



Legislation Text

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ORDINANCE NO. 140603

Approving and designating Redevelopment Project Area 7 of the Bannister & I-435 Tax Increment Financing Plan as amended by the First Amendment to the Bannister & I-435 Tax Increment Financing Plan as a Redevelopment Project; adopting tax increment financing therefor; and directing the City Clerk to transmit copies of this ordinance.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "TIF Act"), the City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010 and Ordinance No. 130986, passed on December 19, 2013, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the City Council approved the Bannister & I-435 Tax Increment Financing Plan by Committee Substitute for Ordinance No. 130737, passed on October 10, 2013; and

WHEREAS, the City Council subsequently approved the First Amendment to the Bannister & I-435 Tax Increment Financing Plan (the Bannister & I-435 Tax Increment Financing Plan as amended by the First Amendment to the Bannister & I-435 Tax Increment Financing Plan is referred to herein as the "Redevelopment Plan") and designated the Redevelopment Area as a blighted area; and

WHEREAS, the Redevelopment Plan contemplates the implementation of the Redevelopment Plan through a number of separate Redevelopment Projects and the adoption of tax increment financing in each of the areas selected for such Redevelopment Projects; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That all terms used in this ordinance shall be construed as defined in the TIF Act.

Section 2. That the area selected for Redevelopment Project Area 7 legally described as follows:

A tract of land situated in a portion of the Northwest Quarter of Section 25, Township 48 North, Range 33 West of the 5th Principal Meridian, in the Kansas City, Jackson County, Missouri being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983/97).

Commencing at the Southwest corner of the Northwest Quarter of said Section 25; thence North 02 degrees 09 minutes 14 seconds East 1321.44 feet along the West line of the Northwest Quarter of said Section 25; thence South 86 degrees 51 minutes 17 seconds East 2019.20 feet along the South line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence North 3 degrees 08 minutes 42 seconds East 20.00 feet to a point on the North Right-of-Way line of 93<sup>rd</sup> Street as now established said point being the True Point of Beginning of the tract herein

described; thence North 02 degrees 13 minutes 52 seconds East 202.10 feet to the beginning of a curve concave to the Southeast having a radius of 885.00 feet; thence Northeasterly 642.13 feet along said curve to the right having a chord bearing North 23 degrees 01 minutes 02 seconds East 628.14 feet; thence South 55 degrees 46 minutes 58 seconds East 362.59 feet to a point on the Westerly Right-of-Way line of the Kansas City Southern Railroad; thence South 02 degrees 26 minutes 44 seconds West 585.71 feet along said Westerly Right-of-Way line, to a point on the North Right-of-Way line of 93rd Street as now established; thence North 86 degrees 51 minutes 18 seconds West 100.00 feet along said North Right-of-Way line; thence South 02 degrees 26 minutes 44 seconds West 20.00 feet along said North Right-of-Way line; thence North 86 degrees 51 minutes 18 seconds West 428.26 feet along said North Right-of-Way line to the True Point of Beginning of the tract herein described containing 347,572 square feet or 7.9792 acres more or less.

is approved and designated by the First Amendment to the Bannister & I-435 Tax Increment Financing Plan as Redevelopment Project Area 7 ("Project Area 7").

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project Area 7. Pursuant to the TIF Act, as it may be amended from time to time and incorporated herein, after the total equalized assessed valuation of the taxable real property in Project Area 7 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project Area 7, the ad valorem taxes, and payment in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in the TIF Act each year after the effective date of the ordinance until redevelopment project costs have been paid shall be divided as follows:

1. That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for the Project Area 7 shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;
2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project Area 7 over and above the initial equalized assessed value of each such unit of property in the area selected for Project Area 7 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of Project Area 7 Costs within the Redevelopment Area, into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. That in addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected for Project Area 7 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing remains in effect, but excluding certain taxes, fees and special assessments specifically identified by the Act, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds, which are necessary to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

Section 5. That the City Clerk shall send a copy of this ordinance to the County Clerk and County Executive of Jackson County, Missouri.

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Approved as to form and legality:

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Brian T. Rabineau  
Assistant City Attorney