

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE TERMINATING REDEVELOPMENT PROJECT I OF THE NORTH INDEPENDENCE TAX INCREMENT FINANCING PLAN; DISSOLVING THE SPECIAL ALLOCATION FUND ACCOUNT FOR REDEVELOPMENT PROJECT I OF THE NORTH INDEPENDENCE REDEVELOPMENT AREA; AND AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THESE AFOREMENTIONED ACTIONS.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted or conservation areas, as defined in the Act; and

WHEREAS, on May 15, 2000, the City Council of Independence, Missouri passed and adopted Ordinance No. 14482, which approved the North Independence Tax Increment Financing Plan ("TIF Plan"), approved the North Independence Redevelopment Projects, approved the designation of the North Independence Redevelopment Project Area, a portion of which (Redevelopment Project Area I) is legally described on **Exhibit A** attached hereto and incorporated herein, as a Redevelopment Project Area, adopted tax increment financing for the North Independence Redevelopment Area and designated the North Independence Redevelopment Area as a Blighted Area; and

WHEREAS, on October 5, 2000, the City entered into a Redevelopment Agreement for the redevelopment of Redevelopment Project Area I and Redevelopment Project Area II with the developer named therein (the "Developer"); and

WHEREAS, Redevelopment Project I was successfully completed by the Developer and a certificate of completion was issued on or about August 20, 2006, and the Winterstone Golf Course was opened for use by the public; and

WHEREAS, Redevelopment Project II was never completed and the City has previously terminated tax increment financing within Redevelopment Project II and dissolved the special allocation fund account relating to that project; and

WHEREAS, the City Council hereby finds that Redevelopment Project I has been completed, the time for collection of tax increment financing revenues within Redevelopment Project I has expired as of May 14, 2023 (the "Expiration Date"), and therefore, it is in the best interest of the City and the other affected taxing districts to terminate tax increment financing within Redevelopment Project Area I; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council recognizes that there is currently a zero balance in the Special Allocation Fund account created for Redevelopment Project I (the "Special Allocation Fund"). The Special Allocation Fund is dissolved effective as of the date of this Ordinance. The City Council hereby declares as surplus all payments in lieu of tax and economic activity taxes received by the City from and after the date of this Ordinance for deposit in the Special Allocation Fund relating to Redevelopment Project I, to the extent relating to periods after the Expiration Date. Any amounts received relating to periods prior to the Expiration Date shall applied as required by the redevelopment contract with the Developer.

SECTION 2. The City Council hereby terminates tax increment financing within Redevelopment Project Area 1 and terminates any and all agreements relating to the collection and application of tax increment financing revenues within Redevelopment Project Area 1.

SECTION 3. The officers, agents and employees of the City (including but not limited to the City Manager and City Clerk) are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance.

SECTION 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones, unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 5. This Ordinance shall take effect in accordance with the City’s charter.

PASSED THIS _____ DAY OF _____, 2023, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council of the
City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT PROJECT AREA I

TRACT I:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 50, RANGE 31 IN INDEPENDENCE, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE SAID NORTHWEST QUARTER LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF KENTUCKY ROAD AS NOW ESTABLISHED AND EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NORTHWEST QUARTER; THEN NORTH 0°15'03" WEST ON THE WEST LINE OF THE SAID NORTHWEST QUARTER, 1600 FEET; THENCE NORTH 18°45'00" EAST 995 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID KENTUCKY ROAD.

CONTAINING 149.7 ACRES.

TRACT II:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 50, RANGE 32 IN INDEPENDENCE, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE SAID QUARTER QUARTER SECTION LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF KENTUCKY ROAD AS NOW ESTABLISHED AND LYING EAST OF EASTERLY RIGHT-OF-WAY LINE OF MISSOURI HIGHWAY NO M-291 AS NOW ESTABLISHED.

ALSO

THAT PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 50, RANGE 31, INDEPENDENCE, JACKSON COUNTY, MISSOURI LYING WEST OF A LINE DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER-SECTION; THENCE NORTH 0°15'03" WEST, ALONG THE WEST LINE THEREOF, 1600 FEET; THENCE NORTH 18°45'00" EAST, 995 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY OF KENTUCKY ROAD.

CONTAINING 10.1 ACRES.