

ORDINANCE NO. 081118

Accepting the recommendations of the Tax Increment Financing Commission as to the Eighth Amendment to the Shoal Creek Parkway Tax Increment Financing Plan; approving the Eighth Amendment to the Shoal Creek Parkway Tax Increment Financing Plan; and designating an expanded redevelopment area.

WHEREAS, the Council by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on November 10, 1994, the Council passed Ordinance No. 941443, which accepted the recommendations of the Commission as to the Shoal Creek Parkway Tax Increment Financing Plan (the "Redevelopment Plan"), approved the Redevelopment Plan, found the Redevelopment Area to be an economic development area; designated the Redevelopment Area as a Redevelopment Area pursuant to the Act; approved an agreement with the Commission; and authorized the Commission to take all such action as may be needed to effectuate the Redevelopment Plan; and

WHEREAS, the First Amendment expanded the boundaries of the Redevelopment Area and provided for the use of tax increment financing revenues to assist in financing construction of certain portions of Shoal Creek Parkway and side walks, street lights and appurtenances and was approved by the Council in Ordinance No. 971310, passed October 2, 1997; and

WHEREAS, the Second Amendment provided for the addition of two projects for the development of additional commercial space in the expanded Redevelopment Area and was approved by the Council in Ordinance No. 021283 passed October 31, 2002; and

WHEREAS, the Third Amendment provided for payments in lieu of taxes to pay for certain costs related to the construction of the Flintlock Flyover and tax increment financing revenues to assist in financing the construction of Shoal Creek Parkway from I-435 to Pleasant Valley Road and was approved by the Council in Ordinance No. 040457 passed April 29, 2004; and

WHEREAS, the Fourth Amendment provided that 80% of the economic activity taxes generated and collected within the Redevelopment Area be utilized to reimburse certain redevelopment costs identified in the Fourth Amendment and provides for revisions to the project budget and was approved by the Council in Ordinance No. 041218 passed November 9, 2004; and

WHEREAS, the Fifth Amendment provided updated budget line items amounts as well as provided for the expansion of the Redevelopment Area boundaries to include

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the proposed alignment of the Maplewoods Parkway between Indiana and Brighton and was approved by the Council in Ordinance No. 060903 passed August 31, 2006; and

WHEREAS, the Sixth Amendment provided updated budget line amounts for N. Brighton as well as Searcy Creek Parkway and was approved by the Council in Committee Substitute for Ordinance No. 061320 passed December 14, 2006; and

WHEREAS, the Seventh Amendment provided the estimated redevelopment costs, allowed for acquisition of property for right-of-way and removed the TIFC Representative from the Advisory Committee and placing him/her as an ex-officio member and was approved by the Council in Ordinance No. 080419 passed May 8, 2008; and

WHEREAS, the Eighth Amendment to the Shoal Creek Parkway Tax Increment Financing Plan was presented to the Commission; and

WHEREAS, the Commission, having been duly constituted and its members appointed, after all proper notice was given, met in public hearing and, after receiving the comments of all interested persons and taxing districts, closed the public hearing on October 8, 2008, and adopted Resolution No. 10-07-08 ("Resolution") recommending approval of the Eighth Amendment; and

WHEREAS, the Eighth Amendment provides for (i) the expansion of the Redevelopment Area and the addition of Project Areas, (ii) modifications to the budget of Redevelopment Projects Costs and (iii) modifications to the Estimated Economic Activity Taxes over the life of the Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

Section 2. All terms used in this Ordinance, not otherwise defined herein, shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the Act).

Section 3. The Council finds that:

- (a) Good cause has been shown for amendment of the Redevelopment Plan, and that the findings of the City Council in Ordinance Nos. 941443, 971310, 021283, 040457, 041218, 060903, 061320 and 080419 with respect to the Redevelopment Plan are not affected by the Eighth Amendment and apply equally to the Eighth Amendment;

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- (b) The Redevelopment Area, as amended, is an economic development area, as a whole, and 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, as amended;
- (c) The areas selected as Redevelopment Projects include only those parcels of real property and improvements which will be directly and substantially benefited by the Redevelopment Project improvements;
- (d) The Redevelopment Plan, as amended, and each Redevelopment Project, conform to the comprehensive plan for the development of the City as a whole;
- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of any obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended, and are not more than 23 years from the adoption of any ordinance approving a Redevelopment Project within the Redevelopment Area, as amended;
- (f) A plan has been developed for relocation assistance for businesses and residences;
- (g) A cost-benefit analysis showing the impact of the Redevelopment Plan, as amended, on each taxing district which is at least partially in the boundaries of the Redevelopment Area, as amended, as been prepared in accordance with the Act; and
- (h) The Eighth Amendment does not include the initial development or redevelopment of any gambling establishment.
- (i) A blight study has been completed and the findings of such study satisfy the requirements provided under subdivision (1) of Section 99.805, RSMo.

Section 4. That the following described area is hereby designated as an expansion to the existing redevelopment area:

A tract of land in Sections 2, 3 and 11, Township 51 North, Range 32 West and Sections 21, 22, 26, 27, 28, 33, 34, 35 and 36, Township 52 North, Range 32 West of the Fifth Principal Meridian in Kansas City, Clay County, Missouri, being more particularly described as follows: Beginning at the Northeast corner of the Northeast Quarter of Section 2, Township 51 North, Range 32 West, thence South 00°45'54" West, along the East line of said Northeast Quarter, 2671.92 feet to the Northeast

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Corner of the Southeast Quarter of said Section 2; thence South  $00^{\circ}40'10''$  West, along the East line of said Southeast Quarter 2620.99 feet to the Northeast corner of Section 11, Township 51 North, Range 32 West; thence South  $00^{\circ}25'57''$  West, along the East line of said Northeast Quarter, 1329.43 feet to the Northeast corner of Wilshire Plaza Fourth Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence North  $89^{\circ}06'22''$  West, along the North line of said Wilshire Plaza Fourth Plat and Wilshire Plaza Fifth Plat, a subdivision of land in said Kansas City, Missouri, 2591.56 feet to a point on the West line of said Northeast Quarter; thence North  $00^{\circ}26'45''$  East, along said West line, 1319.00 feet to the Southeast corner of the Southwest Quarter of said Section 2; thence North  $89^{\circ}24'22''$  West, along the South line of said Southwest Quarter, 2584.02 feet to the Southeast corner of the Southeast Quarter of Section 3, Township 51 North, Range 32 West; thence North  $88^{\circ}09'58''$  West, along the South line of said Southeast Quarter, 1304.64 feet to the Southwest corner of the East One-Half of said Southeast Quarter; thence North  $00^{\circ}42'14''$  East, along the West line of said East One-Half, 534.53 feet to a point on the South line of Lot 299, Woodneath Farms The Links-Second Plat, a subdivision of land in said Kansas City, Missouri; thence North  $29^{\circ}47'57''$  West, along the Westerly line of said Lot 299 and Lot 300, said Woodneath Farms The Links-Second Plat, 128.27 feet to the Northwest corner of said Lot 300; thence North  $66^{\circ}44'24''$  East, along the North line of said Lot 300, 126.93 feet to the Northeast corner of said Lot 300; thence Northerly, along the Easterly line of Lots 301 and 302, said Woodneath Farms The Links-Second Plat., on a curve to the right having an Initial Tangent Bearing of North  $23^{\circ}15'36''$  West, a radius of 455.00 feet, a central angle of  $18^{\circ}55'24''$ , an arc distance of 150.27 feet to the Northeast corner of said Lot 302; thence South  $85^{\circ}39'48''$  West, along the North line of said Lot 302, 13.47 feet to a point on the West line of said East One-Half; thence North  $00^{\circ}42'14''$  East, along said West line, 1256.44 feet to a point on the South line of Lot 257, Woodneath Farms The Links-First Plat, a subdivision of land in said Kansas City, Missouri; thence North  $80^{\circ}54'28''$  East, along the South line of said Lot 257, 20.26 feet to the Southwest corner of Lot 258, said Woodneath Farms The Links-First Plat; thence North  $14^{\circ}11'40''$  West, along the West line of said Lot 258, 163.35 feet to the Northwest corner of said Lot 258; thence North  $35^{\circ}30'55''$  West, 53.88 feet to the said Southwest Corner of Lot 239, said Woodneath Farms The Links-First Plat; thence Easterly, along the South line of said Lot 239, on a curve to the left, having an Initial Tangent Bearing of North  $76^{\circ}57'25''$  East, a radius of 975.00 feet, a central angle of  $05^{\circ}18'38''$ , an arc distance of 90.37 feet to the Southwest corner of Lot 238, said Woodneath Farm The Links-First Plat; thence North  $18^{\circ}21'13''$  West, along the West line of said Lot 238, 228.65 feet to the Northwest corner thereof; thence North  $48^{\circ}51'43''$  East, along the North line of said Lot 238, 56.21 feet to a point on the West line of said East One-Half; thence North  $00^{\circ}42'15''$  East, along said West line 20.00 feet to the Northwest

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corner of the East One-Half of said Southeast Quarter; thence North 88°26'38" West, along the South line of the Northeast Quarter of said Section 3, 1295.79 feet to the Southwest corner of said Northeast Quarter; thence North 00°00'28" West, along the West line of said Northeast Quarter, 2593.30 feet to the Northwest corner of said Northeast Quarter; thence North 89°18'34" West, along the South line of the Southwest Quarter of Section 34, Township 52 North, Range 32 West, 2580.78 feet to the Southwest corner of said Southwest Quarter; thence North 00°55'27" West, along the West line of said Northeast Quarter, 2638.31 feet to the Southwest Corner of the Northwest Quarter of said Section 34; thence North 89°49'54" West, 46.00 feet to the West Right-of-Way line of North Eastern Avenue as now established; thence North 00°25'34" East, along said West Right-of-Way line, 408.30 feet; thence Northerly, along said West Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 1146.00 feet, a central angle of 28°04'29", an arc distance of 561.54 feet; thence North 28°30'03" East, along said West Right-of-Way line, 211.54 feet; thence Northerly, along said West Right-of-Way line, on a curve to the left, tangent to the last described course, having a radius of 934.00 feet, a central angle of 46°01'20", an arc distance of 750.23 feet; thence North 17°31'17" West, along said West Right-of-Way line, 1804.40 feet; thence Northerly, along said West Right-of-way line, on a curve to the right, tangent to the last described course, having a radius of 1296.00 feet, a central angle of 44°30'46", an arc distance of 1006.86 feet; thence North 26°59'29" East, along said West Right-of-Way line, 214.39 feet; thence Northerly, along said West Right-of-way line, on a curve to the left, tangent to the last described course, having a radius of 854.00 feet, a central angle of 26°34'27", an arc distance of 396.09 feet; thence North 00°25'02" East, along said West Right-of-Way line, 20.78 feet; thence Northwesterly, along a curve to the left, tangent to the last described course, having a radius of 25.00 feet, a central angle of 89°00'53", an arc distance of 38.84 feet; thence North 01°25'21" West, 58.97 feet to a point on the South line of the Northeast Quarter of Section 28, Township 52 North, Range 32 West; thence South 88°34'39" East, along said South line, 21.15 feet; thence North 00°25'42" East along the West Right-of-Way line of said North Eastern Avenue, 2654.98 feet; thence North 00°26'11" East, along said West Right-of-Way line 525.86 feet; thence North 02°59'51" West, along said West Right-of-Way line, 100.18 feet; thence North 00°26'11" East, along said Right-of-Way line, 84.61 feet; thence Northerly, along said West Right-of-Way line, on a curve to the left, tangent to the last described course, having a radius of 648.00 feet, a central angle of 20°08'54", an arc distance of 227.87 feet; thence North 19°42'43" West, along said West Right-of-Way line, 347.06 feet, thence Northerly, along said West Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 552.00 feet, a central angle of 58°13'17", an arc distance of 560.92 feet; thence North 38°30'34" East,

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along said West Right-of-Way line, 124.10 feet to a point on the Westerly Right-of-Way line of Missouri Route 291, as now established; thence North  $10^{\circ}49'17''$  East, 90.35 feet to a point on the Easterly Right-of-Way line of said Missouri Route 291; thence North  $00^{\circ}17'59''$  East along the West Right-of-Way line of said North Eastern Avenue, 652.19 feet to a point on the South line of the Northeast Quarter of Section 21, Township 52 North, Range 32 West, thence North  $00^{\circ}24'08''$  East, along said West Right-of-Way line, 1212.76 feet; thence South  $89^{\circ}19'49''$  East, 60.00 feet to a point on the East Right-of-Way line of said North Eastern Avenue; thence South  $00^{\circ}24'08''$  West, along said East Right-of-Way line, 1212.43 feet to a point on the North line of the Southwest Quarter of Section 22, Township 52 North, Range 32 West; thence South  $00^{\circ}17'59''$  West, along said East Right-of-Way line, 750.27 feet to the centerline of said Missouri Route 291; thence South  $51^{\circ}29'26''$  East, along said centerline, 932.09 feet; thence Southeasterly, along said centerline, on a curve to the left, tangent to the last described course, having a radius of 22,918.31 feet, a central angle of  $01^{\circ}21'59''$ , an arc distance of 546.50 feet; thence South  $52^{\circ}51'25''$  East, along said centerline, 4295.43 feet; thence Southeasterly, along said centerline, on a curve to the right, tangent to the last described course, having a radius of 5729.58 feet, a central angle of  $29^{\circ}50'37''$ , an arc distance of 2984.35 feet; thence South  $23^{\circ}00'48''$  East, along said centerline, 1654.25 feet; thence North  $66^{\circ}59'12''$  East, departing said centerline, 66.00 feet; thence South  $77^{\circ}15'07''$  East, 341.34 feet; thence South  $86^{\circ}08'40''$  East, 87.19 feet; thence South  $88^{\circ}57'07''$  East, 131.06 feet; thence North  $65^{\circ}56'43''$  East, 60.00 feet; thence Northerly, along a curve to the right having an Initial Tangent Bearing of North  $24^{\circ}03'17''$  West, a radius of 270.00 feet, a central angle of  $47^{\circ}51'26''$ , an arc distance of 225.52 feet; thence North  $23^{\circ}48'09''$  East, 19.45 feet; thence South  $66^{\circ}11'51''$  East, 75.36 feet; thence North  $82^{\circ}27'54''$  East, 294.59 feet; thence North  $88^{\circ}04'43''$  East, 70.35 feet; thence South  $86^{\circ}40'59''$  East, 217.62 feet; thence South  $00^{\circ}27'53''$  West, 44.20 feet; thence Easterly, along a curve to the right, having an Initial Tangent Bearing of North  $79^{\circ}35'55''$  East, a radius of 740.00 feet, a central angle of  $10^{\circ}51'58''$ , an arc distance of 140.34 feet; thence South  $89^{\circ}32'07''$  East, 165.50 feet; thence South  $00^{\circ}27'53''$  West, 80.00 feet; thence North  $89^{\circ}32'07''$  West, 165.50 feet; thence Westerly, along a curve to the left, tangent to the last described course, having a radius of 660.00 feet, a central angle of  $14^{\circ}26'01''$ , an arc distance of 166.26 feet; thence South  $00^{\circ}27'53''$  West, 297.43 feet; thence South  $21^{\circ}27'59''$  East, 220.36 feet; thence South  $66^{\circ}59'12''$  West, 236.07 feet; thence South  $23^{\circ}00'48''$  East, 50.00 feet; thence Southerly, along a curve to the left, having an Initial Tangent Bearing of South  $66^{\circ}59'12''$  West, a radius of 15.00 feet, a central angle of  $89^{\circ}59'33''$ , an arc distance of 23.56 feet; thence South  $66^{\circ}59'12''$  West, 60.00 feet; thence South  $23^{\circ}00'48''$  East, 238.05 feet; thence Southeasterly, along a curve to the left, tangent to the last described course, having a radius of 330.00 feet, a central angle of  $05^{\circ}17'56''$ , an arc

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distance of 30.52 feet; thence Southwesterly, along a curve to the right, having a common tangent with the last described course, having a radius of 15.00 feet, a central angle of  $76^{\circ}35'32''$ , an arc distance of 20.05 feet; thence South  $48^{\circ}16'48''$  West, 631.95 feet; thence South  $66^{\circ}59'12''$  West, 177.72 feet to a point on the centerline of the aforementioned Missouri Route 291; thence South  $23^{\circ}00'48''$  East, along said centerline, 2006.69 feet; thence Southeasterly, along said centerline, on a curve to the left, tangent to the last described course, having a radius of 1145.92 feet, a central angle of  $20^{\circ}17'43''$ , an arc distance of 405.91 feet; thence North  $14^{\circ}46'33''$  East, 281.76 feet; thence South  $72^{\circ}03'27''$  East, 377.00 feet; thence South  $14^{\circ}46'33''$  West, 410.97 feet to a point on the centerline of said Missouri Route 291; thence Southeasterly, along said centerline, on a curve to the left, having an Initial Tangent Bearing of South  $63^{\circ}40'40''$  East, a radius of 1145.92 feet, a central angle of  $07^{\circ}01'12''$ , an arc distance of 140.40 feet; thence South  $70^{\circ}41'48''$  East, along said centerline, 1078.10 feet; thence Southeasterly, along said centerline on a curve to the right, tangent to the last described course, having a radius of 7639.44 feet, a central angle of  $02^{\circ}37'33''$ , an arc distance of 350.12 feet to its intersection with the West line of the Southwest Quarter of Section 36, Township 52 North, Range 32 West; thence North  $00^{\circ}52'03''$  East, along said West line, 989.20 feet to the Southwest corner of Tract G, Amber Lakes-First Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence South  $74^{\circ}47'21''$  East, along the South line of said Tract G, 421.27 feet to a point on the West Right-of-Way line of North Cedar Avenue; thence South along said West Right-of-Way line, on a curve to the left; having an Initial Tangent Bearing of South  $05^{\circ}11'16''$  West, a radius of 805.00 feet, a central angle of  $05^{\circ}14'17''$ , an arc distance of 73.60 feet; thence South  $00^{\circ}03'02''$  East along said West Right-of-Way line, 313.21 feet; thence South  $85^{\circ}34'19''$  East, along the South line of Lots 1 thru 5 and its prolongation West, Amber Meadows-First Plat, a subdivision of land in said Kansas City, Missouri, 393.06 feet; thence North  $89^{\circ}56'58''$  East, along the South line of Lots 5, 6, 7 and 8, said Amber Meadows-First Plat, 250.00 feet to the Northwest corner of Tract A, said Amber Meadows-First Plat; thence South  $37^{\circ}46'53''$  East, along the West line of said Tract A, and its prolongation South, 414.12 feet to a point on the East Right-of-Way line of North Ash Avenue, as now established; thence North  $38^{\circ}09'33''$  East, along the East Right-of-Way line of said North Ash Avenue, 46.88 feet; thence Northeasterly, along said Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 675.00 feet, a central angle of  $13^{\circ}15'08''$ , an arc distance of 156.12 feet to the Northwest corner of Lot 14, said Amber Meadows-First Plat; thence South  $37^{\circ}46'53''$  East, along the West line of said Lot 14, 178.82 feet to the Southwest corner thereof; thence North  $64^{\circ}15'23''$  East, along the South line of said Lot 14 and the South line of Lots 15 and 16, said Amber Meadows-First Plat, 218.42 feet; thence North  $81^{\circ}26'01''$  East, along the South line of Lots 17 and 18, said

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Amber Meadows-First Plat, 122.14 feet; thence South 89°19'47" East, along the South line of Tract C and Lots 19 thru 24, said Amber Meadows-First Plat, 500.53 feet; thence South 00°33'25" West along the Kansas City, Missouri City Limits line, 880.62 feet to a point on the Northerly Right-of-Way line of Missouri Route A, as now established; thence Southwesterly, along said Northerly Right-of-Way line, on a curve to the left, having an Initial Tangent Bearing of South 68°08'34" West, a radius of 636.62 feet, a central angle of 14°22'34", an arc distance of 159.73 feet; thence South 53°46'34" West, along said Northerly Right-of-Way line, 224.74 feet to its intersection with the North Right-of-Way line of said Missouri Route 291; thence North 65°20'43" West, along said North Right-of-Way line, 540.07 feet; thence North 66°56'13" West, along said North Right-of-Way line, 473.66 feet; thence South 26°05'19" West, along said North Right-of-Way line 15.00 feet; thence North 63°50'54" West, along said North Right-of-Way line, 562.04 feet; thence Northwesterly, along said North Right-of-Way line, on a curve to the left, tangent to the last described course, having a radius of 7699.44 feet, a central angle of 03°39'06", an arc distance of 490.72 feet; thence South 59°49'05" West, 125.49 feet to the Intersection of the South Right-of-Way line of said Missouri Route 291 with the East line of the Southeast Quarter of Section 35, Township 52 North, Range 32 West; thence South 00°52'03" West, along said East line 785.10 feet to the Southeast corner of said Southeast Quarter; thence North 89°25'41" West, along the South line of said Southeast Quarter, 172.15 feet to the Point of Beginning. Containing 120,687,335 square feet on 2,770.60 acres, more or less. Subject to all easements and restrictions of record.

(Note: Bearings shown hereon are based on the Missouri State Plan Grid System, NAD 1983, West Zone.)

Except all that part of Section 2 and 11, Township 51 North, Range 32 West and the Southwest and Southeast Quarters of Section 35, Township 52 North, Range 32 West, Kansas City, Clay County, Missouri, being described as follows: Beginning at the Northeast corner of the Northeast Quarter of said Section 2; thence South 00°45'54" West, along the East line of said Northeast Quarter, 2671.92 feet to the Northeast corner of the Southeast Quarter of said Section 2; thence South 00°40'10" West, along the East line of said Southeast Quarter 820.42 feet; thence South 66°13'00" West, 380.36 feet; thence South 30°30'17" West, 123.26 feet; thence South 10°47'05" West, 151.12 feet; thence South 12°38'56" West, 242.05 feet; thence South 50°09'40" West, 508.23 feet; thence South 60°48'38" West, 684.29 feet; thence South 27°39'00" West, 473.91 feet; thence South 84°53'55" West, 124.34 feet; thence South 21°07'04" West, 224.83 feet; thence South 44°48'03" West, 60.00 feet; thence North 49°22'03" West, 57.39 feet; thence Northerly, along a curve to the left, tangent to the last described course having a radius of 370.00 feet, a

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central angle of  $14^{\circ}11'40''$ , an arc distance of 91.66 feet; thence South  $35^{\circ}51'13''$  West, 66.79 feet; thence South  $50^{\circ}08'11''$  West, 326.81 feet; thence South  $44^{\circ}45'11''$  West, 426.64 feet to a point on the West line of the Northeast Quarter of Section 11, Township 51 North, Range 32 West; thence North  $00^{\circ}26'45''$  East, along said West line, 679.15 feet to the Southwest corner of the Southeast Quarter of said Section 2; thence North  $00^{\circ}26'54''$  East, along the West line of said Southeast Quarter, 2611.04 feet to the Southwest Corner of the Northeast Quarter of said Section 2; thence North  $00^{\circ}27'01''$  East, along the West line of said Northeast Quarter, 1331.52 feet; thence Northerly, along the centerline of Northeast Flintlock Road, as now established, on a curve to the left, tangent to the last described course, having a radius of 1950.00 feet, a central angle of  $10^{\circ}32'44''$ , an arc distance of 358.91 feet; thence North  $10^{\circ}05'41''$  West, along said centerline, 1063.09 feet to its intersection with the centerline of Northeast 96<sup>th</sup> Street, as now established; thence Northeasterly, along the centerline of Northeast Flintlock Road, on a curve to the left, having an Initial Tangent Bearing of North  $79^{\circ}54'21''$  East, a radius of 1700.00 feet, a central angle of  $49^{\circ}26'26''$ , an arc distance of 1466.93 feet; thence North  $30^{\circ}27'55''$  East, along said centerline, 589.63 feet to its intersection with the centerline of Missouri Route 291 as now established; thence South  $63^{\circ}40'36''$  East along said centerline, 96.84 feet; thence Southeasterly along said centerline, along a curve to the left, along said centerline tangent to the last described course, having a radius of 1145.92 feet, a central angle of  $07^{\circ}01'12''$ , an arc distance of 140.40 feet; thence South  $70^{\circ}41'48''$  East, along said centerline, 1078.10 feet; thence Southeasterly, along said centerline, on a curve to the right, tangent to the last described course, having a radius of 7639.44 feet, a central angle of  $02^{\circ}37'33''$ , an arc distance of 350.12 feet, to its intersection with the East line of the Southeast Quarter of said Section 35; thence South  $00^{\circ}52'03''$  West, along said East line, 828.40 feet to the Southeast corner of said Southeast Quarter; thence North  $89^{\circ}25'41''$  West, along the South line of said Southeast Quarter, 172.15 feet to the Point of Beginning. Containing 345.82 acres, more or less.

Also, except all that part of Section 2 and Section 3, Township 51 North, Range 32 West, Kansas City, Clay County, Missouri, being described as follows: Beginning at the Southeast corner of the Southeast Quarter of said Section 3; thence North  $88^{\circ}09'58''$  West, along the South line of the Southeast Quarter of said Section 3, 1304.64 feet to the Southwest corner of the East One-Half of said Southeast Quarter; thence North  $00^{\circ}42'14''$  East, along the West line of said East One-Half of said Southeast Quarter, 534.53 feet to a point on the South line of Lot 299, Woodneath Farms, The Links-Second Plat, a subdivision of land in said Kansas City, Missouri; thence North  $29^{\circ}47'57''$  West, along the Westerly line of said Lot 299 and Lot 300, said Woodneath Farms, The Links-Second Plat, 178.27 feet to the Northwest Corner of said Lot 300; thence North  $66^{\circ}44'24''$  East, along

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the North line of said Lot 300, 126.93 feet to the Northeast corner of said Lot 300; thence Northerly, along the Easterly line of Lots 301 and 302, said Woodneath Farms, The Links-Second Plat, on a curve to the right, having an Initial Tangent Bearing of North 23°15'36" West, a radius of 455.00 feet, a central angle of 18°55'24", an arc distance of 150.27 feet to the Northeast corner of said Lot 302; thence South 85°39'48" West, along the North line of said Lot 302, 13.47 feet to a point on the West line of said East One-Half; thence North 00°42'14" East, along said West line, 1256.44 feet to a point on the South line of Lot 257, Woodneath Farms, The Links-First Plat; a subdivision of land in said Kansas City, Missouri, thence North 80°54'28" East, along the South line of said Lot 257, 20.26 feet to the Southwest corner of Lot 258, said Woodneath Farms, The Links-First Plat; thence North 14°11'40" West, along the West line of said Lot 258, 163.35 feet to the Northwest corner of said Lot 258; thence North 35°30'55" West, 53.88 feet to the Southwest Corner of Lot 239, said Woodneath Farms, The Links-First Plat; thence Easterly, along the Southerly line of said Lot 239, on a curve to the left, having an Initial Tangent Bearing of North 76°57'25" East, a radius of 975.00 feet, a central angle of 05°18'38", an arc distance of 90.37 feet to the Southwest corner of Lot 238, said Woodneath Farms, The Links-First Plat; thence North 18°21'13" West, along the West line of said Lot 238, 228.65 feet to the Northwest corner thereof; thence North 48°51'43" East, along the North line of said Lot 238, 56.21 feet to a point on the West line of said East One-Half; thence North 00°42'15" East, along said West line, 20.00 feet to the Northwest corner of the East One-Half of said Southeast Quarter; thence South 88°24'28" East, along the North line of said Southeast Quarter, 1295.81 feet to the Southwest corner of the Northwest Quarter of said Section 2; thence North 00°24'58" East, along the West line of said Northwest Quarter, 2675.10 feet to the Northwest corner of said Northwest Quarter; thence South 89°37'42" East, along the North line of said Southeast Quarter, 111.62 feet to the Southwest corner of Section 35, Township 52 North, Range 32 West; thence North 00°31'54" East, along the West line of said Southwest Quarter, 408.26 feet to its intersection with the centerline of Northeast 96<sup>th</sup> Street, as now established; thence Easterly, along said centerline, on a curve to the right, having an Initial Tangent Bearing of North 85°09'11" East, a radius of 1282.00 feet, a central angle of 20°33'33", an arc distance of 460.02 feet; thence South 74°17'16" East, along said centerline, 1066.21 feet; thence Easterly, along said centerline, on a curve to the left, tangent to the last described course, a radius of 1700.00 feet, a central angel of 25°48'23", an arc distance of 765.69 feet to its intersection with the centerline of Northeast Flintlock Road, as now established; thence South 10°05'41" East, along the centerline of said Northeast Flintlock Road, 1063.09 feet; thence Southerly, along said centerline, on a curve to the right, tangent to the last described course, having a radius of 1950.00 feet, a central angle of 10°32'44", an arc distance of 358.91 feet to its intersection with the

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East line of the Northwest Quarter of said Section 2; thence South 00°27'01" West, along said East line, 1331.52 feet to the Southeast corner of said Northwest Quarter; thence South 00°26'54" West, along the East line of the Southwest Quarter of said Section 2, 1551.04 feet; thence North 89°24'22" West, 1049.33 feet; thence South 00°26'54" West, 185.00 feet; thence North 89°24'22" West, 419.21 feet; thence South 00°26'54" West, 875.00 feet to its intersection with the South line of said Southwest Quarter; thence North 89°24'22" West, along said South line, 1115.47 feet to the Point of Beginning. Containing 364.54 acres, more or less.

Also, except all that part of Section 35, Township 52 North, Range 32 West, being described as follows: Beginning at the Northwest corner of the Northwest Quarter of said Section 35; thence South 89°33'00" East, along the North line of said Northwest Quarter, 1778.56 feet to its intersection with the centerline of Missouri Route 291, as now established; thence South 23°00'48" East, along said centerline, 593.71 feet; thence Southwesterly, along said centerline, 3647.90 feet; thence Southeasterly, along said centerline, on a curve to the left, tangent to the last described course, having a radius of 1145.92 feet, a central angle of 35°49'51", an arc distance of 716.62 feet to its intersection with the centerline of Northeast Flintlock Road, as now established; thence South 30°27'55" West, along said centerline, 593.71 feet; thence Southwesterly, along said centerline, on a curve to the right, tangent to the last described course, having a radius of 1700.00 feet, a central angle of 75°14'50", an arc distance of 2232.63 feet; thence North 74°17'16" West, along the centerline of Northeast 96<sup>th</sup> Street, as now established, 1066.21 feet; thence Westerly, along said centerline, on a curve to the left, tangent to the last described course, having a radius of 1282.00 feet, a central angle of 20°33'43", an arc distance of 460.07 feet to its intersection with the West line of the Southwest Quarter of said Section 35; thence North 00°31'26" East, along said West line, 2225.93 feet to the Southwest corner of the Northwest Quarter of said Section 35; thence North 00°28'26" East, along the West line of said Northwest Quarter, 2632.69 feet to the Point of Beginning. Containing 325.07 acres more or less.

Also, except all that part of Section 33 and 34, Township 52 North, Range 32 West, being described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 34; thence South 89°32'55" East, along the North line of said Northeast Quarter, 2660.63 feet to the Northeast corner of said Northeast Quarter; thence South 00°28'26" West, along the East line of said Northeast Quarter, 2632.69 feet to the Northeast corner of the Southeast Quarter of said Section 34; thence South 00°31'26" West, along the East line of said Southeast Quarter, 2225.93 feet to its intersection with the centerline of Northeast 96<sup>th</sup> Street, as now established; thence Southwesterly, along said centerline, on a curve to the left, having an Initial Tangent Bearing of South 85°09'01" West, a radius

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of 1282.00 feet, a central angle of  $21^{\circ}03'16''$ , an arc distance of 471.10 feet; thence Southwesterly, on a curve to the right, having a common tangent with the last described course, a radius of 1282.00 feet, a central angle of  $23^{\circ}55'31''$ , an arc distance of 535.33 feet; thence North  $01^{\circ}52'45''$  East, along the East line of Benson Place Commons-First Plat, a subdivision of land in said Kansas City, Missouri and its prolongation South, 90.16 feet; thence North  $21^{\circ}05'42''$  East, along said East line, 328.62 feet to the Northeast corner thereof; thence North  $57^{\circ}47'50''$  West, along the North line of said Benson Place Commons-First Plat, 96.06 feet; thence North  $65^{\circ}29'34''$  West, along said North line of said Benson Place Commons-First Plat, 634.07 feet to the Southeast corner of Lot 4, Benson Place-First Plat, a subdivision of land in said Kansas City, Missouri; thence South  $87^{\circ}47'37''$  West, along the South line of said Benson Place-First Plat, 108.86 feet; thence South  $75^{\circ}00'42''$  West, along said South line and the South line of Benson Place-Second Plat, a subdivision of land in said Kansas City, Missouri, 569.40 feet; thence South  $89^{\circ}07'25''$  West, along said South line, 140.25 feet; thence North  $76^{\circ}53'28''$  West, along said South line, 361.38 feet; thence South  $72^{\circ}12'31''$  West, along said South line and its prolongation West, 137.49 feet to a point on the West Right-of-Way line of North Tullis Drive, as now established; thence South  $15^{\circ}37'32''$  East, along said West Right-of-Way line, 40.26 feet; thence Southerly, along said West Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 488.00 feet, a central angle of  $18^{\circ}37'22''$ , an arc distance of 158.61 feet; thence South  $02^{\circ}59'50''$  West, along said West Right-of-Way line, 58.36 feet; thence South along said West Right-of-Way line, on a curve to the left tangent to the last described course, having a radius of 512.00 feet, a central angle of  $03^{\circ}03'21''$ , an arc distance of 27.31 feet; thence South  $00^{\circ}03'31''$  East, along said West Right-of-Way line and its prolongation South 280.53 feet to its intersection with the centerline of said Northeast 96<sup>th</sup> Street; thence North  $88^{\circ}55'31''$  West, along said centerline, 766.20 feet; thence Westerly, along said centerline, on a curve to the left, tangent to the last described course, having a radius of 2864.79 feet, a central angle of  $06^{\circ}30'03''$ , an arc distance of 325.04 feet to its intersection with the West line of the East One-Half of the Southwest Quarter of said Section 34; thence North  $00^{\circ}46'59''$  East, along said East line, 2518.74 feet to the Northwest corner of said East One-Half; thence North  $89^{\circ}17'45''$  West, along the South line of the Northwest Quarter of said Section 34, 1319.26 feet to the Southwest corner of said Northwest Quarter; thence North  $89^{\circ}49'54''$  West, along the South line of the Northeast Quarter of said Section 33, 46.00 feet to the West Right-of-Way line of North Eastern Avenue, as now established; thence North  $00^{\circ}25'34''$  East, along said West line, 408.30 feet; thence Northerly, along said West Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 1146.00 feet, a central angle of  $28^{\circ}04'29''$ , an arc distance of 561.54 feet; thence North  $28^{\circ}30'03''$  East, along said West Right-of-way

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line, 211.54 feet; thence Northerly, along said West Right-of-Way line, on a curve to the left, tangent to the last described course, having a radius of 934.00 feet, a central angle of  $46^{\circ}01'20''$ , an arc distance of 750.23 feet; thence North  $17^{\circ}31'17''$  West, along said West Right-of-Way line, 785.72 feet to its intersection with the North line of the Northwest Quarter of said Section 34; thence South  $89^{\circ}30'00''$  East, along said North line 2615.04 feet to the Point of Beginning. Containing 509.21 acres, more or less.

Also, except all that part of Sections 26, 27 and 28, all in Township 52 North, Range 32 West, Kansas City, Clay County, Missouri, being described as follows: Beginning at the Southeast corner of the Southeast Quarter of Section 27, Township 52 North, Range 32 West; thence North  $89^{\circ}32'55''$  West, along the South line of said Southeast Quarter, 2660.94 feet to the Southeast corner of the Southwest Quarter of said Section 27; thence North  $89^{\circ}30'00''$  West, along the South line of said Southwest Quarter, 2615.04 feet to the West Right-of-Way line of North Eastern Avenue, as now established; thence North  $17^{\circ}31'17''$  West, along said West Right-of-Way line, 1018.68 feet; thence Northerly, along said West Right-of-Way line, on a curve to the right, tangent to the last described course, having a radius of 1296.00 feet, a central angle of  $44^{\circ}30'46''$ , an arc distance of 1006.86 feet; thence North  $26^{\circ}59'29''$  East, along said West Right-of-Way line, 214.39 feet; thence Northerly, along said West Right-of-Way line on a curve to the left, tangent to the last described course, having a radius of 854.00 feet, a central angle of  $26^{\circ}34'27''$ , an arc distance of 396.09 feet; thence North  $00^{\circ}25'02''$  East, along said West Right-of-Way line, 20.78 feet; thence Northwesterly, along said Westerly Right-of-Way line, on a curve to the left, tangent to the last described course, having a radius of 25.00 feet, a central angle of  $89^{\circ}00'53''$ , an arc distance of 38.84 feet; thence North  $01^{\circ}25'21''$  East, 58.97 feet to a point on the North line of the Southeast Quarter of said Section 28; thence South  $88^{\circ}34'39''$  East, along said North line, 67.15 feet to the Northwest corner of the Southwest Quarter of said Section 27, thence South  $89^{\circ}30'45''$  East along the North line of said Southwest Quarter; 2632.68 feet to the Northwest corner of the Southeast Quarter of said Section 27; thence South  $89^{\circ}30'45''$  East, along the North line of said Southeast Quarter 2640.21 feet to the Northwest corner of the Southwest Quarter of said Section 26; thence South  $89^{\circ}35'49''$  East, along the North line of said Southwest Quarter, 453.20 feet to its intersection with the centerline of Missouri Route 291, as now established; thence Southeasterly, along said centerline, on a curve to the right, having an Initial Tangent Bearing of South  $37^{\circ}34'46''$  East, a radius of 5729.58 feet, a central angle of  $14^{\circ}33'58''$ , an arc distance of 1456.60 feet; thence South  $23^{\circ}00'48''$  East, along said centerline, 1500.26 feet to its intersection with the South line of said Southwest Quarter; thence North  $89^{\circ}33'00''$  West, along said South line, 1778.52 feet to the Point of Beginning. Containing 401.94 acres, more or less.

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Also except, all that part of Section 21, 22, 27 and 28, all in Township 52 North, Range 32 West, Kansas City, Clay County, Missouri, being described as follows: Beginning at the Southeast corner of the Northwest Quarter of said Section 27; thence North  $89^{\circ}30'45''$  West, along the South line of said Northwest Quarter, 2632.68 feet to the Southwest corner of said Northwest Quarter; thence North  $88^{\circ}34'39''$  West, along the South line of the Northeast Quarter of said Section 28, 46.01 feet to a point on the West Right-of-Way line of North Eastern Avenue, as now established; thence North  $00^{\circ}25'42''$  East, along said West Right-of-Way line, 2654.98 feet to a point on the South line of the Southeast Quarter of said Section 21; thence North  $00^{\circ}26'11''$  East, along said West Right-of-Way line, 458.65 feet; thence North  $58^{\circ}04'07''$  East, along the North line of Auburn Patio Homes, a subdivision of land in said Kansas City, Missouri, and its prolongation Southwest, 301.03 feet; thence South  $89^{\circ}43'18''$  East, along said North line, 222.86 feet; thence North  $24^{\circ}01'04''$  East, along said North line, 212.15 feet; thence North  $58^{\circ}04'07''$  East, along said North line and its prolongation Northeast, 569.80 feet to its intersection with the centerline of Missouri Route 291, as now established; thence Southeasterly, along said centerline, on a curve to the left, having an Initial Tangent Bearing of South  $52^{\circ}14'33''$  East, a radius of 22918.31 feet, a central angle of  $00^{\circ}36'52''$ , an arc distance of 245.74 feet; thence South  $52^{\circ}51'25''$  East, along said centerline, 4295.43 feet; thence Southeasterly, along said centerline, on a curve to the right, tangent to the last described course, having a radius of 5729.58 feet; a central angle of  $00^{\circ}59'05''$ , an arc distance of 98.46 feet; thence South  $43^{\circ}59'15''$  West, along the East line of Brooke Ridge First Plat, a subdivision of land in said Kansas City, Missouri and its prolongation Northeast, 501.39 feet; thence South  $33^{\circ}59'15''$  West, along said East line, 380.00 feet; thence South  $11^{\circ}59'15''$  West, along said East line, 280.00 feet; thence South  $00^{\circ}29'15''$  West, 50.00 feet to a point on the South line of the Northeast Quarter of said Section 27; thence North  $89^{\circ}30'45''$  West, along said South line, 1470.93 feet to the Point of Beginning. Containing 276.97 acres, more or less.

Section 5. The Commission is hereby authorized to issue obligations in one or more series secured by the Shoal Creek Account of the Special Allocation Fund to finance Redevelopment Project Costs within the Redevelopment Area, as amended, and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan, as amended, pursuant to the power delegated to it in Ordinance No. 54556. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to

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Sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 6. Pursuant to the provisions of the Redevelopment Plan, as amended, the Council approves the pledge of all funds generated from Redevelopment Projects that are deposited into the Shoal Creek Account of the Special Allocation Fund to the payment of Redevelopment Project Costs within the Redevelopment Area, as amended, and authorizes the Commission to pledge such funds on its behalf.

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Approved as to form and legality:

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Heather A. Brown  
Assistant City Attorney