

AN ORDINANCE OF THE CITY OF WARRENTON, MISSOURI, APPROVING AN AMENDMENT TO THE WARRENTON WEST DEVELOPMENT TAX INCREMENT FINANCING REDEVELOPMENT PLAN & PROJECT ORIGINALLY APPROVED BY ORDINANCE NO. 2308; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri (the "Act"), authorizes municipalities to approve redevelopment projects pursuant to the Act; and

WHEREAS, the Board of Aldermen of the City of Warrenton, Missouri (the "City") duly created the Tax Increment Financing Commission of the City of Warrenton, Missouri (the "TIF Commission") pursuant to the Act; and

WHEREAS, the Act authorizes the TIF Commission to hold public hearings with respect to proposed redevelopment areas, redevelopment plans and redevelopment projects and to make recommendations thereon to the Board of Aldermen; and

WHEREAS, the TIF Commission reviewed a plan for redevelopment known as The Warrenton West Development Tax Increment Financing Redevelopment Plan & Project dated November 29, 2016 (the "Redevelopment Plan"), for the redevelopment of approximately 118.85 acres located in the western portion of the City (as further described in the Redevelopment Plan, the "Redevelopment Area"); and

WHEREAS, the Redevelopment Plan envisioned that the Redevelopment Area will be divided into five redevelopment project areas ("RPA 1," "RPA 2," "RPA 3," "RPA 4" and "RPA 5") and described a redevelopment project for RPA 1 as generally consisting of the demolition, removal, rehabilitation, and/or redevelopment of certain existing structures located within RPA 1, and the construction and development of new structures, improvements and infrastructure within RPA 1, all for commercial uses (as more fully described in the Redevelopment Plan, the "RPA 1 Redevelopment Project"); and

WHEREAS, the Redevelopment Plan also described a Redevelopment Area-wide infrastructure project generally consisting of the construction of an interchange along Interstate 70 (the "Interstate") and related outer/service roads within the Redevelopment Area that connect State Highway MM to the interchange (the "Warrenton West Interchange"), as well as related improvements and development costs (collectively, the "Interchange Project"), partial funding of which is included in the RPA 1 Redevelopment Project; and

WHEREAS, as required by the Act, the TIF Commission published and provided the property owners and the affected taxing districts within RPA 1 with mailed notice of a public hearing (the "Notice") to consider approval of the Redevelopment Plan, the designation of the Redevelopment Area and the approval the RPA 1 Redevelopment Project; and

WHEREAS, the Notice indicated that RPA 1 consists of the former Warrenton Outlet Center (the "Center") located to the south of the Interstate and certain adjacent properties to the west of the Center and east of West Booneslick Road (the "Adjacent Properties"), and further indicated that a draft of the proposed Redevelopment Plan (including maps that more definitively depict the boundaries of the Redevelopment Area and each redevelopment project area) were available for review at the office of the City Clerk; and

WHEREAS, the Redevelopment Plan included as Figure 2 a Preliminary Concept Plan for the RPA 1 Redevelopment Project, which specifically depicted construction and development of new structures, improvements and infrastructure on the Adjacent Properties; and

WHEREAS, the cost-benefit analysis showing the economic impact of the RPA 1 Redevelopment Project on the affected taxing districts assumed the construction and development of new structures, improvements and infrastructure on the Adjacent Properties; and

WHEREAS, the Redevelopment Plan included as Appendix B a map of each redevelopment project area, which specifically depicted the boundaries of RPA 1 as including the Adjacent Properties; and

WHEREAS, after all proper notice was given, on December 14, 2016, the TIF Commission held a public hearing in conformance with the Act and, after due deliberation, the TIF Commission passed a resolution recommending that the Board of Aldermen (1) approve the Redevelopment Plan, (2) designate the Redevelopment Area as a "redevelopment area" as defined in the Act, (3) approve the RPA 1 Redevelopment Project and (4) adopt tax increment financing within RPA 1; and

WHEREAS, on January 3, 2017, the Board of Aldermen adopted Ordinance No. 2803 (the "Approving Ordinance"), which (1) approved the Redevelopment Plan, (2) designated the Redevelopment Area as a "redevelopment area" as defined in the Act, (3) approved the RPA 1 Redevelopment Project and (4) adopted tax increment financing within RPA 1; and

WHEREAS, after the adoption of the Approving Ordinance, it was determined that, notwithstanding the information contained in the Notice and depicted on Figure 2 and Appendix B of the Redevelopment Plan, the detailed list of parcels within the Redevelopment Area provided in Appendix F to the Redevelopment Plan and the legal description of the Redevelopment Area provided in Appendix G to the Redevelopment Plan incorrectly list two of the three parcels consisting of the Adjacent Properties as being within RPA 2; and

WHEREAS, pursuant to Section 99.825.1 of the Act, after the adoption of the Approving Ordinance, the City may amend the Redevelopment Plan without further public hearing, provided that such amendment does not alter the exterior boundaries of the Redevelopment Area, affect the general land uses established pursuant to the Redevelopment Plan or change the nature of the RPA 1 Redevelopment Project; and

WHEREAS, the Board of Aldermen hereby finds and determines that it is in the best interest of the City to amend the Redevelopment Plan to correct the detailed list of parcels provided in Appendix F to the Redevelopment Plan and the legal description of the Redevelopment Area provided in Appendix G of the Redevelopment Plan to clarify that all of the Adjacent Properties are located within RPA 1; and

WHEREAS, the Board of Aldermen further finds and determines that such amendment to the Redevelopment Plan does not alter the exterior boundaries of the Redevelopment Area, affect the general land uses established pursuant to the Redevelopment Plan or change the nature of the RPA 1 Redevelopment Project.

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

- SECTION 1. The Board of Aldermen finds and determines that it is necessary and desirable to adopt and approve an amendment to the Redevelopment Plan, a copy of which is set forth as Exhibit A, attached hereto and incorporated herein by reference (the "Amendment").
- SECTION 2. The RPA 1 Redevelopment Project is hereby re-adopted and re-approved. The Board of Aldermen finds that the area selected for the RPA 1 Redevelopment Project includes only those parcels of real property and improvements thereon directly and substantially benefited by the proposed RPA 1 Redevelopment Project, which parcels specifically include the Center and all of the Adjacent Properties.
- SECTION 3. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance and the Amendment.
- SECTION 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.
- SECTION 5. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

Passed by the Board of Aldermen of the City of Warrenton, Missouri, and approved by the Mayor this 6th day of March, 2018.


Eric Schleuter, Mayor

(SEAL)

ATTEST:

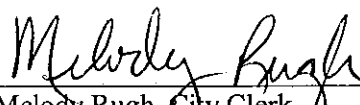

Melody Rugh, City Clerk

EXHIBIT A
AMENDMENT TO REDEVELOPMENT PLAN

**2018 AMENDMENT TO
THE WARRENTON WEST DEVELOPMENT
TAX INCREMENT FINANCING REDEVELOPMENT PLAN & PROJECT**

CITY OF WARRENTON, MISSOURI

Background:

On January 3, 2017, the Warrenton Board of Alderman passed Ordinance No. 2308 (i) approving a plan for redevelopment entitled “The Warrenton West Development Tax Increment Financing Redevelopment Plan & Project” (the “Redevelopment Plan”) for the redevelopment area described in the Redevelopment Plan consisting of five redevelopment project areas (the “Redevelopment Area”), (ii) designating the Redevelopment Area as a “redevelopment area” pursuant to the TIF Act, (iii) approving a redevelopment project for Redevelopment Project Area 1, as described in the Redevelopment Plan and (iv) adopting tax increment financing within Redevelopment Project Area 1.

The Redevelopment Area consists of approximately 118.85 acres of land, divided into five separate redevelopment project areas (referred to herein as “RPA 1,” “RPA 2,” “RPA 3,” “RPA 4” and “RPA 5”).

Purpose of Amendment:

The purpose of this amendment is to correct a scrivener’s error relating to the parcels within RPA 1 and 2, to match the map of the redevelopment project areas that was set forth in the Redevelopment Plan.

Revisions to Plan:

1. **Figure 1: Parcel Ownership and Use Data by parcel within the Area, owner, and current land use classification** (page 6) is revised to reflect the inclusion of parcel # 05190000016000000 and parcel #05200300008002000 within RPA 1 (instead of RPA 2 as previously indicated).

Figure 1: Parcel Ownership and Use Data by parcel within the Area, owner, and current land use classification.

Parcel Number	Owner	Acres	Agricultural Assessed Value	Commercial Assessed Value	Residential Assessed Value	Total Assessed Value	RPA	Assessed Value by RPA
0519000008000000	Boegeman Harry M Trustee	9.43	\$ 1,609	\$ -	\$ -	\$ 1,609	RPA 4	\$ 409
	Boegeman Harry M Trustee	27.65		\$ -	\$ -	\$ -	RPA 5	
0519000002000000	Keeven Family Partnership LP	19.80	\$ 3,632	\$ 2,240	\$ -	\$ 5,872	RPA 3	\$ 5,872
0519000001900000	Keeven Family Partnership LP	7.85	\$ -	\$ -	\$ 5,626	\$ 5,626	RPA 2	\$ 28,076
0520030000900000	Keeven Family Partnership LP	2.07	\$ 1,291	\$ -	\$ -	\$ 1,291	RPA 2	
0519000001700000	Samoh Properties LLC	5.04	\$ -	\$ 16,128	\$ -	\$ 16,128	RPA 2	\$ 392,560
0519000001800000	Samoh Properties LLC	4.48	\$ -	\$ -	\$ 5,031	\$ 5,031	RPA 2	
05200300008007000	Keeven Family Limited Partnership	1.25	\$ -	\$ 4,704	\$ -	\$ 4,704	RPA 1	\$ 392,560
0519000001600000	Keeven Family Partnership LP	0.15	\$ -	\$ 384	\$ -	\$ 384	RPA 1	
05200300008002000	Keeven Family Partnership LP	8.11	\$ -	\$ 58,685	\$ -	\$ 58,685	RPA 1	\$ 392,560
05200300008006000	Warrenton Outlet MO LLC	31.27	\$ -	\$ 280,000	\$ -	\$ 280,000	RPA 1	
05200400005008000	Mar-Jos Inc.	1.75	\$ -	\$ 48,787	\$ -	\$ 48,787	RPA 1	
Total:			\$ 4,923	\$ 410,928	\$ 10,657	\$ 428,117		\$428,117

2. **Figure 5: Estimated Equalized Assessed Valuation (EAV) – Before and After Development** is revised to reflect the inclusion of parcel # 0519000001600000 and parcel #05200300008002000 within RPA 1 (instead of RPA 2 as previously indicated).

RPA 1 - Assessment Item	RPA 1 - EAV (\$)
Most Recent EAV Amount	\$ 392,560
Estimated Total EAV After Redevelopment	13,138,464
Total Estimated Increment Value	12,745,904
RPA 2 - Assessment Item	
RPA 2 - EAV (\$)	
Most Recent EAV Amount	\$ 28,076
Estimated Total EAV After Redevelopment	To be determined
Total Estimated Increment Value	To be determined
RPA 3 - Assessment Item	
RPA 3 - EAV (\$)	
Most Recent EAV Amount	\$ 5,872
Estimated Total EAV After Redevelopment	To be determined
Total Estimated Increment Value	To be determined
RPA 4 - Assessment Item	
RPA 4 - EAV (\$)	
Most Recent EAV Amount	\$ 409
Estimated Total EAV After Redevelopment	To be determined
Total Estimated Increment Value	To be determined
RPA 5 - Assessment Item	
RPA 5 - EAV (\$)	
Most Recent EAV Amount	\$ 1,200
Estimated Total EAV After Redevelopment	To be determined
Total Estimated Increment Value	To be determined

3. **APPENDIX F - AREA PARCEL IDENTIFICATION DETAIL** is revised to reflect the inclusion of parcel # 0519000001600000 and parcel #0520030000800200 within RPA 1 (instead of RPA 2 as previously indicated) (same as Figure 1).

APPENDIX F
AREA PARCEL IDENTIFICATION DETAIL

Parcel Number	Owner	Acres	Agricultural Assessed Value	Commercial Assessed Value	Residential Assessed Value	Total Assessed Value	RPA	Assessed Value by RPA
0519000008000000	Boegeman Harry M Trustee	9.43	\$ 1,609	\$ -	\$ -	\$ 1,609	RPA 4	\$ 409
	Boegeman Harry M Trustee	27.65		\$ -	\$ -	\$ -	RPA 5	\$ 1,200
0519000002000000	Keeven Family Partnership LP	19.80	\$ 3,632	\$ 2,240	\$ -	\$ 5,872	RPA 3	\$ 5,872
0519000001900000	Keeven Family Partnership LP	7.85	\$ -	\$ -	\$ 5,626	\$ 5,626	RPA 2	
0520030000900000	Keeven Family Partnership LP	2.07	\$ 1,291	\$ -	\$ -	\$ 1,291	RPA 2	\$ 28,076
0519000001700000	Samohr Properties LLC	5.04	\$ -	\$ 16,128	\$ -	\$ 16,128	RPA 2	
0519000001800000	Samohr Properties LLC	4.48	\$ -	\$ -	\$ 5,081	\$ 5,081	RPA 2	
05200300008007000	Keeven Family Limited Partnership	1.25	\$ -	\$ 4,704	\$ -	\$ 4,704	RPA 1	
0519000001600000	Keeven Family Partnership LP	0.15	\$ -	\$ 384	\$ -	\$ 384	RPA 1	
05200300008002000	Keeven Family Partnership LP	8.11	\$ -	\$ 58,685	\$ -	\$ 58,685	RPA 1	\$ 392,560
05200300008006000	Warrenton Outlet MO LLC	31.27	\$ -	\$ 280,000	\$ -	\$ 280,000	RPA 1	
05200400005008000	Mar-Jos Inc.	1.75	\$ -	\$ 48,787	\$ -	\$ 48,787	RPA 1	
	Total:		\$ 4,923	\$ 410,928	\$ 10,657	\$ 428,117		\$ 428,117

4. APPENDIX G - Redevelopment Area Boundary Description is revised to reflect the inclusion of parcel # 05190000016000000 and parcel #05200300008002000 within RPA 1 (instead of RPA 2 as previously indicated).

Legal Description - RPA 1

Parcel #05200300008007000: A tract of land being part of the West half of the Southwest Quarter of Section 20, Township 47 North, Range 2 West and being described as follows: Beginning at an iron rod at the intersection of the West line of said Section 20 and the North right-of-way line of the State Highway "MM"; thence along said West line North 1 degree 34' 30" East 96.39 feet to an iron rod on the South right-of-way line of Interstate 70, thence along said South right-of-way line with a curve to the left, 410.03 feet to an iron rod, and curve having a central angle of 2 degrees 25' and a radius of 9729.24; thence leaving said South right-of-way line South 1 degree 35' West 280.00 feet to an iron rod' thence South 68 degrees 34' West 115.49 feet to an iron rod on the East right-of-way line of State Highway "MM"; thence along said East right-of-way line with a curve to the left 226.14 feet, said curve having a central angle of 38 degrees 13' and a radius of 339.01 feet to an iron rod' thence North 61 degrees 11' 30" West 169.11 feet to the place of beginning. Except that property conveyed on Trustee's Deed recorded in Book 496 Page 67 of the Warren County Records.

Parcel #05200300008006000: Tract 1: Lot B of Warrenton Outlet Center as shown on Plat thereof on Slide B-203/206, Warren County, Missouri Records Office.

Tract 2: Lot C of Warrenton Outlet Center as shown on Plat thereof on Slide B-203/204 and Slide B-205/206, and also known as Lots C-1, C-2, and C-3 of the Warrenton Outlet Center Plat 2, as shown on the recorded Plat thereof on Slide D-265/266 and Slide D265/266 and Slide D-267/268 of the Warren County, Missouri Records Office.

Tract 3: Easements as described in the Master Declaration and Agreement of Easements, Covenants, Conditions, and Restrictions dated March 1, 1996 and recorded in Book 745 Page 91, Warren County, Missouri Records Office as they pertain to Tracts 1 and 2 of this schedule.

Parcel #05200400005008000: A tract of land being Lot A West of the Resubdivision of Lot A Warrenton Outlet Center, according to the plat thereof recorded in Plat Cabinet C Slide C-255 of the Warren County Records, also known and numbered as Lot A Warrenton Outlet Center.

Parcel #05190000016000000: A tract of land being part of Section 19, Township 47 North, Range 2 West, Warren County, Missouri, and being more particularly describes as follows: Commencing at a point marking the northwest corner of Lot C of Warrenton Outlet Center as recorded on Slide B-205 and 206 of the Warren County Missouri Records, said point also being a point on the southern right-of-way line of Interstate Highway 70; thence leaving said corner along the southern right-of-way line of Interstate Highway 70 along a curve to the right having a radius of 9729.24 feet, an arc distance of 925.84 feet, the chord of which bears North 88°33'21" West, a distance of 85.14 feet to a point on the northern right-of-way line of Missouri State Highway MM, 80 foot wide, as widened; thence along said northern right-of-way line, North 61° 09' 21" West, a distance of 207.19 feet to a point on the southern right-of-way line of the aforementioned Interstate Highway 70; thence leaving the northern line of said Missouri State Highway MM along the southern right-of-way line of said Interstate Highway 70 along a curve to the left having a radius of 9729.24 feet, an arc distance of 184.35 feet, the chord of which bears South 85°22'54" East, a chord distance of 184.35 feet back to the POINT OF BEGINNING and containing 7,782 square feet or 0.178 acres more or less.

Parcel #05200300008002000: A tract of land being part of Section 20, Township 47 North, Range 2 West, Warren County, Missouri, and being more particularly described as follows: COMMENCING at the Northwesterly corner of Lot C of Warrenton Outlet Center, a subdivision recorded in Slides B-205 and B-206 of the Warren County, Missouri Records, said point being on the Southerly line of the Interstate Highway 70 South Outer Road; thence along the Westerly line of said Lot C, South 02° 42' 04" West a distance of 605.09 feet to a point on the Northerly right-of-way line Northerly right-of-way line of Norfolk and Southern Railroad; thence along said Northerly line North 85° 48' 30" West a distance of 90.03 feet to the POINT OF BEGINNING of the herein described tract of land; thence continuing along the Northerly line of said Norfolk and Southern Railroad; North 85° 48' 30" West a distance of 493.86 feet to the Easterly line of Missouri State Highway MM (60 feet wide); thence along said Easterly line the following courses; North 04° 04' 00" East a distance of 84.80 feet to a point of curvature to the left; thence along said curve to the left, having a radius of 339.01 feet, an arc length of 236.54 feet, the chord of which bears North 15° 55' 20" West a cord distance of 231.77 feet to a point, said point being the Southeasterly corner of a tract of land no or formerly of Stoehr, as recorded in Book 382, Page 208 of said Records; thence along said Easterly line North 01° 35' 00" East a distance of 260.96 feet to a point on the southerly line of aforementioned Interstate Highway 70 South Outer Road; thence along said Southerly line, along a curve to the left, said chord having radius of 9,729.24 feet, an arc length of 571.16 feet, the chord of which bears South 89° 09' 50" East a chord distance of 571.08 feet to a point; thence leaving the Southerly line of said Interstate Highway 70 South 02° 42' 04" West a distance of 596.75 feet to the POINT OF BEGINNING.

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