

AN ORDINANCE approving a request to amend the Cooperative Agreement related to the Northpark Lane Community Improvement District.

WHEREAS, the City of Joplin, Missouri (the "City") is a charter city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, the Northpark Lane Community Improvement District (the "District") was established pursuant to Joplin City Ordinance No. 2014-090 on or about June 16, 2014 ("2014 Ordinance"); and

WHEREAS, pursuant to Joplin City Ordinance No. 2014-091, the City entered into that certain Cooperative Agreement with Northpark Mall/Joplin, LLC (the "Developer") and the District (the "Cooperative Agreement"); and

WHEREAS, the District and Developer have requested certain revisions to the Cooperative Agreement in the form of that certain First Amendment to Cooperative Agreement (the "First Amendment") to include the following:

- (a) The revision of Section 4 of the Cooperative Agreement with regard to Costs of District Project and District Services.
- (b) The replacement of Exhibit A to the Cooperative Agreement with Appendix 1 to the First Amendment to reflect the cost of project work completed to date and the anticipated costs of work remaining to be completed.

WHEREAS, the City, the District and the Developer desire to enter into the First Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the First Amendment is hereby approved and that a true and accurate copy of the said First Amendment is attached hereto as Exhibit A and incorporated herein by reference as though fully set out herein.

Section 2. That the City Manager is authorized to execute the First Amendment with the District and Developer, by and on behalf of the City of Joplin, Missouri.

Section 3. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been

unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 4. This Ordinance shall become effective immediately upon approval by the City Council and execution of the Ordinance by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2018.

Gary L. Shaw, Mayor

ATTEST:

Barbara L. Gollhofer, City Clerk

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney