

**THIRD AMENDMENT TO THE
SHOAL CREEK
TAX INCREMENT FINANCING PLAN**

TIF COMMISSION APPROVAL:

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|----------------|----------------|
| <u>3-10-04</u> | <u>3-12-04</u> |
| DATE: | RESOLUTION NO. |

CITY COUNCIL APPROVAL:

| | |
|----------------|---------------|
| <u>4-29-04</u> | <u>040457</u> |
| DATE: | ORDINANCE NO. |

**Third Amendment
to the Shoal Creek
Tax Increment Financing Plan**

The Third Amendment to the Shoal Creek Tax Increment Financing Plan (hereinafter the "Third Amendment") is intended to amend the Shoal Creek Tax Increment Financing Plan, as approved by the City Council of Kansas City, Missouri by Ordinance No. 941443, the First Amendment to the Shoal Creek Tax Increment Financing Plan, as approved by Ordinance No. 971310 and the Second Amendment to Shoal Creek Tax Increment Financing Plan, as approved by Ordinance No. 21283 (collectively, the Shoal Creek Tax Increment Financing Plan, as amended, shall hereinafter be referred to as the "Plan"). The Third Amendment provides that: (i) Payments In Lieu of Taxes (PILOTS) will be used to pay for certain costs related to the construction of the "Flintlock Flyover" (as hereafter defined) and (ii) tax increment financing revenues ("TIF Revenues") will be used to assist in financing the construction of Shoal Creek Parkway from I-435 to Pleasant Valley Road, Flintlock Road from 76th Street to the Flintlock Flyover and related improvements (the Flintlock Flyover Project"). The TIF Revenues generated within the Redevelopment Area would continue to be used only for public infrastructure improvements. The Third Amendment does not alter or modify the intent of the Plan , except for those changes specifically mentioned herein.

Description of "Flintlock Flyover" Project

A study conducted by the Liberty School District and the City of Liberty, Missouri in year 2000 concludes that the connection of Flintlock Road with South Liberty Parkway will be beneficial to both the City of Kansas City, Missouri and the City of Liberty, Missouri. The connection will primarily reduce the traffic congestion at I-35/M152 and I-35/Plesant Valley Road interchange. Secondary benefits will include the ability of Kansas City, Missouri residents to access Liberty, Missouri for commercial purposes and vice versa. Additionally, the implementation of the Flintlock Flyover Project provides the Liberty School District an alternative route to serve its school population west of I-35. This connection will be achieved by extending Flintlock Road south over I-35 into Liberty. The projected costs for the Flintlock Flyover Project is \$18.5 million dollars.

Amendment No. 1: Delete Exhibit 3, Specific Objectives of Redevelopment Plan, and insert the revised Exhibit 3, attached hereto, in lieu thereof.

Amendment No. 2: Add a new Exhibit called Exhibit 3A – "Proposed Road improvements" as a supplement to Exhibit 3.

Amendment No. 3: Delete Exhibit 4, Estimated Redevelopment Project Costs, and insert the revised Exhibit 4, attached hereto, in lieu thereof.

Amendment No. 4: Delete the first paragraph of Section I.A., Summary, and insert the following:

Summary: The Shoal Creek Parkway Tax Increment Financing Plan calls for the development of the Redevelopment Area through the construction of the Shoal Creek Parkway running between N. Pleasant Valley to N.E. 96th Street and continuing on to N. Brighton Avenue; N.E. 72nd Street between Gladstone City Line and N. Brighton; Maplewoods Parkway between N. Brighton and Shoal Creek Parkway; N.E. 76th Street between Interstate 35 and Maplewoods Parkway; N.E. 96th Street between Shoal Creek Parkway and N. Flintlock Road; N. Flintlock Road between N.E. 96th Street and N.E. 76th Street and continuing on to the Flyover at Interstate 35; and N. Brighton Avenue between Missouri Route 152 and N. Pleasant Valley;

Amendment No. 5: Delete the first paragraph of Section II.A., Estimated Redevelopment Project Costs, and insert the following:

A. Estimated Redevelopment Project Costs. Estimated redevelopment project costs for the Plan are projected to be approximately \$70,002,555 over the life of the Plan. The Plan proposes that approximately \$51,899,845 in Redevelopment Project Costs be reimbursable from the Special Allocation Fund. The reimbursable Project Costs include those shown set forth in Exhibit 4.

Amendment No. 6: Delete Section II.B., Limitation on Project Costs, and insert the following in lieu thereof:

B. Limitation on Project Costs: Any agreement for the implementation of the Plan shall include the following:

Except as otherwise agreed to in writing by the Liberty, Missouri Public School District and the North Kansas City, Missouri Public School District, the City of Kansas City, Missouri and the Commission hereby agree that, after the year 2000:

- (1) No PILOTS generated and collected within the Redevelopment Plan Area shall be used to reimburse Redevelopment Costs arising under the Plan;
- (2) All PILOTS generated and collected within the Redevelopment Plan Area shall be deemed surplus funds and shall be distributed in accordance with the Act; and
- (3) The Liberty, Missouri Public School District, and the North Kansas City, Missouri Public School District are intended third party beneficiaries of the provisions of this section.

Amendment No. 7: Delete the last sentence of the first paragraph of Section VII.,
Estimated Equalized Assessed Valuation After Redevelopment specifically

“It is to be noted that no PILOTS collected after the year 2000 will be available to
fund roads but instead will go back to the respective taxing jurisdictions.”

Revised 03/04

EXHIBIT 3
SPECIFIC OBJECTIVES OF REDEVELOPMENT PLAN

1. To cure the conditions which cause the Redevelopment Area to qualify as an Economic Area under the Act by constructing street improvements necessary to provide access to Redevelopment Area.
2. 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.
3. To promote the health, safety, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.
4. To provide development/business opportunities in the areas selected for redevelopment projects and the surrounding areas.
5. To stimulate construction employment opportunities and increased demand for secondary and support services for the surrounding commercial area.
6. To stimulate residential development and commercial use consistent with that shown in the Shoal Creek Valley Area Plan.
7. To provide for construction of portions of: Shoal Creek Parkway from N. Pleasant Valley to N.E. 96th Street and continuing on to N. Brighton Avenue; N.E. 72nd Street between Gladstone Cl. and N. Brighton; Maplewoods Parkway between N. Brighton and Shoal Creek Parkway; N.E. 76th Street between Interstate 35 and Maplewoods Parkway; N.E. 96th Street between Shoal Creek Parkway and N. Flintlock Road; N. Flintlock Road between N.E. 96th Street and N.E. 76th Street and continuing on to the Flyover at Interstate 35; and N. Brighton Avenue between Missouri Route 152 and N. Pleasant Valley;

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SHOAL CREEK TIF ROAD IMPROVEMENTS

Shoal Creek Pkwy
 A1 - Hodge Park south to I-435
 A2 - Hodge Park north to NE 96th St
 A3 - NE 96th St west to I-435
 A4 - I-435 to N. Brighton Ave.

72nd St
 B - Gaidstone CL to N. Brighton Ave

Maplewoods Pkwy
 C - Shoal Creek Pkwy west to N. Brighton Ave

NE 76th St
 D1 - I-35 west to Shoal Creek Pkwy
 D2 - Shoal Creek Pkwy west to N. Brighton Ave.
 D3 - N. Brighton Ave west to Maplewoods Pkwy

NE 96th St
 E - Shoal Creek Pkwy east to Flintlock Rd

Flintlock Road
 F1 - MO 152 north to NE 96th St
 F2 - MO 152 south to NE 76th St
 F3 - Flintlock Flyover

N. Brighton Ave
 G1 - MO 152 south to NE 76th St
 G2 - NE 72nd St south to NE Pleasant Valley Road
 G3 - NE 76th St south to NE 72nd St

Shoal Creek TIF road improvements

- Completed
- - - Proposed
- ⋯ Under Construction

Shoal Creek TIF Boundary

Shoal Creek TIF

City of Kansas City Boundary



**EDC EXHIBIT 3A
 PROPOSED ROAD
 IMPROVEMENTS**

03/02/04 Prepared by the Economic Development Corporation of Kansas City, MO

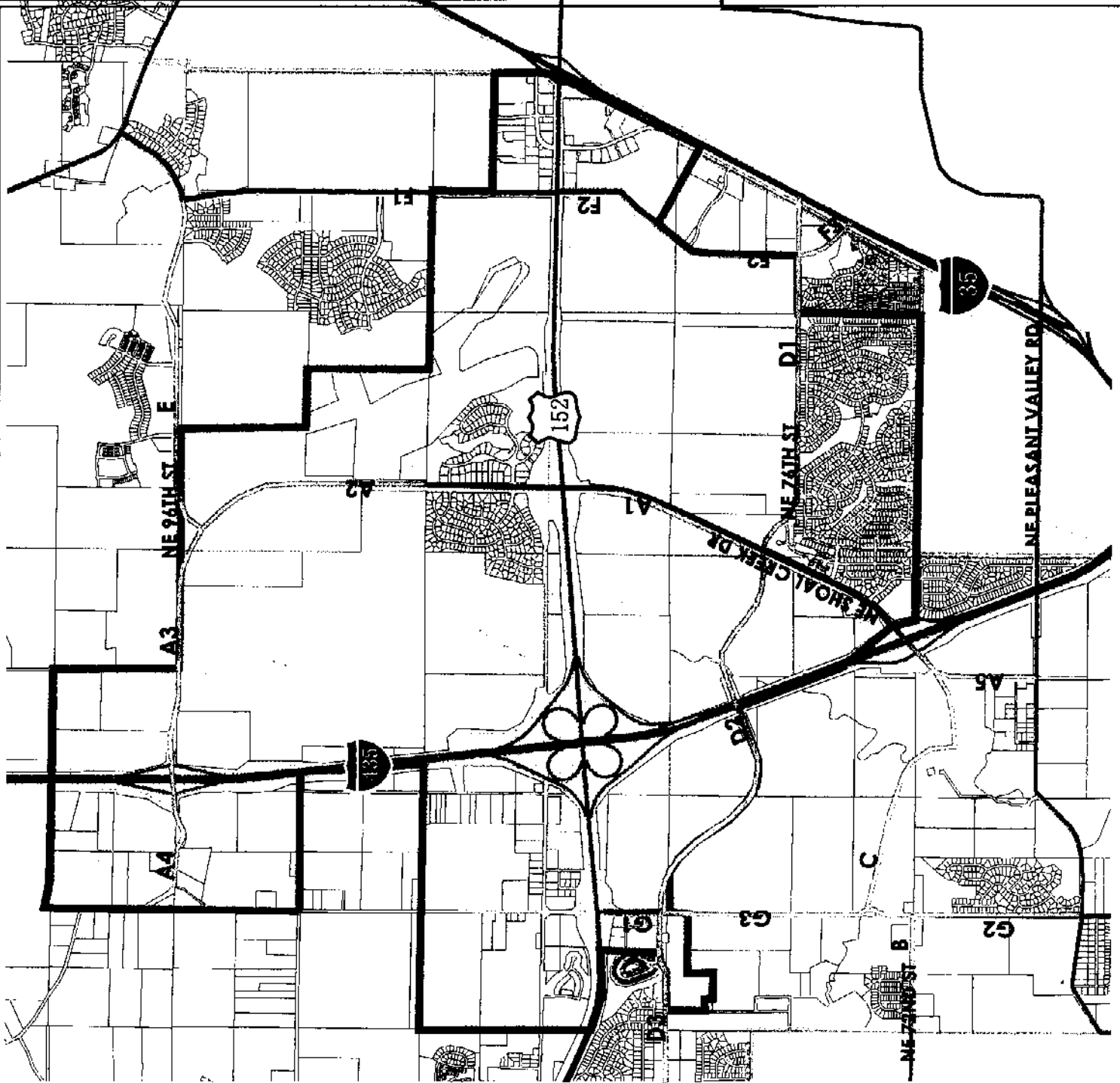


EXHIBIT 4
ESTIMATED REDEVELOPMENT PROJECT COSTS

Insert

| | PROJECT COSTS | REIMBURSABLE COSTS |
|---|----------------------|-----------------------|
| COMMISSION EXPENSES* | | |
| Plan and Project Administration Expenses (including expenses for affirmative action administration)** | \$330,000 | \$330,000 |
| STREET IMPROVEMENTS | | |
| A. Shoal Creek Parkway Construction | | |
| 1. Hodge Park South to Interstate 435 | \$ 7,314,755 | \$ 4,012,045 |
| 2. Hodge Park North to N.E. 96th Street | \$ 2,758,000 | \$ 2,758,000 |
| 3. N.E. 96th Street West to Interstate 435 | \$ 3,131,400 | \$ 3,131,400 |
| 4. Interstate 435 West to N. Brighton | \$ 1,513,700 | \$ 1,513,700 |
| 5. Interstate 435 West to N. Pleasant Valley | \$ 3,692,500 | \$ 3,692,500 |
| Subtotal for Shoal Creek Parkway | \$ 18,410,355 | \$ 15,107,845 |
| B. N.E. 72nd Street between Gladstone CL to N. Brighton | \$ 921,600 | \$ 921,600 |
| C. Maplewoods Parkway between N. Brighton to Shoal Creek Parkway | \$ 7,215,000 | \$ 7,215,000 |
| D. N.E. 76th Street | | |
| 1. Interstate 35 to Shoal Creek Parkway | \$ 2,304,000 | \$ 2,304,000 |
| 2. Shoal Creek Parkway to N. Brighton | \$ 2,995,200 | \$ 2,995,200 |
| 3. N. Brighton to Maplewoods Parkway | \$ 1,267,200 | \$ 1,267,200 |
| Subtotal for N.E. 76th Street | \$ 6,566,400 | \$ 6,566,400 |
| E. N.E. 96th Street between Shoal Creek Parkway and N. Flintlock Road | \$ 2,880,000 | \$ 2,880,000 |
| F. N. Flintlock Road | | |
| 1. N.E. 96th Street to Missouri Route 152 | \$ 2,880,000 | \$ 2,880,000 |
| 2. Missouri Route 152 to N.E. 76th Street | \$ 1,843,200 | \$ 1,843,200 |
| 3. Flintlock Flyover ***** | \$ 18,500,000 | \$ 3,700,000 |
| Subtotal for N. Flintlock Road | \$ 23,223,200 | \$ 8,423,200 |
| G. N. Brighton Avenue | | |
| 1. Missouri Route 152 to N.E. 76th Street | \$ 2,304,000 | \$ 2,304,000 |
| 2. N.E. 72nd Street to N. Pleasant Valley | \$ 1,152,000 | \$ 1,152,000 |
| 3. N.E. 76th Street to N.E. 72nd Street | \$ 7,000,000 | \$ 7,000,000 |
| Subtotal for N. Brighton Avenue | \$ 10,456,000 | \$ 10,456,000 |
| Total | \$ 70,002,555 | \$ 51,899,845 |

Developer contributions for the paving of two lanes will reduce total reimbursable costs as shown here.

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

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

*** The City's Public Works Department, Parks and Recreation Department or its agents will construct the specified road improvements. TIF will reimburse the costs associated with grading four lanes and paving two lanes of the roadway. Affected developers will be financially responsible for paying cost of paving the remaining two lanes. In the event that the City or its agents are prepared to construct the specified road improvements and no affected developers are identified, TIF will be used to pay all the costs associated with the road improvements. When development occurs in the vicinity of the TIF financed roadways, the affected developer(s) shall reimburse the costs of paving two lanes.

**** Costs of street improvements include the costs of medians, streetlighting, engineering, sidewalks, curbs and gutters, and enhancements. No right-of-way costs have been figured except in item G3; it is anticipated that right-of-way costs will be minimal.

***** These are estimates based on a study conducted by Liberty School District.

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