

ORDINANCE NO. 060010

Accepting the recommendations of the Tax Increment Financing Commission as to the Baltimore Place Tax Increment Financing Plan; approving the Baltimore Place Tax Increment Financing Plan; and designating a Redevelopment Area.

WHEREAS, the City Council of Kansas City, Missouri 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, the Baltimore Place Tax Increment Financing Plan (the Redevelopment Plan) was proposed to the Commission; and

WHEREAS, the Redevelopment Plan is a comprehensive program intended to reduce or eliminate blight and enhance the tax base within the redevelopment area (the "Redevelopment Area") through the implementation of a number of separate Redevelopment Projects and the adoption of tax increment financing for each of the areas selected for such Redevelopment Projects; and

WHEREAS, the Commission has been duly constituted and its members appointed; and, after all proper notice was given, the Commission met in public hearing and after receiving the comments of all interested persons and taxing districts with respect to the Redevelopment Plan, closed said public hearing on December 14, 2005, adopted its Resolution No. 12-19-05 (the Resolution) recommending to the City Council the approval of the Redevelopment Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The recommendation of the Commission concerning the Redevelopment Plan as set forth in the Resolution attached hereto as Exhibit "A", is hereby accepted and the Redevelopment Plan, a copy of which is attached hereto as Exhibit "B", is hereby approved and adopted.

Section 2. All terms used in this ordinance 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 following described area is hereby designated a Redevelopment Area:

Commencing at the southeast corner of the intersection of Wyandotte and 8<sup>th</sup> Street as now established; thence east along the south right-of-way line of 8<sup>th</sup> Street to the Southwest corner of the intersection of 8<sup>th</sup> Street and Baltimore as now established; thence south along the prolongation of the west right of way line of Baltimore to the north lot line of Lot 1, Block 2,

ORDINANCE NO. 060010

Ashburn's addition; thence east along the north line of Lot 1, Block 2, Ashburn's addition to the west right-of-way line of Baltimore as now established, thence south along the west right-of-way line of Baltimore to the south lot line of Lot 7, Block 2 Ashburn's Addition; thence west along the south lot line of Lot 7 to the center line of a north-south alley adjacent thereto; thence north along the center line of said north-south alley to the prolongation of the south line of Lot 17, Block 2, Ashburn's Addition; thence west along the south lot line of Lot 17, Block 2, Ashburn's Addition to the East right-of-way line of Wyandotte as now established; thence north along the east right-of-way of Wyandotte to the point of beginning. Excepting therefrom, Lots 93 and 94, Block 13, Hubbard's Addition, a subdivision in Kansas City, Jackson County, Missouri. Also excepting therefrom, all that part of the Northwest '14 of the Northwest '14 of Section 5, Township 49, Range 33, Kansas City, Jackson County, Missouri, described as follows: Beginning in the North line of Ninth Street at a point 117.75 feet East of the East line of Wyandotte Street as said streets are now established, said point being in the East line of Hubbard's Addition, a subdivision in Kansas City, Jackson County, Missouri; thence East along the North line of Ninth Street 40 feet; thence North 125 feet to a point in the South line of an alley; thence West along the South line of said alley 40 feet to a point in the East line of Hubbard's Addition; thence South 125 feet to point of beginning, together with the South one-half of that part of the vacated alley lying North and adjacent to the foregoing described property (said vacated alley lying East of a line parallel with and 101.38 feet West of the West line of Baltimore Avenue.

Section 4. In accordance with the recommendations of the Commission as set forth in the Resolution, the City Council hereby finds that:

- (a) The Redevelopment Area as a whole is a blighted area, evidenced by defective or inadequate street layout, unsanitary or unsafe conditions including deterioration and dilapidation of site improvements, excessive vacancies, presence of structures below minimum code standards, lack of ventilation, light or sanitary facilities.
- (b) The Redevelopment 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;
- (c) The Redevelopment Plan conforms to FOCUS and Downtown Land Use and Development Plan, together, the comprehensive plan for the development of the City as a whole;
- (d) The areas selected for Redevelopment Projects include only those parcels of real property and improvements thereon which will be directly and substantially benefited by the Redevelopment Project improvements;

ORDINANCE NO. 060010

- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of obligations incurred to finance Redevelopment Project Costs, have been stated in the Redevelopment Plan, and are not more than 23 years from the adoption of any ordinance approving a Redevelopment Project within the Redevelopment Area;
- (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 on each taxing district at least partially within the boundaries of the Redevelopment Area has been prepared in accordance with the Act; and
- (h) The Redevelopment Plan does not include the initial development or redevelopment of any gambling establishment.

Section 5. The City and/or the Commission is authorized to issue obligations in one or more series of bonds secured by the Baltimore Place Tax Increment Financing Plan Account of the Special Allocation Fund to finance Redevelopment Project Costs within the Redevelopment Area and subject to any constitutional limitations, to acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land or other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the City and/or the Commission determines, to enter into such contracts and take all such further actions as are reasonably necessary to achieve the objectives of the Redevelopment Plan pursuant to the power delegated to it in Ordinance No. 54556. Any obligations issued to finance Redevelopment Project Costs shall contain a recital that they are issued pursuant to Sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Section 6. Pursuant to the provisions of the Redevelopment Plan, the City Council approves the pledge of all funds generated from Redevelopment Projects that are deposited into the Baltimore Place Tax Increment Financing Plan Account of the Special Allocation Fund to the payment of Redevelopment Project Costs within the Redevelopment Area and authorizes the Commission to pledge such funds on its behalf.

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Approved as to form and legality:

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Heather A. Brown  
Assistant City Attorney