
**AMENDED PETITION FOR
4840 COMMUNITY IMPROVEMENT DISTRICT
CITY OF KANSAS CITY, MISSOURI**

MAY 2023

**RECEIVED BY
THE CITY CLERK**

MAY 31 2023



**PETITION FOR THE AMENDMENT OF
4840 COMMUNITY IMPROVEMENT DISTRICT
(THE “PETITION”)**

To the Mayor and City Council of the City of Kansas City, Missouri:

The undersigned real property owners (the “Petitioner”), being the owners collectively owning

- (1) more than fifty percent (50%) by assessed value of the real property and
- (2) more than fifty percent (50%) per capita of all owners of real property

within the boundaries of the hereinafter described community improvement district, does hereby petition and request that the City Council of the City of Kansas City, Missouri amend an existing community improvement district as described herein under the authority of Sections 67.1401 to 67.1571, RSMo (the “CID Act”). The community improvement district described herein was established pursuant to the City Council’s approval of that certain Petition for the Establishment of the 4840 Community Improvement District, City of Kansas City, Missouri, December 2012 (the “Original Petition”) as approved by Ordinance No. 130205 of the City of Kansas City, Missouri dated March 28, 2013. In support of this petition to amend the Original Petition, the Petitioner sets forth the following information in compliance with the CID Act:

1. District Name. The name of the existing community improvement district (“CID” or “District”) is:

4840 Community Improvement District.
2. Legal Description and Map. A legal description and map generally depicting the boundaries of the existing District are attached hereto as Exhibit A and Exhibit B, respectively. The proposed district consists of 2+/- acres and is located entirely within the City of Kansas City, Missouri.
3. Five-Year Plan. A five-year plan as required by the CID Act is attached hereto as Exhibit C (the “Five Year Plan”).
4. Form of District. The proposed district has been established as a political subdivision of the State of Missouri under the CID Act.
5. Board of Directors.
 - a. Number. The District is to be governed by a Board of Directors (the “Board”) consisting of five (5) members. The Initial Directors were named in the Original Petition.
 - b. Qualifications. Each Member of the Board (“Director”) shall meet the following requirements:
 - (1) be at least 18 years of age;

- (2) be and must declare to be either an owner of real property within the District (“Owner”) or an authorized representative of an Owner, an owner of a business operating within the District (“Operator”), or a registered voter (“Resident”) residing within the District, as provided in the CID Act;
 - (3) be and have been a resident of the State of Missouri for at least one year immediately preceding the date upon which he or she takes office in accordance with Article VII, Section 8 of the Missouri Constitution; and
 - (4) except for the Initial Directors named in the Original Petition, be nominated according to a slate submitted as described in this Petition.
- c. Terms. Each Successor Director shall serve a four (4) 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 term, the remaining Directors shall elect an Interim Director to fill the vacancy of the unexpired term.

Notwithstanding anything to the contrary, any Director’s failure to meet the qualification requirements set forth above, 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.

- d. Successor Directors. Successor Directors shall be appointed by the Mayor with the consent of the City Council by resolution according to a slate submitted by the Executive Director of the District to the City of Kansas City, Missouri’s City Clerk (the “City Clerk”). Upon receipt of a slate of Successor Directors, the City Clerk shall promptly deliver the slate to the Mayor for consideration by the City Council.

- 6. Assessed Value. The total assessed value of all real property in the District is \$44,104,811.
- 7. Duration of District. The proposed maximum length of time for the existence of the district is twenty-seven (27) years, beginning on March 28, 2013 and ending on March 28, 2040. The District may be terminated prior to the end of such maximum twenty-seven (27) year term in accordance with the provisions of the CID Act and this Petition, and said twenty-seven (27) year term shall not be extended unless a new petition is submitted and approved pursuant to the terms of the CID Act.
- 8. Real Property and Business License Taxes. The District will not have the power to impose a real property tax levy or business license taxes.
- 9. Special Assessments. The District will not have the power to impose special assessments.
- 10. Sales Tax. Qualified voters of the District may be asked to approve a sales tax of up to one percent (1%) (“District Sales Tax”), in accordance with the CID Act, to fund certain improvements within the District and/or to pay the costs of services provided by the District. Additional details about the District Sales Tax are set forth in the Five Year Plan attached hereto as Exhibit C.

11. Borrowing Limits. Petitioner does not seek limitations on the borrowing capacity of the District.
12. Revenue Limits. Petitioner does not seek limitations on the revenue generation of the District.
13. Future Five Year Plans. The District shall submit future Five (5) Year Plans meeting the requirements of Section 1421.2(3)(d), RSMo (as amended or replaced from time to time) to the City for comment and review no earlier than 180 days and no later than 90 days prior to the expiration of each then-current Five (5) Year Plan.
14. Authority Limits. Petitioner does not seek limitations on the authority of the District, except as set forth in this Petition.
15. Blight. Petitioners do not seek a finding of blight under this Petition.
16. **Revocation of Signatures. THE PETITIONER ACKNOWLEDGES THAT THE SIGNATURE OF THE SIGNER OF THIS PETITION MAY NOT BE WITHDRAWN FROM THIS PETITION LATER THAN SEVEN (7) DAYS AFTER THE FILING HEREOF WITH THE CITY CLERK.**

WHEREFORE, Petitioner respectfully requests that the City Council amend the 4840 Community Improvement District in accordance with the information set forth in this Petition and that the Mayor appoint and the City Council consent to the proposed members for the Board of Directors as set forth in this Petition, and take all other appropriate and necessary action that is consistent with the CID Act to establish the requested district.

**EXECUTION PAGE FOR PETITION FOR THE
AMENDMENT OF 4840 COMMUNITY IMPROVEMENT DISTRICT**

Name of owner: City of Kansas City, Missouri
 Owner's telephone number: (816) 513-3600
 Owner's address: 414 East 12th Street, Kansas City, Missouri 64106

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Brian Platt
 Title: City Manager of Kansas City, Missouri
 Signer's telephone number: 816-513-1408
 Signer's mailing address: 414 E. 12th St., Kansas City, MO 64106
 If owner is an individual: X Single Married

If owner is not an individual, state what type of entity (Mark Applicable Box):

<input type="checkbox"/>	Corporation	<input type="checkbox"/>	General Partnership
<input type="checkbox"/>	Limited Partnership	<input type="checkbox"/>	Limited Liability Company
<input type="checkbox"/>	Partnership	<input type="checkbox"/>	Urban Redevelopment Corporation
<input type="checkbox"/>	Not-for-Profit Corporation	<input checked="" type="checkbox"/>	Other Constitutional charter city

Map and parcel number(s): 30-440-10-14-00-0-01-000; 30-440-10-14-00-0-01-001; 30-440-10-14-00-0-01-002; 30-440-10-14-00-0-01-003

Total Assessed value: \$44,104,811

By executing this petition, the undersigned represents and warrants that he/she is authorized to execute this petition on behalf of the properly owner named immediately below.

Date: May 31, 2023

City of Kansas City, Missouri,
 a constitutional charter city in the State of Missouri

By: [Signature]
 Name: Brian Platt
 Title: City Manager

STATE OF MISSOURI)
) ss:
 COUNTY OF JACKSON)

On this 31st day of May, 2023, before me appeared Brian Platt, City Manager of the City of Kansas City, Missouri, to me personally known, who, being by me duly sworn did say that he/she is the City Mgr. of the City of Kansas City, Missouri, a constitutional charter city in the State of Missouri, and that said instrument was signed on behalf of said city, and said city acknowledged said instrument to be the free act and deed of said entity.

WITNESS my hand and official seal this 31 day of May, 2023.

My Commission Expires: Oct. 3, 2025

[Signature]
 Notary Public

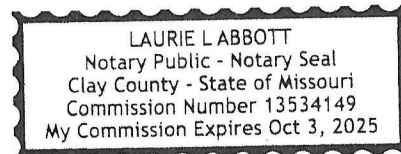


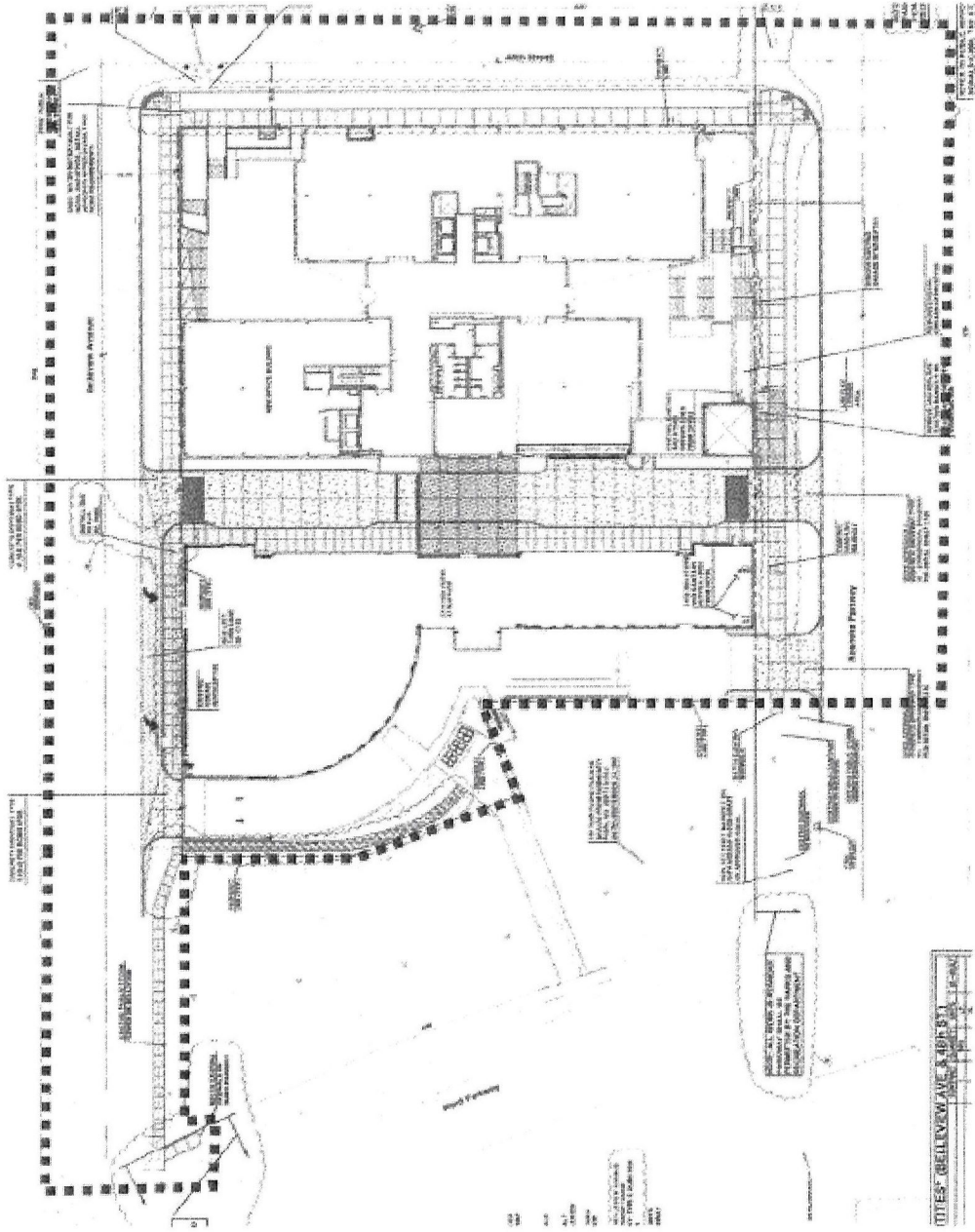
EXHIBIT A

Legal Description of 4840 Community Improvement District

THE 4840 ROANOKE CONDOMINIUM, a condominium subdivision in the City of Kansas City, Jackson County, Missouri, and that public right of way generally indicated on the map included with the petition to establish the community improvement district and the notice of the public hearing.

Boundary Map of 4840 Community Improvement District

EXHIBIT B



TOPES' BELLEVUE, WA 98004
DATE: 11/15/11
BY: [Signature]

SCALE: 1/8" = 1'-0"
DATE: 11/15/11
BY: [Signature]

**EXHIBIT C
FIVE YEAR PLAN**

(Attached)

**FIVE YEAR DISTRICT MANAGEMENT PLAN
OF THE
4840 COMMUNITY IMPROVEMENT DISTRICT
CITY OF KANSAS CITY, MISSOURI**

The information and details outlined in the following pages represent the strategies, and activities that it is anticipated will be undertaken during the five-year duration of the 4840 Community Improvement District in Kansas City, Missouri. It is an integral and composite part of the petition to amend the 4840 Community Improvement District.

Introduction

The 4840 Community Improvement District (the “District”) was created pursuant to Section 67.1401 through 67.1571 of the Revised Statutes of Missouri (the “CID Act”). Section 67.1421, RSMo, requires that the petition for the amendment of the District be accompanied by a five-year plan which includes a description of the purposes of the proposed district, the services it will provide, the improvements it will make, an estimate of the costs of these services and improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to pay the costs. This Five-Year District Management Plan (the “Plan”) is intended to satisfy this statutory requirement and is appended to the Amended Petition for the District as an integral part thereof.

Section 1 – The District

The District encompasses a mixed-use development located at the southwest corner of 48th Street and Roanoke Parkway in Kansas City, Missouri (the “Development”). The Development is comprised of a large office building, an adjacent hotel tower, and associated lower-level retail space to serve the office and hotel users. The purpose of the District is to undertake certain improvements and services within the District, as discussed below, and to use or make available its revenue to pay the costs thereof, including without limitation debt service on any notes, bonds or other obligations issued and outstanding from time to time to finance all or any of such costs.

Section 2 - What is a Community Improvement District?

A community improvement district is an entity that is separate from the City of Kansas City and is formed by the adoption of an ordinance by the City Council following a public hearing before the City Council regarding formation of the District. A CID may take the form of a political subdivision of the State of Missouri, or a nonprofit corporation that is formed and operated under Missouri corporation laws. CIDs are empowered to provide a variety of services and to construct and/or finance several different public improvements (and in a blighted area, private improvements). CIDs derive their revenue from taxes and assessments levied within the boundaries of the CID. Such revenues are then used to pay the costs of the services or improvements. A CID is operated and managed by a board of directors, whose members may be appointed or elected. Board members serve for a designated period of time, and the Board positions are again elected or appointed at the expiration of each term.

Section 3 - Management Plan Summary

The District is a separate political subdivision of the State of Missouri, which is governed by a Board of Directors consisting of five (5) members named in the Original Petition.

Amending the District:

Amending the District requires submission of signed petitions from a group of property owners:

- collectively owning more than fifty percent (50%) by assessed value of the real property within the District, and

- representing more than fifty percent (50%) per capita of all owners of real property within the District.

In this case, the Petition to which this Plan is attached has been signed by the owners of 100% of the assessed value and 100% of the per capita property owners within the District.

Location:

The Development is located at the southwest corner of 48th Street and Roanoke Parkway in Kansas City, Missouri and consists of approximately 2+/- acres. The District includes a proposed mixed-use development including office, hotel, and commercial uses.

Assessed Value of District:

The total assessed value of the properties within the District on the date of the Petition is \$44,104,811.

Improvements and Services:

The purpose of the District is to provide funding for the construction of certain public improvements and the provision of certain services within the District's boundaries. The public improvements initially contemplated include parks, lawns, trees, and any other landscape, sewer and other utility improvements, construction of storm water detention and associated facilities, construction of infrastructure improvements serving the District, construction or installation of streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers, as well as any other improvements permitted by the CID Act (the "Improvements"). The particular items included within the Improvements may be increased or amended from time to time and the costs of the Improvements to be financed by the District shall include all associated design, architecture, engineering, financing, private interest carry, legal and administrative costs of same. The District may also provide funding for the District's formation and its ongoing operation and administration costs on an annual basis.

The District may also fund the provision of services within its boundaries for the benefit of the owner and tenants of the District (the "Services"), which may include: operating, maintaining, installing, equipping, repairing and protecting the common areas within the District, including, without limitation (a) operating, installing, maintaining and repairing the common driveways and access roads, sidewalks, curbs, signs, streetlights, landscaping and parking areas; (b) causing the necessary engineering and planning performed in connection with the Services; (c) streetscaping, gardening and landscaping (including but not limited to purchasing, installing and maintaining trees, shrubs, flowers and other vegetation, maintaining pots and Planters, planting and replacing trees located along or adjacent to public rights-of-way and private drives, installing and maintaining lighting, public art, mowing, seeding and fertilizing grass and other vegetation); (d) maintaining and repairing irrigation systems and fire protection systems; (e) maintaining and repairing sanitary and storm sewers; (f) repairing, lighting, restriping, resurfacing and replacing the parking lots; (g) providing or contracting for the provision of cleaning and maintenance services for exterior common areas in order to improve the appearance and image of the District, including but not necessarily limited to litter removal, purchase and maintenance of trash

receptacles, cleaning and sweeping of sidewalks, streets, parking areas, private drives, and gutters; (h) snow and ice removal; (i) trash, garbage, and other refuse removal; (j) repair and maintenance of directional and pylon signs; (k) repainting and repairing exterior areas; (l) repair and maintenance of exterior building and canopy lighting systems and components; (m) repair and maintenance of roofs, gutters, downspouts, fascia and columns; (n) the cost of non-administrative personnel (including, without limitation, workers compensation insurance) to implement such services; (o) employing or contracting for the provision of personnel to assist landowners, occupants, and users to improve security and safety conditions within the District, including but not limited to addressing public safety concerns, identifying and reporting public nuisances, and (if deemed advisable by the District) conducting security patrols; and (p) hiring or contracting for personnel to staff and provide services to the District.

All costs, including attorneys' fees, associated with formation of the District, including, but not limited to, the preparation of the Petition, the negotiation and drafting of any agreements entered into upon formation of the District in furtherance of the District's purposes, and the initial implementation of the District ("Formation Costs") will be reimbursed to the advancing party, or paid directly, from funds generated by the District.

Method of Financing:

The District imposes a one percent (1%) sales and use tax (the "District Sales Tax"), which is in addition to any other state, county or city sales and use tax. The District Sales Tax is payable on the same retail sales that are subject to taxation pursuant to Sections 144.010 to 144.525, RSMo, except sales of motor vehicles, trailers, boats or outboard motors, and sales to or by public utilities and providers of communications, cable, or video services. All costs of the District shall be financed in the manner and amount determined by the Board of Directors from the amounts on deposit with the CID. Amounts advanced to the District by the Petitioner, or its successors or assigns, to cover the costs contemplated hereunder will be reimbursed by the District upon the availability of funds. All financing costs, including interest costs, associated with any loan obtained by the District, or notes, bonds, or other obligations issued by District to finance Improvements and/or Services may be paid from CID Sales Tax revenues.

Estimated Costs:

Attached as Exhibit A to this Plan is a table setting forth the estimated cost of the Improvements and the Services, and a table setting forth the projected cash flow for the first five years following adoption of this Petition.

City Services:

The CID Act mandates that existing City services will continue to be provided within a CID at the same level as before the District was created (unless services are decreased throughout the City) and that District services shall be in addition to existing City services. The District anticipates that City services will continue to be provided within the District at the same level as before the District was created, and the District will not cause the level of City services within the District to diminish.

Duration:

The District will operate for a maximum term of twenty-seven (27) years, beginning on March 28, 2013 and ending on March 28, 2040. Notwithstanding that the District is at the time providing Services, but subject to the contractual rights of any third parties, the District may be terminated prior to the end of such maximum twenty-seven (27) year term if the Improvements have been completed and the costs thereof paid for or reimbursed in full with CID Sales Tax revenue. The petition process must be repeated for the District to continue beyond twenty-seven (27) years.

**Section 4
District Boundaries**

The legal description of the District is attached as Exhibit A to the Petition.

**Section 5
Facilities and Services to Be Provided**

As explained above, the purpose of the District is to provide revenue sources in support of contracting with any private property owner to effectuate the Improvements, providing or contracting for the Services, and reimbursing the Petitioner for eligible costs.

**Section 6
Governing the Community Improvement District**

City Council:

Following the submission of the Petition, the City Council will conduct a public hearing and then consider an ordinance to amend the Original Petition.

Board of Directors for District:

The District is governed by a Board of Directors that consists of five members appointed by the Mayor of Kansas City with the consent of the City Council. It is anticipated that if the District submits names of suggested successor directors to the City in writing at least thirty (30) days prior to the expiration date of the terms of the applicable directors, the Mayor shall appoint such directors as successor directors, with the consent of the City Council, unless the Mayor provides the District with a reasonable written explanation that such suggested successor directors do not meet applicable legal requirements or lack the competency to serve as directors.

Annual Budget:

The District's budgets will be proposed and approved annually, within the limitations set forth in this Plan, by the District's Board of Directors. Budgets will be submitted annually to the City Council of the City of Kansas City for review and comment in accordance with the CID Act. The District will operate at all times in accordance with the District Rules and Regulations (Section 7) and the Bylaws of the District.

Cooperation Agreement:

The District has entered into a Cooperation Agreement with the Petitioner and the City effectuating the terms of the CID Petition and this Plan, and otherwise governing the operation of the District and the imposition and collection of the District Sales Tax (the “Cooperation Agreement”).

**Section 7
District Rules and Regulations**

1. The District shall operate at all times in accordance with Bylaws that may be adopted by the Board of Directors. The District shall at all times conduct its proceedings in accordance with Robert’s Rules of Order, except as otherwise provided in any Bylaws.
2. The Board of Directors of the District will meet at least on an annual basis.

END OF DOCUMENT

**EXHIBIT A TO FIVE YEAR PLAN OF THE
4840 COMMUNITY IMPROVEMENT DISTRICT**

ESTIMATED COSTS OF IMPROVEMENTS AND SERVICES¹

Improvements/Services	Estimated Cost	
IMPROVEMENTS²		
Landscaping	\$	157,356
Entry Canopy	\$	273,238
Traffic Improvements	\$	340,069
Sitework	\$	1,191,128
MISCELLANEOUS		
Ongoing District Services	\$	7,020,000
Administrative Costs	\$	145,000
TOTAL - ESTIMATED COST	\$	9,126,791

CASH FLOW PROJECTION

	YEAR 1 (2024)	YEAR 2 (2025)	YEAR 3 (2026)	YEAR 4 (2027)	YEAR 5 (2028)
<u>REVENUE³</u>	\$164,607	\$167,900	\$171,258	\$174,683	\$178,176

¹ These costs are estimates and may fluctuate based on actual costs incurred for purposes permitted under the CID Act.

² This exhibit does not include financing costs incurred to undertake such costs. However, such financing costs incurred to finance the improvements or services may be paid from CID Sales Tax revenues

³ Any annual revenue generated will be utilized to pay any costs of the District in the discretion of the Board of Directors.