Mr. H. Robert Howard
    Mr. Terry Howard
    Mr. E. Glenn Ferguson
    Mr. Leon Rieke
    Mr. Dennis Rice
    Mr. Jim Hedstrom (w/encl)
January 20, 1993
Project No. B1936-012

Mr. Mike Mahoney
BCR Redevelopment Corporation

c/o Mr. Jeffrey L. Peterson
J.L. Peterson, Inc.
10955 Lowell, Suite 910
Shawnee Mission, Kansas 66225

RE: PROPOSAL
Scope of Services and Cost Estimate
Test Site Remediation Study
For Proposed 17-Acre Commercial Development - Phase II
Banister and Interstate 435
Overland Park, Kansas
For Mason Land Reclamation Company, Inc.
and BCR Redevelopment Corporation

Dear Mr. Mahoney:

INTRODUCTION

This letter presents our proposed scope of services and cost estimate to perform the recommended test site remediation study on the BCR site. The purpose of this study will be to obtain the technical and construction data necessary to plan and accomplish the foundation stability for the development of the proposed 17-acre commercial site at Banister and Interstate 435. This letter is intended to be a supplement to the technical proposal that we submitted to you on December 18, 1992. This proposal outlines the scope of services that we feel is necessary for Howard Consultants, Inc. (HCI) to complete the test site study which includes the following:

1. Performing an engineering geology and project set-up.
2. Monitoring the test site drilling and performing down hole reconnaissance.
3. Evaluating and interpreting the results of the test site remediation.
4. Reducing the data and observations obtained through items 1 through 3.
5. Presenting the results of the test site work and providing a preliminary criteria for remediation and stabilization of the 17-acre commercial site.

6. Preparing and presenting a technical document which will include pertinent information from Items 1 through 5.

These services are limited specifically to the work that we feel that HCI will need to perform to complete the test site study. Other consultants and the contractor will be involved and will have a scope of services developed specifically for that portion of the work for which they are responsible. We envision the other consultants and contractors that would need to be part of the test program are LTD² Engineering, Inc., GeoSystems Engineering, Inc., Max Rieke and Brothers, Inc., Explo-Midwest, Inc., and ICI Explosives. Due to the complicated nature of this work, and the number of parties involved in the work, it is our opinion that good communication and planning will play a vital roll in the success for this phase of work. It will be important that the team members know what the expectations and responsibilities are of both themselves and the other team members and to be in agreement as to how they are to interact during the testing work. This needs to be accomplished as soon as possible. Also, we recommend that a critical path schedule be developed which will allow the team members to perform their responsibilities in a timely and yet complete fashion.

As we have discuss with you, we are available to assist your efforts in any way possible to meet J.L. Peterson, Inc. and the owner's needs. In that light, we are prepared to help you accomplish the above suggestions as soon as you are ready.

SCOPE OF SERVICES

The engineering geology and set-up work would be conducted at the earliest convenience of J.L. Peterson, Inc. and the owner, since this work will be the basis from which the test site study will be conducted. During this period, we propose that we perform the necessary interviews with people knowledgeable with the BCR and Flinn Mine sites, further review the site and local geology, perform site reconnaissance at and in the area surrounding the site, select the test sites within the BCR Mine, perform a mine geologic reconnaissance including assessing test site geometry, and refine the test site program. Also, we recommend during this period that the team members meet and discuss the test program objectives, define responsibilities within the team, define the team work scope for the study and agree to a schedule for each item of the work scope, and, if appropriate, meet with the Kansas City officials. This work is planned to be accomplished by Dr. Terry Howard and Dr. Stan Miller in a four to six day period.

We have become aware that water may also be present in the southwest portion of the Flinn Mine. It is our opinion that water will affect the performance of the rubble fill and may affect the blast efficiency. The affect of water on the rubble fill will take the form of settlement of the fill as the rubble becomes moist to saturated. Ultimately, the magnitude of the settlement may need to be determined; however, the need for this information will not be known until the
test blasting program has been completed. In order for us to gain a preliminary understanding of the water conditions at the Flinn Mine, we recommend that four to five drill holes be constructed in the southeast portion of the Flinn Mine. The purpose of these drill holes will be to assess the Flinn Mine geometry in that area of the mine, and most importantly to attempt to locate the anticipated water and the depth of the water in the mine. We anticipate this will require two man days and the utilization of a down hole camera.

The test blast sites are planned to be located in an area of the BCR Mine where a rock overburden thickness of 40 and 60 to 80 feet exist. We preliminarily anticipate that each site will require on the order of 30 to 50 drill holes; however, the number of holes will need to be verified after we have performed the engineering geology work and met with the blasting contractor. We recommend that we observe each blast site just after drilling and then observe the test blasting, and once the blasting is complete, perform an assessment of the results of the test blasting. We plan that this work will require five to eight man days. The work and the work at the 17-acre site will be performed by one of our project geological engineers.

The engineering geology, drilling and test blast data will be combined and analyzed to interpret the results of the test site program and to generate opinions and recommendations regarding to effectiveness of the program as it relates to its use on the 17-acre site. We recommend that a meeting be conducted with the team members, J.L. Peterson, Inc. and the owner to discuss the details of this work and a preliminary plan for the application of the blasting remediation program to the 17-acre site, assuming that the test program is successful.

At this point, we anticipate that a decision will need to be made in terms of whether to proceed with the project. Assuming that the decision is made to proceed, we recommend that a technical report be prepared which will include the scope of work associated with performing the engineering geology, drilling and the blasting at the test sites and the supporting technical data to provide a rationale for applying the test blast program to the commercial site. Also, preliminary scope of services and criteria for performing a production blasting remediation program at the 17-acre site would be presented. This document could be utilized by the contractors to formulate a preliminary bid package and could be submitted it to the Kansas City, City Council for technical review and approval.

During the final stages of the test blast program, we will need to address the issue of settlement of the rubble. We believe that two site scenarios are possible: (1) the first is the possibility that the 17-acre site can be drained in some manner. This can only be confirmed through our work during the engineering geology and drilling phases and after discussions with the contractor and engineers to discuss the application of some type of a dewatering program that would render the Flinn Mine area relatively dry; and (2) the second option, assuming the first cannot be accomplished, is that the rubble fill will become moist to saturated at some time and as a result will settle. Of course, the second option means that the settlement will be manifested at the ground surface in some fashion. Our responsibility at this point, will be to estimate the magnitude of the settlement and to devise an avenue for applying that information in order to
estimate the performance of the 17-acre site. At this time, we have formulated several alternatives in order to obtain the necessary information to make the settlement estimates. However, we believe that the application of these options needs to be refined after the test program has been completed and we have data regarding the results of the program, and after we have discussed the alternatives with the contractor to verify which alternatives may be most practical from a construction standpoint. Again, this work would only be necessary if we believe that there is a potential for water to infiltrate into the mine area at some time during the life of the project.

Survey control will be necessary during all phases of the test program. We recommend that during the engineering geology phase of our work we meet with the project civil engineer to discuss the survey data that we will need for our evaluation and the scheduling for them to obtain that data.

Assuming that the above scope of work is completed, our final scope of services, prior to actual remediation of the 17-acre site, will be to prepare a final report which will include the results of the entire test site program, the results of the settlement monitoring, opinions and recommendations concerning ground water and seepage issues, and a criteria for performing the 17-acre remediation program.

COST ESTIMATE

The below cost estimate is presented up to our performing the settlement testing for the test site program. The cost estimate is based on a time and expense basis, and our best estimate of the time and people power that is both appropriate and needed to accomplish the test site program scope of services as presented earlier. It should be recognized that our scope of services and the cost for those services need to be considered as somewhat flexible since we firmly believe that changes to our outline will occur throughout the course of our work. Further, we can provide you with what ever documentation you feel is necessary to keep you apprised of our scope of services and the associated cost in light of the flexible nature of our work. With this in mind, we propose the following estimated cost:

<table>
<thead>
<tr>
<th>Scope of Services</th>
<th>Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Engineering geology, drilling, test blast evaluation,</td>
<td>$27,000 - $38,500</td>
</tr>
<tr>
<td>and data reduction.</td>
<td></td>
</tr>
<tr>
<td>2. Meetings with the project team, J.L. Peterson, Inc. and</td>
<td>$5,500 - $7,000</td>
</tr>
<tr>
<td>owner, and presentation to Kansas City.</td>
<td></td>
</tr>
<tr>
<td>3. Preparation of technical document.</td>
<td>$5,000 - $10,000</td>
</tr>
<tr>
<td>4. Settlement evaluation and report, if required.</td>
<td>$20,000 - $40,000</td>
</tr>
<tr>
<td>TOTAL ESTIMATED COST</td>
<td>$57,500 - $95,500</td>
</tr>
</tbody>
</table>
We have listed these items with the intent that a decision can be made at the end of each of the cost items prior to proceeding with the next item. Also, it does not seem appropriate at this time to provide you with a scope of service or estimated cost for preparing a final report for the 17-acre site as presented in the last section of the scope of services, since we first need to verify that the proposed remediation program is viable.

**SUMMARY**

This scope of work and cost estimate proposal is intended to provide what we feel is an adequate scope of services for us to complete the test blasting program. We must emphasis that due to the variables associated with this project, we cannot at this time definitively define our scope of services or the associated cost; however, we are prepared to work with you as closely as needed to provide you with the necessary communication and documentation to successfully complete this phase of work.

If Mason Land Reclamation Company, Inc. and BCR Redevelopment Corporation agree to this proposal and wish us to initiate the work, we request that you sign one of the enclosed Agreement for Services, and return that Agreement to us. This will complete our files and serve as our formal authorization to begin work. We are available to discuss this proposal at your convenience and again are prepared to initiate work at your authorization.

Sincerely,

HOWARD CONSULTANTS, INC.

[Signature]

H. Robert Howard, P.E.
Project Manager

[Signature]

Terry R. Howard, P.E., P.G., Ph.D.
Managing Principal

HRH/mm

Enclosures
Techniques of Overbreak Control

By Steve Case Field Technical Operations 1ST Explosives USA

The primary purpose of an explosive is to blast solid rock into manageable sizes. However, in any blasting round - be it mining, construction, tunnelling or mine work - there is a perimeter beyond which it is desirable to retain the natural strength of the rock. This objective is called Overbreak Control. The principal reasons for carrying out Overbreak Control are as follows:

Safety - to minimize the possibility of rock falls

Economics - to reduce the cost of concrete construction such as in dams, reservoirs and building foundations

Maintenance - to reduce the cost of maintaining vital working conditions and adequate support

Engineering - to obtain more stable slopes or to reduce the burden for blast loading

Line Drilling

Line drilling is the oldest and the most efficient. The technique depends upon drilling an evenly-spaced line of holes which form a boundary on one or more sides of a blasting round from the final row of production blasted holes. The chamber is then drilled holes to create a vertical plane of weakness in the rock. When the production holes are fired, the shock wave is usually sufficient to fracture the rock between the line-drilled holes. The result is a clean, smooth wall.

Spacing between line-drilled holes is usually from 2 to 4 times the hole diameter and holes are usually as much as 4 inches in diameter. Line drilling is the most widely used of all three methods. Because of the use of line-drilled holes and due to the necessary adjustments to burden and spacing, in some cases, the bore hole spacing may be less than line-drilled holes to help release the rock and trim the final wall. This is not a normal function of the line drilling technique but rather a consequence of a change in the hardness of the formation or an increase in line hole spacing.

Pre-splitting

Holes for pre-splitting are drilled on much greater spacing than for line drilling. Although pre-splitting produces a larger rock size than that produced by line drilling, the holes are loaded with a blast that is calculated to produce a clean, smooth wall rather than in pieces of various sizes and sizes. These holes are loaded with a blast that is calculated to produce a clean, smooth wall rather than in pieces of various sizes and sizes. These holes are loaded with a blast that is calculated to produce a clean, smooth wall rather than in pieces of various sizes and sizes.

Line drilling in this urban project produced smooth walls evident in the background.
began to come into general use, the line of pre-split holes often was shot before the production holes were even drilled. The problems this caused with fractured ground in certain types of formations led to a variation called pre-splitting. In this form of blasting, production holes are drilled at the same time but the pre-splitting holes are first ones that ahead of the production holes. This resulted in less production holes or difficulty in loading explosives. Logically, blasters were driven to devise a method in which the pre-splitting line was fired first fired and was connected into the initiation system in the same manner as the production holes. Then, of course, blasters found rock conditions that required the line of pre-splitting holes to be fired after hole in the same manner as the adjacent production holes have fired. Some people refer to this as post-splitting, but it is actually a trim blast.

Trim Blasting

If one is a stickler for semantic definition, trim blasting or smooth wall blasting takes place only as a separate phase following a primary shot. Trim blasting is also known as "shock blasting" and "shhbling." In trim blasting, a narrow bore zone of rock left standing is blasted away by the action of a tight load of explosives in relatively closely spaced holes. Normally the line of holes is straight. When the holes are drilled around a perimeter as in a tunnel project, for example, the term "longhole" is often used. Smooth wall blasting, trim blasting, is especially a better method for blasting poorly fractured rock. A common method of preparing the rock is to use a chaincode or blast point from which the explosive powder is ejected. A load of rock between the bore holes, called "rock" or "shock point," is the most common and successful method of controlling overbreak. The rock overbreak control holes are spaced around the perimeter of the production holes and are fabricated into the final step in the firing sequence.

Variations

Within each category, there are variations that have achieved their own names over the years. Also, certain blast hole loading methods - AIRDEK and buffer blasting, for example - are so closely related to overbreak control methods that many people refer to them as separate techniques.

Buffer Blasting - Many explosives engineers recommend buffer blasting as a blast hole loading method in the row of holes closest to the overbreak control holes. The buffer holes are usually drilled on a reduced burden and spacing. Many explosives engineers recommend buffer blasting as a blast hole loading method in the row of holes closest to the overbreak control holes. The buffer holes are usually drilled on a reduced burden and spacing and are usually loaded with less explosives than the production holes.

AIRDEK - The AIRDEK technique, which was adopted in closed-hole blasting by Atlas Powder Company in the 1967, is a method for loading a small charge of explosives usually at the top of the blast hole that is otherwise empty. Near the top, the hole is sealed with a plug and then steamed. When the plug is fired, the shock wave in the near-empty borehole is sufficient to start the cracking that would take place from hole to hole but lacks sufficient energy to cause breakage beyond desired limits. AIRDEK has significant advantages. One of the most important is that it can be adapted to production hole diameters that eliminate the need for different hole diameters or two different drills. Like buffer hole blasting, the AIRDEK technique has been used with all three principal methods of overbreak control. The method used to load overbreak control holes are advised to consult their ICI sales and technical representatives for assistance with a particular application.

REFERENCES


"WALL CONTROL, BLASTING", M. S. Seed, Technical Service Representative, Explosives, ICI Explosives, Edmonton, Alberta, North York, Ontario Workshop, 40 pages, January 1971


Roundup Powder Joins ICI

Roundup Powder, of Miles City, Montana, has agreed to join the ICI Explosives USA group of Western subsidiaries. Roundup was established in 1960 by Robert Phair and has been currently managed by Doug Phair.

Don Waageman, President of ICI Explosives USA, said the agreement adds greatly to ICI's standing as a leader in the Western U.S., and increases the ICI product line with the addition of Roundup's IMPACT™ packaged products.

Roundup will operate under the direction of Vern Long, Vice President of the Western subsidiary group, managed by John Thomas. Doug Phair will remain with the company as a consultant.

ICI Explosives USA currently operates nationwide through fifty independent and company-owned distributors.
Rock Voids Collapsed With "Upside-down" Shots

An Idaho drilling and blasting contractor has used VCR Blasting theory to develop an unusual custom blasting technique in "sub-Block" subterranean rock for piles and foundations of a multi-story office building.

The contractor, Superior Blasting of Nampa, Idaho, was working under contract to Simplot Construction Co., of Boise, Idaho, for the L. R. Simplot Food Group Office Center at Boise. Plans for the site work were developed with Howard Engineering, Architects and Engineers, of Boise.

Test hole studies by Howard Engineering had detected large subterranean voids in three subterranean blast holes at the 200 x 240-foot site. Too was at center of area of the location of three shots, each of which required a 30-foot zone of Compute material with a high load to accomplish.

A test program with Howard, Superior Blasting's Jerry Dilley proposed a novel approach to eliminating the voids. Using a special blasting method, the three explosive packs in each hole. Dilley proposed to shoot the hole downwards in precise sequence from bottom to top and load holes to displace and allow the voids to collapse, fill with rubble, and obtain the necessary blasting strength.

The idea was to use a combination of blasting and filling to create the voids and to eliminate the need for excavations.

Drilled, Logged, and Re-Drilled

Tests on the technique were to drill the holes with twin holes; a single 4-foot, 8-inch, and 5-foot, 6-inch hole. The holes would be loaded with a special mix of explosive.

The work was divided into sections, with each hole being loaded and then shot with the next hole being loaded. This process was repeated until the entire area was voided.

Superior Blasting drilled 5-inch diameter blast holes 15-20 feet deep on a 3:1 pattern with 1-inch track drills.

Ten circuits on a master sequential blasting machine and six circuits on a slave were used with 30-millisecond delay to achieve the desired effect. The blast was designed to create large, voids that would collapse and fill with rubble, creating the desired effect.

Blast designer Jerry Dilley used his expertise to design and execute the blasting plan, ensuring the safety and efficiency of the operation.

Wayne Frost, Project Manager for Superior Blasting, oversaw the entire operation, coordinating the blasting and ensuring the safety of all personnel involved.

Despite the challenges posed by the site, Superior Blasting was able to successfully create the required voids, demonstrating their expertise in blasting techniques.

The project was completed on time and within budget, showcasing the effectiveness of the custom blasting technique developed by Superior Blasting.

For additional details, contact John Hocken (208) 923-2230.
December 18, 1992
Project No. B1936-012

Mr. Mike Mahoney
BCR Redevelopment Corporation

c/o Mr. Jeffrey L. Peterson
J.L. Peterson, Inc.
10955 Lowell, Suite 910
Shawnee Mission, Kansas 66225

RE: PROPOSAL
Foundation Stabilization and Remediation
For Proposed 17-Acre Commercial
Development - Phase II
Bannister and Interstate 435
Overland Park, Kansas
For Mason Land Reclamation Company, Inc.
and BCR Redevelopment Corporation

Dear Mr. Mahoney:

INTRODUCTION

This letter presents our proposed scope of services to develop and perform a foundation stabilization and remediation program for the proposed 17-acre commercial site at Bannister and I-435, which will allow for the proposed development of a 3-acre retail center, an access road to the center named Hickman Mill Drive, and associated driveway and parking areas. The need for the proposed foundation remediation and stabilization program is due to mining of the Bethany Falls limestone beneath the site by the Flinn Mine between about 1938 and 1957 and the subsequent known collapse of portions of the mine, which has resulted in ground surface subsidence. The worst manifestation of ground surface subsidence has been the appearance of sink holes at the ground surface.

Based on the preliminary design drawings for the proposed commercial project, it appears that the eastern one-half of the project area, including the proposed Hickman Mill Road, will overlie the Flinn Mine. In addition, the southeast one-quarter of a proposed 91,700-square-foot retail building and the majority of a proposed 46,700-square-foot retail building will overlie the Flinn Mine. Structural fill will underlie the remaining portions of the warehouse and retail area. Up to 40 feet of fill will underlie the warehouse and up to 30 feet of fill will underlie the retail area. In our November 23, 1992 meeting in your office, we agreed the only reliable means of stabilization is filling the mine voids by controlled blasting of the mine roof rock. Design of the controlled blasting program must take into consideration the different materials that will be supporting these structures and how these materials will respond long-term to the imposed structural and fill loads.
Based on discussions with various consultants that have been retained by Mason Land Reclamation Company, Inc. and BCR Redevelopment Corporation, our review of reports by GAI Consultants, Inc. and Morrison-Knudsen Engineering, Inc. and a reconnaissance of the project area, we understand that the Flinn Mine is located between 50 to 100 feet below the existing ground surface of the proposed 17-acre site. Typically, a shallow surficial layer of soil and alternating deposits of shale and limestone overlie the Flinn Mine and comprise the mine roof. The Flinn Mine was a room and pillar mining operation. The reported height of mine rooms ranged up to about 16 feet; pillars were 25 to 30 feet in diameter and spacing between the pillars was 35 to 40 feet on center.

The purpose of the remediation and stabilization program will be to render the rooms created by the Flinn Mine in a condition that will not pose a concern or risk for further collapse of the mine and associated settlement at the ground surface after the proposed development has been completed. The remediation and stabilization work will need to be performed prior to construction of the commercial facility. We propose to accomplish this program through a controlled blasting technique which will rubbleize the rock overlying the Flinn Mine and fill the void volume comprising existing rooms in the Flinn Mine with the compacted rock rubble.

The controlled blasting technique is accomplished by blasting the rock with charges located at a uniform, pre-determined vertical and horizontal spacing, in a blasting configuration that will cause the rock rubble from the blast to be directed downward towards the mine floor and at the same time cause the rubble to be compacted due to the energy from the blast. The blasting would progress from the bottom upward. Thus, compacted rock rubble will rise toward the ground surface and fill the resulting free space from the blasting with the compacted rock rubble.

**BCR TEST PROGRAM**

It is our opinion and recommendation that the effectiveness of the proposed site remediation and stabilization program be verified by performing a test program at the adjacent BCR Mine located to the east and north of the Flinn Mine. To accomplish this, a controlled blasting program will be conducted in areas of the BCR Mine that have similar overburden characteristics as at the Flinn Mine. Evaluation of the results of the controlled blasting technique will be through visual observation within the BCR Mine and by verification drilling and testing of the compacted rubble and remaining overlying rock within the controlled blasting area. It is our opinion that this test program is appropriate because the mine construction and the bedrock stratigraphy and lithology are similar between the two mines. Areas of the BCR Mine proposed for the test program would be selected where we believe that access to the mine could be achieved subsequent to conducting the test controlled blasting program. Through the verification program at the BCR test site, we would obtain data regarding relative density or compactness of the rubble rock fill, the depth or extent of lateral spread of the fill into the remaining open mine area exterior of the controlled blasting area, verify homogeneity of the compacted rubble fill, and most importantly, that the former, open mine rooms and the free area resulting from
the blasting have been filled with the compacted rubble. Information derived from the verification drilling and mine exploration would be utilized to estimate the engineering and physical properties of the rubble fill in order to perform analyses from which preliminary recommendations and construction procedures could be prepared for the proposed commercial site construction.

For purposes of discussion, we have presented Plates 1 and 2 which represent two controlled blasting program alternatives for this project. The test blasting program would include either two piers (Alternative 1) or four piers (Alternative 2) with the test area extending to the mid-point between adjacent piers. Drill-holes approximately 6-inches in diameter would be constructed using a rotary drill rig within the controlled blasting area and would extend to the mined Bethany Falls Formation. Borings would be 10 to 15 feet on center as shown on Plates 1 and 2. We have assumed that pillar spacing is 50 feet on center for purposes of discussion. The controlled blasting method would consist of placing charges to collapse and rubbleize the overlying rock in 10 to 15-foot increments, beginning at the mine roof and extending towards the ground surface. Ultimately, the staged blasting would result in the mine room and free space due to the blasting being filled with the compacted rock rubble as depicted on Plate 3. The pillars would not be blasted. The verification procedures subsequent to the blasting would be conducted as described above. Other information that could be derived from the blasting program would include verifying the anticipated blast geometry, the swell factor of the intact versus rubbleized rock, safe working criteria, peak particle velocity resulting from the blasting, and refining of the blasting program, which could include revising hole spacing, charge location and weight, and blast delay timing.

The two preliminary criteria for selecting areas of the BCR Mine that will be suitable for the test program will be that those areas have either 40 or 100 feet of overburden and that they be accessible for visual evaluation. In addition, an engineering geological reconnaissance of the mine should be conducted in order to gain a better understanding of the exposed rock conditions, which would include some mapping of rock joints and fractures. Additional geologic information would be obtained during the drilling of the charge holes, particularly for rock structure and presence or absence of voids. This information will be important to predict blast results and relate the data derived from the test blast program to the subsequent Flinn Mine site remediation.

**COMMERCIAL SITE**

From a geotechnical perspective, the design and construction of the commercial site will be first to remediate and stabilize the Flinn Mine and second to construct controlled fill to provide an earth structure that will allow for site improvements, particularly for the proposed buildings to perform as designed, without exceeding the total and differential settlement criteria. Based on available data, it appears that the transition from cut to fill for the project will approximate the west and south limits of the Flinn Mine in the parking area and appears to be up to 200 feet south of the north extent of the Flinn Mine beneath the warehouse and retail
building. This will require that the structural fill beneath the building be designed so settlement will be uniform.

It is our opinion that two controlled blasting concepts can be utilized for this project: 1) The first concept would be to fill the mine void space and free space caused by the blast itself, as well as to fracture all of the overlying rock to the top surface of the rock. This type of remediation is proposed beneath the building, utility lines and Hickman Mill Drive in order to provide a foundation that will perform uniformly. The controlled blasting of the rock mass to the top surface will cause uniform, three-dimensional fracturing of the rock and minimize any heterogeneous conditions within the rock profile; 2) A second controlled blasting concept is proposed beneath the parking and driveway areas. This concept will be similar to the first controlled blasting procedure in that the existing mine void space and the free space caused by the blasting will be filled with compacted rubble. However, minimal disturbance will occur to the overlying rock strata. It is our present opinion that the overlying rock has sufficient engineering properties to support a parking area, even though minor differential movement of the parking lot surface may occur due to possible heterogeneous conditions within the rock mass that overlies the rubbleized zone. Estimates of the differential performance of the parking area can be developed once a geological engineering study of the Flinn Mine area or commercial site has been completed, and we have reviewed and evaluated the BCR Test Program data.

Once the test program at the BCR Mine is complete, we propose to perform a geotechnical and geologic engineering study at the proposed commercial site in order to relate the data and information that has been obtained from the BCR Test Program to the commercial site. Due to the reported extensive collapse of the Flinn Mine and resulting lack of access, it is impossible to perform an engineering geologic reconnaissance of the mine interior and, therefore, a drilling program will be conducted to gain the necessary geotechnical engineering data to tailor the Flinn Mine remediation program utilizing data and information obtained from the BCR Test Program. It is our preliminary opinion that ten to twenty, 6-inch-diameter exploratory drill holes using a rotary drill rig would be constructed at the commercial site within the Flinn Mine area; five to ten holes would be drilled in the building area and ten to fifteen holes would be drilled in the parking and driveway area. The purpose of these holes would be to gain additional subsurface information concerning the following:

1. The engineering geologic properties of the rock, including fracturing and jointing, and relate these data to the data obtained from the BCR Test Program.
2. The height of the Flinn Mine rooms.
3. The areas where collapse has or has not occurred, and the condition of the rock rubble.
4. The typical pillar spacing and the mine limits.
Ultimately, the engineering and geologic data obtained from the exploratory drilling program would be used with the BCR Test Program data to tailor a controlled blasting remediation and stabilization program that is suitable for the Flinn Mine area, and result in a stable foundation on which the commercial development could be constructed.

It is important to recognize that the geotechnical engineering design and construction recommendations and procedures that will be prepared for the commercial site will be a reflection of the results of the test program at the BCR Mine. Other remediation alternatives may be proposed which could include grouting of the rubble and fractured rock, deep foundations, and removal and recompression of rubble beneath the building area. These alternatives will only be utilized if it is not apparent that the controlled blasting technique alone is appropriate.

The structural fill design is an equally important aspect of this project, and as such, a design should be accomplished which will work in concert with the controlled blasting program. However, we understand that some earthwork has been performed along the western fringe of the project area. Therefore, we recommend that additional earthwork not be conducted in the building area until the foundation design and construction procedures have been finalized.

RECOMMENDATIONS

We recommend that additional engineering observation and testing be conducted at the BCR test site and at the proposed commercial site in order to estimate the long-term performance of the commercial site. These observations and tests would include plate bearing tests and placing settlement monuments on both the controlled blasting and structural fill areas. Continuous monitoring of placement of the structural fill beneath the building areas must be conducted. Monitoring of the structural fill beneath the parking areas is also important but could be conducted on a part-time basis, depending upon the type of fill utilized and the construction conditions.

We recommend that the Kansas City Director of Public Works have the opportunity to review the data and information that will be generated during the course of our work and participate as the proposed remediation work is performed. This could include on-site observation, meetings, and other technical input to keep the City apprised of the project progress. We understand that this is a unique solution to the foundation dilemma at the subject site, and as such, the City will need to review this proposal. Therefore, we have elected to provide a conceptual proposal at this time. If the City approves of the proposed concept, we are prepared to provide a more detailed and complete scope of services and technical outline. We could also meet with them to answer specific questions and/or concerns.

We have appreciated working with you and your design consultants on this project and look forward to conducting a successful foundation stabilization and remediation program. We caution you that this type of project requires that a well-thought-out, circumspect approach be
developed to resolve this foundation issue. This means that as much lead-time as possible needs to be implemented into the design and construction schedule to allow for the proposed program to be completed as envisioned. With this in mind, we believe that it is important to develop an adequate schedule for performing the remediation work in addition to the schedule for site development, as soon as possible. We are available to provide help in this area at your convenience. In the meantime, please do not hesitate to contact us if you have any questions or need further assistance.

Sincerely,

HOWARD CONSULTANTS, INC.

H. Robert Howard, P.E.
Project Manager

Terry R. Howard, P.E., P.G., Ph.D.
Managing Principal

HRH/jb

Enclosures

cc: Glen Ferguson, GeoSystems Engineering, Inc.
    Gordon Revey, ICI Explosives
STATEMENT OF QUALIFICATIONS

FOUNDATION STABILIZATION AND REMEDIATION
PROPOSED 17-ACRE COMMERCIAL DEVELOPMENT - PHASE II
OVERLAND PARK, KANSAS

JANUARY 20, 1993

Howard Consultants, Inc.
Consulting Geotechnical Engineers & Geologists

Boise        Coeur d'Alene        Idaho Falls        Moscow        Spokane        Tri-Cities
January 20, 1993

Mr. Mike Mahoney  
BCR Redevelopment Corporation  
c/o Mr. Jeffrey L. Peterson  
J.L. Peterson, Inc.  
10955 Lowell, Suite 910  
Shawnee Mission, Kansas 66225

Dear Mr. Mahoney:

This statement of qualifications includes a summary of Howard Consultants, Inc.'s (HCI) experience and technical expertise to provide geotechnical engineering services for the 17-acre commercial development planned at Bannister and I-435 in Overland Park, Kansas. Specific qualifications to perform foundation studies related to remediation of reported voids or tunnels at the site are provided in the resumes of the key personnel for the project and in the enclosed project related study abstracts.

We anticipate the principal HCI team members will include: H. Robert Howard, P.E.; Terry R. Howard, P.G., Ph.D., P.E.; and Stanley M. Miller, P.G., Ph.D., P.E. These individuals have worked on commercial/industrial, mining and traffic related projects that required foundation evaluation and remediation. Other project related studies that HCI personnel have provided services for include:

- Participating in a geophysical investigation (gravity survey) to locate and map abandoned underground mine workings at a Mexican mine so they could be filled prior to constructing new surface facilities.
- Participating in rock mass characterization studies and subsequent mine design work for enhancing the productivity of several block-caving and sublevel-caving operations in the southwestern U.S. and in Indonesia.
- Working on a mine design project that included rock mass characterization and implications for the design of openings and support for a room-and-pillar operations (talc) in the northeastern U.S.
- Providing technical advice to researchers with the U.S. Bureau of Mines working on rapid rock-mass classification schemes for designing underground support systems, primarily for retreat room-and-pillar operations and longwall operations.

We look forward to working with you on this project and will provide additional information on request.

Sincerely,

HOWARD CONSULTANTS, INC.

[Signature]

H. Robert Howard, P.E.  
Managing Principal

HRH/mm

Enclosures
Howard Consultants, Inc.

Howard Consultants, Inc. (HCI) was founded in 1974. HCI provides geotechnical engineering services on projects throughout the northwestern United States from offices in Boise, Idaho Falls, Moscow and Coeur d'Alene, Idaho and Spokane and Pasco, Washington. We work closely with owners, developers, engineers, architects and contractors on all aspects of project development from the conceptual planning stages through project construction and post-construction monitoring. HCI provides a wide range of expertise and experience on projects including:

- Commercial and Residential Developments
- Industrial Installations
- Earth and Rock Fill Dams
- Ground Water Evaluations
- Environmental Site Assessments
- Land Use/Earth Resources Planning
- Feasibility Studies and Consultation

Principal engineers and geologists with HCI have advanced degrees and several have earned doctorates. HCI professionals have contributed to academic research in the geosciences and have extensive practical field experience. Geotechnical engineering incorporates a wide range of the earth science disciplines. In keeping with this diversity our engineers and geologists are experienced in:

- Soil Mechanics
- Geology
- Engineering Geology
- Geophysics
- Rock Mechanics
- Hydrogeology
- Forensic Engineering
- Construction Materials Testing

PURPOSES

- Soil and Rock Engineering Parameters including Strength, Compressibility and Permeability
- Seepage Design including Seepage Forces, Uplift Pressure and Subsurface Drainage
- Embankment Design, Landslide and Slope Stability Assessment
- Shallow and Deep Foundation Design
- Soil and Rock Retaining Structures including Gravity and Tie Back Walls and Bulkheads
- Reinforced Earth Systems
- Earthwork Criteria and Construction Materials Testing
- Forensic Engineering including Professional Testimony
- Portland Cement and Asphalt Concrete Pavement Performance Design and Studies
- Seismic Design Criteria and Earthquake Engineering

EXPLORATION METHODS

* Historical and Technical Background Research
* Aerial Photography Interpretations and Mapping
* Geologic Field Mapping
* Geophysical Surveys
* Exploratory Soil and Rock Test Borings
* Test Pit Excavations
* In-situ Measurements of Soil and Rock Characteristics
* Laboratory Testing
GEOTECHNICAL ENGINEERING

Howard Consultants, Inc. (HCI), provides geotechnical engineering services for industrial, commercial, governmental and residential projects throughout the northwestern United States. Soil mechanics, foundation engineering, engineering geology and other earth science principles are utilized to interpret and solve soil and rock engineering problems. Geotechnical engineering services are provided for a wide range of projects including earth embankments, low and high-rise buildings, underground structures, retaining walls and bulkheads.

PURPOSES

- Shallow Foundations - Allowable Bearing Values and Settlement Estimates
- Slope Stability Assessments - Natural, Slopes, Embankment Fills and Excavation Slopes
- Deep Foundations - File Selection, Bearing Values, Deformation Analyses and Installation Procedures
- Earthwork - Excavation/Embarkment Construction, Fill Compaction Requirements and Site Preparation
- Pavement Design - Subgrade Support Characteristics, Pavement Section Design and Material Evaluations
- Forensic Engineering - Performance/Failure Assessments, Remediation Studies and Professional Testimony
- Seepage Analyses - Construction Dewatering, Slope Stability, Foundation Stability and Retaining Wall Design

SCOPE OF SERVICES

- Drill Rig Exploration
- Geophysical and Seismic Studies
- Geological Reconnaissance
- Satellite Imagery
- Backhoe Exploration
- Soil Instrumentation
- Geological Mapping
- In-place and Laboratory Testing
- Ground Water Sampling
- Rock Instrumentation
- Air Photo Interpretation
- Computer Aided Analysis/Design

REPRESENTATIVE PROJECTS

- Carnation Company, Othello, Washington - Foundation and Embankment Design, Geomembrane Design and Consultation for 80-acre Wastewater Storage Lagoons
- Colville Industrial Park, Colville, Washington - Foundation Design, Subsurface Investigation, Engineering Evaluation and Foundation Design for 80-acre Industrial Park Underlain by Compressible Alluvium
- Silver Mountain Ski Area, Kellogg, Idaho - Foundation Design and Inspection, Concrete Quality Control Testing, Earthwork and Structural Fill Monitoring for Gondola, Gondola Terminals and Ski Lifts
- Fairchild Air Force Base, Spokane, Washington - Pavement Evaluation for Existing Asphalt and Portland Cement Concrete Pavement Sections to be Modified for Heavily Loaded Aircraft Traffic
- Qualchan Hills Subdivision, Spokane, Washington - Subsurface Investigation including Test Pits and Exploratory Borings for Subdivision Planning and Design including Slope Stability, Erosion Control, Foundation Design and Storm Water Management
- Magic Dam, Shoshone, Idaho - Foundation and Embankment Stability Study for 200-foot-high Dam
- Waste Water Treatment Facilities, Orofino, Grangeville, New Meadows and Kootenai County, Idaho - Soil Investigations and Foundation Designs, Drainage and Dewatering Designs and Construction Monitoring
CONSTRUCTION MATERIALS TESTING

Construction materials testing furnishes verification to the owner, architect, engineer and contractor that construction has been accomplished in accordance with the project plans and specifications. Howard Consultants, Inc. (HCI) provides both field and laboratory testing for construction materials. Experienced engineers and technicians provide on-site recommendations to assist the contractor's efforts.

PURPOSES

- Excavation and Structural Fill Placement for Site Development
- Subgrade, Base Course, Portland Cement and Asphalt Concrete Pavement for Roadway Construction
- Caisson and Pile Foundation Installation
- Reinforced Concrete Construction
- Structural Steel Construction
- Aggregate Source Assessments
- Masonry Wall Construction

SCOPE OF SERVICES

- Compaction Testing - Nuclear Densometer, Sand Cone and Drive Ring Methods
- Concrete Mix Design and Quality Control - Compressive Strength, Stump and Air Content
- Asphalt Mix Design and Testing - Density, Compaction, Oil Content, Stability and Flow
- Masonry Inspection - Compressive Strength, Block and Steel Placement
- Bolt Torque Testing - On-Site Skidmore Verification
- Crusher Control - Aggregate Quality and Gradation
- Visual Welding Inspection
- Shallow and Deep Foundation Construction - Inspection and In-place Testing

REPRESENTATIVE PROJECTS

- Silver Mountain Ski Area, Kellogg, Idaho - Foundation Design and Inspection, Concrete Quality Control Testing, Earthwork and Structural Fill Monitoring for Gondola, Gondola Terminals and Ski Lifts
- Moran Prairie Elementary School, Spokane, Washington - Monitored Excavation and Structural Fill Placement including Suitability of Soils, Moisture Content and Compaction for Excavations and Structural Fills
- University of Idaho Bookstore, Moscow, Idaho - Monitored Over-Excavation and Backfill for Foundation Construction, Structural Fill Placement including Moisture Content and Compaction and Provided Field and Laboratory Testing of Portland Cement Concrete
- Silver Lake Mall, Coeur d'Alene, Idaho - Provided Field and Laboratory Testing for Excavation and Structural Fill Placement and Quality Control Testing for Portland Cement Concrete Asphalt Concrete Pavement
- K-Mart Corporation, Ponderay, Idaho - Provided Construction Monitoring and Field and Laboratory Testing for Earthwork, Structural Fill Placement, Foundation Construction, Masonry Wall Construction, Structural Steel Construction, Reinforced Concrete Placement, Aggregate Base Course and Asphalt Pavement
- Kootenai County Landfill and Transfer Station, Kootenai County, Idaho - Excavation and Structural Fill Placement Monitoring, Reinforced Concrete Testing and Structural Steel Inspection
- Quality Centers Outlet Mall, Post Falls, Idaho - Structural Fill Testing and Masonry Wall Inspection
RESUMES

OF

KEY PERSONNEL
H. ROBERT HOWARD
CONSULTING GEOTEchnical ENGINEER

EDUCATION
M.S. Civil Engineering - Soil Mechanics and Foundation Engineering, University of Idaho, Moscow, Idaho, 1976
B.S. Mechanical Engineering, University of Utah, Salt Lake City, Utah, 1971

REGISTRATION
Registered Professional Engineer, State of Idaho - Reg. No. 3339
Registered Professional Engineer, State of Nevada - Reg. No. 06072
Registered Professional Engineer, State of Oregon - Reg. No. 15731

AREAS OF SPECIALIZATION
- Soil Mechanics and Foundation Engineering
- Hydroelectric Facility Planning, Design and Construction
- Geotechnical Engineering Evaluations for Waste Water Treatment Plants
- Lateral Earth Pressure Analysis for Retaining Wall Design
- Project Management of Construction Materials Testing

PROFESSIONAL EXPERIENCE
President, Principal Geotechnical Engineer, Office Manager - Boise, Idaho
1974 - 1976 University of Idaho, Moscow, Idaho
Graduate Research Assistant
1973 - 1974 Redd and Redd Consulting Engineers, Salt Lake City, Utah
Design Engineer
Field Engineer

REPRESENTATIVE PROJECTS
J.R. Simplot, Food Group, Boise, Idaho. Geotechnical evaluation for foundation remediation of rock voids and
construction consultation and monitoring for an office complex.
Micron Technology, Inc., Boise, Idaho. Geotechnical evaluation for foundation remediation of rock voids and
construction consultation and monitoring for two and three-story fabrication and central utilities plant buildings
and N3 plant.
College of Idaho Athletic Complex including Basement Level, Olympic Swimming Pool and Basketball Areas,
Caldwell, Idaho. Geotechnical investigation, drainage system and dewatering design.
Somerset Ridge Development, Boise, Idaho. Geotechnical engineering evaluations, project consultation, and
construction monitoring for 400 acre subdivision in the Boise Foothills.
Sewer and Wastewater Treatment Facilities, Idaho, Washington, Utah. Soil, foundation evaluation and
construction testing.
I-84 and State Highway 55 Interchange, Nampa, Idaho. Geotechnical engineering evaluation, construction
materials assessment and pavement design.
Lucky Peak Dam, Seattle Power & Light Hydro-Electric Project, Boise, Idaho. Crane foundation, slope and
cut and anchor belt design in bedrock for 16-foot-diameter penstock.
Industrial and Commercial Office and Warehouse Parks, Idaho, Wyoming, California, Washington. Planning,
geotechnical evaluation, pavement design, consultation, construction monitoring.
Production, Storage and Research Facilities, INEL, Idaho Falls, Idaho. Soil and rock foundation and slope
stability evaluation, consultation.
K-Mart Store, Boise, Idaho. Soil and foundation evaluation of fill, underpinning design and construction
consultation and monitoring for a 120,000-square-foot development.

HCI Consulting Geotechnical Engineers & Geologists
TERRY R. HOWARD
CONSULTING GEOTECHNICAL ENGINEER

EDUCATION
Ph.D. Civil Engineering, University of California, Berkeley, California, 1973
M.S. Geological Engineering, University of Idaho, Moscow, Idaho, 1967
B.S. Geological Engineering, University of Idaho, Moscow, Idaho, 1963

REGISTRATION
Registered Professional Engineer, State of Washington - Reg. No. 25944
Registered Professional Engineer, State of Idaho - Reg. No. 1840
Registered Professional Geologist, State of Idaho
Registered Geologist with Certified Specialty in Engineering Geology, State of California

AREAS OF SPECIALIZATION
✦ Earth and Rockfill Embankment Design
✦ Soil Mechanics and Foundation Design
✦ Soil Dynamics and Earthquake Mitigation Design
✦ Slope Stability Analyses for Natural and Constructed Slopes
✦ Tunnels and Underground Opening Stability and Design

PROFESSIONAL EXPERIENCE
1974 - Present Howard Consultants, Inc., Boise, Moscow and Coeur d'Alene, Idaho and Spokane, Washington
Vice-President, Principal Geotechnical Engineer, Office Manager - Moscow, Idaho
1973 - Present University of Idaho, Moscow, Idaho
Professor of Geological and Civil Engineering
1969 - 1973 University of California, Berkeley, California
Research Assistant
1967 - 1969 Dames and Moore, Consulting Engineers, San Francisco, California
Consulting Geotechnical Engineer

REPRESENTATIVE PROJECTS
Disney World, Orlando, Florida. On-site supervisor of geotechnical engineering evaluations for project planning design and development.
Blue Mountain Mall, Walla Walla, Washington. Subsurface investigations and foundation design for shopping mall development including site preloading, pile foundation design and materials testing.
St. Marys Airport, St. Marys, Idaho. Geotechnical engineering evaluation and design for wood-waste fill support of airport runway underlain by compressible peat and alluvium.
City of Bayview, Idaho. Ground water impact assessment for community sewage disposal system including subsurface investigation, geophysical surveys and engineering consultation.
Ramada Inn, Lewiston, Idaho. Subsurface investigation, foundation design and construction monitoring for 3-story hotel underlain by loose sand.
Hagadone Hospitality, Coeur d'Alene, Idaho. Ground water monitoring well design and installation, sea wall design and foundation design for golf course and condominium development.
EDUCATION
Ph.D. Geology (Geostatistics), University of Wyoming, Laramie, Wyoming, 1982
M.S. Geological Engineering, University of Arizona, Tucson, Arizona, 1979
B.S. Geological Engineering, University of Arizona, Tucson, Arizona, 1976

REGISTRATION
Registered Professional Engineer, State of Idaho
Registered Professional Engineer, State of Arizona

AREAS OF SPECIALIZATION
♦ Geological Engineering for Mining and Construction
♦ Rock Engineering
♦ Slope Stability Analysis for Natural and Constructed Slopes
♦ Geotechnical Site Characterization
♦ Applied Geostatistics

PROFESSIONAL EXPERIENCE
1985 - Present Howard Consultants, Inc., Boise, Moscow and Coeur d'Alene, Idaho and Spokane, Washington
Associate Geological Engineer
1983 - Present University of Idaho, Moscow, Idaho
Associate Professor of Geological Engineering
1983 - 1985 Washington State University, Pullman, Washington
Assistant Professor of Geological Engineering
Lecturer, Post-Doctoral Research Associate
Project Geological Engineer

REPRESENTATIVE PROJECTS
Hecla Mining Company, Yellow Pine, Idaho. Site selection and geotechnical evaluation of rock waste dumps and road construction, open-pit slope design and stability analysis.
Hecla Mining Company, Republic, Washington. Subsurface geotechnical investigation by oriented core drilling to provide site characterization for mine expansion.
Idaho Transportation Department, Coeur d'Alene, Idaho. Rock slope stability analysis for the Sherman Avenue Hilltop section of Interstate Highway 90.
Worley Highway District, Coeur d'Alene, Idaho. Landslide Analysis for the Watson Road Landslide.
Fikwe Mine, Bamangwato Concessions, Ltd., Africa. Geotechnical characterization of mill tailings.
Lakeshore Mine, Arizona. Fragmentation and cavability study.
Williams and Associates, Inc., Viola, Idaho. Provided technical support in statistical analyses and stochastic modeling related to ground water studies;
Kitt Peak, Arizona. Investigation of slope stability for a 4 meter telescope site.
Berkeley Pit, Butte, Montana. Open-pit slope design.
BRENDA J. GARCIA
CONSULTING ENGINEERING GEOLOGIST

EDUCATION
M.A. Hydrogeology and Geological Engineering, University of Idaho, Moscow, Idaho, 1992
B.S. Geology, Stanford University, Stanford, California, 1976

REGISTRATION
Registered Professional Geologist, State of Idaho, #634

AREAS OF SPECIALIZATION
♦ Surface and Subsurface Geological Investigations
♦ Environmental Site Assessments
♦ Underground Storage Tank Site Assessments and Remediation
♦ Monitor Well Design and Installation
♦ Management of Construction Materials Testing

PROFESSIONAL EXPERIENCE
    Senior Engineering Geologist - Coeur d'Alene, Idaho
    Consulting Geologist
1979 - 1987 Union Pacific Resources, Denver, Colorado
    Senior Geologist
1976 - 1979 Cities Service Company, Tulsa and Oklahoma City, Oklahoma
    Field Geologist and Senior Geologist

REPRESENTATIVE PROJECTS
Kellogg Gondola, Kellogg, Idaho. Geologic investigation and construction materials testing for the 5 mile gondola.
Hedla Yellow Pine Mine, Súbnite, Idaho. Geotechnical evaluation of the waste dump and mine headwall for open pit gold mine.
Garfield County Landfill, Pomeroy, Washington. Hydrogeologic investigation and monitor well design for the county landfill.
Asotin County, Washington. Soil, geology and ground water investigation for septic drainfield placement and pipeline construction in populated areas within the county.
Kidd Island Bay Waste Water Treatment Site, Coeur d'Alene, Idaho. Surface and subsurface geotechnical investigation and monitor well installation for sewage treatment lagoons and spray irrigation areas.
Blue Lake Development, Kootenai County, Idaho. Subsurface soil investigation for drainfield evaluation.
Quality Centers, Post Falls, Idaho. Environmental site assessment and construction materials testing for a 120,000-square-foot retail mall.
Corner Gas and Grocery, Priest River, Idaho. Soil evaluation for petroleum contamination from underground storage tanks.
Marine Express, Fourth of July Pass, Kootenai County, Idaho. Diesel spill clean-up from traffic accident.
City of Coeur d'Alene, Coeur d'Alene, Idaho. Construction materials testing for underground utilities development, waste water treatment facility and sludge compost plant.
Hays Chevron, Clark Fork, Idaho. Site assessment and remediation of contamination around petroleum underground storage tanks.
Thomas Gardens, Coeur d'Alene, Idaho. Preliminary Geotechnical Evaluation for a proposed residential subdivision development.
REPRESENTATIVE

PROJECT EXPERIENCE
STUDY ABSTRACT

Project: Office Complex

Client: J.R. Simplot Company, Food Group

Location: East Lake Forest Drive and Federal Way, Boise, Idaho

Date: October, 1991 through March, 1992

A subsurface investigation was performed for an office complex. The first building had a footprint area of 39,000 square feet and column loads ranging up to 350 kips. The purpose of the investigation was to evaluate the subsurface soil and rock conditions to provide recommendations for foundations and bearing loads. A particular emphasis was placed on remediation of voids that were known to exist in the basalt beneath the building site. The basalt contact varied from approximately 2 to 5.5 feet below the existing ground surface.

During the early stages of our investigation, an air-track drilling program was developed to generally locate areas containing voids. To accomplish this, holes were drilled at footing centers or about 36 feet on center. The information thus obtained enabled the owner to make the decision to shift the building away from zones containing the largest and highest number of voids. Additionally, information from the initial drilling phase enabled HCI to develop a second drilling phase to provide more detailed information regarding void geometry at remaining footing locations. Several remediation options were evaluated: 1) doing nothing, which required analysis of rock quality/jointing patterns, void geometry and footing pressure distribution to verify that collapse would not occur; 2) pressure grouting with lean concrete or fly ash; 3) filling voids with a fines/sand backfill deposited by either pressurized air or gravity means; and 4) controlled blasting.

Controlled blasting was selected as the most cost-effective method of void remediation where a potential for collapse was anticipated, and where the "doing nothing" option was not practical. Additional drilling was accomplished at selected footing locations on a 6-foot by 6-foot pattern to a depth that encompassed the anticipated zone of significant footing stress. This detailed subsurface information enabled HCI and the blasting contractor to develop a blast design that would completely collapse all the voids, and provide a homogeneous rubble mass which would safely support the anticipated footing loads.

Verification was accomplished by re-drilling through the rubble mass where voids had previously existed. HCI provided on-site observation, consultation and monitoring to assist both the owner and the blasting contractor to achieve a satisfactorily performing solution to the subsurface void problem.
STUDY ABSTRACT

Project: Two and Three-story Fabrication and Central Utilities Plant Buildings and N₂ Plant
Client: Micron Technology, Inc.
Location: East Columbia Road, Boise, Idaho
Date: October, 1983 through March, 1984

A geotechnical investigation was performed for a 400-foot-square fabrication building and an approximate 200 by 100-foot central utilities plant building and an N₂ plant. The purpose of the investigation was to evaluate the subsurface soil and rock conditions to make recommendations for foundations and bearing loads. The two and three-story structures were planned to have column loads between 150 and 500 kips. The building sites were found to have basalt underlying them. The basalt contact varied from approximately five to fifteen feet below the existing ground surface.

The subsurface investigation, including electrical resistivity lines and borings revealed numerous voids and lava tubes underlying the building sites. The spacing and size of the voids were found to be both random and variable. To protect both the existing and the planned structures, a program was initiated by us to:

1. Locate the lateral and vertical extent of the voids and lava tubes, using a planned investigative procedure.

2. Interpret the subsurface information in order to prepare remedial recommendations, which included pressure grouting, excavation and backfilling, and blasting.

3. Prepare remedial procedures, using primarily a lean sand and cement grout, to mitigate the voids and lava tubes.

4. Monitor the grouting operation to verify that the grout had adequately penetrated the voids and lava tubes and establish an adequate foundation for the structures.

Remedial action using grout was initiated by drilling at specified locations, establishing the void and lava tube pattern and then grouting the voids and tubes using the drill holes. The success of the grouting operation was monitored by drilling additional holes at the footing locations. The drilling and grouting operation was performed simultaneously at the central utilities plant and fabrication buildings to expedite the work. Remediation procedures for voids at footings supporting an existing building were developed to grout at only each footing location since access was limited. The grouting operation and verification drilling was performed around the perimeter of each footing.
February 8, 1993

Mr. James C. Bowers, Jr.
Polsinelli, White, Vardeman & Shalton
700 West 47th Street, Suite 1000
Kansas City, Missouri 64112-1802

Dear Mr. Bowers:

Re: BCR Redevelopment Corporation - Consultant for Geotechnical Engineering Services for Mine Stabilization

We are responding to your letter dated January 21 regarding the submittal of the qualifications of Howard Consultants, Inc. to serve as the independent registered engineer to provide geotechnical engineering services for BCR Redevelopment Corporation in the 17-acre commercial development planned at Bannister and I-435.

After reviewing the statement of qualifications submitted for the proposed consultant, we are approving Howard Consultants, Inc. to provide technical expertise in the area of geotechnical engineering for the 17-acre commercial development site. As noted in your letter and in Section 31(c) of the contract, Howard Consultants, Inc. must have in force and maintain a policy of professional liability insurance with limits of liability not less than $1,000,000 applicable to the subject work.

We have also reviewed their proposed concept for stabilizing the Plinn Mine area. As we indicated in our meeting on January 20, we see no problem with the proposal and would recommend that you take the necessary steps to proceed with the project. However, in the proposed test program at the BCR Mine, we would prefer that you use alternate number two in your controlled blast program. Alternate number two allows for four piers within the test area with the test area extending to the mid-point between adjacent piers.

If you have any questions regarding the above, please let me know.

Sincerely yours,

George L. Satterlee, P.E.
Director of Public Works

GLS:SJR:mar
REDEVELOPER’S STATEMENT FOR PUBLIC DISCLOSURE FORM
(PART I)

REDEVELOPER’S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY FORM
(PART II)
A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: Mason Land Reclamation Company, Inc.

   b. Address and ZIP Code of Redeveloper: 9001 S. Hickman Mills Drive, KCMO 64132

   c. IRS Number of Redeveloper: 74-2559259

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from:

   Tax Increment Financing Commission
   
   (Name of Local Public Agency)

   in Santa Fe Trail Redevelopment Area
   
   (Name of Urban Renewal or Redevelopment Project Area)

   in the City of Kansas City, State of Missouri

   is described as follows:

   the Property is generally bounded by 87th Street on the north; I-435 on the east; 71 Highway (Bruce Watkins Drive) on the west; and Bannister Road (95th Street) on the South.

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Missouri:

   ☑ A corporation.

   ☐ A nonprofit or charitable institution or corporation.

   ☐ A partnership known as

   ☐ A business association or a joint venture known as

   ☐ A Federal, State, or local government or instrumentality thereof.

   ☐ Other (explain)

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization: December 8, 1989

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows:

   If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

   Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.
PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE (Continued)

X. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock:

a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock.

b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.

c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.

d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.

e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE

Michael J. Sangiacomo
5 Thomas Mallon Circle
Suite 266
San Francisco, CA 94134

Richard E. Broderston
Robert L. Anderson
Deborah R. Rohrer

POSITION TITLE (if any) AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

President / CEO
Vice President
Secretary
Director

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper):

NAME, ADDRESS, AND ZIP CODE

N/A

DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

N/A

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

1 If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. If such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.
PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE (Continued)

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

   a. Total cost of any residential redevelopment ........................................... $ 51,360,000
   b. Cost per dwelling unit of any residential redevelopment .............................. $ unknown
   c. Total cost of any residential rehabilitation ............................................ $ unknown
   d. Cost per dwelling unit of any residential rehabilitation .............................. $ unknown

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

   TYPE AND SIZE OF DWELLING UNIT | ESTIMATED AVERAGE MONTHLY RENTAL | ESTIMATED AVERAGE SALE PRICE
   -----------------------------------|----------------------------------|---------------------
   Unknown at this time

   b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals:

   Unknown

   c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: unknown

CERTIFICATION

I (We)

Michael Mahoney

 certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief. 2

Dated: April 13, 1993

Signature

Corporate Development Manager

Title

5 Thomas Mellon Circle, #304
San Francisco, CA 94134

Address and ZIP Code

1 If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

2 Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than $10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.
PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper: Mason Land Reclamation Company, Inc.

   b. Address and ZIP Code of Redeveloper: 9001 S. Hickman Mills Drive, KCMO 64132

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

   Tax Increment Financing Commission

   (Name of Local Public Agency)

   in

   Santa Fe Trail Redevelopment Area

   (Name of Urban Renewal or Redevelopment Project Area)

   in the City of Kansas City, State of Missouri

   is described as follows:

   the Property is generally bounded by 87th Street on the north;
   I-435 on the east; 71 Highway (Bruce Watkins Drive) on the west;
   and Bannister Road (95th Street) on the South.

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? □Yes □No

   If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm.

   Norcal Waste Systems, Inc., B.C.R. Redevelopment Corporation

4. a. The financial condition of the Redeveloper, as of March 31, 1993, is as reflected in the attached financial statement.

   (NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

   b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based: The statements of Mason Land Reclamation Co., Inc. are unaudited for fiscal year 92. However, the parent company's financial statements are audited by the accounting firm KPMG Peat Marwick.

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

   See attached Exhibit A(4)
PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

a. In banks: see attached letters of financing

   NAME, ADDRESS, AND ZIP CODE OF BANK

   AMOUNT
   $

b. By loans from affiliated or associated corporations or firms:

   NAME, ADDRESS, AND ZIP CODE OF SOURCE

   AMOUNT
   $

c. By sale of readily salable assets:

   DESCRIPTION

   MARKET VALUE
   $

   MORTGAGES OR LIENS
   $

7. Names and addresses of bank references:

   See attached

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper’s officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of the Redeveloper’s Statement for Public Disclosure and referred to herein as “principals of the Redeveloper”) been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?  

   □ YES  □ NO

   If Yes, give date, place, and under what name.

b. Has the Redeveloper or anyone referred to above as “principals of the Redeveloper” been indicted for or convicted of any felony within the past 10 years?  

   □ YES  □ NO

   If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

   See attached Exhibit B
PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work

N/A

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

N/A

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

N/A

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

☐ YES ☐ NO

If Yes, explain:

N/A

c. Total amount of construction or development work performed by such contractor or builder during the last three years: $__________

General description of such work:

N/A

d. Construction contracts or developments now being performed by such contractor or builder:

<table>
<thead>
<tr>
<th>IDENTIFICATION OF CONTRACT OR DEVELOPMENT</th>
<th>LOCATION</th>
<th>AMOUNT</th>
<th>DATE TO BE COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redeveloper of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

N/A

13. a. Does any member of the governing body or any official of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?  □ YES □ NO

If Yes, explain.

b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public officer of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?  □ YES □ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statement referred to in Item 4a) are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We)  Michael J. Mahoney

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.2

Dated:  April 13, 1993

[Signature]

Title:  [Title]

1 Thomas Mellen, [Address and Zip Code]  99131

2 If the Redeveloper is an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, in one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper.
## EXHIBIT A

## EXHIBIT 4

### ESTIMATED REDEVELOPMENT PROJECT COSTS

<table>
<thead>
<tr>
<th>Redevelopment Project Costs</th>
<th>Estimated Total</th>
<th>Reimbursable from PILOTS, Economic Activity Taxes or Bond Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Land Acquisition</td>
<td>$ -0-</td>
<td>$ -0-</td>
</tr>
<tr>
<td>2. Demolition (Buildings) *</td>
<td>1,000,000</td>
<td>1,000,000</td>
</tr>
<tr>
<td>3. Construction (Buildings) *</td>
<td>537,040,000</td>
<td>-0-</td>
</tr>
<tr>
<td>4. Mine Stabilization &amp; Land Reclamation *</td>
<td>166,797,337</td>
<td>166,797,337</td>
</tr>
<tr>
<td>(See Exhibit 4B)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Public Works Projects (City &amp; State) *</td>
<td>20,331,719</td>
<td>20,331,719</td>
</tr>
<tr>
<td>(Streets, sewers, sidewalks, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(See Exhibit 4C)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Professional Service Costs</td>
<td>1,500,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td>(Developer-TIF Administration)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. TIF Commission Expenses ($815,565)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**A.** Estimated Reimbursable Costs for Plan Implementation

| i. Legal                                            | $30,000         | $30,000                                                     |
| ii. Agenda                                          | 2,000           | 2,000                                                       |
| iii. Staff Time                                     | 40,000          | 40,000                                                      |
| iv. Miscellaneous                                   | 4,000           | 4,000                                                       |

**B.** Final Development Plan Approval Fees ($.05 per square foot @ 6,911,300 s.f. and $50 per Dwelling Unit @ 1,280 units)  

|                                                     | 409,565         | 409,565                                                     |

**C.** Plan Administration and TIF General Expenses  

|                                                     | 330,000         | 330,000                                                     |

**8.** Miscellaneous:  

| Impact Fees                                         | 6,254,150       | -0-                                                         |

**TOTAL PROJECT COSTS**  

|                                                     | $733,738,771    | $190,444,621                                               |
Note: All estimates are preliminary.

* Professional service costs and financing costs are not included in the estimated totals shown in Items 2, 3, 4 and 5 above. Professional service costs and financing costs shall be considered as reimbursable project costs to the Developer from the Special Allocation Fund.

** The selected developer shall pay all fees and expenses of the TIF Commission for Plan preparation, approval and implementation including, but not limited to, staff time, agenda costs, legal fees, printing and publication of notices. The selected developer shall be billed for these expenses by the Commission as needed. These expenses shall be considered reimbursable project costs to the developer from the Special Allocation Fund.

In addition, up to five percent (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. This amount will be figured and allocated prior to allocation of any other reimbursable costs.
Mason Land Reclamation ("MLR") and its wholly owned subsidiary, BCR Redevelopment Corporation ("BCR") have been involved with the redevelopment of the Redevelopment Plan Area as defined in the RFP since 1986. Since 1986, BCR has thoroughly investigated the unique characteristics of the Redevelopment Plan Area and has expended vast sums of money to explore the various methods through which the Redevelopment Plan Area can be redeveloped. Most recently, MLR and BCR were successful in developing the least blighted portion of the Redevelopment Plan Area the "PACE SITE."
## YEAR TO DATE CONSOLIDATED ACTUAL
### YEAR TO DATE THRU MAR 1993

### INCOME STATEMENT

<table>
<thead>
<tr>
<th></th>
<th>MASON LAND RECLAMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>QUARRY REVENUE</td>
<td>27,165</td>
</tr>
<tr>
<td>RENTAL REVENUE</td>
<td>24,685</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td>51,850</td>
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<tr>
<td>OPERATING EXPENSES</td>
<td></td>
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<tr>
<td>GENERAL &amp; ADMINISTRATION</td>
<td>57,211</td>
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<tr>
<td><strong>TOTAL OPERATING EXPENSE</strong></td>
<td>102,201</td>
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<tr>
<td>EBITDA</td>
<td></td>
</tr>
<tr>
<td>DEPRECIATION</td>
<td>16,997</td>
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<tr>
<td>I/C EQUIPMENT RENTAL</td>
<td>12,423</td>
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<tr>
<td><strong>EBITA</strong></td>
<td>79,771-</td>
</tr>
<tr>
<td>OTHER INCOME</td>
<td></td>
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<tr>
<td>NON-OPERATING (INC)/ EXP</td>
<td>81-</td>
</tr>
<tr>
<td><strong>EARNINGS BEFORE TAXES</strong></td>
<td>79,690-</td>
</tr>
<tr>
<td>INCOME TAXES</td>
<td>5,426</td>
</tr>
<tr>
<td><strong>NET INCOME / (LOSS)</strong></td>
<td>85,116-</td>
</tr>
</tbody>
</table>
YEAR TO DATE CONSOLIDATED ACTUAL
YEAR TO DATE THRU SEP 1992

INCOME STATEMENT

<table>
<thead>
<tr>
<th></th>
<th>MASON LAND RECLAMATION</th>
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</thead>
<tbody>
<tr>
<td>Quarry Revenue</td>
<td>678,183</td>
</tr>
<tr>
<td>Rental Revenue</td>
<td>25,337</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>703,520</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>862,155</td>
</tr>
<tr>
<td>General &amp; Administration</td>
<td>274,511</td>
</tr>
<tr>
<td><strong>Total Operating Expense</strong></td>
<td>1,136,666</td>
</tr>
<tr>
<td>EBITDA</td>
<td>433,146</td>
</tr>
<tr>
<td>Depreciation</td>
<td>5,574</td>
</tr>
<tr>
<td>I/C Equipment Rental</td>
<td>255,819</td>
</tr>
<tr>
<td><strong>EBITA</strong></td>
<td>694,539</td>
</tr>
<tr>
<td>Interest</td>
<td>739,322</td>
</tr>
<tr>
<td>Amortization</td>
<td>25,884</td>
</tr>
<tr>
<td>(Gain)/Loss on Sale</td>
<td>204,171</td>
</tr>
<tr>
<td>Other Income</td>
<td>825,469</td>
</tr>
<tr>
<td><strong>Non-Operating (Inc) / Exp</strong></td>
<td>264,434</td>
</tr>
<tr>
<td>Earnings Before Taxes</td>
<td>430,105</td>
</tr>
<tr>
<td><strong>Net Income / (Loss)</strong></td>
<td>430,105</td>
</tr>
</tbody>
</table>
May 19, 1993

Mr. Michael Mahoney
Mason Land Reclamation Company, Inc.
5 Thomas Mellon Circle, Suite 266
San Francisco, California 94134

RE: Santa Fe Trails Tax Increment Finance Plan

Dear Mike:

Commerce Bank of Kansas City, N.A. ("Commerce Bank") has reviewed Macon’s application for amendment to the URD Zoning Plan at the intersection of Bannister Road and Interstate 435 in Kansas City, Missouri, and Mason’s Santa Fe Trails TIF Plan proposal. This Plan covers approximately 513 acres and proposes construction of improvements totaling more than $560 million. Commerce Bank will consider making available sufficient funds upon approval of the URD zoning amendment and adoption of the TIF plan for the redevelopment of the area.

The making of any loan will be subject to the review and approval of the project and proper permanent financing acceptable to Commerce Bank. The loan will be further subject to review and approval by the pertinent levels at Commerce Bank, and the adoption of loan documentation in form and substance acceptable to Commerce Bank. Any commitment of funds will remain in place by Commerce Bank until the construction of the project is complete, subject to the terms and conditions set forth in the applicable loan documents.

Commerce Bank appreciates the opportunity to be considered for financing improvements on the subject property. Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

COMMERCe BANK OF KANSAS CITY, N.A.

[Signature]

Brent Blake
Vice President

BB:kab
May 17, 1993

Mr. Michael Mahoney  
Norcal Waste Systems, Inc.  
5 Thomas Mellon Circle, Suite 266  
San Francisco, CA 94134

Re: Santa Fe Trails Tax Increment Finance Plan

Dear Mike:

Bear Stearns understands that Norcal Waste Systems, Inc. through its wholly-owned subsidiary, Mason Land Reclamation Company, Inc., is in the process of undertaking the reclamation and redevelopment of 513 acres in Kansas City, Missouri. Part of the redevelopment project may include the issuance of up to $190 million of taxable or tax-exempt municipal obligations to clear existing blight and make improvements to the property. The anticipated sources of bondholder security are property tax on the incremental value of assessed property within the redevelopment district and a gross receipts tax on businesses within the affected area. Bear Stearns will consider structuring and underwriting financing upon approval of the redevelopment plan for the redevelopment of the area.

The financing will be subject to the review and approval of the project and proper documentation acceptable to Bear Stearns, bond counsel and the bond trustee. The financing will be further conditioned upon the receipt of investment grade ratings and approval by the firm's credit committee or a municipal bond insurance policy. Bear Stearns will also require that bondholder security documents, underwriting agreements and marketing and disclosure documents be in form and substance acceptable to Bear Stearns.

Bear Stearns appreciates the opportunity to be of service and looks forward to developing a cost-effective means to finance improvements to the subject property. Should you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

[K.C. Slichter]
Associate Director
EXHIBIT 8

DATA PERTAINING TO
THE ADOPTION OF A FINDING OF BLIGHT
FOR THE
SANTA FE REDEVELOPMENT AREA

PREPARED BY THE TAX INCREMENT FINANCING COMMISSION
OF KANSAS CITY, MISSOURI

MARCH 26, 1993

I. INTRODUCTION
   A. Purpose of This Report

The purpose of this report is to present evidence supporting designation of the
Redevelopment Area (the "Redevelopment Area") as a Real Property Tax Increment
Allocation Redevelopment Area.

B. Eligibility Criteria

The Real Property Tax Increment Allocation Redevelopment Act, Missouri
Revised Statutes, Section 99.800 et seq., 1986, as amended (the "Act"), provides that a
Real Property Tax Increment Allocation Redevelopment Plan can be implemented by the
Tax Increment Financing Commission if the governing body of a community determines
by ordinance, that an area qualifies under the Act as:

1. a blighted area;
2. a conservation area; or
3. an economic development area; and

that the area has not been subject to growth and development through investment by
private enterprise and would not reasonably be anticipated to be developed without the
adoption of the Redevelopment Plan.

This report is intended to show evidence that the Redevelopment Area qualifies
as a Blighted Area. The Act defines a "Blighted Area" as follows:

"[A]n area which, by reason of the predominance of defective or inadequate
street layout, insanitary or unsafe conditions, deterioration of site improvements,
improper subdivision or obsolete platting, or the existence of conditions which
endanger life or property by fire and other causes, or any combination of such
factors, retards the provision of housing accommodations or constitutes an
economic or social liability or a menace to the public health, safety, morals, or
welfare in its present condition and use."
II. REDEVELOPMENT AREA

A. General Location

The Santa Fe Redevelopment Area consists of approximately 513 acres bound by 87th Street on the north, Interstate 435 on the east, Bannister Road on the south and U.S. Highway 71 (the Bruce R. Watkins Freeway) on the west, all of said area contained within Kansas City, Jackson County, Missouri.

Exhibit A shows the location of the Santa Fe Redevelopment Area.

B. Current Land Uses

The Redevelopment Area consists of an existing rock quarry. The area is predominantly vacant with the exception of a PACE membership warehouse facility located in the southeast corner of the site.

III. Blight Area Qualification

A. Prior Blight Designation

The Redevelopment Area was found to be blighted as part of the BCR Redevelopment 353 project approval process. The blight study which served as the basis for this designation is contained in Exhibit B.

B. Existing Blighting Conditions

The site exhibits many of the conditions cited as blighting conditions in the Act. These conditions include the lack of an adequate street system within the Redevelopment Area. The existing rock quarry site has been mined and the improvements on the site have deteriorated to the point that the site now requires stabilization to alleviate unsafe conditions. In addition the site is improperly subdivided and the platting is obsolete for any type of redevelopment. The combination of these existing conditions endanger life and property by fire and other causes, retards the provision of housing accommodations, and constitutes an economic and social liability and a menace to the public health, safety, morals and welfare.

IV. REPORT OF FINDINGS

A. FINDING NUMBER 1: The Santa Fe Redevelopment Area is a Blighted Area.

The Redevelopment Area meets the criteria for designation as a Blighted Area under the Act. The area was previously found to be blighted as part of the 353 designation process. The conditions cited in the original finding of blight have not changed. These conditions also are the basis for a finding of blight under the State's Tax Increment Financing statute.

B. FINDING NUMBER 2: The Redevelopment Area has not been subject to growth and redevelopment by private enterprise.

The Redevelopment Area has not been subject to significant growth or redevelopment. Despite the 353 project designation, the redevelopment has not and
can not proceed until land reclamation of the mined areas occurs.

C. FINDING NUMBER 3: The Redevelopment Area would not reasonably be anticipated to be developed without the adoption of the Tax Increment Financing Plan.

The Redevelopment Area would not reasonably be anticipated to be developed without the proposed Tax Increment Financing Plan. Despite 353 project designation, redevelopment of the area has not and can not proceed until land reclamation of the mined areas occurs. Tax Increment Financing is necessary to assist in the extraordinary cost of land reclamation and other necessary site improvements required to make this project feasible.
EXHIBIT 9
ESTIMATED DEVELOPMENT SCHEDULE

TIF Commission Holds Public Hearing  
City Council Adopts Ordinance approving TIF Plan  
City Council Adopts Ordinances for Projects 1, 1A, 1B and 1C  
Projects 1A through 1C Commence  
Project 1 Complete  
City Council Adopts Ordinances for Projects 2B through 2K  
Projects 2B through 2K Commence  
Projects 1A through 1C Complete  
City Council Adopts Ordinances for Projects 3A, 3B and 3D  
Project 3A, 3B and 3D Commence  
Projects 2B through 2K Complete  
City Council Adopts Ordinances for Projects 4A and 4C  
City Council Adopts Ordinances for Projects in the Remainder of the Redevelopment Area  
Construction on Remaining Projects Commence  
Projects 3A, 3B and 3D Complete  
Projects 4A and 4C Complete  
Construction on All Projects Complete  
Redevelopment Plan Ceases

April 14, 1993
Summer 1993
1993
1993
1996
1996
1998
2000
2000
2001
2003
2003
2004
2010
2016
2016
2026
EXHIBIT 10
RELOCATION ASSISTANCE PLAN

(a) Definitions. The following terms, whenever used or referred to herein, shall have the following meanings:

(i) Designated Occupants. "Designated Occupants" shall mean handicapped displaced occupants and those displaced occupants who are 65 years of age or older at the time of the notice to vacate or who have an income less than the average median income for the metropolitan area as certified annually by the Director of City Development based upon standards established by the Department of Housing and Community Development of Kansas City, Missouri.

(ii) Displaced Business. "Displaced Business" shall mean any business that moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in conjunction with the demolition, alteration or repair of said property, by the Tax Increment Financing Commission pursuant to RSMo. 99.800 et. seq., as amended.

(iii) Displaced Occupant. "Displaced Occupant" shall mean any occupant who moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in connection with the demolition, alteration or repair of said property, by the Tax Increment Financing Commission pursuant to RSMo. 99.800 et. seq., as amended.

(iv) Handicapped Occupant. "Handicapped Occupant" shall mean any occupant who is deaf, legally blind, or orthopedically disabled to the extent that acquisition of other residence presents a greater burden than other occupants would encounter or that modification to the residence would be necessary.

(v) Occupant. "Occupant" shall mean a residential occupant of a building having lawful possession thereof, and further shall include any person in lawful possession, whether related by blood or marriage to any other occupant.

(vi) Person. "Person" shall mean any individual, firm, partnership, joint venture, association, corporation and any life insurance company, organized under the laws of, or admitted to do business in the State of Missouri, undertaking a redevelopment project in a urban renewal area, whether organized for profit or not, estate, trust, business trust, receiver or trustee appointed by any state or federal court, syndicate, or any other group or combination acting as a unit, and shall include the male as well as the female gender and the plural as well as the singular number.

(b) Plan Requirement. Every person approved by the Commission as a developer of property subject to be acquired by the Tax Increment Financing Commission if furtherance of a Tax Increment Financing plan shall submit to the Commission a relocation plan as part of the developer's redevelopment plan.

(c) Contents of Plan. The relocation plan shall provide for the following:

(i) Payments to all displaced occupants and displaced businesses in occupancy at least ninety (90) days prior to the date said displaced occupant or
said displaced business is required to vacate the premises by the developer, its assigns or any person seeking acquisition powers under the Tax Increment Financing plan pursuant to RSMo. 99.800 et. seq., as amended; and

(ii) Program for identifying needs of displaced occupants and displaced businesses with special consideration given to income, age, size of family, nature of business, availability of suitable replacement facilities, and vacancy rates of affordable facilities; and

(iii) Program for referrals of displaced occupants and displaced businesses with provisions for a minimum of three (3) suitable referral sites, a minimum of ninety (90) days notice of referral sites for handicapped displaced occupants and sixty (60) days notice of referral sites for all other displaced occupants and displaced businesses, prior to the date such displaced occupant or displaced business is required to vacate the premises; and arrangements for transportation to inspect referral sites to be provided to designated occupants.

(iv) Every displaced occupant and every displaced business shall be given a ninety (90) day notice to vacate; provided, however, that the developer may elect to reduce the notice time to sixty (60) days if the developer extends the relocation payments and benefits set forth in subsections (d), (e) and (f) below to any displaced occupant or displaced business affected by said reduction in time.

(c) Payments to Occupants. All displaced occupants eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon one of the following, at the option of the occupant:

(i) A $500.00 payment to be paid at least thirty (30) days prior to the date the occupant is required to vacate the premises; or

(ii) Actual reasonable costs of relocation including actual moving costs, utility deposits, key deposits, storage or personal property up to one month, utility transfer and connection fees, and other initial rehousing deposits including first and last month’s rent and security deposit.

(e) Handicapped Displaced Occupant Allowance. In addition to the payments provided in subsection (d) hereof, an additional relocation payment shall be provided to handicapped displaced occupants which shall equal the amount, if any, necessary to adapt a replacement dwelling to substantially conform with the accessibility and usability of such occupant’s prior residence, such amount not to exceed Four Hundred Dollars ($400.00).

(f) Payment to Businesses. All displaced businesses eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon the following, at the option of the business:

(i) A $1,500.00 payment to be paid at least thirty (30) days prior to the date the business is required to vacate the premises; or

(ii) Actual costs of moving including costs for packing, crating, disconnecting, dismantling, reassembling and installing all personal equipment and costs for relettering signs and replacement stationery.

(g) Waiver of Payments. Any occupant who is also the owner of premises and
any business may waive their relocation payments set out above as part of the negotiations for acquisition of the interest held by said occupant or business. Said waiver shall be in writing and filed with the Commission.

(h) **Notice of Relocation Benefits.** All occupants and businesses eligible for relocation benefits hereunder shall be notified in writing of the availability of such relocation payments and assistance, such notice to be given concurrent with the notice of referral sites required by subsection (c)(iii) hereof.

(i) **Persons Bound by the Plan.** Any developer, its assigns or transferees, provided assistance in land acquisition by the Tax Increment Financing Commission, is required to comply with the Executive Director of the Commission. Such certification shall include, among other things, the addresses of all occupied residential buildings and structures within the redevelopment plan area and the names and addresses of occupants and businesses displaced by the developer and specific relocation benefits provided to each occupant and business, as well as a sample notice provided each occupant and business.

(j) **Minimum Requirements.** The requirements set out herein shall be considered minimum standards. In reviewing any proposed redevelopment plan, the Commission shall determine the adequacy of the proposal and may require additional elements to be provided therein.
TAX INCREMENT FINANCING COMMISSION
OF KANSAS CITY, MISSOURI

DEVELOPER'S AFFIRMATIVE ACTION INFORMATION PACKET
TO: All TIF Applicants/Developers  
FROM: Mark M. Bunnell, Executive Director  
RE: Affirmative Action Process

Enclosed in this packet you will find information and materials needed to satisfy the affirmative action policy of the Tax Increment Financing Commission (TIFC). The TIFC has established a goal of 15% Minority Business Enterprise (MBE) and 5% Women Business Enterprise (WBE) participation on projects financed totally or partially with tax increment financing. The TIFC’s goals for MBE/WBE business participation applies to professional services and consultants, as well as construction contractors and suppliers. In order for a business to be considered MBE or WBE, it must have a 51% minority or women ownership, and the minority or woman owner must exercise independent day-to-day control of the business. Minorities are defined as Native Americans, Blacks, Hispanics, Asians, individuals of Spanish origin and other non-caucasians.

All MBE/WBE businesses must be certified by the City of Kansas City Human Relations Department.

All Developers, prior to approval of their redevelopment contract by the TIFC, are required to complete and submit to this agency an Affirmative Action Plan (enclosed), as well as a Letter of Intent (enclosed). Also, Developers must inform this agency, in writing, of any pre-award commitments or suppliers.

Based on this information and a proposed timetable of actions to accomplish the intent of the Commission’s affirmative action policy, the Commission and the developer will develop a preliminary schedule for affirmative action performance and reviews.

Before TIFC approval of any Redevelopment Contract, the Developer and General Contractor will meet with the Commission’s staff to discuss their affirmative action plan and monitoring of the project. During the planning, design and construction of the project, the Commission, or their agents, will monitor the project to ensure that affirmative action goals are being attained, or that a good faith effort is made to achieve the goals. It is the responsibility of the selected developer to implement the TIFC’s affirmative action policy goals for professional services and consultants, to provide this
information to the general contractors, and to assist the General Contractor in maximizing MBE/WBE participation during the construction process.

The information requested in the enclosed materials is required for all projects assisted by the Commission. Please do not hesitate to contact this office if you have any questions or need assistance in any way. We are looking forward to working with you on this project.

Nothing in this Affirmative Action Information Packet, or in the Affirmative Action Policy of the Commission relieves redevelopers and/or other parties participating in TIF projects from any other local, state or federal laws or regulations. It is the obligation of all redevelopers and/or other parties participating in TIF projects to comply with all such laws and regulations; and, failure to do so may be deemed by the Commission to be a default of the parties contractual obligations to the TIFC.
AFFIRMATIVE ACTION PROCESS

The procedures outlined are designed to secure maximum opportunities for Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) to bid and participate on projects carried out by the Tax Increment Financing Commission's developers.

These procedures have been prepared in an effort to encourage developers and general contractors to use MBE/WBE businesses. The Tax Increment Financing Commission will bring its goals for MBE/WBE business participation to the attention of developers and contractors early so that MBE/WBE businesses will be included in the development and construction process.

It should be pointed out to the developer that the TIFC has a goal of 15% MBE and 5% WBE business participation for professional services and consultants, and a separate goal of 15% MBE and 5% WBE business participation for construction activity.

Step I - Preliminary Conference

Within a reasonable time after a potential developer has been identified by the Tax Increment Financing Commission, a conference will be held. This conference will be an overall review of the project, and the TIFC's policies and practices, including the affirmative action policy of the TIFC.

The developer will be given a packet of information and forms and will be acquainted with the Commission's affirmative action policy.

A. Equal Opportunity Requirements.

1. Each developer is required to complete an Affirmative Action Plan and submit a Letter of Intent. The plan is to be completed based upon the known information available to the developer prior to the Commission's approval of a redevelopment contract.

2. Pre-Award Commitments - The developer is to disclose to the Commission, in writing, any pre-award commitments to contractors or suppliers. No more than 1/3 of total subcontract dollars should be pre-awarded.

3. The Developer's Affirmative Action Information Packet will include the following materials and forms:

   1. Developer's Affirmative Action Plan
   2. Letter of Intent form
   3. Pre-Award Commitments
   4. TIFC Board Resolution No. 92-61
5. Good Faith Effort Statement
6. General Contractor's Affirmative Action Information Packet

The TIFC administrative staff will assist the developer in filling out his Affirmative Action Plan.

FILEING OF AFFIRMATIVE ACTION PLAN
AT TIME OF DEVELOPMENT CONTRACT APPROVAL

Step II - Developer Submission for Board Approval of Redevelopment Plan

A. Prior to Commission approval of a contract with the selected developers, the developer shall submit all affirmative action documents for staff review and recommendation to the Board.

B. The TIFC staff will report on the developer's Affirmative Action Plan and Letter of Intent at the time of the TIFC's consideration and approval of the developer's contract for the proposed redevelopment plan. The Letter of Intent will clarify the steps the developer intends to take in order to make his commitment of MBE/WBE participation a reality. The developer's Affirmative Action Plan shall identify MBE/WBE participants in the pre-construction phase of the project, and the areas in which they will participate.

Step III - General Contractor Selection

When advised by the developer that a general contractor has been selected, the Commission staff will meet with the developer and general contractor to explain the Commission's Affirmative Action requirements. This meeting should occur as early as possible in the TIF approval process.

A. At the meeting with the developer and the general contractor, the general contractor will be given a packet of information and forms to be filled out. The TIFC staff will acquaint the general contractor with the information contained in the packet, which includes the following:

1. Developer's Affirmative Action Plan
2. Developer's Letter of Intent
3. Pre-Award Commitment
4. General Contractor's Affirmative Action Plan
5. Subcontractor's Affirmative Action Plan
6. MBE/WBE Reporting System
7. Prevailing Wage Law (Form PW 1000)
8. Bid Procedure
9. Good Faith Effort Statement
10. MBE/WBE Resource Agencies
11. TIFC Board Resolution No. 92-61

B. The general contractor, as he identifies subcontractors, should update the Affirmative Action Plan for TIFC review. All subcontractors and suppliers whose bids are $20,000, or more, must submit a Subcontractor’s Affirmative Action Plan to the Commission.

C. General Contractors must submit a list of subcontractors (MBE/WBE Reporting System form) to the Authority.

Step IV - Redevelopment Project Approvals and Implementation of the Affirmative Action Plan

A. Prior to Commission approval of the submission to the City of Kansas City of an Ordinance approving a redevelopment project(s) within a TIF redevelopment area, the Commission will receive:

1. A written statement detailing the current status of the developer’s and general contractor’s affirmative action plans, the level of participation accomplished in the project, and what steps are envisioned, or will be required to make a good faith effort to accomplish the project’s affirmative action plans.

Step V - Pre-Construction Conference

A. Within a reasonable time before construction begins, the developer and contractor will meet with Commission staff to finalize their Affirmative Action Plans.

Step VI - Monitoring

A. During the construction of the project, the Commission staff and the developer will monitor the project to ensure the Affirmative Action Plan goals are being attained, or in the absence of achieving the goals, a Good Faith Effort is made to achieve the goals. The Commission shall receive annual reports from the developer on the progress of the project’s affirmative action goals and be advised in this matter as the Commission deems appropriate.
DEVELOPER'S
AFFIRMATIVE ACTION PLAN
FOR

PROJECT

LOCATION

TYPE OF DEVELOPMENT

I. GENERAL INFORMATION

Name of Company

Address

Phone Number

Estimated Cost of Development $ 

A. The owner(s) and/or principal(s) of our company are:

(1) Name

Address

City, State, Zip

Position

Ethnic Origin

Ownership %

(2) Name

Address

City, State, Zip

Position

Ethnic Origin

Ownership %

(3) Name

Address

City, State, Zip

Position

Ethnic Origin

Ownership %
B. The Equal Employment Opportunity Officer for our company is:

Name ______________________  Phone No. ____________

C. The following MBE & WBE firms are anticipated to participate as members of the development team:

<table>
<thead>
<tr>
<th>Team Member</th>
<th>Service Provided</th>
<th>MBE or WBE</th>
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</tbody>
</table>

D. If the project is a multi-phased project, it may be unrealistic to attempt to outline MBE and WBE participants for future phases at this time. If so, what steps will the Developer take to maximize MBE and WBE participation for the development team for those future project phases?

E. In conjunction with this project, we propose to contract with the following types of suppliers of goods and services after construction:

F. We agree to contact the agencies provided on the Resource List for technical assistance in obtaining qualified MBE and WBE firms and expect _____% of the subcontracts to go to MBE and WBE firms.

G. MBE and WBE Participation Requirements:

On this project we will insure that our contractor will comply with the TIFC's Affirmative Action guidelines which require participation by MBE and WBE subcontractors.
II. POLICY

A. We, the undersigned, are committed to non-discrimination in employment. Any person who applies for employment with this project or our company will not be discriminated against because of race, color, creed, sex or national origin.

B. The policies and practices of the undersigned are to recruit and to hire employees and/or contractors, subcontractors and suppliers without discrimination and to treat them equally with respect to compensation and opportunities for advancement, including upgrading, promotion, transfer and bidding and contracting negotiations. We realize the inequities associated with employment, upgrading, contracting and subcontracting for minorities and women, and will direct our efforts to correcting any deficiencies to the maximum extent possible. The same will be required of our contractors, subcontractors and/or suppliers.

III. AFFIRMATIVE ACTIONS

A. We will undertake a program of affirmative action to make known that equal employment and contract bidding opportunities are available on the basis of individual merit and to actively encourage minority and women participation.

B. We will seek qualified minority and women applicants/contractors/subcontractors for all job categories and will make particular efforts to increase minority and women group representation in occupations at the higher levels of skill and responsibility. All sources of employment shall be used and made aware that we are equal employment opportunity employers. All MBE and WBE Resource Agencies will be notified by REGISTERED MAIL with a follow-up contact. Documentation of this contact will be maintained as a permanent record throughout this project, and copies will be sent to the TIFC office.

C. We will require timely and approvable submittals of Affirmative Action Programs from all interested contractors/subcontractors who propose to work on this project (and when requested, from suppliers) and will take whatever steps are necessary to insure that non-minority contractors and subcontractors have adequate minority and women representation in their total workforces.

Respectfully submitted,

By__________________________________________  ____________ (Date)
                      (Company Executive)

By__________________________________________  ____________ (Date)
                      (Company E. O. Officer)
TO: All Developers
FROM: Mark M. Bunnell, Executive Director
RE: "Letter of Intent"

Attached is the format that should be used in submitting your Letter of Intent to the Board of Commissioners of this agency.

The Letter of Intent should outline the following requirements, as well as any other efforts you intend to set forth to meet these requirements:

1. The steps the developer will take to maximize MBE/WBE participation in all areas of the project, including professional services, and consulting as well as construction contracting.

2. It is the developer's responsibility to make sure that the General Contractor sends notice to MBE/WBE resource agencies by registered mail (return receipt requested) inviting bids from their membership. Notice must go out at least two weeks before bids are due.

3. Documentation will be submitted to this agency of follow-up telephone calls to the resource agencies or individual contractors.

This letter should be on your letterhead and submitted with the Developer's Affirmative Action Plan.

Attachment
Dear Sir:

The procedures outlined below are designed to insure that maximum MBE/WBE participation will be present on the above-referenced project.

The estimated timetable and steps we intend to take to insure that MBE/WBE participation will be provided and opportunities to bid on this project will be encouraged:

1.

2.

3.

On this project, we will insure that our general contractor will comply with the Tax Increment Financing Commission’s affirmative action guidelines and adhere to the steps we have outlined above.

Respectfully submitted,

(Company Executive)
PRE-AWARD COMMITMENTS

It is the responsibility of the developer to inform the Commission, in writing, of any pre-award commitments to professional service providers, contractors or suppliers. No more than 1/3 of the total subcontract work should be pre-awarded (see TIFC Board Resolution No. 92-61 contained in this packet).
RESOLUTION NO. 92-61

RESOLUTION

WHEREAS, the Tax Increment Financing Commission ("TIFC") Affirmative Action Policy was adopted and approved by the TIFC on May 26, 1988; and,

WHEREAS, the Commission has amended said Policy to instruct developers and their general contractors that they are strongly encouraged to avoid situations where a substantial portion (33% or more) of the subcontract work is awarded before the general contractor has made a serious attempt to secure interest and prices from Minority Business Enterprises and Women Business Enterprises ("MBE/WBE") in the area; and,

WHEREAS, the TIFC desires to take the below mentioned action in order to assure MBE/WBE businesses receive a more equitable involvement and share of construction, as well as professional and consultant services contract and subcontract work resulting from TIFC projects; and

WHEREAS, it is the policy of the TIFC for all of its projects to require developers and their contractors to make a good faith effort to accomplish the affirmative action goals of the Commission. It is the obligation and responsibility of the selected developer to perform in a good faith effort throughout the redevelopment process. A good faith effort is deemed to be those actions, including advertising in periodicals, making contacts with minority and women's trade associations and business development organizations, and other outreach activities, which may be necessary in order to accomplish, at a minimum, the TIFC's goals for the participation, directly or by joint venture arrangements, of 15% minority and 5% women business enterprises in the professional and consultant services, as well as in the construction activities resulting from TIFC projects.

NOW, THEREFORE, BE IT RESOLVED BY THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI:

1. The TIFC shall advise potential developers that as a condition to entering into a contract for TIFC redevelopment plans or projects, the developer will be required to follow an Affirmative Action Plan.

2. Potential developers shall be advised of this Policy by the Commission and/or the TIFC staff at the earliest possible time and no later than the TIFC's selection of the developer; the failure to communicate said Policy, however, shall not affect the developer's obligation to submit and follow an Affirmative Action Plan.

3. The TIFC reserves the right to examine the potential developer's pre-award commitments in terms of Affirmative Action objectives and goals.

4. In those instances where more than a third of the subcontractors have been awarded prior to selection of the developer, without MBE/WBE
participation, the TIFC shall take recognition of said facts and recommend appropriate action be taken by the developer to assure compliance with the approved Affirmative Action Plan.

5. All general contractors shall request that their potential subcontractors submit a "Subcontractor’s Affirmative Action Plan." These Plans shall be reviewed by the TIFC staff before a contractual agreement is signed between the general contractor and his subcontractor.

6. The TIFC has established a goal of 15% MBE and 5% WBE participation in professional and consultant services, as well as a separate goal of 15% MBE and 5% WBE participation in project construction activity for all redevelopment projects.

7. The obligation to accomplish the TIFC’s goals is that of the developer. The developer shall report to the TIFC the affirmative action accomplishments on an annual basis from the date the TIFC approves a contract with the developer until TIFC approval of a Certificate of Completion for each redevelopment project.

8. The TIFC will work with the City of Kansas City to certify compliance of all affirmative action plans and to assist the TIFC in implementing its affirmative action policy. The cost related to this process shall be the obligation of the selected developer and shall be recognized as reimbursable costs within each redevelopment project or area.

9. These policies do not relieve the developer or any other party participating in a TIF project of its obligations to comply with any other local, state, or federal law or regulation. If federal funds are involved and/or other agencies are monitoring affirmative action goals and compliance, the TIFC reserves the right to delegate to others, or suspend its affirmative action procedures.

Approved this 10th day of November, 1992

APPROVED:

________________________
Robert D. Mayer, Chairman

(SEAL)

ATTEST:

________________________
Mark M. Bunnell, Secretary
GOOD FAITH EFFORT STATEMENT

It is the policy of the TIFC for all of its projects to require developers and their contractors to make a good faith effort to accomplish the affirmative action goals of the Commission. It is the obligation and responsibility of the selected developer to perform in a good faith effort throughout the redevelopment process. A good faith effort is deemed to be those actions, including advertising in periodicals, making contacts with minority and women's trade associations and business development organizations, and other outreach activities, which may be necessary in order to accomplish, at a minimum, the TIFC's goals for the participation, directly or by joint venture arrangements, of 15% minority and 5% women business enterprises in the professional and consultant services, as well as in the construction activities resulting from TIF projects.

Statement of Agreement

I, ________________________, and the firm of ________________________, do hereby agree to make a "good faith effort" to implement the TIFC affirmative action policy for the ________________________ project.
TAX INCREMENT FINANCING COMMISSION

OF KANSAS CITY, MISSOURI

GENERAL CONTRACTOR’S AFFIRMATIVE ACTION

INFORMATION PACKET
AFFIRMATIVE ACTION PROCESS

The procedures outlined are designed to secure maximum opportunities for Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) to bid and participate on projects carried out by the Tax Increment Financing Commission's developers.

These procedures have been prepared in an effort to encourage developers and general contractors to use MBE/WBE businesses. The Tax Increment Financing Commission will bring its goals for MBE/WBE business participation to the attention of developers and contractors early so that MBE/WBE businesses will be included in the development and construction process.

It should be pointed out to the developer that the TIFC has a goal of 15% MBE and 5% WBE business participation for professional services and consultants, and a separate goal of 15% MBE and 5% WBE business participation for construction activity.

Step 1 - Preliminary Conference

Within a reasonable time after a potential developer has been identified by the Tax Increment Financing Commission, a conference will be held. This conference will be an overall review of the project, and the TIFC's policies and practices, including the affirmative action policy of the TIFC.

The developer will be given a packet of information and forms and will be acquainted with the Commission's affirmative action policy.

A. Equal Opportunity Requirements.

1. Each developer is required to complete an Affirmative Action Plan and submit a Letter of Intent. The plan is to be completed based upon the known information available to the developer prior to the Commission's approval of a redevelopment contract.

2. Pre-Award Commitments - The developer is to disclose to the Commission, in writing, any pre-award commitments to contractors or suppliers. No more than 1/3 of total subcontract dollars should be pre-awarded.

3. The Developer's Affirmative Action Information Packet will include the following materials and forms:

   1. Developer's Affirmative Action Plan
   2. Letter of Intent form
   3. Pre-Award Commitments
   4. TIFC Board Resolution No. 92-61
5. Good Faith Effort Statement
6. General Contractor's Affirmative Action Information Packet

The TIFC administrative staff will assist the developer in filling out his Affirmative Action Plan.

FILING OF AFFIRMATIVE ACTION PLAN
AT TIME OF DEVELOPMENT CONTRACT APPROVAL

Step II - Developer Submission for Board Approval of Redevelopment Plan

A. Prior to Commission approval of a contract with the selected developers, the developer shall submit all affirmative action documents for staff review and recommendation to the Board.

B. The TIFC staff will report on the developer’s Affirmative Action Plan and Letter of Intent at the time of the TIFC’s consideration and approval of the developer’s contract for the proposed redevelopment plan. The Letter of Intent will clarify the steps the developer intends to take in order to make his commitment of MBE/WBE participation a reality. The developer’s Affirmative Action Plan shall identify MBE/WBE participants in the pre-construction phase of the project, and the areas in which they will participate.

Step III - General Contractor Selection

When advised by the developer that a general contractor has been selected, the Commission staff will meet with the developer and general contractor to explain the Commission’s Affirmative Action requirements. This meeting should occur as early as possible in the TIF approval process.

A. At the meeting with the developer and the general contractor, the general contractor will be given a packet of information and forms to be filled out. The TIFC staff will acquaint the general contractor with the information contained in the packet, which includes the following:

1. Developer’s Affirmative Action Plan
2. Developer’s Letter of Intent
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6. MBE/WBE Reporting System
7. Prevailing Wage Law (Form PW 1000)
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10. MBE/WBE Resource Agencies
11. TIFC Board Resolution No. 92-61

B. The general contractor, as he identifies subcontractors, should update the Affirmative Action Plan for TIFC review. All subcontractors and suppliers whose bids are $20,000, or more, must submit a Subcontractor's Affirmative Action Plan to the Commission.

C. General Contractors must submit a list of subcontractors (MBE/WBE Reporting System form) to the Authority.

Step IV - Redevelopment Project Approvals and Implementation of the Affirmative Action Plan

A. Prior to Commission approval of the submission to the City of Kansas City of an Ordinance approving a redevelopment project(s) within a TIF redevelopment area, the Commission will receive:

1. A written statement detailing the current status of the developer's and general contractor's affirmative action plans, the level of participation accomplished in the project, and what steps are envisioned, or will be required to make a good faith effort to accomplish the project's affirmative action plans.

Step V - Pre-Construction Conference

A. Within a reasonable time before construction begins, the developer and contractor will meet with Commission staff to finalize their Affirmative Action Plans.

Step VI - Monitoring

A. During the construction of the project, the Commission staff and the developer will monitor the project to ensure the Affirmative Action Plan goals are being attained, or in the absence of achieving the goals, a Good Faith Effort is made to achieve the goals. The Commission shall receive annual reports from the developer on the progress of the project's affirmative action goals and be advised in this matter as the Commission deems appropriate.
DEVELOPER'S

AFFIRMATIVE ACTION PLAN

FOR

PROJECT__________________________________________

LOCATION________________________________________

TYPE OF DEVELOPMENT________________________________

I. GENERAL INFORMATION

Name of Company________________________________________

Address_______________________________________________

Phone Number________________________________________

Estimated Cost of Development $_______________________

A. The owner(s) and/or principal(s) of our company are:

(1) Name______________________________________________
    Address______________________________________________
    City, State, Zip________________________________________
    Position______________________________________________
    Ethnic Origin__________________________________________
    Ownership__________ %

(2) Name______________________________________________
    Address______________________________________________
    City, State, Zip________________________________________
    Position______________________________________________
    Ethnic Origin__________________________________________
    Ownership__________ %

(3) Name______________________________________________
    Address______________________________________________
    City, State, Zip________________________________________
    Position______________________________________________
    Ethnic Origin__________________________________________
    Ownership__________ %
B. The Equal Employment Opportunity Officer for our company is:
Name ___________________ Phone No. __________

C. The following MBE & WBE firms are anticipated to participate as members of the development team:

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D. If the project is a multi-phased project, it may be unrealistic to attempt to outline MBE and WBE participants for future phases at this time. If so, what steps will the Developer take to maximize MBE and WBE participation for the development team for those future project phases?

                      
                      
                      

E. In conjunction with this project, we propose to contract with the following types of suppliers of goods and services after construction:

                      
                      
                      

F. We agree to contact the agencies provided on the Resource List for technical assistance in obtaining qualified MBE and WBE firms and expect ____% of the subcontractors to go to MBE and WBE firms.

G. MBE and WBE Participation Requirements:

On this project we will insure that our contractor will comply with the TIFC's Affirmative Action guidelines which require participation by MBE and WBE subcontractors.
II. POLICY

A. We, the undersigned, are committed to non-discrimination in employment. Any person who applies for employment with this project or our company will not be discriminated against because of race, color, creed, sex or national origin.

B. The policies and practices of the undersigned are to recruit and to hire employees and/or contractors, subcontractors and suppliers without discrimination and to treat them equally with respect to compensation and opportunities for advancement, including upgrading, promotion, transfer and bidding and contracting negotiations. We realize the inequities associated with employment, upgrading, contracting and subcontracting for minorities and women, and will direct our efforts to correcting any deficiencies to the maximum extent possible. The same will be required of our contractors, subcontractors and/or suppliers.

III. AFFIRMATIVE ACTIONS

A. We will undertake a program of affirmative action to make known that equal employment and contract bidding opportunities are available on the basis of individual merit and to actively encourage minority and women participation.

B. We will seek qualified minority and women applicants/contractors/subcontractors for all job categories and will make particular efforts to increase minority and women group representation in occupations at the higher levels of skill and responsibility. All sources of employment shall be used and made aware that we are equal employment opportunity employers. All MBE and WBE Resource Agencies will be notified by REGISTERED MAIL with a follow-up contact. Documentation of this contact will be maintained as a permanent record throughout this project, and copies will be sent to the TIFC office.

C. We will require timely and approvable submittals of Affirmative Action Programs from all interested contractors/subcontractors who propose to work on this project (and when requested, from suppliers) and will take whatever steps are necessary to insure that non-minority contractors and subcontractors have adequate minority and women representation in their total workforces.

Respectfully submitted,

By ________________________________  ____________________________
             (Company Executive)  (Date)

By ________________________________  ____________________________
             (Company E. O. Officer)  (Date)
Tax Increment Financing Commission
of Kansas City, Missouri
10 Petticoat Lane, Suite 250
Kansas City, Missouri 64106

Attention: Executive Director

Re: Development Area
Re: Redevelopment Project
Location
Construction Cost $____________

Dear Sir:

The procedures outlined below are designed to insure that maximum MBE/WBE participation will be present on the above-referenced project.

The estimated timetable and steps we intend to take to insure that MBE/WBE participation will be provided and opportunities to bid on this project will be encouraged:

1.

2.

3.

On this project, we will insure that our general contractor will comply with the Tax Increment Financing Commission’s affirmative action guidelines and adhere to the steps we have outlined above.

Respectfully submitted,

(Company Executive)
PRE-AWARD COMMITMENTS

It is the responsibility of the developer to inform the Commission, in writing, of any pre-award commitments to professional service providers, contractors or suppliers. No more than 1/3 of the total subcontract work should be pre-awarded (see TIFC Board Resolution No. 92-61 contained in this packet).
GENERAL CONTRACTOR'S

AFFIRMATIVE ACTION PLAN

FOR

PROJECT_________________________________________________________

LOCATION______________________________________________________

TYPE OF DEVELOPMENT___________________________________________

GENERAL CONTRACTOR

Name____________________________________________________________

Address......................................................................................

Phone Number______________________

E. O. Officer/Contact Person_______________________________________

DEVELOPER:

Name____________________________________________________________

Address......................................................................................

Phone No._______________________________________________________

I. GENERAL INFORMATION

A. The owner(s) and/or principal(s) of our company are:

   (1) Name_____________________________________________________
       Address...........................................................................
       City, State, Zip____________________________________________
       Position__________________________________________________
       Ethnic Origin______________________________________________
       Ownership___________________ %
(2) Name __________________________
   Address __________________________
   City, State, Zip ____________________
   Position __________________________
   Ethnic Origin ______________________
   Ownership ________________________ %

(3) Name __________________________
   Address __________________________
   City, State, Zip ____________________
   Position __________________________
   Ethnic Origin ______________________
   Ownership ________________________ %

B. Estimated Construction Dates:
   Start _______________ Completion __________

C. Total number of persons employed by the company:
   ____________________________________________

Manpower utilized on this project will be in the following areas:

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<tr>
<th>TRADES &amp; SKILLS</th>
<th>TOTAL</th>
<th>MINORITIES</th>
<th>% OF</th>
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<tr>
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<td>MALE</td>
<td>FEMALE</td>
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</table>

D. In conjunction with this project, we propose to subcontract the following types of work:
   ____________________________________________
   ____________________________________________
   ____________________________________________

E. We agree to contact the agencies provided on the Resource List for technical assistance in obtaining qualified MBE and WBE contractors and expect % of the subcontract amount to go to MBE contractors, and % of the subcontract amount to go to WBE contractors.
F. On this project we will comply with the TIF Commission’s Affirmative Action
guidelines which requires participation by MBE and WBE subcontractors.

G. We will seek qualified minority subcontractors for all job categories and will
make particular efforts to increase minority group representation in
occupations at the higher levels of skill and responsibility. All sources of
employment shall be used and made aware that we are equal employment
opportunity employers. All Minority Resource Agencies will be notified by
REGISTERED MAIL, with a follow-up contact. Documentation of this
contact will be maintained as a permanent record throughout this project, and
copies will be sent to the TIFC office.

II. EMPLOYMENT GOALS

A. We will take the following affirmative actions to insure that MBE/WBE
subcontractors and/or suppliers are provided opportunities to negotiate
and/or bid on the project:

________________________________________

________________________________________

B. We agree that placements, promotions and transfer activities at all levels will
be made to insure that full consideration has been given to qualified minority
and women employees. Our present minority employees are identified on
Appendix A.

C. We will require timely and approvable submittals of Affirmative Action Plans
from all subcontractors who propose to work on this project.

III. PREVAILING WAGE

The contractor shall comply with all prevailing wage laws, rules and regulations.

IV. FAILURE TO FOLLOW GOALS

The undersigned understands that the failure or refusal to follow through with
implementation of these Affirmative Action goals that are herein stated may be
deemed by the TIFC as a total breach of our contractual obligations with the
Commission and that this contract, or other contracts, may be terminated, cancelled
or suspended in whole or in part.

Respectfully submitted,

By____________________________________  (Date)____________________

(Company Executive)
SUBCONTRACTOR'S
AFFIRMATIVE ACTION PLAN
FOR

PROJECT____________________________________

LOCATION____________________________________

TYPE OF DEVELOPMENT____________________________________

SUBCONTRACTOR

Name____________________________________

Address____________________________________

Phone Number____________________________________

E. O. Officer/Contact Person____________________________________

DEVELOPER:

Name____________________________________

Address____________________________________

Phone No.____________________________________

I. GENERAL INFORMATION

A. The owner(s) and/or principal(s) of our company are:

   (1) Name____________________________________
       Address____________________________________
       City, State, Zip____________________________________
       Position____________________________________
       Ethnic Origin____________________________________
       Ownership______________%,
II. AFFIRMATIVE ACTION

A. We, the undersigned, will take whatever steps are necessary to ensure that our total workforce has adequate qualified minority representation. We will utilize any means or methods to correct any deficiencies in minority employment, placement, promotion and contracting/subcontracting services.
B. We agree that placements, promotions and transfer activities at all levels will be made to insure that full consideration has been given to create opportunities for qualified minority and women group employees. Our present minority employees are identified on Appendix A.

C. The undersigned understands that the failure or refusal to follow through with implementation of these Affirmative Action goals that are herein stated may be deemed by the TIFC as a total breach of our contractual obligations with the Commission and that this contract, or other contracts, may be terminated, cancelled or suspended in whole or in part.

Respectfully submitted,

By ____________________________  ____________________________
(Company Executive)  (Date)
APPENDIX A

MINORITY EMPLOYEES

List the name, address, trade, classification, date hired, sex and ethnic origin for each minority person employed by your company.

<table>
<thead>
<tr>
<th>Name &amp; Address</th>
<th>Trade</th>
<th>Classification</th>
<th>Date Hired</th>
<th>Sex</th>
<th>Ethnic Origin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex. John K. Smith</td>
<td>Electrician</td>
<td>Journeyman</td>
<td>10/12/79</td>
<td>M</td>
<td>Hispanic</td>
</tr>
<tr>
<td>711 America St.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Omaha, NE 00000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.

2.

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8.

9.

10.

(Use additional sheets as necessary)
MBE/WBE REPORTING SYSTEM

List of Subcontractors

Project

Total Dollar Amount of construction costs: $__________

The following are subcontractors being utilized on our project:

<table>
<thead>
<tr>
<th>Name &amp; Address</th>
<th>Scope of Work</th>
<th>Amount of Contract</th>
<th>MBE/WBE</th>
</tr>
</thead>
</table>

Total MBE/WBE subcontract amount: $__________

Total MBE/WBE percentage: _________%
PREVAILING WAGE LAW*
(Public Body + Public Works + Public Funds)

CHECK OFF LIST

It is the statutory policy of the State of Missouri "that a wage of no less than the prevailing hourly rate of wages for work of a similar character in the locality in which the work is performed, shall be paid to all workers employed by or on behalf of any public body engaged in public works exclusive of maintenance work." Section 290.220, RSMo. Because of the strict penalties prescribed for the failure to comply with the procedure required by law in order to effectuate this policy, the following is suggested as a primary "Check Off List" to be used by every person charged with any responsibility under the law before taking off on any public works project.

I

BEFORE CONTRACT IS LET

A. Request the Division of Labor Standards to determine the prevailing hourly rates of pay for workers to be employed in the type of work called for in the contemplated public works before calling for bids. Section 290.250, 290.325. (Division of Labor Standards, P.O. Box 449, Jefferson City, Missouri 65102, Area Code 314-751-3403).

B. When a public body has solicited bids upon a public works project within the scope of the prevailing wage law without having first secured a wage determination, the project must be rebid with the wage determination incorporated in the bid specifications.

C. Specify in the resolution of ordinance and in the call for bids for the contract, what is the prevailing hourly rate of wages in the locality for each type of worker needed to execute the contract and also the general prevailing rate for legal holiday and overtime work, all as determined by the Division of Labor Standards, Section 290.250.

D. Insert in the contract a stipulation to the effect that not less than the prevailing hourly rate of wages specified shall be paid to all workers performing work under the contract, Section 290.250.

E. Insert in the contract a stipulation that the contractor shall forfeit as a penalty to the state, county, city and county, city, town, district, or other political sub-division on whose behalf the contract is made or warded, ten dollars for each worker employed, for each calendar day, or portion thereof, such worker is paid less than the said stipulated rates for any work done under said contract, by the contractor or by any subcontractor under them, Section 290.250.

F. Require in all contractor’s bonds that they include such provisions as will guarantee the faithful performance of the prevailing hourly wage clause as provided by contract, Section 290.250.
II

WHILE CONTRACT IS BEING PERFORMED

A. Take cognizance of all complaints of all violations of the provisions of the Prevailing Wage Law. Section 290.250.

B. Make sure a clearly legible statement of all prevailing hourly wage rates to be paid to all workers employed in order to execute the contract and employed on the construction of the public works is kept posted in a prominent and easily accessible place at the site thereof by each contractor and subcontractor engaged in the public works projects under the provisions of this law and require that such notice shall remain posted during the full time that any worker shall be employed on the public works. Section 290.265.

C. Inspect periodically and when complaints are made the records of the contractor required to be kept pertaining to the wages paid all workers employed in the construction of the public works. Section 290.290.

D. Notify the Division of Labor Standards when a violation of the law is discovered so that proper notice of the violation can be made and the Attorney General alerted. Section 290.335.

III

BEFORE CONTRACT IS FULLY PAID

A. Before final payment is made an affidavit must be filed by the contractor stating that he has fully complied with the Prevailing Wage Law. No payment can be made unless and until this affidavit is filed in proper form and order. Sections 290.290, 290.325.

B. Withhold and retain therefrom all sums and amounts due and owing as a result of any violation of the Prevailing Wage Law. Section 290.250.

Of course, before proceeding with any public works project all statutes pertaining to the payment of wages on public works projects contained in Sections 290.210 thru 290.340, RSMo 1978, should be carefully consulted.

If we can be of any further assistance, please write or call the Prevailing Wage Section of the Division of Labor Standards.

DIVISION OF LABOR STANDARDS
Prevailing Wage Section
BID PROCEDURE

The developer will inform the TIFC, in writing, of any pre-award commitments to contractors or suppliers. No more than 1/3 of subcontract work should be pre-awarded (see TIFC Board Resolution No. 92-61).

The General Contractor will send notices to one or more of the MBE/WBE resource agencies (list included in this packet) by registered mail (return receipt requested) inviting bids from their membership. This agency should be provided copies of the registered mail receipts and notices. Notices must go out at least two weeks before bids are due.

The General Contractor should submit two (2) sets of plans and specifications to the MBE/WBE resource agencies for their membership to review.

This agency should be provided documentation of follow-up telephone calls to the resource agencies or to individual contractors after notices have been sent.

The Commission reserves the right to review any and all bids before final selection by the General Contractor if the affirmative action goals of the TIFC are not likely to be accomplished.
GOOD FAITH EFFORT STATEMENT

It is the policy of the TIFC for all of its projects to require developers and their contractors to make a good faith effort to accomplish the affirmative action goals of the Commission. It is the obligation and responsibility of the selected developer to perform in a good faith effort throughout the redevelopment process. A good faith effort is deemed to be those actions, including advertising in periodicals, making contacts with minority and women’s trade associations and business development organizations, and other outreach activities, which may be necessary in order to accomplish, at a minimum, the TIFC’s goals for the participation, directly or by joint venture arrangements, of 15% minority and 5% women business enterprises in the professional and consultant services, as well as in the construction activities resulting from TIF projects.

Statement of Agreement

I, ____________________________, and the firm of ____________________________, do hereby agree to make a "good faith effort" to implement the TIFC affirmative action policy for the ____________________________ project.
MBE/WBE RESOURCE AGENCIES

BLACK ECONOMIC UNION
1601 E. 18th Street, Suite 300
Kansas City, Missouri 64108
474-1080

DEPARTMENT OF HUMAN RELATIONS
4th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106
274-1432

NATIONAL ASSOCIATION OF MINORITY WOMEN IN BUSINESS
900 Grand Avenue, Suite 500
Kansas City, Missouri 64106-2007
421-3335

MINORITY CONTRACTORS ASSOCIATION
1720 D, The Paseo
Kansas City, Missouri 64108
472-4900 (Contact: Jim Watts)

HISPANIC CHAMBER OF COMMERCE
1104 E. 11th Street
Kansas City, Missouri 64106
474-3238

KANSAS CITY HISPANIC ASSOCIATION CONTRACTORS ENTERPRISE
1104 E. 11th Street
Kansas City, Missouri 64106
474-3238

KANSAS CITY MINORITY BUSINESS DEVELOPMENT CENTER
1000 Walnut, Suite 1000
Kansas City, Missouri 64106
221-6500

KANSAS CITY SOCIETY OF BLACK ARCHITECTS AND ENGINEERS
P. O. Box 15772
Kansas City, Missouri 64106-9998
342-3456

WOMEN CONSTRUCTION OWNERS AND EXECUTIVES
1605 N.E. 64th Street
Gladstone, Missouri 64118
KANSAS CITY MINORITY SUPPLIER DEVELOPMENT COUNCIL (KCMSDC)
1305 Walnut, Suite 300
Kansas City, Missouri 64106
472-6464 (Contact: Greg Baker)
EXHIBIT 13

DESIGN REVIEW PROCESS

All redevelopment proposals for the Tax Increment Finance Commission of Kansas City, Missouri will be subject to design review and approval by the Commission. In addition, all development proposals for new construction, or the rehabilitation of existing structures within designated Tax Increment areas will be subject to the Commission's design review and approval. This review will evaluate the quality and appropriateness of the proposal on the basis of the design objectives stated in the Plan and in the special land use and building requirements stated in more detailed and refined Development Objectives and Controls which may be prepared for the site.

This review will be conducted by the Commission. The Commission may engage professional consulting services from time to time to provide technical advice. Required submissions shall be made to the Commission through the Executive Director.

Required submission will occur at three stages in the preparation of redevelopment proposals. Additional informal reviews at the request of either the Redeveloper or the Commission Staff are encouraged. It is the intention of the Commission Staff that once approval has been given of a submission stage, further review will be limited to consideration of a development or refinement of previous approved submission, or to new elements which were not present in previous submissions.

The formal stages of submission follow:

1. **SCHEMATIC DESIGN**

This review is intended to secure agreement on and approval of the basic design concept prior to extensive work by the Redeveloper's Architect. The Commission does not encourage submission of more than the following, which it feels is sufficient to describe the proposal:

(a) Site plan at any appropriate scale (1"=100' and 1"=40' are preferred scales); emphasizing general relationships of proposed and existing buildings, walls and open space, including that mutually defined by buildings on adjacent parcels and across streets. The general location of walks, driveways, parking, service areas, roads and major landscape features, in addition to the buildings, should be shown. Pedestrian and vehicular flow through the parcel and to adjacent areas shall be shown. Where relevant, site sections showing height relationships with proposed and adjacent buildings shall be provided.

(b) Building plans, elevations, and sections at any appropriate scale, showing organization of functions and spaces. These drawings need not be more detailed than sufficient to indicate general architectural character and proposed finish materials.

(c) All sketches, diagrams, and other materials relevant to the proposal which were used by the architect during his initial study and which will help to clarify the architect's problem and his solution to it.

(d) Written statement of proposal, including total square footage, F.A.R.,
number of parking spaces, structural system and principal building materials, and estimated costs.

(e) Proposed time schedule for the following submissions and estimated construction time.

Upon approval by the Commission of the SCHEMATIC DESIGN, the following submission is required:

2. **DESIGN DEVELOPMENT**

This review is intended to secure agreement on and approval of the final design prior to extensive and detailed work on the preliminary working drawings.

(a) Site Plan development of 1(a) at 1" = 40' minimum (or as determined after approval of SCHEMATIC DESIGN). Phasing possibilities, if any, shall be shown. Proposed site grading, including typical existing and proposed grades at parcel lines shall be shown. Those areas of the site proposed to be developed by others or easements to be provided for others shall be clearly indicated. All dimensions which may become critical from the point of view of zoning shall be indicated. Adjacent buildings, streets and buildings across streets must be indicated.

(b) Site sections at 1" = 40' (minimum) showing vertical relationships in addition to those shown above.

(c) Building plans, elevations, and sections developed from those of 1(b).

(d) Time schedule for the following submission.

Upon approval by the Commission of the DESIGN DEVELOPMENT, the following submission is required:

3. **FINAL WORKING DRAWINGS AND SPECIFICATIONS**

This review is intended to secure final agreement on and approval of the contract documents and the complete proposal.

(a) Complete site plans for the final parcel development to working drawing level of detail. These drawings, upon approval, will serve as a basic coordination drawing indicating scope of work and responsibilities to be performed by others.

(b) Complete working drawings and specifications ready for bidding.

(c) Statement of proposal, indicating differences, if any, from 1(d).

(d) Time schedule for construction of this project.

(e) Detailed financial plan, including costs, rents and operation.

Once FINAL WORKING DRAWINGS AND SPECIFICATIONS have been approved and construction started, the only items subject to an additional review will be requests for change orders in the construction. The Redeveloper is strictly required to construct
the project in accordance with all details of the approved drawings. Permission to make changes from such approved drawings must be requested by the Redeveloper in writing to the Director of Planning, who, in turn, will reply in writing, giving his approval or disapproval of the changes. No changes in the work are to be undertaken until such approval has been obtained.
EXHIBIT 14. DEFINITIONS

As used in this Plan, the following terms shall mean:

A. "Blighted area," an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

B. "Conservation area," any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: Dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;

C. "Economic Activity Taxes," fifty percent (50%) of the total additional revenue from taxes which are imposed by the municipality or other taxing districts, which are generated by economic activities within the Redevelopment Project Area, while tax increment financing remains in effect, excluding licenses, fees or special assessments, other than payments in lieu of taxes, until the designation is terminated pursuant to subsection 2 of Section 99.850 of the Act;

D. "Economic Development area," any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions A and B of this section, and in which the governing body of the municipality finds that redevelopment is in the public interest because it will:

1. Discourage commerce, industry or manufacturing from moving their operations to another state; or
2. Result in increased employment in the municipality; or
3. Result in preservation or enhancement of the tax base of the municipality.

E. "Municipality," a city, village, or incorporated town or any county of this state;

F. "Obligations," bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality or the Commission to carry out a redevelopment project or issued by a municipality to refund outstanding obligations;

G. "Ordinance," an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing
body is not authorized to enact ordinances;

H. "Payment in lieu of taxes," those estimated revenues from real property in the area selected for a redevelopment project, which revenues, according to the redevelopment project or plan, are to be used for a public purpose, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to the Act. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in Section 88.861;

I. "Redevelopment Area," an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, economic development area, or a combination thereof.

J. "Redevelopment plan," the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the Redevelopment Area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the Redevelopment Area;

K. "Redevelopment Project," any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan, any such redevelopment project shall include a legal description of the area selected for the redevelopment project.

L. "Redevelopment Project Area," the area selected for a specific redevelopment project;

M. "Redevelopment Project Costs" Include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

1. Costs of studies, surveys, plans and specifications;

2. Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services;

3. Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

4. Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

5. Initial costs for an economic development area;
6. Cost of construction of public works or improvements;

7. Financing costs, including, but not limited to all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued hereunder accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

8. All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project to the extent the municipality by written agreement accepts and approves such costs;

9. Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

10. Payments in lieu of taxes;

N. "Taxing districts," any political subdivision of this state having the power to levy taxes;

O. "Taxing districts' capital costs," those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

P. "Vacant land," any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

Q. "Special Allocation Fund," a fund created pursuant to statute into which payments in lieu of taxes and economic activity taxes are deposited and out of which Redevelopment Project Costs are reimbursed.