

**PETITION TO ESTABLISH
THE
NOLAND SOUTH SHOPPING CENTER
COMMUNITY IMPROVEMENT DISTRICT**

INDEPENDENCE, JACKSON COUNTY, MISSOURI

MAY 3, 2022

TABLE OF CONTENTS

I.	PETITIONERS	1
II.	DESCRIPTION OF THE DISTRICT	1
	A. Legal Description	1
	B. Boundary Map	1
	C. Name of District	1
	D. Notice to Petitioners.....	1
III.	FIVE YEAR PLAN.....	1
	A. Purposes of the District	1
	B. Improvements and Services	2
	1. Capital Improvements and Maintenance.....	2
	2. Administration and Operations.	2
	3. Maintenance.....	3
	4. Additional Improvements and Services	3
	C. Estimate of Revenues and Costs of Improvements and Services	3
IV.	GOVERNANCE OF THE DISTRICT	4
	A. Type of District.....	4
	B. Board of Directors.....	4
	1. Number	4
	2. Qualifications	4
	3. Initial Directors.....	5
	4. Terms.....	5
	5. Slate.....	5
	6. Successor Directors	5
	7. Termination	6
	8. Compensation	6
V.	ASSESSED VALUE	6
VI.	BLIGHT DETERMINATION.....	6
VII.	LIFE OF DISTRICT	6
VIII.	REAL PROPERTY TAXES AND BUSINESS LICENSE TAXES	6
IX.	SPECIAL ASSESSMENTS.....	6
X.	SALES AND USE TAX.....	6
XI.	LIMITATIONS ON BORROWING CAPACITY, REVENUE GENERATION AND DISTRICT POWERS	7
XII.	REQUEST TO ESTABLISH DISTRICT.....	7
XIII.	SEVERABILITY	7

EXHIBITS

EXHIBIT A DISTRICT LEGAL DESCRIPTION

EXHIBIT B DISTRICT BOUNDARY MAP

EXHIBIT C PARCEL NUMBERS AND ASSESSED VALUES OF PROPERTY WITHIN DISTRICT

EXHIBIT D FIVE YEAR PLAN'S ESTIMATE OF REVENUES AND COSTS OF IMPROVEMENTS AND SERVICES

PETITION TO ESTABLISH THE NOLAND SOUTH SHOPPING CENTER COMMUNITY IMPROVEMENT DISTRICT

This petition (“Petition”) is submitted in accordance with Section 67.1401, RSMo, through Section 67.1571, RSMo, otherwise known as the Missouri Community Improvement District Act (the “Act”), by those persons and entities whose signatures appear below (the “Petitioners”). The Petitioners request that the City Council (the “City Council”) of the City of Independence, Missouri, establish a community improvement district (the “District”) in the City of Independence, Jackson County, Missouri (the “City”) in accordance with this Petition.

I. PETITIONERS

The Petitioners represent more than fifty percent (50%) per capita of all owners of the District Land and District Land owners collectively owning more than fifty percent (50%) by assessed value of the District Land.

II. DESCRIPTION OF THE DISTRICT

A. Legal Description

The District includes all of the real property (the “District Land”) legally described in Exhibit A (the “District Legal Description”) attached to this Petition.

B. Boundary Map

A map illustrating the general boundaries of the District is attached to this Petition as Exhibit B (the “District Boundary Map”).

C. Name of District

The name of the District shall be the Noland South Shopping Center Community Improvement District.

D. Notice to Petitioners

The signatures of Petitioners signing this Petition may not be withdrawn later than seven days after this Petition is filed with the City Clerk.

III. FIVE YEAR PLAN

A. Purposes of the District

The District shall serve the following purposes (the “District Purposes”):

- (a) facilitating development within the District by providing, or causing to be provided, certain improvements and services (collectively, the “Eligible Services”) described in Paragraph B of this Article for the benefit of the District;

- (b) financing allowed under the Act to finance: (1) the costs of the Eligible Services, (2) other costs incurred by the District to carry out the District Purposes, and (3) costs of financing, including but not limited to: (a) costs of issuance, (b) capitalized interest, and (c) debt service reserves;
- (c) imposing and collecting a sales tax authorized pursuant to this Petition and the Act.

B. Improvements and Services

The Eligible Services shall include, but are not necessarily limited to, the following:

1. Capital Improvements and Maintenance

The District may construct, reconstruct, install, repair, maintain, and equip (or cause such services to be undertaken) capital improvements within the District including, but not limited to: streetscape, energy efficient LED lighting for parking lot and exterior building security, public benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, barriers, public parking lots and facilities, public art, and any other useful, necessary or desired improvement authorized under the Act. In accordance with the Act, the District may take such actions to remediate any blighting conditions within the District's boundaries, which may include contracting with private property owners within a blighted area to demolish and remove, renovate, or rehabilitate any building or structure owned by such private property owner and to spend District revenues or loan funds provided that the City Council determines that action to be taken pursuant to any such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

2. Administration and Operations

The District may provide and/or contract for managerial, engineering, legal, technical, clerical, accounting, financial consulting, and other assistance deemed necessary or desirable by the District to meet the District Purposes, including, but not necessarily limited to, the following:

- (a) financing the costs of creating and operating the District;
- (b) managing the District's budget and personnel;
- (c) maintaining insurance for the District;
- (d) contracting for legal counsel on matters pertaining to the District;

- (e) imposing and collecting a sales tax as authorized pursuant to this Petition and the Act; and
- (f) obtaining funds to pay for the costs incurred to meet the District Purposes;

3. Maintenance

The District may provide cleaning and maintenance services to public areas within the District to improve the appearance and image of the District. Such services may include, but are not necessarily limited to:

- (a) providing litter removal and cleaning of common areas, trash containers, alley ways, streets, and sidewalks within the District;
- (b) monitoring of City services;
- (c) providing landscaping care, maintenance, weed abatement, and providing and/or replacing landscaping;
- (d) providing cleaning, maintenance, and other services to public and private property;
- (e) providing graffiti removal; and
- (f) providing other beautification efforts designed to improve the District's appeal and encourage private investment within the District.

4. Additional Improvements and Services

The District shall be authorized to provide for any and all desired services and improvements and shall have all rights needed to provide those desired services and improvements, up to and including any desired service and improvement right not specifically limited, or prohibited, by this Petition or the Act.

C. Estimate of Revenues and Costs of Improvements and Services

The commencement of the Eligible Services and the levy and collection of the Sales Tax are anticipated to occur within the first year of the District's existence. The Five-Year Plan's estimate of revenues from the collection of the Sales Tax, and estimated costs related to the provision of the Eligible Services are shown on Exhibit C attached to this Petition.

IV. GOVERNANCE OF THE DISTRICT

A. Type of District

The District shall be a separate political subdivision and shall have all of the powers granted to and/or exercisable by a community improvement district according to the Act, except as limited by this Petition. The District shall comply with all state statutory requirements of a political subdivision including, but not limited to: (1) State of Missouri open meeting and records law; (2) procurement and public improvement contracting laws, including prevailing wage requirements; and (3) annual comprehensive financial audit.

B. Board of Directors

1. Number

The District shall initially be governed by a Board of Directors (the “Board”) consisting of six (6) members.

2. Qualifications

The Initial Directors of the Board shall be comprised of those individuals listed in Paragraph 3 of this Article. Successor directors (“Successor Directors”) shall be appointed in accordance with Paragraph 5 of this Article. Each Initial Director and Successor Director shall meet the following requirements:

- (a) be at least 18 years of age;
- (b) be a Missouri resident for at least one year prior to taking office and as long as required by the Missouri Constitution or by state statute;
- (c) be either an owner of real property (“Owner”) within the District, or such Owner’s representative, or an owner of a business (“Operator”) operating within the District, or such Operator’s representative; and
- (d) except for the Initial Directors named in this Petition, be nominated according to a slate submitted by the Board to the Mayor of the City and the City Council according to the nominating procedures set out below.

3. Initial Directors

In accordance with Section 67.1451.6, RSMo of the Act, the Initial Directors to serve on the Board, and their respective terms, will be:

NAME	TERM (in years)
Reeves W. Wiedeman	4
Tom Lesnak	4
Reeves T. Wiedeman	4
Kaitlyn Wiedeman	2
Jefferson Adams	2
Sara Adams	2

4. Terms

Each Initial Director named above shall serve for the term set forth opposite his/her name or until his/her successor is appointed in accordance with this Petition. Each Successor Director shall serve a four-year term or until his/her successor is appointed in accordance with this Petition. If, for any reason, a director is not able to serve his/her full term, the remaining directors shall elect an interim director to fill the vacancy of the unexpired term.

Notwithstanding anything to the contrary, any Initial Director's or Successor Director's (collectively, "Director") failure to continually meet the qualification requirements set forth in Paragraph 2 of this Article, either in a Director's individual capacity or in a Director's representative capacity, shall constitute cause for the Board to take appropriate action to remove said Director.

5. Slate

The Board shall select the slate of nominated individuals as follows:

- (a) Individuals meeting the qualifications set out in this Petition for Successor Directors must be nominated by at least two sitting Directors; and
- (b) The Directors shall then vote for a slate of nominees who shall consist of a number sufficient to fill all of the expiring terms and/or additional terms, as applicable, and the Board shall submit the approved slate to the City Clerk.

6. Successor Directors

Successor Directors shall be appointed by the Mayor of the City with the consent of the City Council by resolution, and the slate submitted by the Board to the City Clerk shall serve as recommendations for such

appointments. Such appointment shall be at the discretion of the Mayor, subject to each and every qualification stated in this Petition.

7. Termination

Any Director may be removed for cause by a two-thirds affirmative vote of the Board. Written notice of the proposed removal shall be given to all Directors prior to action thereon.

8. Compensation

No Director shall receive compensation for performing their official duties as a member of the Board, except that the District may reimburse Directors for reasonable and actual expenses incurred in the performance of their official duties as may be permitted in the Act.

V. ASSESSED VALUE

The total assessed value of all of the real property within the District is \$2,514,264.

VI. BLIGHT DETERMINATION

The petitioners are seeking a determination that the District Land is a blighted area. A blight analysis is attached to this petition.

VII. LIFE OF DISTRICT

The life of the District shall be for a period of 27 years following the effective date of the Ordinance establishing the District unless and until terminated earlier in accordance with the Act.

VIII. REAL PROPERTY TAXES AND BUSINESS LICENSE TAXES

The District is not authorized to levy a real property tax or a business license tax.

IX. SPECIAL ASSESSMENTS

The District is not authorized to levy a special assessment.

X. SALES TAX

The District may by resolution of the Board, and in accordance with the Act, impose a District-wide sales tax not to exceed one percent (1.0%) upon all eligible retail sales within the District.

XI. LIMITATIONS ON BORROWING CAPACITY, REVENUE GENERATION AND DISTRICT POWERS

There shall be no limitations on the District's borrowing capacity, revenue generation, or powers.

XII. REQUEST TO ESTABLISH DISTRICT

By execution and submission of this Petition, the Petitioners request that the City Council establish the District as set out in this Petition.

XIII. SEVERABILITY

If any provision of this Petition shall be held or determined to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions of this Petition or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative or unenforceable to any extent whatsoever.

EXHIBIT A

LEGAL DESCRIPTION OF DISTRICT

4510 S NOLAND RD

33-520-10-54-00-0-00-000

RNG-32 TWP-49 SEC-26 BEG 875' N & 45' W OF SE COR NW 1/4 TH W 400' TH N 245 ' TH
E400' TH S 245' TO POB

AND

4500 S NOLAND RD

33-520-10-55-02-0-00-000

RNG-32 TWP-49 SEC-26 PT OF E 1/2 NW 1/4 DAF: BEG AT PT 650' S OF NW 1/4 TH S ALG
W LI E 1/2 SD 1/4 1103.51' TH E 25' TO TRU POB TH N 270.98' TH E 65' TH S .91' TH E
598.90' TH ALG A CURV TO RI 89.37' TH S 77 DEG E 24.78' TH ALG A CURV TO LF 74.79'
TH S 245' TH W 850.58' TO TRU POB

AND

4400 S NOLAND RD

33-520-10-62-00-0-00-000

RNG-32 TWP-49 SEC-26 PT OF NW 1/4 DAF: BEG SE COR LOT 54 HOLIDAY HILLS TH E
983.36' TO W ROW NOLAND RD TH S ALG SD ROW 200' MOL TH W 70' TO TR POB: TH S
200' TH W 200' TH N 200' TH E 220' TO TR POB (JACKS OR BETTER REST)

AND

4452 S NOLAND RD

33-520-10-63-01-1-00-000

RNG-32 TWP-49 SEC-26 BEG AT SE COR LT 58 HOLIDAY HILLS TH E 402.5' TH SLY 200'
TH W 290' TH S 64.03' MOL TH W 199.04' TO TRU POB TH SLY 519' MOL TH W 111' TH N
395' MOL TH E 4.5' TH N 122' TH E 106.5' TO TRU POB (KNOWN AS LEE WARDS)

AND

4452 S NOLAND RD

33-520-10-63-01-3-00-000

RNG-32 TWP-49 SEC-26 BEG 783.56' S OF SE COR OF LT 54 HOLIDAY HILLS TH E 383.3'
TH N 400.26' TH W 297' TH S 75' TH W 90.25' TH S 323' TO POB

AND

4354 S NOLAND RD

33-520-10-63-01-4-00-000

RNG-32 TWP-49 SEC-26 PT OF NW' 1/4 DAF: BEG SE COR LOT 58 HOLIDAY HILLS TH E 137.40' TH S 133.62' TH E 265' TH S 690' TH W 260.08' TH N 242.89' TH E 190' TH N 358.87' TH W 220' TH S 64' TH W 305.54' TH N 120' TH W 127' TH N 85' TH W 32.5' TH N 16.78' TH E 67' TH N 40' TH E 290' TO POB

AND

4340 S NOLAND RD

33-520-10-63-01-5-00-000

RNG-32 TWP-49 SEC-26 PT OF NW 1/4 DAF: BEG 137.48' E OF SE COR LT 58 HOLIDAY HILLS TH E 265.04' TO W LI NOLAND RD TH SLY 129.20' TH WLY 265' TH WHY 133.62' TO POB

AND

4420 S NOLAND RD

33-520-10-63-02-0-00-000

KNOWN AS CHILD WORLD ALSO DAF: BEG SW COR LT 54 HOLIDAY HILLS TH E 227' TH S 56' TH E 32.5' TH S 85' TH E 127' TH S 242' TH W 297' TH S 75' TH W 90' TH N 462' TO POB

AND

4466 S NOLAND RD

33-520-10-63-03-0-00-000

KNOWN AS HANDY DAN DAF: BEG SE COR LT 58 TH E 402' TH S 557' TH W 70' TO TRUE POB TH W 190' TH S 242' TH W 142' TH N 30' TH W 86' TH N 519' MOL TH E 199' TH S 147' TH E 219' TH S 158' TO POB

EXHIBIT B

MAP OF DISTRICT



EXHIBIT C

PARCEL NUMBERS AND ASSESSED VALUES OF PROPERTY WITHIN DISTRICT

Noland South CID

Parcel Numbers and Assessed Values (2021):

Map #	Parcel ID	Address	AV 2021
1	33-520-10-63-02-0-00-000	4420 S NOLAND RD	\$396,480
2	33-520-10-63-01-4-00-000	4354 S NOLAND RD	\$768,000
3	33-520-10-63-01-5-00-000	4340 S NOLAND RD	\$264,000
4	33-520-10-62-00-0-00-000	4400 S NOLAND RD	\$176,000
5	33-520-10-63-03-0-00-000	4466 S NOLAND RD	\$437,760
6	33-520-10-63-01-1-00-000	4452 S NOLAND RD	\$188,800
7	33-520-10-63-01-3-00-000	4452 S NOLAND RD	\$344
8	33-520-10-55-02-0-00-000	4500 S NOLAND R	\$10,560
9	33-520-10-54-00-0-00-000	4510 S NOLAND RD	\$272,320
	Total		\$2,514,264

EXHIBIT D

FIVE-YEAR PLAN

ESTIMATED COSTS OF IMPROVEMENTS AND SERVICES*

- I. **General.** The District will be established to fund those items set forth below in the CID Project Budget, and also fund the initial start-up costs and ongoing operating costs of the District. The District Projects will serve the public purpose of remediating the blighting conditions found to exist within the District.
- II. **District Purposes.** The purposes of the District are to:
- (1) Provide or cause to be provided for the benefit of the District, certain improvements more specifically described in this Petition;
 - (2) Fund the costs, expenditures, and undertakings of the District;
 - (3) To levy and collect the Sales Tax in order to provide a source of payment for the District Projects; and
 - (4) Such other purposes and activities authorized by the Act and allowed by the Petition.
- III. **Estimated Initial Five-Year Budget.** The estimated revenue from the Sales Tax and expenditures are as follows for the initial five years of the District:

		Year 1 2022	Year 2 2023	Year 3 2024	Year 4 2025	Year 5 2026
A	Estimated Sales Tax Revenue (1.0%)	\$25,196	\$101,793	\$102,811	\$103,839	\$104,877
B	Expenditures					
1	Capital Improvements					
	Parking Lot	\$1,571,563				
	Landscaping	\$315,439				
	Façade	\$540,487				
	Signage	\$160,042				
2	Insurance	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
3	Legal	\$15,000	\$2,500	\$2,500	\$2,500	\$2,500
4	Accounting	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
5	Expenditure Total	\$2,607,031	\$7,000	\$7,000	\$7,000	\$7,000
C	Net of Revenue/Expenditures	<u>(\$2,581,835)</u>	<u>\$94,793</u>	<u>\$95,811</u>	<u>\$96,839</u>	<u>\$97,877</u>

Notes:

- A The sales tax may only be levied after an approved board resolution and sales tax election in accordance with the CID Act. The sales tax is estimated to become effective September 1, 2022, subject to qualified voter approval in a mail-in ballot election. Any sales tax approved by qualified voters will not become effective until the first day of the second quarter following the approval of such tax.

- B For the first year, this includes all legal costs associated with the formation of the District, drafting, filing and prosecuting this Petition, the negotiation of any and all agreements between the District and the City, and engineering, insurance and accounting fees.
- * To the extent the actual revenue and costs of improvements vary from this five-year plan and CID Project Budget, the District's budget will be modified by the Board on an annual basis.

CLERK'S RECEIPT OF PETITION

This Petition was filed in the office of the City Clerk of the City of Independence, Missouri on the ____ day of _____, 2022.

Rebecca Behrens
City Clerk

[SEAL]

**Signature Page for Petition to Establish the
Noland South Shopping Center Community Improvement District**

I request that the City Council of the City of Independence, Missouri establish the Noland South Shopping Center Community Improvement District according to the preceding Petition to Establish the Noland South Shopping Center Community Improvement District (the "Petition").

Owner Name Noland South Development Company, L.L.P.
Property Address See below
Owner Telephone Number _____
Owner Mailing Address 4800 Main Street Suite 400, Kansas City, MO 64112

If signer is different from owner:

Name of Signer: Christopher S. Shank
State basis of legal authority to sign: Authorized Partnership Representative
Signer's Telephone Number: 816.482.0652
Signer's Mailing Address: 1968 Shawnee Mission Parkway, Mission Woods, KS 66208


If the owner is an individual, state if the owner is single or married: N/A

If the owner is not an individual, state what type of entity: Partnership

The map and parcel numbers and assessed value of the property owned: _____

Map #	Parcel ID	Address	AV 2020
1	33-520-10-63-02-0-00-000	4420 S NOLAND RD	\$396,480
2	33-520-10-63-01-4-00-000	4354 S NOLAND RD	\$768,000
3	33-520-10-63-01-5-00-000	4340 S NOLAND RD	\$264,000
4	33-520-10-62-00-0-00-000	4400 S NOLAND RD	\$176,000
5	33-520-10-63-03-0-00-000	4466 S NOLAND RD	\$437,760
6	33-520-10-63-01-1-00-000	4452 S NOLAND RD	\$188,800
7	33-520-10-63-01-3-00-000	4452 S NOLAND RD	\$344
8	33-520-10-55-02-0-00-000	4500 S NOLAND R	\$10,560
9	33-520-10-54-00-0-00-000	4510 S NOLAND RD	\$272,320
	Total		\$2,514,264

By executing this signature page, the undersigned represents and warrants that he/she has received a copy of the Petition, has read the Petition, is authorized to execute this signature page on behalf of the property owner named immediately above, and authorizes this signature page to be attached to the original of the Petition to be filed in the Office of the City of Independence, Missouri Clerk. The undersigned also acknowledges that his/her signature may not be withdrawn later than seven days after this Petition is filed with the clerk of the City.

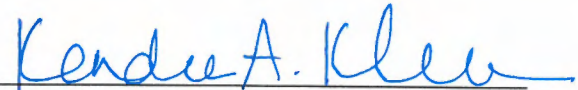
By: 

3/24/22
Date

State of Kansas)
County of Johnson) ss:

Before me personally appeared Christopher S. Shank, to me personally known to be the individual(s) described in and who executed the preceding Petition on behalf of said company/owner and acknowledged to me that he or she executed the same for the purposes therein stated as the free act and deed of said company/owner.

Witness my hand and official seal this 24th day of March 2022.


Notary Public

My Commission Expires: 1/22/2024

