

1st Reading 10/10/2023  
2nd Reading 10/10/2023

BILL NO. 23-41

ORDINANCE NO. 5395

AN ORDINANCE AMENDING ORDINANCE NO. 5202 IN CONNECTION WITH  
TAX INCREMENT REVENUE NOTES FOR THE CRESTWOOD PLAZA TAX  
INCREMENT FINANCING REDEVELOPMENT PLAN & PROJECT

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WHEREAS, pursuant to Ordinance No. 4643, adopted by the Board of Aldermen on March 22, 2016, the Board of Aldermen of the City of Crestwood, Missouri (the “City”) approved the “Crestwood Plaza Tax Increment Financing Redevelopment Plan & Project” (as amended, the “Redevelopment Plan”) and the redevelopment project described therein (as amended, the “Redevelopment Project”) in accordance with the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo; and

WHEREAS, in furtherance of the Redevelopment Plan and the Redevelopment Project, pursuant to Ordinance No. 5201 adopted by the Board of Aldermen on November 16, 2021, the City entered into a redevelopment agreement (as amended, the “Redevelopment Agreement”) with Dierbergs Crestwood Crossing LLC (the “Developer”) to implement a portion of the Redevelopment Plan and the Redevelopment Project (as further described in the Redevelopment Agreement, the “D3 Components”); and

WHEREAS, the Redevelopment Agreement provides that the City will issue tax increment revenue notes upon the terms and conditions provided in the Redevelopment Agreement to reimburse the Developer for a portion of the redevelopment project costs incurred by the Developer under the Redevelopment Plan as part of the D3 Components; and

WHEREAS, pursuant to Ordinance No. 5202, adopted by the Board of Aldermen on November 16, 2021, the City authorized the issuance of its Tax Increment Revenue Notes (Crestwood Plaza Redevelopment Area), Series A and B (the “Notes”) for the above-described

purposes and approved a form of Trust Indenture (the “Indenture”) setting forth the terms of the Notes; and

WHEREAS, the City desires to amend the form of the Indenture prior to its execution and the issuance of the Notes, as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI AS FOLLOWS:

SECTION 1: Ordinance No. 5202 is hereby amended by deleting Exhibit A thereto and inserting Exhibit A to this Ordinance in lieu thereof.

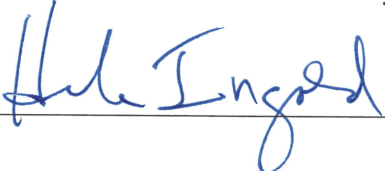
SECTION 2: Except as amended hereby, all provisions of Ordinance No. 5202 are hereby ratified and confirmed and shall remain in full force and effect.

SECTION 3: The Mayor, the City Administrator, the City Attorney and the City Clerk are hereby authorized and directed to execute such documents and to take such other actions as may be reasonably necessary to carry out the intent of this Ordinance.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this 10th day of October, 2023.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

APPROVED this 10th day of October, 2023.

  
\_\_\_\_\_  
Mayor

**EXHIBIT A**

**TRUST INDENTURE**

[On file in the City Clerk's Office]