

# OVERLOOK TAX INCREMENT FINANCING PLAN

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KANSAS CITY, MISSOURI

**TIF COMMISSION APPROVAL:**

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**DATE:**                      **RESOLUTION NO.**

**CITY COUNCIL APPROVAL:**

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**DATE:**                      **ORDINANCE NO.**

## TABLE OF CONTENTS

	<u>Page</u>
I. SUMMARY .....	1
II. DEFINITIONS.....	2
III. TAX INCREMENT FINANCING.....	8
IV. GENERAL DESCRIPTION OF THE REDEVELOPMENT PROGRAM.....	8
A. THE REDEVELOPMENT PLAN .....	8
B. REDEVELOPMENT AREA .....	8
C. REDEVELOPMENT PROJECT .....	8
D. PROJECT IMPROVEMENTS AND PUBLIC IMPROVEMENTS .....	9
E. ESTIMATED DATE OF COMPLETION .....	9
F. DATE TO ADOPT REDEVELOPMENT PLAN.....	9
G. REDEVELOPMENT PLAN OBJECTIVES .....	9
H. DATE TO ADOPT REDEVELOPMENT PROJECT AND TO ACQUIRE PROPERTY BY EMINENT DOMAIN.....	9
I. GAMING STATUS .....	9
V. FINANCING.....	9
A. ESTIMATED REDEVELOPMENT PLAN COSTS .....	9
B. ANTICIPATED SOURCES OF FUNDS.....	10
C. PAYMENTS IN LIEU OF TAXES .....	10
D. ECONOMIC ACTIVITY TAXES.....	10
E. ADDITIONAL CITY EATs.....	11
F. ADDITIONAL CITY TAX REVENUE .....	11
G. EVIDENCE OF COMMITMENTS TO FINANCE.....	11
VI. MOST RECENT EQUALIZED ASSESSED VALUATION .....	12
VII. ESTIMATED EQUALIZED ASSESSED VALUATION AFTER REDEVELOPMENT .....	12
VIII. GENERAL LAND USE .....	12
IX. CONFORMANCE TO THE COMPREHENSIVE PLAN.....	12
X. EXISTING CONDITIONS IN THE REDEVELOPMENT AREA .....	12
XI. “BUT FOR TIF” .....	12
XII. COST-BENEFIT ANALYSIS.....	13
XIII. ACQUISITION AND DISPOSITION .....	14
XIV. RELOCATION ASSISTANCE PLAN .....	14
XV. ENTERPRISE ZONE .....	14
XVI. PROVISION OF PUBLIC FACILITIES.....	14
XVII. REDEVELOPMENT AGREEMENT .....	14
XVIII. PROVISIONS FOR AMENDING THE PLAN .....	15

## EXHIBITS

- Exhibit 1: The Redevelopment Area
  - A: Legal Description of Redevelopment Area
  - B: Legal Description of Redevelopment Project Area
  
- Exhibit 2: Redevelopment Project Area
  - A: Map of Redevelop Area
  - B: Map of Redevelopment Project Area
  
- Exhibit 3: Specific Objectives of the Plan
  
- Exhibit 4: Estimated Construction and Employment Information
  - A. Estimated Construction
  - B. Estimated Employment
  
- Exhibit 5: Budget of Redevelopment Project Costs
  
- Exhibit 6: Economic Activity Tax Projections
  
- Exhibit 7: Anticipated Sources of Funds
  
- Exhibit 8: Development Schedule
  
- Exhibit 9: Cost-Benefit Analysis
  
- Exhibit 10: “But For” Statement
  
- Exhibit 11: Director of City Planning and Development Affidavit
  
- Exhibit 12: Existing Conditions Study (Blight Study)
  
- Exhibit 13: Evidence of Financing Commitments
  
- Exhibit 14: List of Properties to be Acquired
  
- Exhibit 15: Relocation Assistance
  
- Exhibit 16: Redeveloper’s Affidavit

## I. SUMMARY

The Overlook Tax Increment Financing Plan (the “Plan”) provides for the construction of up to 60,000 square feet of new office building and 185 parking surface parking spaces, along with interior driveways, and potentially all or part of the health fitness trail and public plaza areas associated with the building. (the “Project Improvements”), together with the construction or reconstruction of such other public infrastructure improvements, which may consist of signage, signaling, sidewalks, storm drainage facilities, utility relocation, structured parking facilities, curbs, and such other related public infrastructure improvements that support and enhance the Project Improvements (collectively, the “Public Improvements”).

The proposed redevelopment area described by the Plan, is generally bounded by Swope Parkway on the north, 49<sup>th</sup> Street on the south, Chestnut Avenue on the west, and College Avenue on the east, all in Jackson County, Kansas City, Missouri, which currently consists of one (1) Redevelopment Project Area described on **Exhibit 1B** and depicted on **Exhibit 2B** and, by virtue of subsequent amendments to the Plan and separate Ordinances passed by the City Council, may include an additional five (5) for anticipated development that will include approximately 100,000 square feet of office, two multifamily buildings totaling approximately 140 units, three retail/commercial spaces totaling approximately 12,00 square feet, a health and fitness trail, public plaza areas and outdoor park spaces.

The estimated Redevelopment Project Costs to implement all the Project Improvements and Public Improvements is \$ [REDACTED], which includes approximately \$ [REDACTED] of permanent interest costs. The Redeveloper, through a combination of equity, the proceeds from the sale of new market tax credits, and conventional debt will finance **[\$18,563,520]**. The remaining estimated Redevelopment Project Costs will be funded with (1) approximately \$ [REDACTED] of Economic Activity Taxes, (2) approximately \$ [REDACTED] of Additional City EATs, (3) approximately **[\$220,000]** sales tax approved by the Public Improvements Advisory Committee (PIAC), (4) approximately **[\$3,700,000]** in sales tax approved and the Central City Economic Development Fund. The Redevelopment Project Costs including those that are reimbursable are identified on **Exhibit 5**, attached to this Plan.

The total initial equalized assessed valuation of the Redevelopment Area, according to 2020 tax records at the Jackson County Assessor’s Office, is approximately \$416,087, of which approximately \$158,464 is tax-exempt, leaving a net taxable amount of \$257,623. The current combined ad valorem property tax levy is projected to be \$8.0368 per \$100 assessed valuation. Following the completion of all of the Project, it is estimated that the assessed value of the real property within the Redevelopment Area will increase to approximately \$10,856.935.

Pursuant to the Act, tax increment financing allows for the use of Economic Activity Taxes and Payments in Lieu of Taxes generated and collected within the Redevelopment Project Areas for a twenty-three (23) year period to pay Reimbursable Project Costs.

The estimated total Economic Activity Taxes generated within the Redevelopment Project Area, deposited into the Special Allocation Fund and, upon annual appropriation or upon being budgeted and transferred by the City Council, available to pay reimbursable Redevelopment Project Costs is approximately **[\$4,700,000]**, of which approximately 100% may be used to reimburse eligible Redevelopment Project Costs, including interest certified by the Commission. Those Economic Activity Taxes, which are estimated to be generated on an annual basis, are shown on **Exhibit 6**, attached hereto, and include 50% of the net earnings taxes paid by businesses and employees, 50% of the net food & beverage taxes, 50% of the net utility taxes, 50% of certain City and County net sales taxes generated, collected and available during such time tax increment allocation financing is authorized by Ordinance.

The Redeveloper intends to seek benefits under The Planned Industrial Law (the “PIEA Benefits”), which would exempt sales taxes on construction materials, along with exemptions on personal and real property taxes within Redevelopment Area. The requested PIEA Benefits provides for 100% real property tax abatement for twenty-five (25) years and 100% personal property tax abatement for **( )** years for real property and personal property located within the Redevelopment Area. No Payments in Lieu of Taxes will be utilized to pay for any Reimbursable Project Costs. If the PIEA Benefits are not approved or is not approved at the level requested by the Redeveloper, any and all PILOTs (or increase in PILOTs from the approval of some but less than all of the Redeveloper’s 100% abatement request) which are generated, collected and deposited in the Special Allocation Fund shall be utilized or pledged to the payment of eligible Reimbursable Project Costs. In the event PIEA Benefits are not approved, the estimated the annual incremental PILOTs to be generated in the Redevelopment Area are \$200,398, as set forth on **Exhibit 6**, attached hereto.

The estimated Additional City EATS (as hereafter defined), subject to appropriation by the City Council, will be available to pay Reimbursable Project Costs. The Additional City EATS will not exceed \$ **\_\_\_\_\_**.

The estimated Additional City Tax Revenue (as hereafter defined), subject to appropriation by the City Council, will be available to pay Reimbursable Project Costs. The Additional City Tax Revenue will not exceed \$ **\_\_\_\_\_**.

Upon the reimbursement of Reimbursable Project Costs (including Administrative Expenses), Tax Increment Financing will be terminated and the Taxing Districts, subject to Section 99.850 RSMo., will receive all tax revenue generated within the Redevelopment Area.

## II. DEFINITIONS

As used in this Tax Increment Financing Plan, the following terms shall have the following meanings:

- A. “Act,” the Real Property Tax Increment Allocation Redevelopment Act, Section 99.800, et. seq., Revised Statutes of Missouri, as amended.

- B. “Additional City EATS,” An amount equal to (1) 50% of all retail sales taxes imposed by the City and generated in the Redevelopment Project Areas, but excluding those portions derived from each of the following: (a) the City’s 0.4625% public mass transit tax, pursuant to Section 68-471 of the City’s Code of Ordinances (or any successor provision thereto), (b) the City’s 0.4125% KCATA tax, pursuant to Section 68-475 of the City’s Code of Ordinances (or any successor provision thereto), (c) the City’s 0.5000% parks tax, pursuant to Section 68-448 of the City’s Code of Ordinances (or any successor provision thereto), (d) the City’s 0.125% Central City Economic Development sales tax, pursuant to Section 68-449 of the City’s Code of Ordinances (or any successor provision thereto) and (e) the City’s 0.5% fire tax, pursuant to 68-444 of the City’s Code of Ordinances (or any successor provision thereto). (2) An amount equal to 50% of the Earnings Tax imposed by the City and generated within the Redevelopment Project Areas, (3) An amount equal to 50% of the Utility Gross Receipts Tax imposed by the City and generated within the Redevelopment Project Areas.
- C. “Additional City Tax Revenue,” (1) a 1/8 percent economic development sales tax devoted to projects located within the area bounded by 9th Street on the north, Gregory Boulevard on the south, The Paseo on the west, and Indiana Avenue on the east, which, subject to appropriation, may be deposited, from time to time by the City in the Central City Economic Development Sales Tax Fund to reimburse Redevelopment Project Costs in an amount not excess of \$3,700,000, as specifically identified on **Exhibit 5**, attached hereto and (2) sales tax approved by the City’s Public Improvements Advisory Committee (PIAC) which, subject to appropriation, may be utilized to fund Redevelopment Project Costs in an amount not in excess of \$220,000, as specifically identified on **Exhibit 5**, attached hereto.
- D. “Affiliate,” as applied to any person or entity, any other person or entity who controls, is controlled by, or is under common control with, such person or entity. For purposes of this definition, “control” means the possession, directly or indirectly through one or more intermediaries, of the power to direct the management and policies of a person or entity, whether through the ownership of equity interests, by contract, or otherwise; provided, however, that (a) any person or entity which owns directly or indirectly a majority of the equity interests having ordinary voting power for the election of directors or other members of the governing body of a person or entity or a majority of the partnership or other ownership interests of a person or entity (other than as a limited partner of such person or entity) shall be deemed an Affiliate of such person or entity, and (b) each partnership in which a person or entity is a general partner shall be deemed an Affiliate of such person or entity.
- E. “Blighted Area,” an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or

constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.

- F. “City,” City of Kansas City, Missouri.
- G. “Commission,” the Tax Increment Financing Commission of Kansas City, Missouri
- H. “Economic Activity Taxes,” fifty percent (50%) of the total additional revenue from taxes which are imposed by the City and other Taxing Districts, and which are generated by economic activities within each Redevelopment Project Area, over the amount of such taxes generated by economic activities within such Ordinance designating such Redevelopment Project Area in the calendar year prior to the adoption of the Redevelopment Project by Ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to Section 70.500 RSMo., taxes levied for the purpose of public transportation pursuant to Section 94.660 RSMo., taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than Payments In Lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems and such other taxes that may be excluded by State law from time to time, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund; provided, however, if the voters in a Taxing District vote to approve an increase in such Taxing District’s sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing Redevelopment Project Area that are directly attributable to the newly voter-approved incremental increase in such taxing district’s levy rate shall not be considered “Economic Activity Taxes”, without the consent of such Taxing District. If a retail establishment relocates within one (1) year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to such redevelopment project area

- I. “Equity Investment,” the total accumulated sums reflected as equity on the Redeveloper’s financial statements (including, but not limited to its Balance Sheet) submitted in connection with the “Public Participation” provisions of the Redevelopment Agreement as being expended by the Redeveloper or any other non-governmental party that is an Affiliate of the Redeveloper in connection with any and all aspects of the Project Improvements and Public Improvements, including but not limited to any and all costs, including financing costs incurred by the Redeveloper, private loan interest, expenses or investments made by the Redeveloper or any such non-governmental Affiliate prior to or subsequent to the date of this Plan and incurred by Redeveloper or any such non-governmental party that is an Affiliate of the Redeveloper in connection with the acquisition of any property in the Redevelopment Area, due diligence, leasing, marketing, formation of entities, construction and implementation of the Project Improvements, including the principal amount of any subordinate Obligations so long as Redeveloper, or its Affiliates, is the owner or guarantor of such subordinate Obligations, commercial financing and any additional capital contributions made by Redeveloper or such non-governmental party that is an Affiliate of the Redeveloper.
- J. “Gambling Establishment,” an excursion gambling boat as defined in section 313.800, RSMo., and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in Sections 313.800 to 313.850, RSMo.
- K. “Obligations,” bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by the City, Commission or by any other appropriate issuer, approved by the City and Commission, to pay or reimburse all or any portion of the Redevelopment Project Costs or to otherwise carry out a redevelopment project or to fund outstanding obligations.
- L. “Ordinance,” an ordinance enacted by the governing body of the City.
- M. “Payment in Lieu of Taxes,” those estimated revenues from real property taxes generated within the Redevelopment Project Area which are to be used to reimburse the Redevelopment Project Costs identified by the Plan, which Taxing Districts would have received had the City not adopted tax increment allocation financing, and which result from levies made after the time of the adoption of tax increment allocation financing within the Redevelopment Project Area that is approved by Ordinance (but excluding the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution and the merchant’s and manufacturer’s inventory replacement tax levied under the authority of subsection 2 of Section 6 of the Missouri Constitution) and during the time the current equalized value of real property in the Redevelopment Project Area exceeds the Total Initial Equalized Assessed Value of real property in the

Redevelopment Project Area, until the designation is terminated pursuant to the Act, provided however, if the voters in a Taxing District vote to approve an increase in such Taxing District's levy rate for ad valorem tax on real property, any additional revenues generated within the Redevelopment Project Area that are directly attributable to the newly voter-approved incremental increase in such Taxing District's levy rate shall not be considered Payments in Lieu of Taxes without the consent of such Taxing District. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district's actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the Redevelopment Project was adopted.

- N. "Project Improvements," the construction of up to 60,000 square feet of new office building and 185 parking surface parking spaces, along with interior driveways, and potentially all or part of the health fitness trail and public plaza areas associated with the building.
- O. "Project Improvements and Public Improvements," collectively, the Project Improvements and such other public infrastructure improvements, which may consist of streetscape, signage, signaling, sidewalks, utility relocation, and curbs and such other, related public infrastructure improvements that support and enhance the Project Improvements.
- P. "Redeveloper," the business organization or other entity designated by the Commission, pursuant to a resolution, and to which the Commission enters a Redevelopment Agreement to implement the Redevelopment Plan or the Project Improvements or a portion thereof.
- Q. "Redevelopment Agreement," the agreement between the Commission and Redeveloper for the implementation of the Redevelopment Plan or the Project Improvements and Public Improvements or a portion thereof.
- R. "Redevelopment Area," an area designated by Ordinance of the City, in respect to which the City has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to Sections 135.200 to 135.236, RSMO., of a combination thereof, and which area includes only those parcels of real property directly and substantially benefitted by the proposed Redevelopment Project and which is legally described on **Exhibit 1A** and depicted on **Exhibit 2A**.
- S. "Redevelopment Plan" or "Plan," the Overlook Tax Increment Financing Plan, as it may be amended from time to time.
- T. "Redevelopment Project," the redevelopment project that is identified on **Exhibit 1B** that (1) is intended to further the objectives of the Redevelopment Plan (2) contains a legal description, and (3) is approved by an Ordinance of the City.

- U. “Redevelopment Project Areas,” the area selected for the Redevelopment Project and which are legally described on **Exhibit 1B** and depicted on **Exhibit 2B**.
- V. “Redevelopment Project Costs” include the sum of all reasonable or necessary costs incurred or estimated to be incurred, any such costs incidental to the Redevelopment Plan and/or a Redevelopment Project. Such costs are identified on **Exhibit 5** and may include, but are not limited to the following:
1. Costs of studies, surveys, plans and specifications;
  2. Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of the Redevelopment Plan or a Redevelopment Project;
  3. Property assembly costs, including but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
  4. Costs of rehabilitation, reconstruction, repair or remodeling of existing buildings and fixtures;
  5. Cost of construction of public works or improvements;
  6. Financing costs, including, but not limited to all necessary and incidental expenses related to the issuance of Obligations, and which may include payment of interest on any Obligations issued hereunder accruing during the estimated period of construction of any Redevelopment Project for which such Obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
  7. All or a portion of a taxing district’s capital cost resulting from the Redevelopment Project necessarily incurred or to be incurred in furtherance of the objectives of the Redevelopment Plan and Redevelopment Project, to the extent the municipality by written agreement accepts and approves such costs;
  8. Relocation costs to the extent that the City determines that relocation costs shall be paid or are required to be paid by federal or state law; and
  9. Payments in lieu of taxes.
- W. “Reimbursable Project Costs,” Redevelopment Project Costs in an amount not to exceed **[\$ ]** as identified on **Exhibit 5** (under the column “TIF Reimbursable Costs”).

- X. “Special Allocation Fund,” the fund maintained by the City or the Commission, as the case may be, which contains at least two (2) separate segregated accounts for each Redevelopment Project and any additional accounts deemed appropriate by the City and Commission (i.e. TIF Revenue Account, Additional City EATs and Additional City Tax Revenue) and maintained by the treasurer of the City or the treasurer of the Commission into which Payments in Lieu of Taxes, Economic Activity Taxes, Additional City EATs and Additional City Tax Revenue and other revenues are deposited.
- Y. “Tax Increment Financing,” tax increment allocation financing as provided pursuant to Chapter 99.800, et seq. RSMo.
- Z. “Taxing Districts,” any political subdivision of Missouri located wholly or partially within the Redevelopment Project Areas having the power to levy taxes.
- AA. “TIF Revenue,” Payments in Lieu of Taxes and Economic Activity Taxes.

### III. TAX INCREMENT FINANCING

This Plan is adopted pursuant to the Act. The Act enables municipalities to finance Redevelopment Project Costs with the revenue generated from Payments in Lieu of Taxes and Economic Activity Taxes.

### IV. GENERAL DESCRIPTION OF THE REDEVELOPMENT PROGRAM

A. The Redevelopment Plan. The Overlook Tax Increment Financing Plan (the “Plan”) contemplates the acquisition of properties along Blue Parkway and their subsequent demolition and site clearance. Once cleared, the site is to be redeveloped with approximately 60,000 square feet of office space and 185 parking spaces, along with interior driveways, and potentially all or part of the health fitness trail and public plaza areas associated with the building and such other public amenity elements and public infrastructure improvements, which may consist of streetscape, signage, signaling, sidewalks and curbs and such other related public infrastructure improvements that support and enhance the Project Improvements and such improvements are anticipated to be completed by **September 2023**. The Plan further provides that \$ **\_\_\_\_\_** (approximately **\_\_\_\_\_** %) of the \$ **\_\_\_\_\_** of Redevelopment Project Costs are eligible for reimbursement.

B. Redevelopment Area. The proposed redevelopment area described by the Plan is generally bound by Chestnut Avenue on the west, Swope Parkway on the north, College Avenue on the east, and 49<sup>th</sup> Street or the northern boundaries of property abutting 49<sup>th</sup> Street on the south in Kansas City, Jackson County, Missouri, as legally described on **Exhibit 1A** and depicted on **Exhibit 2A** (the “Redevelopment Area”).

C. Redevelopment Project. The Redevelopment Project Area described by the Plan is generally bound by College Avenue on the west, Swope Parkway on the north, 49<sup>th</sup> Street on the south, and a sewer easement following the projection of South Benton Avenue on the east, all in Jackson County, Kansas City, Missouri (the “City”) as legally

described on **Exhibit 1B** and depicted on **Exhibit 2** (the “Redevelopment Project Area”). It is anticipated the Plan will be amended to include an additional five (5) redevelopment project areas, which are depicted on **Exhibit 2**, that will collectively provide for approximately 100,000 square feet of office, two multifamily buildings totaling approximately 140 units, three retail/commercial spaces totaling approximately 12,000 square feet, [REDACTED] parking spaces, the addition of a health and fitness trail, public plaza areas and outdoor park spaces.

D. **Project Improvements and Public Improvements.** The improvements will consist of the construction of up to 60,000 square feet of new office building and 185 parking surface parking spaces, along with interior driveways, and potentially all or part of the health fitness trail and public plaza areas associated with the building (the “Project Improvements”), together with the construction or reconstruction of such other public infrastructure improvements, which may consist of signage, signaling, sidewalks, storm drainage facilities, utility relocation, structured parking facilities, curbs, and such other related public infrastructure improvements that support and enhance the Project Improvements (collectively, the “Public Improvements”).

E. **Estimated Date of Completion.** The estimated date for completion of the Project Improvements and Public Improvements located within the Redevelopment Area is set forth on **Exhibit 8**. The completion of the Project Improvements and Public Improvements located within the Redevelopment Project and retirement of Obligations incurred to finance Redevelopment Costs will occur no later than twenty-three (23) years from the adoption of the ordinance approving the Redevelopment Project.

F. **Date to Adopt Redevelopment Plan.** In no event shall any ordinance approving a Redevelopment Project be adopted later than ten (10) years from the adoption of the ordinance approving this Redevelopment Plan.

G. **Redevelopment Plan Objectives.** The specific objectives of the Redevelopment Plan are set forth in **Exhibit 3**.

H. **Date to Adopt Redevelopment Project and to Acquire Property by Eminent Domain.** In no event shall any ordinance approving a Redevelopment Project be adopted later than ten (10) years from the adoption of the ordinance approving this Redevelopment Plan and no property for the Redevelopment Project shall be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving the Redevelopment Project.

I. **Gaming Status.** The Redevelopment Plan does not include the initial development or redevelopment of any Gambling Establishment.

## V. **FINANCING**

A. **Estimated Redevelopment Plan Costs.** The estimated Redevelopment Project Costs to implement all the Project Improvements and Public Improvements is \$ [REDACTED], which includes approximately \$ [REDACTED] of permanent interest costs. The Redeveloper, through a combination of equity, the proceeds from the sale of

new market tax credits, and conventional debt will finance [ \$ \_\_\_\_\_ ]. The remaining estimated Redevelopment Project Costs will be funded with (1) approximately \$ \_\_\_\_\_ of Economic Activity Taxes, (2) approximately \$ \_\_\_\_\_ of Additional City EATs, (3) approximately [ \$220,000 ] sales tax approved and allocated by the Public Improvements Advisory Committee (PIAC) and (4) approximately [ \$3,700,000 ] in sales tax approved and the Central City Economic Development Fund. The Redevelopment Project Costs including those that are reimbursable, are identified on **Exhibit 5**, attached to this Plan. The City has determined that certain planning and special services expenses of the Commission, which are not direct Redevelopment Project Costs, but are nonetheless reasonable, necessary and incidental costs to the Plan. Such incidental costs will be recovered by the Commission or the City, as the case may be, from the Special Allocation Fund in an amount equal to 5% of the Payments in Lieu of Taxes and Economic Activity Taxes paid annually into the Special Allocation Fund.

B. Anticipated Sources of Funds. The Redeveloper will acquire all necessary properties and construct the Project Improvements and Public Improvements through the use of private capital in the form of its Equity Investment, third party funds and/or debt financing, along with such additional public sources identified by this Plan and specifically detailed on **Exhibit 7**, attached hereto. Evidence of financing such Project Improvements and Public Improvements is attached as **Exhibit 13**, Payments in Lieu of Taxes. Calculations of expected proceeds of PILOTs are based on current real property assessment formulas and current and anticipated property tax rates, both of which are subject to change due to many factors, including reassessment, the effects of real property classification for real property tax purposes, and the rollback in tax levies resulting from reassessment or classification. The Redeveloper is pursuing PIEA Benefits, which, if approved, would exempt sales taxes on construction materials, along with exemptions on personal and real property taxes within Redevelopment Area. The requested PIEA Benefits are 100% real property tax abatement for twenty-five (25) years and 100% personal property tax abatement for \_\_\_\_\_ ( ) years, with respect to the Redevelopment Project Area. No Payments in Lieu of Taxes will be utilized to pay for any Reimbursable Project Costs. If the PIEA abatement is not approved or is not approved at the level requested by the Redeveloper, any and all PILOTs which are generated, collected and deposited in the Special Allocation Fund shall be utilized or pledged to the payment of Reimbursable Project Costs. In the event the Redeveloper's PIEA application is not approved by the PIEA, or the Redeveloper's PIEA plan area application is not approved by the City Council, the estimated annual incremental PILOTs to be generated in the are approximately \$200,398.

D. Economic Activity Taxes. The projected Economic Activity Taxes to be deposited in the Special Allocation Fund, in accordance with the Act, during the period Tax Increment Financing is authorized are approximately [ \$4,720,000 ] as shown in **Exhibit 5**, of which all will be made available, upon annual appropriation or upon being budgeted and transferred by the City to the Special Allocation Fund, to pay eligible Reimbursable Project Costs.

The anticipated EATs to pay eligible Redevelopment Project Costs shall be limited to 50% of the net earnings taxes paid by businesses and employees, 50% of the net food &

beverage taxes, 50% of the net utility taxes, **[50% of the CID?]** as well as 50% of certain City and County sales taxes generated and collected. It is assumed that net earnings and sales tax revenues will increase due to inflation in addition to the assumed increases due to job creation and business expansion. These assumed increases are estimated at 2% annually.

The amount of Economic Activity Taxes in excess of the funds needed to reimburse eligible Redevelopment Project Costs, if any, may be declared as surplus by the City. The declared surplus will be distributed to the affected Taxing Districts in the Redevelopment Project Areas as provided for by the Act.

The Plan requires that all affected businesses and property owners be identified and that the Commission shall be provided with documentation regarding payment of Economic Activity Taxes by Redeveloper, its contractors, tenants and assigns. The Commission shall make available information to the City regarding the identity and location of the affected businesses. It shall be the obligation and intent of the City to determine the Economic Activity Taxes and to appropriate and/or budget and transfer such funds into the Special Allocation Fund, no less frequently than semi-annually and no more frequently than quarterly, in accordance with the Act.

E. Additional City EATs. The projected Additional City EATs to be collected by the City and, subject to appropriation, deposited in a separate account of the Special Allocation Fund is estimated to be approximately **[\$ ]**, as shown on **Exhibit 6**, attached hereto, all of which will be made available, upon annual appropriation by the City, to pay eligible Reimbursable Project Costs, in accordance with a Redevelopment Agreement.

F. Additional City Tax Revenue. The projected Additional City Tax Revenue to be collected by the City and, subject to appropriation, deposited in a separate account of the Special Allocation Fund is estimated to be approximately **[\$ ]**, as shown on **Exhibit 6**, attached hereto, all of which will be made available, upon appropriation, by the City, to pay eligible Reimbursable Project Costs related to Redevelopment Project 4, in accordance with a Redevelopment Agreement

G. Evidence of Commitments to Finance. Commitments for any private financing of Redevelopment Project Costs necessary to complete the Project Improvements and Public Improvements shall be approved by the Commission prior to the approval of any Ordinance approving the Redevelopment Project. A letter of interest for a construction loan to fund the Project Improvements and Public Improvements is attached as **Exhibit 13**.

All affected businesses and property owners located within the Redevelopment Project Areas; at the time the Redevelopment Project Areas is designated by an Evidence of Commitments to Finance.

## VI. MOST RECENT EQUALIZED ASSESSED VALUATION

The total initial equalized assessed valuation of the Redevelopment Area, according to 2020 records at the Jackson County Assessor's Office, is approximately \$416,087. The current combined ad valorem property tax levy for the Redevelopment Area is projected to be \$8.04 per \$100 assessed valuation. The total initial equalized assessed valuation of the Redevelopment Area will be determined prior to the time the Redevelopment Project is approved by Ordinance. PILOTs (if any) will then be measured by subsequent increases in property tax revenue which would have resulted from increased valuation had Tax Increment Financing not been adopted will be segregated from taxes resulting from the total initial equalized assessed valuation, and deposited in the Special Allocation Fund for payment of eligible Redevelopment Project Costs.

## VII. ESTIMATED EQUALIZED ASSESSED VALUATION AFTER REDEVELOPMENT

It is anticipated that when the Project Improvements and Public Improvements have been completed, the total assessed valuation of the Redevelopment Area will increase. Following the completion of the Project Improvements and Public Improvements, it is estimated that the assessed value of the Redevelopment Area will increase to approximately \$10,441,220.

## VIII. GENERAL LAND USE

The Plan identifies properties to be redeveloped for office, residential, and commercial use. The Redevelopment Area is currently being rezoned to Urban Redevelopment District ("UR"), and any modifications to the proposed UR zoning will be made as the Plan is being considered. The Redevelopment Project shall be subject to the applicable provisions of the City's Zoning Ordinance, as well as other codes and ordinances, as may be amended from time to time.

## IX. CONFORMANCE TO THE COMPREHENSIVE PLAN

The Plan conforms with the FOCUS Plan as well as the Swope Area Valley Area Plan.

## X. EXISTING CONDITIONS IN THE REDEVELOPMENT AREA

The Redevelopment Area qualifies as a Blighted Area by reason of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life by fire or other causes and is detrimental to the public health, safety, morals, or welfare, as more particularly described by an independent Blight Study undertaken by Belke Appraisal and Consulting Services, Inc. attached as **Exhibit 12**.

## XI. "BUT FOR TIF"

Substantial public financing of the Project is identified within the Plan. This assistance is necessary to ensure successful implementation of the Project Improvements and Public Improvements contemplated by the Plan and will serve the objectives set forth on **Exhibit 3**, attached hereto. The purpose of providing public assistance is to accomplish the stated public purpose of the Act, and not to subsidize otherwise economically viable Project. In order to ensure that the public assistance being provided does not subsidize an unreasonable level of earnings, the Commission has required that an analysis be completed and presented to the

Commission prior to approval of the Redevelopment Plan. The analysis should demonstrate that the Redevelopment Area has not been subject to growth and development by private enterprise and the Project contemplated for the Redevelopment Area would not reasonably be anticipated to be developed without the adoption of Tax Increment Financing (the “But-For Test”) for the Project.

A “But For” Statement is attached as **Exhibit 10** and an affidavit of the Director of City Planning and Development, attached hereto as **Exhibit 11**, indicates that the remediation of blight and the implementation of the Project Improvements and Public Improvements contemplated by the TIF Plan may not be implemented without the assistance, including the adoption of Tax Increment Financing, described by the Plan, and supports a finding that 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 Tax Increment Financing.

To further ensure the public assistance described by the Plan does not subsidize an unreasonable level of earnings, the Redevelopment Agreement shall contain provisions whereby the public may participate in the cumulative rate of return of the Equity Investment of the Redeveloper or any Affiliate of the Redeveloper that participates in the acquisition, financing or operation of the Project Improvements or the real property upon which the Project Improvements are located that is in excess of a percentage of unleveraged annual rate of return, as determined by the Commission, on a cumulative basis (the “Reasonable Rate of Return”). The Redevelopment Agreement shall provide if at the end of any calendar year, after completion of all of the Project Improvements, the net cash flow exceeds the cash flow necessary to generate said cumulative Reasonable Rate of Return on the Equity Investment for the current and all previous calendar years, [REDACTED] % of such excess shall be retained by the Redeveloper and the remaining [REDACTED] % of such excess shall be contributed to the Commission (the “Commission Share”) which shall be used in accordance with the Act.

In the event that any Project Improvement is refinanced or sold, once all cost of the sale or refinancing have been paid, the private debt retired, the Redeveloper’s Equity Investment is returned, the Commission shall receive the Commission Share of such residual proceeds that are in excess of the Reasonable Rate of Return on a cumulative basis of the Redeveloper and its Affiliates of the total amount of Redevelopment Project Costs.

## XII. COST-BENEFIT ANALYSIS

A cost-benefit analysis has been prepared for the Plan that demonstrates the economic impact of the Plan on each Taxing District. This analysis and other evidence submitted to the Commission describe the impact on the economy if the Project Improvements and Public Improvements are not built and is built pursuant to the Plan. The Cost-Benefit Analysis, attached on **Exhibit 9**, includes a fiscal impact study on every affected Taxing District and sufficient information from the Redeveloper for the Commission to evaluate whether the Project Improvements are financially feasible.

### XIII. ACQUISITION AND DISPOSITION

The Commission, pursuant to Sections 99.810(3) and 99.820(3), RSMo, may acquire property by purchase, donation, lease or eminent domain in the manner provided for by corporations in Chapter 523, RSMo. The property acquired by the Commission may be cleared, and either (1) sold or leased for private redevelopment or (2) sold, leased, or dedicated for construction of public improvements or facilities. No property located within a Redevelopment Project Area shall be acquired by eminent domain later than five (5) years from adoption of the Ordinance designating such Redevelopment Project Area. It is anticipated the Commission may participate in the acquisition of real property listed on **Exhibit 14**, attached hereto.

### XIV. RELOCATION ASSISTANCE PLAN

Relocation assistance will be available to all eligible displaced occupants in conformance with the Commission's Relocation Assistance Plan as shown in **Exhibit 15** or as may be required by other state or federal laws. Any relocation will be at the expense of the Redeveloper.

### XV. ENTERPRISE ZONE

In the event mandatory abatement is sought or received pursuant to Section 135.215, RSMo., as amended, such abatement shall not serve to reduce payments in lieu of taxes that would otherwise have been available pursuant to Section 99.845, RSMo. without City approval. Said designation shall not relieve the assessor or other responsible official from ascertaining the amount of equalized assessed valuation of all taxable property annually as required by Section 99.855, RSMo.

### XVI. PROVISION OF PUBLIC FACILITIES

Redeveloper will provide and maintain all necessary public facilities and utilities to service the Redevelopment Area.

### XVII. REDEVELOPMENT AGREEMENT

Upon approval of this Plan, the Commission and Redeveloper will enter into a Redevelopment Agreement, which will include, among other things, provisions relative to the following:

1. Implementation of the Plan;
2. Reporting of Economic Activity Taxes;
3. The Commission's Work Force Policy;
4. The City's MBE/WBE Ordinance;
5. Design guideline review and approval process;
6. The Commission's Relocation Plan, if any;

7. Certification and approval by Commission of Redevelopment Project Costs;
8. Public participation in return on Equity Investment in excess of the Reasonable Rate of Return on the Redeveloper's Equity Investment;
9. Payment of Prevailing Wages;
10. Certification of Costs and Reimbursement Policy;
11. Certificate of Completion and Compliance Policy;
12. Parameters for the issuance of Obligations;
13. Interest Policy;
14. Annual Progress Reporting;
15. Procedures for the Payment of Prevailing Wages; and
16. Environmental Policy.

#### XVIII. PROVISIONS FOR AMENDING THE PLAN

This Redevelopment Plan and Redevelopment Projects may be amended pursuant to the provisions of the Act, except in the event that there are minor inaccuracies contained within this Redevelopment Plan or any Exhibit attached hereto that do not arise to more than a scrivener's error, the City Council of the City authorizes the Commission to approve and correct such inaccuracies and to execute any required instruments and to make and incorporate such amendment or change to this Redevelopment Plan or any Exhibit attached hereto.

**EXHIBIT 1A**

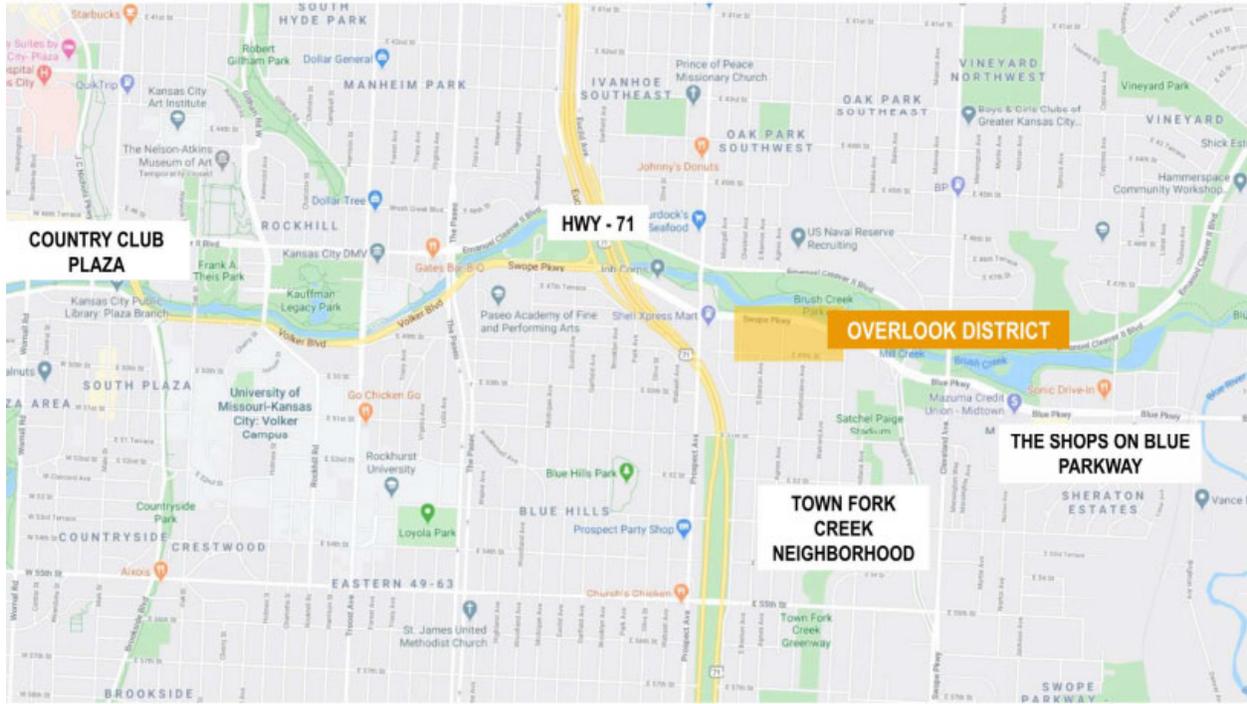
**Legal Description Redevelopment Area**

**EXHIBIT 1B**

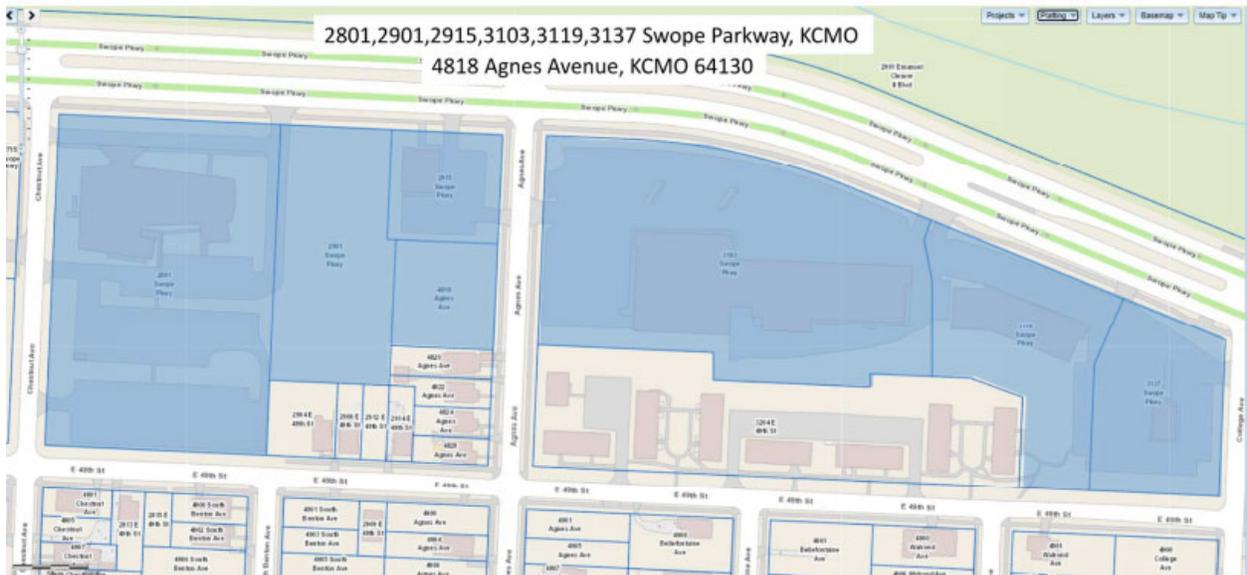
**Legal Description of Redevelopment Project Area**

# EXHIBIT 2A

## Site map for redevelopment area



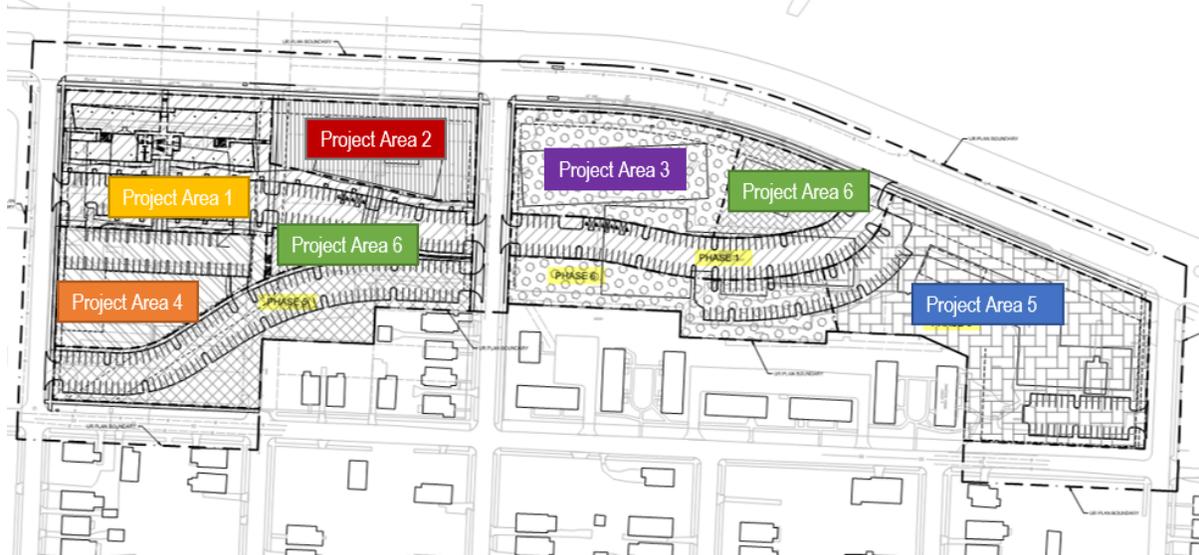
## PARCEL LOCATIONS



**EXHIBIT 2B**

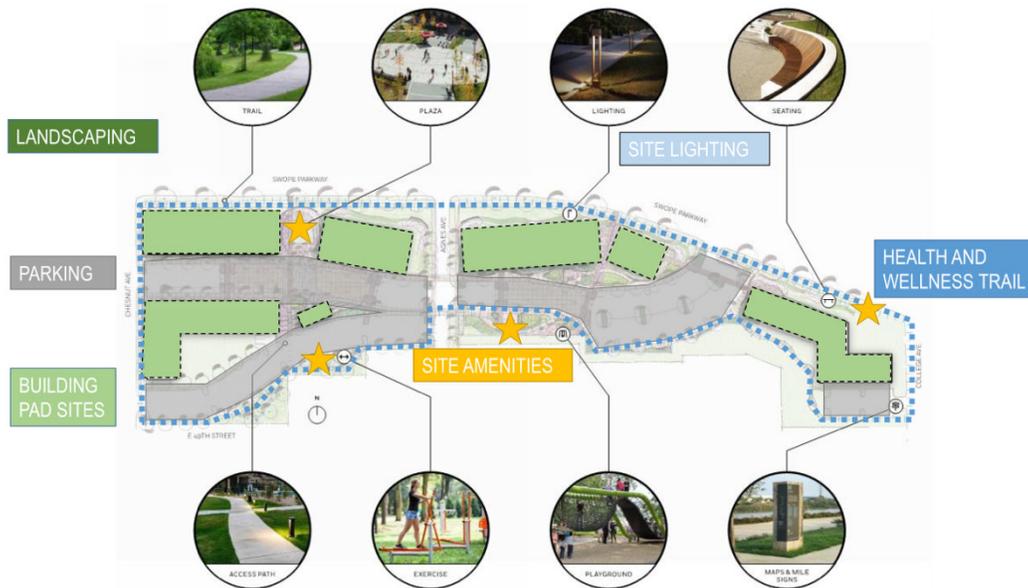
**Site Map of Redevelopment Project Area (Distinguish Existing Redevelopment project from all other Redevelopment Projects – Include only improvements related to Redevelopment project 10)**

**OVERLOOK TIF DISTRICT PROJECT AREAS**



**EXHIBIT 2B**

**Description of Project Improvements and Public Improvements**



### **EXHIBIT 3**

#### **SPECIFIC OBJECTIVES OF PLAN**

1. To eliminate adverse conditions which are detrimental to public health, safety, morals, or welfare in the Redevelopment Area and to eliminate and prevent the recurrence thereof for the betterment of the Redevelopment Area and the community at large;
2. To enhance the tax base of the City and the other Taxing Districts, encourage private investment in the surrounding area;
3. To increase employment opportunities;
4. To stimulate construction and development and generate tax revenues, which would not occur without Tax Increment Financing assistance; and
5. To the construct approximately 60,000 square feet of new office building and 185 parking surface parking spaces, along with interior driveways, and potentially all or part of the health fitness trail and public plaza areas associated with the building, together with the construction or reconstruction of such other public infrastructure improvements, which may consist of signage, signaling, sidewalks, storm drainage facilities, utility relocation, structured parking facilities, curbs, and such other related public infrastructure improvements that support and enhance such private improvements.

**EXHIBIT 4A**

**ESTIMATED CONSTRUCTION NUMBERS FOR THE PROJECTS**

**Redevelopment Project Area 1**

	New Construction	Existing Structures to REMAIN	Existing Structures to be REHABBED	Total	Existing Structures to be DEMOLISHED
Office SF	60,000	0	0	60,000	1
Total Square Feet	60,000	0	0	0	0

Number of Parking Spaces	185	0	0	185	0
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**EXHIBIT 4B**

**ESTIMATED EMPLOYMENT FOR PROJECTS**

**Redevelopment Project Area 1**

Permanent jobs to be CREATED IN Kansas City	265
Permanent jobs to be RELOCATED TO Kansas City	0
Permanent jobs to be RETAINED IN Kansas City	0
<b>TOTAL</b>	<b>265</b>
Anticipated Annual Payroll	\$17,229,225
Estimated number of construction workers to be hired during construction phase	250
Estimated construction payroll in all construction phases	\$39,000,000

**EXHIBIT 5**

ESTIMATED REDEVELOPMENT PROJECT COSTS

**[The highlighted Budget of Redevelopment Project Costs and Reimbursable Project Costs should be combined. –Also, include estimated permanent financing costs – Redeveloper sold reflect costs reimbursed from EATS, Additional City EATs, Central City Sales Tax and PIAC ]**

**PROJECT AREA 1 BUDGET**

1.	Property Acquisition	\$650,000
2.	Blight Demolition	\$350,000
3.	Environmental	\$50,000
4.	Architectural/Engineering	\$598,771
5.	Planning/Zoning/Incentives	\$83,000
6.	Other Studies	\$58,000
7.	Building Construction	\$12,685,082
8.	Site Work	\$5,550,000
9.	Public Improvements	\$150,000
10.	Tenant Improvements	\$1,863,280
11.	Development Fee	\$872,956
12.	Construction Period Interest	\$259,303
13.	Closing/Title	\$45,000
14.	TOTAL	\$23,283,520

**EXHIBIT 4**

**PROJECT AREA 1 REIMBURSABLE COSTS**

Property Acquisition	\$650,000
Demolition, Blight Removal	\$350,000
Office Construction	\$3,720,000
<b>TOTAL</b>	<b>\$4,720,000</b>

**EXHIBIT 6**

**(HOW DID THEY ARRIVE AT THESE CONCLUSIONS? TYPICALLY THAT IS SHOWN)**

**ESTIMATED ECONOMIC ACTIVITY TAX GENERATION**

EATs	Initial Stabilized Year Operations	\$81,840
Additional City EATS	Initial Stabilized Year Operations	\$81,840

Notes:

200 sq. ft Employee  
\$65,000 Average Salary  
Less 5% TIF Administration Fee  
2% Annual Growth

**EXHIBIT 7**

**ANTICIPATED SOURCES OF FUNDS**

1.	Amount of Costs reimbursable from Economic Activity Taxes	\$4,720,000
2.	Amount of costs funded by equity*	\$2,353,766
3.	Amount of costs funded by private debt*	\$10,250,000
4.	Amount of costs funded from other Sources (list all Sources	\$5,959,754
<b>Total Redevelopment Project Costs (included estimated permanent financing)</b>		<b>\$23,283,520</b>

\* Does not reflect the fact that the Redeveloper will be funding 100% of the Redevelopment Project Costs with debt and equity with the benefit of TIF being received over time.

**EXHIBIT 8**

**DEVELOPMENT SCHEDULE**

EVENT	YEAR OF COMPLETION
Design Completion	2020
City and Agency Approvals	2020
Financing Closing	2020
Begin Construction	2020
Complete Construction	2021 OR 2023?

**EXHIBIT 9**

**COST-BENEFIT ANALYSIS**

TIF Commission to Provide

## **EXHIBIT 10**

### **“BUT FOR” STATEMENT**

On November 15, 2018, the City of Kansas City, Missouri City Council passed Ordinance 170962, adopting the Revive the East Side program and creating the East Side Investment Zone (ESIZ) along with other programs designed to encourage development and investment for the eastern corridor of Kansas City, Missouri.

The East Side Investment Zone (ESIZ) is generally bounded by Cliff Drive on the north, Troost Avenue on the west, the City limits on the east, and 95<sup>th</sup> Street and City limits on the South. The Revive the East Side ordinance outlines strategies to eliminate blight, enhance the tax base, generate jobs, promote economic development, create opportunities to attract, retain and expand businesses, catalyze further investment and redevelopment, provide safe and affordable housing, and encourage economic stability and growth within the ESIZ.

The Redevelopment Area is within the East Side Investment Zone and enjoys the benefits of the provisions of Ordinance No. 170962, which include relaxation of the requirement of the financial analysis traditionally undertaken in connection with all tax increment financing plans. Therefore, an alternative but-for analysis is appropriate.

### **Analysis**

Section 99.810.1, RSMo, requires a finding that:

“The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, 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 tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met,” (*emphasis added*)

The proposed redevelopment area under the Plan (“Redevelopment Area”) has been determined to be a blighted area as defined by the TIF Act, pursuant to a Blight Study prepared by Belke Appraisal and Consulting Services, Inc. dated August 15, 2020 (Blight Study). Among other things, the Blight Study noted the potential environmental issues (which drive up the cost of redevelopment) and the economic underutilization as characteristics of the Area. It described the loss of 48% of population from 1970 through 2010 (which discourages private investment) and identified the area as within a continuously distressed census tract and Opportunity Zone.

The City Development and Planning Department has undertaken a review of investment within 1-mile radius of the Redevelopment Area, from 2010 to June of 2020, as measured by building permit projects in the amount of \$3 million or more.

The review shows very little substantial private investment (only 2 permits) in that time frame and geographic area: the Emmanuel Family and Child Development Center and the Mt. Cleveland senior apartments project.

The Emmanuel Family and Child Development Center is a nonprofit organization providing early childcare services. The feasibility of capital projects of nonprofit organizations typically is difficult to assess as the “rate of return” benchmark in a for-profit project is absent.

The Mt. Cleveland senior project is receiving tax abatement through the Blue Parkway Towne Center Urban Renewal Area. At the time of the approval of the project, the LCRA determined that the Area was a blighted area and that the project was not economically viable without the LCRA benefits.

Therefore, there is a lack of substantial private investment in commercial projects over the last 10 years in the area, and, the only two substantial projects immediately adjacent to the Redevelopment Area do not indicate that other private investment is feasible.

This City Development and Planning Department review, taken along with the findings in the Blight Study, the financial information submitted by the Redeveloper as well as the affidavit of the Redeveloper, indicates that this trend of disinvestment, will continue without public assistance. The Redevelopment Area described by the Plan, 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 tax increment financing.

**EXHIBIT 11**

**Affidavit of Director of City Planning and Development**

**EXHIBIT 12**  
**BLIGHT STUDY**

**EXHIBIT 13**

**EVIDENCE OF COMMITMENT OF FINANCING**



June 1, 2020

CCED Commissioners  
c/o Ms. Jennifer Tidwell  
Neighborhoods and Housing Services Department  
Housing and Community Development Division  
4400 Blue Parkway  
Kansas City, MO 64130

Re: Letter of Interest  
CCED Round 3 Request for Funding – The Offices at Overlook

Dear Commissioners:

Central Bank of Kansas City is pleased to express its interest in participating in the financing of Community Builders of Kansas City's (Community Builders) proposed project at the above-referenced site. It is our understanding that Community Builders is responding to an RFP and the project details will be clarified upon award of that RFP.

We have a strong working relationship with Community Builders, having recently closed on a credit facility to support numerous projects that Community Builders is completing in the urban core of Kansas City. The proposed Overlook District project builds upon Community Builders' development work in the Brush Creek Corridor and demonstrates a thoughtful plan to ensure a vibrant and active asset for the Town Fork Creek Neighborhood, in which it is located, as well as the adjoining neighborhoods.

Central Bank of Kansas City is interested in being a long-term financial partner with Community Builders on The Offices at Overlook development. Our loan products include the following:

- **Commercial Real Estate and Multi-Family Real Estate Loans**  
Acquisition, Construction, Development, Term
- **Commercial and Industrial Loans**  
Business Lines of Credit, Equipment, Expansion, Consolidation
- **Tax Credit Financing**  
New Market Tax Credit, Low Income Housing Tax Credit, Historic Tax Credit

Please note that this letter does not represent a financing commitment. Upon receipt of an application for financing, Central Bank of Kansas City will conduct its standard due diligence prior to issuing a final commitment for this transaction. All final commitments are subject to the banks policies, underwriting standards, legal and eligibility requirements.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steven J. Schafer'.

Steven J. Schafer  
Vice President  
Central Bank of Kansas City

WEB [WWW.CENTRALBANKKC.COM](http://WWW.CENTRALBANKKC.COM) PHONE (816) 483-1210 FAX (816) 483-2586 HEADQUARTERS 2301 INDEPENDENCE BLVD, KANSAS CITY, MO 64124

**EXHIBIT 14**

**LIST OF PROPERTIES TO BE ACQUIRED**

**EXHIBIT 15**

**RELOCATION ASSISTANCE**

**Policy Name:** Relocation Assistance Policy

**Date Approved:** May 26, 1988

**Resolution Number:** 88-09

**Policy Statement:** Every person approved by the Commission as a developer of property subject to be acquired by the Tax Increment Financing Commission if furtherance of a Tax Increment Financing plan shall submit to the Commission a relocation plan as part of the developer's redevelopment plan.

- (a) The following terms, whenever used or referred to herein, shall have the following meanings:
- (i) Designated Occupants. “Designated Occupants” shall mean handicapped displaced occupants and those displaced occupants who are 65 years of age or older at the time of the notice to vacate or who have an income less than the average median income for the metropolitan area as certified annually by the Director of City Development based upon standards established by the Department of Housing and Community Development of Kansas City, Missouri.
  - (ii) Displaced Business. “Displaced Business” shall mean any business that moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in conjunction with the demolition, alteration or repair of said property, by the Tax Increment Financing Commission pursuant to RSMo. 99.800 et. seq., as amended.
  - (iii) Displaced Occupant. “Displaced Occupant” shall mean any occupant who moves from real property within the development area as a result of the acquisition of such property, or as a result of written notice to vacate such property, or in connection with the demolition, alteration or repair of said property, by the Tax Increment Financing Commission pursuant to RSMo. 99.800 et. seq., as amended.
  - (iv) Handicapped Occupant. “Handicapped Occupant” shall mean any occupant who is deaf, legally blind, or orthopedically disabled to the extent that acquisition of other residence presents a greater burden than other occupants would encounter or that modification to the residence would be necessary.
  - (v) Occupant. “Occupant” shall mean a residential occupant of a building having lawful possession thereof, and further shall include any person in lawful possession, whether related by blood or marriage to any other occupant.

- (vi) Person. “Person” shall mean any individual, firm, partnership, joint venture, association, corporation and any life insurance company, organized under the laws of, or admitted to do business in the State of Missouri, undertaking a redevelopment project in a urban renewal area, whether organized for profit or not, estate, trust, business trust, receiver or trustee appointed by any state or federal court, syndicate, or any other group or combination acting as a unit, and shall include the male as well as the female gender and the plural as well as the singular number.
  
- (b) Plan Requirement. Every person approved by the Commission as a developer of property subject to be acquired by the Tax Increment Financing Commission if furtherance of a Tax Increment Financing plan shall submit to the Commission a relocation plan as part of the developer's redevelopment plan.
  
- (c) Contents of Plan. The relocation plan shall provide for the following:
  - (i) Payments to all displaced occupants and displaced businesses in occupancy at least ninety (90) days prior to the date said displaced occupant or said displaced business is required to vacate the premises by the developer, its assigns or any person seeking acquisition powers under the Tax Increment Financing plan pursuant to RSMo. 99.800 et. seq., as amended; and
  - (ii) Program for identifying needs of displaced occupants and displaced businesses with special consideration given to income, age, size of family, nature of business, availability of suitable replacement facilities, and vacancy rates of affordable facilities; and
  - (iii) Program for referrals of displaced occupants and displaced businesses with provisions for a minimum of three (3) suitable referral sites, a minimum of ninety (90) days’ notice of referral sites for handicapped displaced occupants and sixty (60) days’ notice of referral sites for all other displaced occupants and displaced businesses, prior to the date such displaced occupant or displaced business is required to vacate the premises; and arrangements for transportation to inspect referral sites to be provided to designated occupants.
  - (iv) Every displaced occupant and every displaced business shall be given a ninety (90) day notice to vacate; provided, however, that the developer may elect to reduce the notice time to sixty (60) days if the developer extends the relocation payments and benefits set forth in subsections (d), (e) and (f) below to any displaced occupant or displaced business affected by said reduction in time.
  
- (d) Payments to Occupants. All displaced occupants eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon one of the following, at the option of the occupant:
  - (i) A \$500.00 payment to be paid at least thirty (30) days prior to the date the occupant is required to vacate the premises; or

- (ii) Actual reasonable costs of relocation including actual moving costs, utility deposits, key deposits, storage or personal property up to one month, utility transfer and connection fees, and other initial rehousing deposits including first and last month's rent and security deposit.
- (e) Handicapped Displaced Occupant Allowance. In addition to the payments provided in subsection (d) hereof, an additional relocation payment shall be provided to handicapped displaced occupants which shall equal the amount, if any, necessary to adapt a replacement dwelling to substantially conform with the accessibility and usability of such occupant's prior residence, such amount not to exceed Four Hundred Dollars (\$400.00).
- (f) Payment to Businesses. All displaced businesses eligible for payments under subsection (c)(i) hereof shall be provided with relocation payments based upon the following, at the option of the business:
  - (i) A \$1,500.00 payment to be paid at least thirty (30) days prior to the date the business is required to vacate the premises; or
  - (ii) Actual costs of moving including costs for packing, crating, disconnecting, dismantling, reassembling and installing all personal equipment and costs for relettering signs and replacement stationery.
- (g) Waiver of Payments. Any occupant who is also the owner of premises and any business may waive their relocation payments set out above as part of the negotiations for acquisition of the interest held by said occupant or business. Said waiver shall be in writing and filed with the Commission.
- (h) Notice of Relocation Benefits. All occupants and businesses eligible for relocation benefits hereunder shall be notified in writing of the availability of such relocation payments and assistance, such notice to be given concurrent with the notice of referral sites required by subsection (c)(iii) hereof.
- (i) Persons Bound by the Plan. Any developer, its assigns or transferees, provided assistance in land acquisition by the Tax Increment Financing Commission, is required to comply with the Executive Director of the Commission. Such certification shall include, among other things, the addresses of all occupied residential buildings and structures within the redevelopment plan area and the names and addresses of occupants and businesses displaced by the developer and specific relocation benefits provided to each occupant and business, as well as a sample notice provided each occupant and business.
- (j) Minimum Requirements. The requirements set out herein shall be considered minimum standards. In reviewing any proposed redevelopment plan, the Commission shall determine the adequacy of the proposal and may require additional elements to be provided therein.

**EXHIBIT 16**

**REDEVELOPER'S AFFIDAVIT**