

RESOLUTION No. 2- -21

RESOLUTION OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF KANSAS CITY, MISSOURI APPROVING AN AMENDMENT TO REDEVELOPMENT CONTRACT WITH BA PROPERTY, LLC; AND AUTHORIZING ACTIONS RELATED THERETO.

WHEREAS, the Land Clearance for Redevelopment Authority of Kansas City, Missouri (“Authority”) is a public body corporate and politic created by the Land Clearance for Redevelopment Authority Law, Section 99.300, *et seq.*, RSMo (“LCRA Act”), is transacting business and exercising the powers granted by the LCRA Act by virtue of Committee Substitute for Ordinance No. 16120, duly passed by the City Council (“City Council”) of the City of Kansas City, Missouri (“City”), on November 21, 1952; and

WHEREAS, the Authority and BA Property, LLC, a Missouri limited liability company (“Redeveloper”), entered into the Redevelopment Contract (“Redevelopment Contract”) dated December 18, 2019, and recorded as Instrument No. 2020E0054063; and

WHEREAS, The Redeveloper is the owner of the property located at 2600 and 2618 Independence Avenue. Pursuant to the Redevelopment Contract, the Redeveloper is undertaking on the Property, as legally described on the attached Exhibit A, a project (“Project”) consisting of the construction of a 25,000 square foot, two-story building containing (a) 10,887 square feet of retail space (to be divided initially into seven (7) leasable spaces) on the first/ground floor and (b) fifteen (15) one-bedroom apartments on the second floor, and other related improvements, including a permanent visiting space to memorialize the lives of firefighters lost battling a recent fire on the site, in accordance with the Redevelopment Contract and the Urban Renewal Plan; and

WHEREAS, pursuant to Sections 4.01(a) and 5.01(d) of the Redevelopment Contract, the date by which the Redeveloper is to complete the Project is February 28, 2021 (“Completion Date”); and

WHEREAS, the Redeveloper has commenced work on the Project but has advised the Authority that the Project will not be completed by the Completion Date; and

WHEREAS, the Authority and the Redeveloper desire to amend the Redevelopment Contract by extending the Completion Date for an additional six (6) months, or until October 31, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF KANSAS CITY, MISSOURI, AS FOLLOWS:

Section 1. Authorization and Approval of Amendment to Redevelopment Contract Revised Incentive Package and Redevelopment Contract. The Completion Date as defined in Sections 4.01(a) and 5.01(d) of the Redevelopment Contract is extended to October 31, 2021, and the Amendment to Redevelopment Contract in substantially the

form presented on this date to the Board of Commissioners is approved. Each of the Chairman, the Vice Chairman, and the Executive Director is hereby authorized to execute and deliver the Amendment to Redevelopment Contract, with such changes therein, upon the advice of legal counsel, as shall be approved by the officer of the Authority executing the Amendment to Redevelopment Contract, such officer's signature thereon being conclusive evidence of their approval and the Authority's approval thereof.

Section 2. Further Authority. The officers, agents and employees of the Authority are hereby authorized and directed to take such further actions contemplated hereunder in connection with the Project, and to execute and deliver such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Authority with respect to the Redevelopment Contract, as amended. The signatures of the officers and employees of the Authority executing such documents, upon the advice of legal counsel, shall constitute conclusive evidence of their approval and the Authority's approval thereof.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Board of Commissioners of the Land Clearance for Redevelopment Authority of Kansas City, Missouri.

ADOPTED by the Land Clearance for Redevelopment Authority of Kansas City, Missouri this 24th day of February, 2021.

**LAND CLEARANCE FOR REDEVELOPMENT
AUTHORITY OF KANSAS CITY, MISSOURI**

By: _____
Rob Gardner, Chairman

ATTEST:

Daniel Moye, Secretary

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Tract I: All that part of the Southwest Quarter of Section 34, Township 50, Range 33, described as follows: Beginning at a point 75 1/2 feet east of Northeast corner of Independence Boulevard and Prospect Boulevard at the center of a party wall; thence East 107 feet to a point; thence North parallel to Prospect Boulevard, 210 feet to a point; thence West parallel with the North line of Independence Boulevard, 182 1/2 feet to the East line of Prospect Boulevard; thence South 134 1/2 feet along East line of Prospect Boulevard to a point 75 1/2 feet North of North line of Independence Boulevard; thence East 75 1/2 feet parallel to Independence Boulevard to center to said party wall; thence South along the centerline of party wall to point of beginning, a tract of land in Kansas City, Jackson County, Missouri.

Tract II: All that part of the Southwest Quarter of the Southwest Quarter of Section 34, Township 50, Range 33, described as follows: Beginning at the Northeast corner of Independence Boulevard and Prospect Boulevard as said streets are now established; thence East along North line of Independence Boulevard 75.50 feet; thence North and parallel with Prospect Boulevard 75.50 feet to a point; thence West parallel with North line of Independence Boulevard 75.50 feet to east line of Prospect Boulevard; thence South along East line of Prospect Boulevard, 75.50 feet to point of beginning, a tract of land in Kansas City, Jackson County, Missouri.

Tract I and Tract II Combined Description: All that part of the SW 1/4 of the SW 1/4 of Section 34, Township 50, Range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows: Beginning at the intersection of the North line of Independence Avenue, as now established, and the East line of Prospect Avenue, as now established; thence South 87°28'53" East, along said North line, 182.50 feet to a point on the West line of Lot 1, INDEPENDENCE AVENUE ADDITION, a subdivision; thence North 2°20'39" East, along said West line and parallel with the East line of said Prospect Avenue, 210.00 feet; thence North 87°28'53" West, 182.50 feet to a point on the East line of said Prospect Avenue; thence South 2°20'39" West, along said East line, 210.00 feet to the Point of Beginning. Containing 0.88 acres, more or less.