

**COUNCIL BILL NO. 2023-501**

**ORDINANCE NO.**

AN ORDINANCE approving termination of the North Park Crossing Tax Increment Financing Redevelopment Agreement by and between the City of Joplin, Missouri and North Park Crossing, L.C., and its successors and assigns; and containing an emergency clause.

WHEREAS, on June 27, 2004, the City of Joplin, Missouri (the “City”) and North Park Crossing, L.C. (the “Developer”) entered into the North Park Crossing Tax Increment Financing Redevelopment Agreement (the “Redevelopment Agreement”) to provide for the implementation of the North Park Crossing Tax Increment Financing Plan (the “Redevelopment Plan”) and the redevelopment projects described in the Redevelopment Plan (the “Redevelopment Projects”) within the redevelopment area as legally described in the Redevelopment Plan and on **Exhibit A** attached hereto and incorporated herein by reference (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Agreement provides for tax increment financing revenues (“TIF Revenues”) generated by the Redevelopment Plan to be used to reimburse the Developer for certain costs associated with the Redevelopment Projects; and

WHEREAS, on August 29, 2016, the City Council adopted Ordinance No. 2016-518 approving a partial assignment of the Redevelopment Agreement to North Park Crossing TIF, L.C.; and

WHEREAS, the City has determined that the Developer, including its successors and assigns, has been fully reimbursed from TIF Revenues pursuant to the Redevelopment Plan and the Redevelopment Agreement; and

WHEREAS, on January 17, 2023, the City Council adopted Ordinance No. 2023-\_\_\_\_ terminating the Redevelopment Plan and the designation of the Redevelopment Area as a redevelopment area as contemplated by Section 29.b. of the Redevelopment Agreement; and

WHEREAS, Section 41 of the Redevelopment Agreement states that “[T]he provisions of this Agreement shall be covenants running with the land and shall remain in effect for the duration of the Redevelopment Plan and any renewal period or periods of the Redevelopment Plan at the end of which time they shall cease”; and

WHEREAS, as a result of the termination of the Redevelopment Plan and designation of the Redevelopment Area and in accordance with Section 41 of the Redevelopment Agreement, the City Council desires to terminate the Redevelopment Agreement.

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

Section 1. That the North Park Crossing Tax Increment Financing Redevelopment Agreement by and between the City of Joplin, Missouri and North Park Crossing, L.C., and its successors and assigns, is hereby terminated in accordance with the terms of the Redevelopment Agreement.

Section 2. This Ordinance is declared by the City Council to be an emergency within this

meaning of Section 2.12 (6), of the Home Rule Charter of the City of Joplin, Missouri in order to terminate the Recovery TIF and as such shall become effective immediately upon its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by a vote of \_\_\_\_\_.

\_\_\_\_\_  
Douglas W. Lawson, Mayor

ATTEST:

\_\_\_\_\_  
Holly Nagy, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Peter C. Edwards, City Attorney

**Exhibit A**

Legal Description of Redevelopment Area

[see attached]

**Tract 1:**

All of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12) in HATTEN'S SUBDIVISION, an addition to the City of Joplin, Jasper County, Missouri according to the recorded plat thereof, LESS and EXCEPT 123 square feet at the Northwest (NW) corner, and EXCEPT the West 5 feet of Lot Numbered Twelve (12).

**Tract 2:**

All of Lots Four (4), Five (5), and Six (6) inclusive, and the West 20 feet of Lot Numbered Three (3) in HATTEN'S SUBDIVISION, and addition to the City of Joplin, Jasper County, Missouri according to the recorded plat thereof, EXCEPT the South Six (6) feet of said Lots 4, 5, and 6 for public alley.

**Tract 3:**

All of North Park Crossing Plat #1, a Subdivision in the City of Joplin, Jasper County, Missouri, being a replat of a part of E.A. Thompson's Sub-division Lots 1-8 & 10-15 and a part of Rolling Acres Addition Lots 1-4 of Miscellaneous Tract 12, according to the recorded Plat thereof.

**Tract 4:**

All of Lots One (1), and Two (2) of NORTH PARK CROSSING PLAT #2, a subdivision in the City of Joplin, Jasper County, Missouri, being a replat of part of E.A. Thompson's Sub-division Lot 6-8 & 10-15 and a part of Rolling Acres Addition Lot 3 and a part of Miscellaneous Tract 12, according to the recorded Plat thereof.

**Tract 5:**

All of Lots Numbered Two (2) of NORTH CORNER CROSSING PLAT #1 SUBDIVISION, in the City of Joplin, Jasper County, Missouri, according to the recorded Plat thereof, EXCEPT that part of Lot 2 described in the following tract: Commencing at the Southwest corner of Section 6, Township 27, North Range 32 West, thence along the West line of said Section 6, thence North 01 °58'18" East 1313.84 feet, thence leaving said West line of Section 6, South 88 °24'25" East 45.00 feet to the East right-of-way line of Range Line Road, thence South 88°24'25"East 168.22 feet to the point of beginning, thence South 88 °24'25" East 116.89 feet, thence South 02°04'27" West 175.55 feet, thence North 88 °28'26" West 116.89 feet, thence North 02 °04'27" East 175.69 feet to the point of beginning.

**Tract 6:**

All that part of Lots Numbered One (1) and Numbered Two (2) in NORTH CORNER CROSSING PLAT #1, in the City of Joplin, Jasper County, Missouri, according to the recorded Plat thereof, described as: Commencing at the Southwest corner of Section 6, Township 27, North Range 32 West, thence along the West line of said Section 6, North 01 °58'18" East 1313.84 feet, thence leaving said West line of Section 6, South 88°24'25" East 45.00 feet to the East right-of-way line of Range Line Road, thence South 88 °24'25" East 168.22 feet to the point of beginning, thence South 88 °24'25" East 116.89 feet, thence South 02 °04'27" West 175.55 feet,

thence North 88°28'26" West 116.89 feet, thence North 02 °04'27" East 175.69 feet to the point of beginning.

**Tract 7:**

Leasehold Estate as created by Memorandum of Ground Lease between EMP, LLP, a Missouri limited liability partnership, lessor, and North Corner Crossing, LC, a Missouri limited liability company, lessee dated October 15, 2004, (Lessee's interest having been assigned to North Park Crossing, L.C., notice of which is imparted by Memorandum of Lease recorded October 22, 2004 at 2:46:20 p.m. in Book 1890 at Page 867 and by Affidavit filed September 14, 2006 at 2:24:34 p.m. in Book 2009 at Page 739, leasing and demising the following described premises for a term commencing September 28, 2004 and continuing for a period of 30 year on the following described Tract: All that part of Lot Numbered One (1) in NORTH CORNER CROSSING PLAT #1, in the City of Joplin, Jasper County, Missouri, according to the recorded Plat, EXCEPT that part of Lot 1 described in the following tract: Commencing at the Southwest corner of Section 6, Township 27, North Range 32 West, thence along the West line of said Section 6, North 01 °58'18" East 1313.84 feet, thence leaving said West line of Section 6, South 88°24'25" East 45.00 feet to the East right-of-way line of Range Line Road, thence South 88 °24'25" East 168.22 feet to the point of beginning, thence South 88 °24'25" East 116.89 feet, thence South 02 °04'27" West 175.69 feet, thence North 88°28'26" West 116.89 feet, thence North 02 °04'27" East 175.69 feet to the point of beginning.

**Tract 8:**

A permanent exclusive easement for construction, access and use of a dumpster pad established by Use and Access Easement filed for record in Book 1907 at Page 1438.

And

A Cross Access easement created pursuant to Declaration of Easements filed for record in Book 1905, at Page 787 as adopted and consented to in Adoption and Consent Agreement filed for record in Book 1907, Page 1435.