



SPECIAL MEETING AGENDA
Wednesday, SEPTEMBER 28, 2022 at 6:30 p.m.

POWELL COMMUNITY CENTER
6200 MARTWAY

Meeting In Person and Virtually via Zoom

This meeting will be held in person at the time and date shown above. In consideration of the COVID-19 social distancing recommendations, this meeting will also be available virtually via Zoom (<https://zoom.us/join>). Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>.

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC HEARINGS AND RESOLUTIONS

- 1a. Public Hearing – Fifth Amended Mission Gateway Tax Increment Financing Redevelopment Project Plan (page 8)
- 1b. Public Hearing – 2022 Mission Gateway Community Improvement District Petition (page 107)

2. ACTION ITEMS

- 2a. Ordinance Making Findings and Terminating a Fourth Amended Tax Increment Financing Redevelopment Project Plan and Adopting a Fifth Amended Tax Increment Financing Redevelopment Project Plan Pursuant to K.S.A. 12-1770 et seq. - Mission Gateway (page 116)
- 2b. Ordinance Terminating Mission Gateway Community Improvement District #3 and Authorizing the Creation of the 2022 Mission Gateway Community Improvement District in the City of Mission, Kansas (page 124)

3. DISCUSSION ITEMS

3a. Discussion of Next Steps – Mission Gateway Redevelopment Project (page 132)

ADJOURNMENT



MEMORANDUM

Date: September 23, 2022
To: Mayor and City Council
From: Laura Smith, City Administrator
RE: Mission Gateway Project

As we continue consideration of the Mission Gateway developer's current request for public incentives, we had originally hoped to bring several of the important components together for action during the Special City Council meeting on September 28, 2022. While discussions continue, a fully drafted Redevelopment Agreement was not ready for the packet and so will not be presented for action next Wednesday.

My memo of September 13, 2022 which provided some background/history of the project and identified the action steps/items for the project is included again in the September 28, 2022 Special City Council meeting packet for information and context. I will briefly recap below where we are in the process and anticipated next steps following next week's meeting. In addition, I will highlight some additional information/context around several of the comments made during the September 14, 2022 City Council work session.

TIF and CID Public Hearings

As Council is aware, the developer submitted a Fifth Amended TIF Redevelopment Project Plan and a 2022 Mission Gateway Community Improvement District petition for Council consideration. Kansas statutes require that public hearings be held for both, and the Council passed Resolutions 1116 and 1117 in August calling the public hearings for September 28, 2022.

Following the conclusion of the public hearings, but not necessarily on the same night, the Council then considers ordinances related to both the TIF and CID. Since there are some very stringent requirements for timing of the TIF Project Plan public hearing, it is important to keep the September 28 public hearing date, even if action on the associated ordinances isn't anticipated to occur during that same meeting. Postponing or cancelling the hearings at this point would add a minimum of at least 75 days back into the process.

During the September 28 meeting, the Mayor will open the public hearings and take comments from the public. She will then seek Council action to continue the hearings, and action on the ordinances to a future meeting date. That date has not yet been identified, but several options are currently being evaluated and will be available by next week's meeting.

With respect to the TIF Project Plan, it is important to note a couple of reminders for the public:

- Consideration and approval of a TIF Project Plan does not in and of itself grant or agree to grant any specific incentives to a developer or a project.

- The TIF Project Plan under consideration covers both Phases I and II of the project. At this time, the Developer is only seeking incentives related to Phase I of the project.
- The TIF Project Plan represents a broad, high-level assessment of the project, all of the specific “deal points” related to the TIF will be addressed through the Redevelopment Agreement, not the TIF Project Plan
- The TIF eligible expenses shown in the TIF Project Plan do not represent an amount requested by or granted to the Developer. In almost every redevelopment project, the TIF eligible expenses exceed the revenues anticipated to be generated. The amount of incentives committed to a project will be specifically identified in the Redevelopment Agreement.

Estimated Phase I Revenues to City

Over the last several months, a great deal of attention has been focused on Phase I and Phase II of the project, and the amount of revenues available to the City in connection with each. At the September 14, 2022 work session, and at previous meetings, members of the public have cautioned the Council about “giving away” money and burdening existing residents (tax payers) with costs for increased services associated with this redevelopment project. We recognize that the subject of public incentives can be very divisive and generates strong opinions. However, it is important to remember that revenue sharing - from the outset of the project remains an essential element of any deal under consideration.

The proposal under negotiation includes the City and the Developer sharing revenues throughout the entire TIF term - allowing for the entire community to benefit from the project. These shared revenues would not be available if the project is not built. The City’s potential participation in the project does not take away from current residents or businesses and provides an opportunity for significant financial benefits to the City to be realized

As Mr. Kimmel has shared in previous presentations, the revenues estimated to the City in connection with Phase I only of the Mission Gateway Project are approximately \$20 million. Those include:

Revenue	Amount to City (yrs 20-22)	Amount to City with no Incentives
TIF Sales Tax (45% of 1% Gen)	\$3,246,318	\$0
3/8-cent Street Sales Tax	\$2,372,807*	\$0
3/8-cent Parks Sales Tax	\$2,372,807*	\$0
Stormwater Special Assessment	\$8,394,330	\$8,394,330
Base Property Taxes	\$1,883,224	\$1,883,224
Stormwater Utility Fees	\$1,722,336	\$1,722,336
Total	\$19,991,822	\$11,999,890

*These amounts assume the sales taxes are renewed for additional 10-year periods after expiring in 2032 (streets) and 2033 (parks). If not renewed, Street revenues would total \$903,587 and Parks revenues would total \$1,016,254.

Redevelopment Agreement

The Redevelopment Agreement is the document used to capture and control the terms of the “deal” as agreed to by the City and the developer. It addresses, among other things, the project budget, the project schedule, the obligations of the developer and the City, the process for certifying and reimbursing TIF and CID eligible expenses, requirements for transfer or sale of the property, disposition of any performance escrow and events of default and remedies.

The Redevelopment Agreement will be prepared by Pete Heaven, the City’s land use attorney. To date, the deal terms, based on Council direction provided to the City’s consultant team are included below. Several of the terms apply to both Phase I and Phase II (or any other future phases) of the project and are noted as such.

- 100% of Property Tax TIF revenues to developer (all project phases)
- 45/55% split of TIF Sales Tax revenues between City/Developer (all project phases)
- 1%/8% split of Transient Guest Tax revenues between City/Developer (applicable to hotel only, and developer’s portion capped at 8%)
- Commitment to maintain 10% of total residential units as attainable housing at 60% of AMI for the 20-year TIF term
- Commitment to achieve Green Globes certification for the project (all phases, however excluding the Cinergy building, which is partially constructed)

The Council expressed a desire for the developer to escrow \$3 million for Phase I of the project to ensure its completion. At this time, agreement on this term has not been reached and is still being discussed and negotiated with the developer.

Since the developer has only committed to Phase I of the project, if the Fifth Amended TIF Redevelopment Project Plan and the 2022 Mission Gateway CID petition were approved, the City would only consider a special obligation bond issuance sized appropriately to be repaid with project revenues from Phase I. Phase II bond issuance may be contemplated or referenced in a Redevelopment Agreement, but the current Council may not bind future Council’s actions and application for Phase II TIF bonds will have to be made at a later date. Staff and developer are also continuing to negotiate the uses and distribution of Phase I bond proceeds. A phased distribution in concert with the private equity and commercial loan proceeds like what was included in previous development agreement is anticipated.

During the September 14 work session I think there was some confusion or concern regarding the status of the developer’s private financing. We will discuss in more detail during the September 28 meeting, but at this stage of negotiations, financing commitments are reflected in term sheets, not binding loan documents. Loan documents would not be finalized until the issuance of any special obligation bonds when all three entities (developer, private lender and City) brought resources to the table.

You are not and will not be asked to make any decisions regarding the project or a redevelopment agreement with any less information than has been available to Councils in the past. Negotiations continue regarding redevelopment agreement terms.

Preliminary Development Plan

In addition to all the documents, processes and procedures related to the developer's request for public incentives, their zoning entitlements – in the form of a preliminary and final development plan – are also under consideration. The Planning Commission will hold a public hearing on the plan at their Monday, September 26, 2022 meeting and forward a recommendation to the City Council for final action. That action item will be aligned with the future meeting date set in conjunction with the continued TIF/CID public hearings.

Summary

All members of the City's consultant team will be present at next week's meeting to review and answer questions regarding any of the documents and/or actions anticipated in connection with the Mission Gateway project. Additionally, member of the developer's team will also be present. Please feel free to contact any member of the City team with questions.

MEMORANDUM

TO: City of Mission, Kansas
FROM: Bruce Kimmel, Senior Municipal Advisor
DATE: September 23, 2022
SUBJECT: Mission Gateway Redevelopment – Update Fiscal Considerations

Following the September 14 City Council work session regarding the proposed Mission Gateway redevelopment project, I turned my City advisory focus to better understanding the current status of the Phase 1 primary and mezzanine construction loans that the Developer expects to obtain from Bank OZK (OZK) and BentallGreenOak (BGO), respectively.

The primary questions I had for both lenders were as follows:

- How they anticipate updating the loan underwriting and term sheets given the increase in benchmark interest rates since the original term sheets were issued in the fourth quarter of 2021, as well as the potential further increase in Phase 1 development costs (i.e. above the cushion already budgeted for) and the likelihood that the Phase 1 TIF/CID Bonds will generate less than the previously budgeted \$22.5 million of project funding.
- Their expected / target timelines for underwriting new term sheets, reaching final loan approvals and commitments, and then proceeding to closing and funding milestones.
- Any thoughts on how their respective conditions to close might change from the Late 2021 term sheets.

OZK replied that renewed underwriting is underway, with a new term sheet expected with the next two weeks, while BGO indicated that it will wait to see OZK's updated term sheet before relaunching its own process. OZK acknowledged that higher interest rates may reduce its proposed loan amount, although it could also see fit to relax some of its parameters (i.e. loan-to-cost, debt service coverage requirement) slightly to maintain loan value. Both banks stressed that they remain committed to the Gateway project, and OZK made a point of noting that it is confident of reaching a successful financing plan – including with BGO, the City, and the Developer (as additional equity providers) – because of its longstanding and productive lending relationship with GFI.

I have no reason to doubt OZK and BGO's representations of their confidence in the project. At the same time, however, I cannot state that the Phase 1 capital stack is "ready to go". OZK's new term sheet will be an important signal of readiness, as will the Developer's progress in marshalling its additional resources for both its Phase 1 equity contribution and the City's proposed performance guarantee. And so, based solely on the current situation – and not prejudging when the Gateway financing elements will come into the next level of focus – I concur with the City's plan to postpone action on the TIF and CID approvals, as well as the development agreement.

I look forward to discussing the current status and next steps with you next Wednesday. Thank you.

Item 1a. Public Hearing – Fifth Amended
Tax Increment Financing
Redevelopment Project Plan –
Mission Gateway

MISSION GATEWAY

**FIFTH AMENDED TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT PLAN**

SUBMITTED TO THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS
PURSUANT TO K.S.A. § 12-1770 *et seq.*

RECEIVED
JUN 01 2022

BY: 

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- III. Conclusion

EXHIBIT LIST

- Exhibit A – Legal Description of the Property
- Exhibit B – Map Exhibit of the Property
- Exhibit C – Ordinance No. 1190, Ordinance No. 1195, and Ordinance No. 1508
- Exhibit D – Detailed Budget
- Exhibit E – TIF Bond Proforma
- Exhibit F – City of Mission Meeting Minutes Regarding this Project Plan

I. INTRODUCTION

In accordance with the Kansas Tax Increment Financing Act, K.S.A. 12-1770 *et seq.* (the “**Act**”), this Fifth Amended Mission Gateway Tax Increment Financing Redevelopment Project Plan (this “**Project Plan**”) has been submitted to facilitate the redevelopment of an approximately 17-acre site (the “**Property**”) bounded by Johnson Drive on the North, Roe Avenue on the East, Shawnee Mission Parkway on the South, and Roeland Drive on the West in the City of Mission, Kansas (the “**City**”). In the 1980s, the site was developed and utilized as a traditional enclosed shopping mall, and as that concept fell out of favor in the market, vacancy rates rose and the viability of that particular use came into question despite desirable local demographics.

In 2005, The Gateway Developers, LLC (the “**Original Developer**”) purchased the Property and worked closely with the City to formulate a redevelopment plan to demolish the existing mall and construct a modernized concept that would bring the Property to its highest and best use. This plan served both the Original Developer’s goals of creating a long-term stable asset and the City’s goals of rectifying a blighted, outdated use and replacing it with a dense, mixed-use project. It also facilitated an important City-wide goal of making it possible to install critical flood mitigation infrastructure that would enable redevelopment of both the Property and a substantial portion of the City that continuously faced flood issues.

In January of 2006, the Original Developer obtained initial approval of a tax increment financing (“**TIF**”) district for the Property. A TIF redevelopment project plan was then approved that September 2006, and that plan was amended by a later iteration in January 2008, which included a destination aquarium as the focal point. Shortly after this approval, the national economy began to rapidly decline, and market factors beyond the Original Developer’s control delayed commencement of this project. In 2013, a second amended redevelopment project plan was approved for the project, which omitted the destination aquarium in favor of a modern mixed-use concept.

In 2016, the Original Developer transferred its interest in the Property to Aryeh Realty, LLC (the “**Developer**”) who redesigned the redevelopment project and redevelopment plan. In August 2017, the City approved an amendment to the redevelopment project plan, and the ordinance approving same was effective January 2019. In the first quarter of 2020, as Developer was in the final stages of closing the private and public financing required to fund construction, the COVID-19 global pandemic began impacting the financial markets and Developer’s private and public financings were unable to close. The Developer asserts that the redevelopment project plan that became effective January 2019 has been abandoned because it is no longer desired or feasible.

The Developer now proposes to re-envision the redevelopment plan and submit this Fifth Amended Mission Gateway Tax Increment Financing Redevelopment Project Plan, which proposes a different redevelopment project and revenue sources from previous plans, for the City’s consideration. This Project Plan proposes a mixed-use center consisting of approximately 139,752 square feet of commercial and small shop retail, restaurants and entertainment space, an approximately 100,000 square foot office or medical facility, an approximately 202 room hotel, and approximately 373 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure (the “**Project**”). The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the Property to its highest and best use. The Project will contribute to the City’s continued revitalization of its economy and progress in the redevelopment of the

East Gateway area of Johnson Drive near the Project site. It is contemplated that the Project will be constructed in two (2) phases:

- **Phase 1:** The first phase of the Project is proposed to include: (i) construction of approximately 49,752 square feet of “small-shop” commercial or restaurant uses; (ii) construction of approximately 90,000 square feet of retail, restaurant, and entertainment space; (iii) construction of approximately 373 apartment units; (iv) construction of related site work; (v) construction of surface parking sufficient for such uses pursuant to the City’s applicable ordinances; and (vi) construction of a parking garage serving the entirety of the Project (collectively referred to herein as “Phase 1”).
- **Phase 2:** The second Phase of the Project is proposed to include: (i) construction of an approximately 202-room hotel and (ii) construction of an approximately 100,000 square foot office or medical facility (collectively referred to herein as “Phase 2”).

This Project Plan is premised on the need for a combination of public and private financing. The redevelopment of the Project has been ongoing for over a decade, and during that time, Developer asserts that it has incurred costs of approximately \$68,394,436 in land acquisition, demolition, predevelopment, and development construction costs in an effort to get the Project off the ground. Developer asserts that market conditions have continued to create difficulties for the Project, and absent the availability of TIF, it is not economically viable to undertake the Project. Accordingly, the Developer hereby proposes that the City approve this Project Plan and authorize the financing described herein. This public-private partnership will be to the shared benefit of all stakeholders – from the City and the Developer, to neighbors of the Project, and the citizens of the City that have a vested interest in seeing the Project move forward.

II. AMENDED TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN

A. The Property

As noted above, the Property subject to this Project Plan consists of approximately 17 acres bordered by Shawnee Mission Parkway, Roe Avenue, Johnson Drive, and Roeland Drive located within the City of Mission, Kansas. A legal description and map of the Property are attached hereto as **Exhibit A** and **Exhibit B**, respectively.

B. Established Redevelopment District

The Property is within an established redevelopment district approved by the City on January 11, 2006 and amended on February 8, 2006, by passage of Ordinance No. 1190 and Ordinance No. 1195, then further divided into Rock Creek Redevelopment District No. 1 (Gateway) pursuant to Ordinance No. 1508 passed on November 18, 2019 (the “Redevelopment District”). Copies of each ordinance listed above are attached hereto as **Exhibit C**. The approved District Plan under Ordinance No. 1508 designates the Property as the sole project area within the Redevelopment District, providing in pertinent part:

Rock Creek Redevelopment District No. 1 (Gateway). A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within and around the Rock Creek channel,

streets, sanitary and storm sewers, water lines and all related expenses to redevelop and refinance the redevelopment project and all other associated public and private infrastructure.

As described herein, this Project Plan is consistent with the established Redevelopment District.

C. Description of the Proposed Project

As described above, this Project Plan proposes a mixed-use center of approximately 139,752 square feet of commercial and small shop retail, restaurant, and entertainment space, an approximately 100,000 square foot office or medical facility, an approximately 202 room hotel, and approximately 373 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure. The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the Property to its highest and best use. The Project will contribute to the City's continued revitalization of its economy and progress in the redevelopment of the East Gateway area of Johnson Drive near the Project site. It is contemplated that the Project will be constructed in two (2) phases:

- **Phase 1:** Proposed to include: (i) construction of approximately 49,752 square feet of "small-shop" commercial or restaurant uses; (ii) construction of approximately 90,000 square feet of retail, restaurant, and entertainment space; (iii) construction of approximately 373 apartment units; (iv) construction of related site work; (v) construction of surface parking sufficient for such uses pursuant to the City's applicable ordinances; and (vi) construction of a parking garage serving the entirety of the Project.
- **Phase 2:** Proposed to include: (i) construction of an approximately 202-room hotel and (ii) construction of an approximately 100,000 square foot office or medical facility.

Notwithstanding the foregoing, the Developer will only construct Phase 2 as specific tenants and users are identified. This Plan is not intended to require or limit any particular use, size of any particular component, or inclusion of a particular component in any phase. To the extent certain uses are deemed impracticable, or tenants or users cannot be identified, then particular components of the Project may be modified, reduced, or, in the case of Phase 2, not constructed at all. For example, if the Developer is unable to secure office users or tenants, then the office component may not be constructed, or may be delayed until a time when users or tenants can be secured. To the extent any such particular component is changed or not constructed, then the costs associated with that component may also change or may not be incurred. There may then be corresponding modifications in the amount of TIF revenue generated by a modification, delay, or omission of the construction of any particular component of the Project as contemplated herein.

D. Financing Plan

The viability of this Project is dependent upon a combination of private and public financing mechanisms. In addition to private equity and debt, TIF and Community Improvement District ("CID") financing and other public sources may be utilized as approved by the City. The current iteration of the Project Plan envisions the use of special obligation bonds only, meaning that no City support, backing, or credit of the bonds will occur unless otherwise specifically authorized by the City, and certain tax increment and CID revenues that may be reimbursed to

Developer on a pay-as-you-go basis upon repayment of such bonds, as further set forth in a development agreement to be entered into between the Developer and City. Any reimbursement for Redevelopment Project costs will be made only from tax increment and CID revenues actually received by the City from the Redevelopment District in accordance with the Act. The City will have no responsibility for any other costs of the Project. Further, the City is under no obligation to provide financial assistance if the tax increment or CID revenues generated from the Project do not meet projections.

For the purposes of accurately stating revenue estimates, this Plan provides figures valued in two ways: (1) the gross revenues generated over the period of collection contemplated hereunder (meaning the total collections for that period), and (2) bonded figures, assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance.

As detailed in Section E below, the total estimated cost to complete the Project is approximately \$268,374,547. Financing of this amount shall be provided by (A) eligible TIF financing; (B) eligible CID financing; and (C) costs not financed with the above funding sources will be financed through private equity and debt. The specific terms and conditions of such financing will be further set forth in a development agreement to be entered into between the Developer and City.

E. Feasibility Study

Pursuant to the Act, a study has been performed to determine whether the Project’s estimated benefits will exceed its cost, and that the income therefrom will be sufficient to pay the costs of the Project. Various consultants retained by the Developer and members of the development team with experience and expertise in the actual design, development, financing, management and leasing of projects of similar scope and nature were utilized for the feasibility study. Further, outside resources were consulted to compare and verify the cost and revenue projections including outside industry sources and actual taxing jurisdiction data where available. The results of this study are as follows:

1. Project Costs. The total estimated cost to complete the Project is \$268,374,547.¹ Below is a summary of the estimated costs, as determined from contract prices, engineering estimates and the Developer’s estimates. A detailed budget is included as Exhibit D.

<u>ESTIMATED TOTAL COSTS</u>	
	<u>Total</u>
Land, Demolition & Predevelopment	\$43,098,570
Site Work, Infrastructure & Parking	\$29,852,464
Hard Costs	\$140,613,840
Soft Costs	\$30,740,278
Loan Closing Costs	\$5,791,496
Interest Reserve	\$18,277,899
Total:	\$268,374,547

¹ This amount is subject to change as actual costs are ascertained and incurred. Costs are exclusive of private interest incurred to finance such costs.

2. **Eligible Costs.** Pursuant to the Act, only certain costs are eligible for TIF financing and reimbursement. Of the total project costs listed above, Developer estimates that \$66,644,434 (or 24.83%) qualifies under the Act as "Eligible Redevelopment Project Costs," meaning that only those costs may be financed using TIF revenues. The viability of the Project as planned hinges on obtaining TIF financing and reimbursement for a portion of the Eligible Redevelopment Project Costs, Developer's estimates of which are set forth by category and amount below (and noted in further detail in Exhibit D):

ESTIMATED ELIGIBLE REDEVELOPMENT PROJECT COSTS²

	<u>TIF Eligible</u>	<u>Eligible %</u>
Land, Demolition & Predevelopment	\$14,794,576	34.32%
Site Work, Infrastructure & Parking	\$29,852,464	100.00%
Hard Costs	\$13,036,032	9.27%
Soft Costs	\$2,161,099	17.30%
Loan Closing Costs	\$1,001,929	17.30%
Interest Reserve	\$3,162,077	17.30%
Total:	\$64,008,179	23.85%

3. **Project Revenues**

Gross TIF revenues generated over a period of 20 years, as provided under the Act, are estimated to be \$77,787,830. The estimated TIF revenues presume a 1.5% annual escalation in property taxes and a 2% annual increase in sales revenues. Assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance, Developer estimates this gross revenue stream could support a net bond issuance of approximately \$27,923,385.

The Project will generate TIF revenues from the following sources permitted by the Act:

- a) *Ad Valorem* Tax Increment Revenues – the differential between the *ad valorem* taxes generated by real property within the established Redevelopment District as of the date the Redevelopment District was established and future *ad valorem* taxes which will be generated after the redevelopment (less *ad valorem* taxes not allowed to be captured pursuant to the Act); and
- b) City Sales Tax – the portion of the City's Sales Tax undedicated for other purposes, which is currently 1%, plus the portion of the Johnson County sales tax committed to the City, which for the purposes of this Project Plan is assumed to be an additional 0.02551%.

² This amount is subject to change as actual costs are ascertained and incurred provided the same are eligible under the Act. This Project Plan contemplates that all TIF revenue generated hereby will be available to repay Eligible Redevelopment Project Costs, whether on a "pay-as-you-go" basis or by the issuance of TIF bonds. Costs are exclusive of private interest costs incurred to finance such Eligible Redevelopment Project Costs, which shall be reimbursable with TIF revenues if incurred to finance any Eligible Redevelopment Project Costs.

- c) Transient Guest Tax – all transient guest taxes generated from the hotel within the Project, at the City’s current transient guest tax rate of 9%.

A. Ad Valorem Tax Increment Captured

The assessed value of the Property at the time the Redevelopment District was created in 2006 was \$2,532,825, according to the Johnson County Appraiser’s Office. This assessed value serves as the base against which future Project values can be compared in order to determine the amount of *Ad Valorem* Tax Increment Revenues that will be generated by the Project. Upon completion of construction of the Project, it is estimated that the Property will have an assessed value of \$30,708,740, growing annually with inflation at an assumed 1.5%. The cumulative difference between the projected assessed value and the base assessed value creates a tax increment of \$61,309,008 over the TIF collection period (supporting estimated net bond proceeds of \$22,075,625, assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance).

These conclusions are based on and confirmed against anticipated Project Costs, published tax appraisals for similar developments in Johnson County, and the valuation methodology historically utilized by the Johnson County Appraiser’s Office for comparable property.

B. City Sales Tax Revenue Captured

It is estimated that annual sales within the Project will be \$36,437,764 during the TIF collection period at completion and stabilization of the entire Project, growing 2% annually thereafter for the duration of the Project Plan. Based upon the undedicated portion of the City Sales Tax of 1%, plus the portion of the County sales tax committed to the City, TIF revenues derived from City Sales Tax are anticipated to generate sales tax increment of \$4,543,729 over the TIF collection period (supporting estimated net bond proceeds of \$1,633,831, assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance).

C. Transient Guest Tax Captured

The hotel within the Project is estimated to produce annual room sales of \$6,399,764 during the TIF collection period at completion and stabilization, growing by 3% annually thereafter for the duration of the Project Plan. All such sales will be subject to City’s 9% transient guest tax rate; of which 89% (i.e. an 8% tax rate) will be captured as TIF revenue, and 11% (i.e. a 1% tax rate) will be retained by the City. Over the course of the TIF collection period and assuming completion of the hotel by December 2026, these transient guest tax revenues are estimated to generate \$11,935,093 during the TIF collection period (supporting estimated net bond proceeds of \$4,213,930, assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance).

4. Tax Increment Revenues and Special Obligation Bond Financing

Based on the Project’s captured *Ad Valorem* Tax Increment, City Sales Tax, and transient guest tax revenues for a period of 20 years, such revenue stream is estimated to generate \$77,787,830 over the course of the 20-year TIF collection period, which produces \$27,923,385 in net bond proceeds, assuming a 5.75% interest rate, 130% coverage, and 14% costs of issuance. **Exhibit E** sets forth a principal and interest schedule along with the relevant calculations and assumptions utilized to reach these figures. Precise bond factors will be agreed upon if and when bonds are issued in support of the Project. The

balance of any TIF revenue remaining after the repayment of any special obligations issued in support of the Project may be utilized to repay any outstanding Eligible Redevelopment Project Costs on a pay-as-you-go basis, or via a subsequent bond issuance at the discretion of the City.

Prior to any reimbursement to private entities for Redevelopment Project costs, the Developer shall enter into one or more development agreements with the City identifying the procedure and circumstances under which the City will pay or reimburse Redevelopment Project costs and other requirements of the City pertaining to the development of Project and the Redevelopment District.

5. Summary of the TIF Revenues and Project Costs

Based on the Plan's (1) estimated project costs (2) estimated TIF revenues, and (3) private debt/equity and other financial incentives, the net TIF revenues will be sufficient to pay the costs of the Project, as contemplated under the Act, when supplemented by private debt, equity, and such other financial incentives.

6. City of Mission Meetings and Minutes

Upon approval of this Project Plan by the City, the City Clerk will attach the minutes of all City meetings where the Project Plan was discussed as **Exhibit F**.

7. Impact on Outstanding Bonds

If bonds are issued in support of the Project, such bonds shall be payable solely from TIF revenues (or other incentive revenues) generated within the Project. There are no outstanding special obligation tax increment bonds for the Redevelopment District and, therefore, the Redevelopment Project costs are not expected to have any effect on outstanding special obligation tax increment bonds payable from revenues described in subsection (a)(1)(D) of K.S.A. 12-1774, as amended.

8. Significant Contribution to Economic Development in the City

The redevelopment of the Property as proposed herein will provide significant economic benefits for the City by, among other things, creating a substantial commercial activity within a previously blighted area of the City.

In particular, demolition of the former shopping mall on the Property served a vital public purpose of facilitating a City-wide drainage project that benefitted the entire area surrounding the Property. In the future, the Project will provide new shopping and living opportunities, employment for the City's residents, and it will further the City's aim of redeveloping the East Gateway target area. In addition, the Project will create viable long-term sales and property tax revenues for the City, as well as employment and commerce. The benefits derived from the Project should exceed any costs thereof.

There are also immediate and long-term quantifiable monetary benefits to the City from the Project. The following table provides calculations as to financial benefits both during and after the TIF collection period:

**City Financial Benefits During TIF
Period:**

	<u>Annual at Stabilization</u>	<u>Cumulative Over 20- Year TIF Capture Term</u>
.45% of 1% City Sales Tax	\$192,769	\$3,819,910
.375% Street Sales Tax: *	\$160,641	\$3,409,349
.375% Park Sales Tax: *	\$160,641	\$3,409,349
1% Transient Guest Tax:	\$63,998	\$1,491,887
Business License/Franchise Fees:	\$10,404	\$228,406
Stormwater Debt Repayment:	\$599,596	\$11,991,916
Total:	\$1,188,048	\$24,350,816

Annual City Financial Benefits After TIF Period:

	<u>Annual After TIF Period</u>
Annual Sales Tax Revenue:	\$1,077,991
Annual Transient Guest Tax Revenue (9%):	\$952,005
Annual City Property Tax:	\$647,912
Annual City Share of County Sales Tax:	\$15,714
Annual Business License Fees:	\$14,568
Total Annual Revenue After TIF:	\$2,708,190

* Street and Park Sales Taxes have a maximum 10-year term under State law. Unless renewed by voters, the Street Sales Tax will sunset in April 2032, and the Park Sales Tax will sunset in April 2023. The City anticipates seeking voter approval to extend the Park Sales Tax at the same rate for an additional 10-year term in fall 2022. This table assumes both such sales taxes will be collected for the full TIF collection period.

To put these figures in perspective, at stabilization, it is estimated that the annual revenues generated by the Project (after deducting TIF revenues) will equal approximately 7.80% of the City's entire budget. The revenues at stabilization would also equal approximately 22.34% of the City's debt-service payments on other City-wide obligations. At completion of the TIF collection period, it is estimated that the Project will produce revenues equal to approximately 15.16% of the City's budget.

The Project will also generate substantial job creation and annual visitation, which will produce spin-off economic benefits. Estimates are as follows:

Job/Visitation Creation

Est. Jobs Created (1 Employee/1,000 SF):	440
Estimated Annual Visitors:	2,500,000
Estimated Overnight Visitors:	65,000

F. Relocation Plan

The Developer, Aryeh Realty, LLC, or the City owns all of the Property in fee simple. These properties were acquired through negotiated arms-length transactions; thus, any funds required for

relocation were included in the purchase price. Certain relocation payments were made to tenants that occupied the Property at the time it was purchased by the Developer, which are among the predevelopment costs to be reimbursed with TIF revenues.

III. CONCLUSION

Based on the foregoing, the City and Developer hereby submit this Project Plan for public hearing and due consideration.

EXHIBIT A – LEGAL DESCRIPTION

Lots 2-7, The Gateway Second Plat, a subdivision in the City of Mission, Johnson County, Kansas, a replat of Lot 1, The Gateway First Plat, Part of the West half of Section 9, Township 12 South, Range 25 East, City of Mission, Johnson County, Kansas, less any portions in dedicated public street right of way (if any), more particularly described as and also including all of the following:

All that part of the West half of Section 9, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 1 degree 49 minutes 20 seconds West along the West line of the Northwest Quarter of said Section 9 a distance of 349.28 feet (339.15 feet Deed) to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 1740.63 feet (1742.10 feet Deed) to a point on the East right of way line of Roeland Drive, the POINT OF BEGINNING; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 358.19 feet to a point on the South right of way line of Johnson Drive; thence North 67 degrees 34 minutes 47 seconds East along the South right of way line of Johnson Drive a distance of 143.70 feet to a point; thence North 68 degrees 09 minutes 28 seconds East along the South right of way line of Johnson Drive a distance of 434.76 feet to a point; thence South 21 degrees 50 minutes 32 seconds East along the South right of way line of Johnson Drive a distance of 1.53 feet to a point; thence North 72 degrees 37 minutes 31 seconds East along the South right of way line of Johnson Drive a distance of 342.82 feet to a point; thence in a Northeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 297.25 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Southeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also lying on the West right of way line of Roe Avenue; thence in a Southeasterly direction along the West right of way line of Roe Avenue and along a curve to the right, having a radius of 397.25 feet, through a central angle of 9 degrees 59 minutes 48 seconds, an arc distance of 69.31 feet to a point; thence South 3 degrees 03 minutes 14 second East along the West right of way line of Roe Avenue a distance of 111.19 feet to a point; thence South 2 degrees 07 minutes 38 seconds East along the West right of way line of Roe Avenue a distance of 200.66 feet to a point; thence South 1 degree 54 minutes 32 seconds East along the West right of way line of Roe Avenue a distance of 42.62 feet to a point on the Northwesterly right of way line of Shawnee Mission Parkway (also known as US Highway 56) as established in Book 200706 at Page 003864; thence South 37 degrees 23 minutes 58 seconds West along the Northwesterly right of way line of said Shawnee Mission Parkway a distance of 936.45 feet to the point of intersection of the Northwesterly right of way line of Shawnee Mission Parkway and the East right of way line of Roeland Drive; thence North 52 degrees 36 minutes 02 seconds West along the East right of way line of Roeland Drive a distance of 44.00 feet to a point; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the right, having a radius of 260.50 feet, through a central angle of 53 degrees 32 minutes 02 seconds, an arc distance of 243.40 feet to a point of reverse curvature; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the left, having a radius of 490.00 feet, through a central angle of 34 degrees 25 minutes 13 seconds, an arc distance of 294.37 feet to a point; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 125.55 feet to the POINT OF BEGINNING and containing 721,889 Square Feet or 16.572 Acres, more or less.

EXHIBIT B – MAP EXHIBIT



EXHIBIT C – ORDINANCE NO. 1190, ORDINANCE NO. 1195, AND ORDINANCE NO. 1508

ORDINANCE NO. 1190

AN ORDINANCE MAKING CERTAIN FINDINGS WITH RESPECT TO THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT IN THE CITY OF MISSION, KANSAS AND ESTABLISHING A REDEVELOPMENT DISTRICT (ROCK CREEK REDEVELOPMENT).

WHEREAS, the City of Mission, Kansas (the "City"), has conducted a public hearing to consider the establishment of a redevelopment district in the City pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act"), and Resolution No. 615 of the City adopted on November 9, 2005; and

WHEREAS, the Act provides that upon the conclusion of the public hearing the Governing Body of the City may pass an ordinance making such findings as are required by the Act and establishing a redevelopment district; and

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. The Governing Body of the City hereby finds and determines that the area proposed to be included as a redevelopment district is as follows:

A parcel within the city of Mission, Kansas, depicted on the attached Exhibit A.

A legal description of the area encompassing the redevelopment district is attached hereto as Exhibit B.

Section 2. The Governing Body of the City hereby finds and determines that (a) the area described in Section 1 of this Ordinance is a "blighted area" because a majority of the property in such area is within a 100-year floodplain area, and therefore, is an "eligible area" as defined in the Act, and (b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

Section 3. The Governing Body of the City hereby finds and determines that the district plan includes the following redevelopment project areas depicted on the attached Exhibit A which are all located within the redevelopment district described in Section 1 of this Ordinance:

Project Area 1. Redevelopment of the existing Mission Mall shopping center consisting of one or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 2. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 3. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 4. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Section 4. In accordance with the Act and Resolution 615, a redevelopment district is hereby established in the City encompassing the area described in Section 1 of this Ordinance.

Section 5. The Mayor, City Administrator, Finance Director, City Clerk and other officials and employees of the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 6. This Ordinance shall be in full force and effect from and after its passage by the governing body of the City and publication once in the official City newspaper.

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ADOPTED by the City Council of the City of Mission, Kansas on January 11, 2005. *lo*



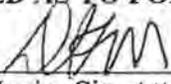
Laura L. McConwell, Mayor

ATTEST:



Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:



David K. Martin, City Attorney

EXHIBIT A
MAP OF ROCK CREEK REDEVELOPMENT DISTRICT

PROPOSED TIF DISTRICT:
ROCK CREEK FLOODPLAIN

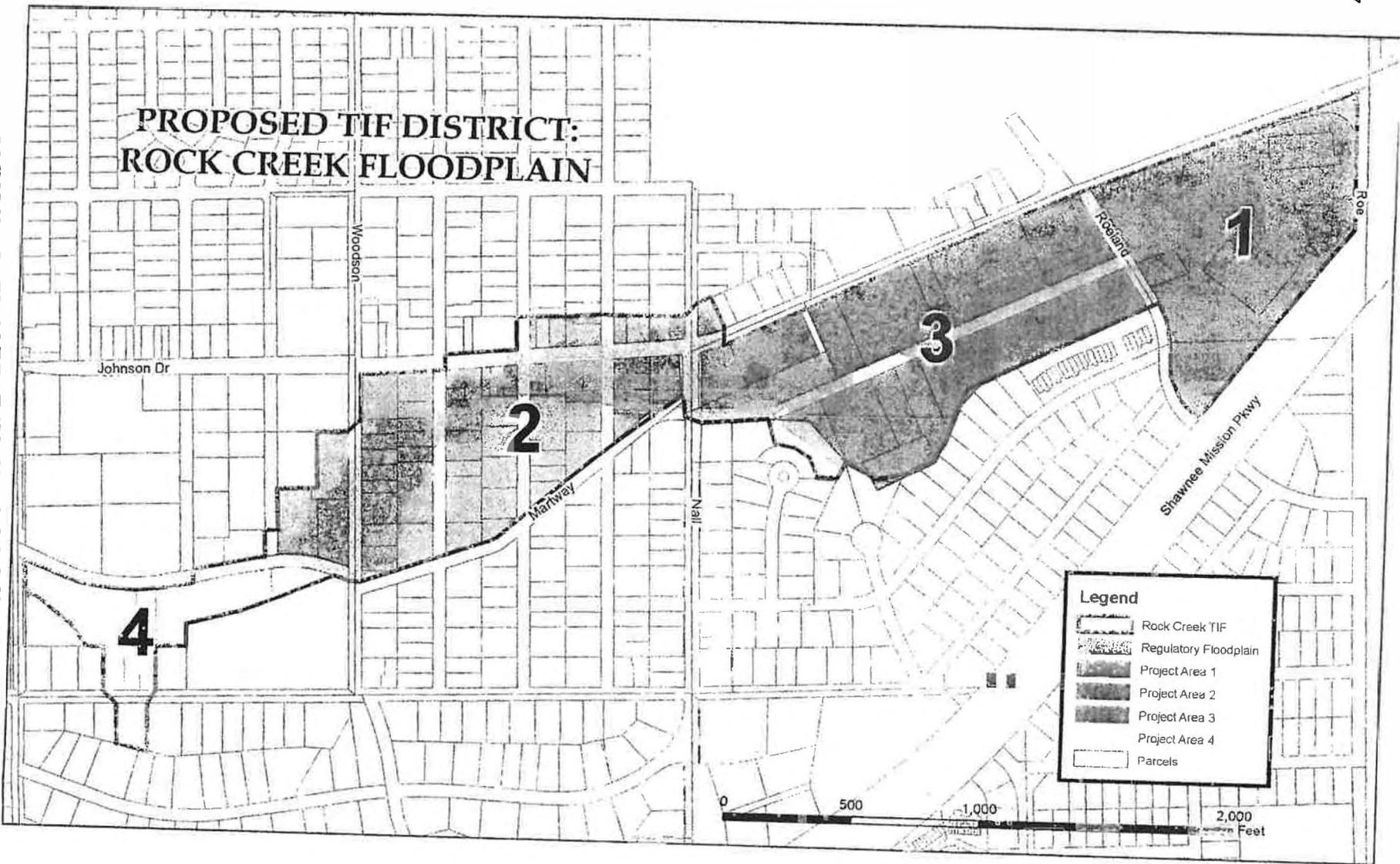


Exhibit B
CITY OF MISSION, KANSAS
ROCK CREEK REDEVELOPMENT DISTRICT
Legal Description

Tax Parcel No.: KP27500000 0020; KP27500000 0042B; KP27500000 0042A

Legal:

Lots 20 and 42, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0080C

Legal:

All that part of the South 55 feet of Lot 80 and all that part of Lot 81, Missionhill Acres, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of said Lot 81; thence N 0° 08' 04" E, along the West line of said Lot 81, a distance of 102.32 feet, to the true point of beginning of subject tract; thence S 89° 58' 25" E, along a line parallel with the North line of said Lot 81, a distance of 29.54 feet; thence S 0° 08' 04" W, along a line parallel with the West line of said Lot 81, a distance of 12.92 feet; thence S 89° 58' 25" E, along a line parallel to the North line of said Lot 81, a distance of 110.39 feet, to a point on the East line thereof; thence N 0° 08' 04" E, along the East line of said Lot 81 and along the East line of said Lot 80, a distance of 82.32 feet; thence N 88° 59' 15" W, a distance of 139.95 feet to a point on the West line of said Lot 80; thence S 0° 08' 04" W, along the West line of said Lot 80 and along the West line of said Lot 81, a distance of 71.81 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KP27500000 0104C

Legal:

Lot 104, Except the west 75 feet, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0104B; KP27500000 0104A

Legal:

The East 50 feet of the West 75 feet of Lot 104, Missionhill Acres, and also the West 25 feet of said Lot 104, Missionhill Acres, a subdivision in Johnson County, Kansas, according to the plat thereof.

Tax Parcel No.: KP27500000 0081

Legal:

Lot 81, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, except, All that part of the South 55 feet of Lot 80 and all that part of Lot 81, Missionhill

Acres, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of said Lot 81; thence N 0° 08' 04" E, along the West line of said Lot 81, a distance of 102.32 feet, to the true point of beginning of subject tract; thence S 89° 58' 25" E, along a line parallel with the North line of said Lot 81, a distance of 29.54 feet; thence S 0° 08' 04" W, along a line parallel with the West line of said Lot 81, a distance of 12.92 feet; thence S 89° 58' 25" E, along a line parallel to the North line of said Lot 81, a distance of 110.39 feet, to a point on the East line thereof; thence N 0° 08' 04" E, along the East line of said Lot 81 and along the East line of said Lot 80, a distance of 82.32 feet; thence N 88° 59' 15" W, a distance of 139.95 feet to a point on the West line of said Lot 80; thence S 0° 08' 04" W, along the West line of said Lot 80 and along the West line of said Lot 81, a distance of 71.81 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KP27500000 0021A

Legal:

Lot 21 and the North ½ of vacated 60 Street adjacent to said Lot 21 on the South, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, EXCEPT beginning at a point on the Southerly prolongation of the West line of said Lot 21 and the centerline of vacated 60 Street; thence Northeasterly along the centerline of vacated 60 Street, 77.39 feet; thence Southwesterly along a curve to the left, 63.81 feet, said curve having a radius of 170 feet, to a point, said point being in the Westerly line of said Lot 21; thence South along the Westerly line of said Lot 21, 27.25 feet to the point of beginning.

Tax Parcel No.: KP27500000 0041; KP27500000 0040B

Legal:

Tract I: Lot 41, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tract II: The North 50 feet of Lot 40, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0082B; KP27500000 0082A; KP27500000 0083A

Legal:

All of Lot 82 and the North 40 feet of Lot 83, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27600000 0003

Legal:

Lot 3, Resurvey of Lot 103, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27600000 0002; KP27600000 0001

Legal: Lots 1 and 2, Resurvey of Lot 103, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0144B; KP27500000 0144C; KP27500000 0144A

Legal:

Tract I:

Beginning at the Northeast corner of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas; thence in a Westerly direction along the North line of said Lot, a distance of 53.50 feet to a point; thence Southerly 117.38 feet to a point which is 52.50 feet West of the Southeast corner of said Lot 144; thence East along the South line of said Lot 52.50 feet to the Southeast corner thereof; thence North along the Easterly line of said Lot, a distance of 120 feet to the point of beginning, all a part of Section 8, Township 12, Range 25, Except that part in roads.

Tract II:

Beginning at a point in the North line of Lot 144, Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30.82 feet East of the Northwest corner of said Lot 144; thence South and parallel to the West line of said Lot 144, a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said store building a distance of 46.83 feet more or less to the Southeast corner of said store building; thence South and parallel to the West line of said Lot 144 a distance of 48 feet to a point in the South line of said Lot 144, which point is 32.75 feet East of the Southwest corner of Lot 144; thence East along the South line of said Lot 144 a distance of 54.75 feet to a point which is 52.50 feet West of the Southeast corner of Lot 144; thence in a Northerly direction distance of 117.38 feet to a point in the North line of Lot 144, which is 53.50 feet West of the Northeast corner of Lot 144; thence West along the North line of said Lot 144, a distance of 55.85 feet to the point of beginning, except that part in roads.

Tract III:

Beginning at a point on the South line of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30 feet East of the Southwest corner of said Lot 144; thence North and parallel to the West line of Lot 144 a distance of 114.6 feet to a point on the North line of said Lot 144; thence East along the North line of Lot 144 distance of .78 feet to a point; thence South and parallel to the West line of Lot 144 a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said store building a distance of 46.83 feet, more or less, to the Southeast corner of said store building to a point which is 32.75 feet East of the West line and 48 feet North of the South line of said Lot; thence South and parallel to the West line of said Lot 144, a distance of 48 feet to a point on the South line of said Lot 144; thence West 2.75 feet to the point of beginning, and all of the West 30 feet of Lot 144, Missionhill Acres, Except that part in roads.

Tax Parcel No.: KP27500000 0164

Legal:

All of Lot 164 in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas as recorded in Book 7, Plats, at Page 20, Except the following described tract: Beginning at the Southwest corner, Lot 164 in Missionhill Acres; thence North along the West line of said Lot 164 a distance of 47.63 feet to a point; thence in an easterly direction on a line parallel to and 47.63 feet North of the South line of the said Lot 164 a distance of 74.50 feet to a point; thence South along a line that is parallel to and 74.50 feet East of the West line of said Lot 164 a distance of 47.63 feet to a point in the South line of said Lot 164; thence West along the South line of said Lot 164 a distance of 74.50 feet to the point of beginning.

Tax Parcel No.: KP27500000 0205

Legal:

Lot 205, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0226

Legal:

Lot 226 Except the South 19.74 feet in the Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of Lot 226 of said Missionhill Acres; thence N 00° 10' 38" W on the West line of said Lot 226 a distance of 19.74 feet to the point of beginning; thence continuing N 00° 10' 38" W on said West line a distance of 100.26 feet; thence N 88° 44' 05" E on the North line of said Lot 226 a distance of 140.68 feet; thence S 00° 04' 44" E on the East line of said Lot 226 a distance of 103.36 feet; thence N 90° 00' 00" W a distance of 140.48 feet to the point of beginning.

Tax Parcel No.: KP27500000 0225B

Owner: Groundrunner Properties, LLC, a Kansas limited liability company

Legal:

The North ½ of Lot 225 and the South 19.74 feet of Lot 226, in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Lot 226 of said Missionhill Acres; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 226 a distance of 19.74 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 140.48 feet to a point on the East line of said Lot 226; thence South 00 degrees 04 minutes 44 seconds West on the East line of said Lot 226 and Lot 225, a distance of 79.74 feet to the Southeast corner of the North ½ of said Lot 225; thence South 90 degrees 00 minutes 00 seconds West a distance of 140.34 feet to the Southwest corner of the North ½ of said Lot

225; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 225 a distance of 60.00 feet to the Point of Beginning.

Tax Parcel No.: KP27500000 0164A

Legal:

Beginning at the Southwest corner of Lot 164 in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas; thence North along the West line of said Lot 164, a distance of 47.63 feet to a point; thence in an Easterly direction on a line parallel to and 47.63 feet North of the South line of said Lot 164, a distance of 74.50 feet to a point, thence South along a line that is parallel to and 74.50 feet East of the West line of said Lot 164, a distance of 47.63 feet to a point in the South line of the said Lot 164; thence West along the South line of said Lot 164, a distance of 74.50 feet to the point of beginning.

Tax Parcel No.: KP27500000 0101

Legal:

The North 100 feet of Lot 101 and all of Lot 102, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0145; KP27500000 0146

Legal:

Lots 145 and 146, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0083B

Legal:

The South 80 feet of Lot 83 and the North 40 feet of Lot 84, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0039

Legal:

Lot 39 and the South 70 feet of Lot 40, Missionhill Acres, City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0163; KP27500000 0206B; KP27500000 0206A;
KP27500000 0162

Legal:

Lots 162, 163 and 206, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0225A

Legal:

The South Half of Lot 225, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0084A

Legal:

The South 80 feet of Lot 84 and all of Lot 85, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0207; KP27500000 0207A

Legal:

The North 60 feet of Lot 207 and the South 60 feet of Lot 207, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KF251208-4049; KF251208-4050; KF251208-4040

Owner: Mission Hills Apartments, L.L.C., a Minnesota limited liability company

Legal:

Tract I:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the True Point of Beginning; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the True Point of Beginning, except that part in 60th Street and Dearborn Street.

Tract II:

Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 degrees 56 minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of

the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 degrees 56 minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, except that part in Woodson Street.

Tract III:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North, along a line 330 feet West of said parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 495.81 feet, to a point 300 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 300 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 330 feet; thence South, along the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 497.90 feet to the point of beginning, EXCEPT

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the True Point of Beginning; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the True Point of Beginning,

EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 degrees 56 minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 degrees 56 minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the

Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, thence North 89 degrees 56 minutes West 149 feet to the true point of beginning; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet; thence North and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 220 feet; thence South 89 degrees 56 minutes East along a line 300 feet South and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet to the true point of beginning, all in the City of Mission, Johnson County, Kansas, and except those parts in streets and roads.

Tax Parcel No.: KP27500000 0224A

Legal:

The North One-Half of Lot 224, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0100B

Legal:

All of the North 40 feet of Lot 100 and the South 20 feet of Lot 101, in Missionhill Acres, a subdivision, in Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0224B; KP27500000 0223A

Legal:

Missionhill Acres, South one-half of Lot 224, and the North one-half of Lot 223, subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof

Tax Parcel No.: KP27500000 0147

Legal:

Lot 147, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0161A

Legal:

The North half of Lot 161, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0208; KP27500000 0210

Legal:

Lots 208, 209, 210 and 211, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0100A

Legal:

The South 60 feet of the North 100 feet of Lot 100, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0160

Legal:

Lot 160, and the South half of Lot 161, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0099

Legal:

Lot 99 and the South 20 feet of Lot 100, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0223B

Legal:

The North 50 feet of the South 60 feet of Lot 223, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0148

Legal:

Lot 148, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0222

Legal:

Lot 222 except that South 9 feet thereof, and the South 10 feet of Lot 223, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0149

Legal:

All of Lot 149, Missionhill Acres, a subdivision now in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0159

Legal:

Lot 159, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0221A

Legal:

The North 77 feet of Lot 221, and the South 9 feet of Lot 222, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0220A

Legal:

The South 43 feet of Lot 221, and all of Lot 220, except that portion deeded to the City of Mission for street and highway purposes as recorded in Book 451, Deeds at Page 201, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KF251208-4033

Legal:

All that part of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, Johnson County, Kansas, described as follows: Beginning at a point in the West line of said Quarter Quarter Quarter Section 200 feet north of the Southwest corner; thence South 89 degrees 34 minutes East parallel to the South line of said Quarter Quarter Quarter Section 465.0 feet; thence North and parallel to the West line of said Quarter Quarter Quarter Section 182.63 feet; thence North 67 degrees 05 minutes West 504.84 feet to the West line of said Quarter Quarter Quarter Section; thence South 375.7 feet to the point of beginning,

Except that part described as follows:

The East 10 feet of the West 30 feet of all that part of the Southwest $\frac{1}{4}$ Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Section 8, Township 12, Range 25 described as follows: Beginning at a point in the West line of said Quarter Quarter Quarter Section, 200 feet North of the Southwest corner; thence South 89 degrees 34 minutes East parallel to the South line of said Quarter Quarter Quarter Section 465.0 feet; thence North and parallel to the West line of said Quarter Quarter Quarter Section, 182.63 feet; thence North 67 degrees 05 minutes West 504.84 feet to the West line of said Quarter Quarter Quarter Section; thence South 375.7 feet to the point of beginning, in Johnson County, Kansas,

And except

Beginning 398 feet North and 30 feet East of the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 12, Range 25; thence East 10 feet; thence North 40 feet; thence West 10 feet; thence South 40 feet to point of beginning, in Johnson County, Kansas,

And except

That part of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: Beginning at a point on the West line of said Quarter Quarter Quarter Section, 200 feet North of the Southwest corner thereof; thence North 217.50 feet along said West line; thence East 30 feet; thence

Southeasterly 50.99 feet along a curve to the right with a radius of 75.89 feet and tangent to the last described course; thence South 51 degrees, 30 minutes East, 145.30 feet; thence Southeasterly 59.60 feet along a curve to the right with a radius of 205.62 feet and tangent to the last described course; thence South 34 degrees, 53 minutes, 37 seconds East, 54.60 feet; thence Southeasterly 55.30 feet along a curve to the left with a radius of 58.04 feet and tangent to the last described course to a point of a line 200 feet North of the South line of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North 89 degrees, 34 minutes, 00 seconds West, 310 feet to the point of beginning.

Tax Parcel No.: KF251208-4043

Legal:

That part of the East 300 feet of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, which lies North of the Mission City Park Property conveyed to the City of Mission by Deed recorded in Book 354 Deeds, at Page 533 and South of 60th Street, being more particularly described as follows: Commencing at a point on the East line of the Northwest Quarter of the Southeast Quarter of said Section 8, which is 527.40 feet North of the Southeast corner thereof; thence South 66 degrees 19 minutes West, along the Northerly boundary line of said Mission City Park property, a distance of 66.24 feet to the point of beginning of the tract herein described, said point of beginning being on the center line of 60th Street, as now dedicated; thence continuing South 66 degrees 19 minutes West, along the Northerly boundary of said Park property, a distance of 294.11 feet, more or less, to a point 330 feet West of the East line of said Quarter Quarter Section; thence North, along a line 330 feet West of and parallel to the East line of said Quarter Quarter Section, a distance of 147.22 feet, more or less, to the center line of the dedicated right of way of said 60th Street; thence Northeasterly, Easterly and Southeasterly along said centerline, a distance of 273.76 feet, more or less, to the point of beginning, except that part in street and roads as conveyed to the City of Mission in Book 436 Deeds, Page 621, and in Book 440 Deeds, Page 367.

Tax Parcel No.: KP27500000 0220B

Legal:

Beginning at a point on the east right-of-way line of Woodson Road, said point being the southwest corner of Lot 220, Missionhill Acres, a subdivision in Section 8, Township 12, Range 25, Johnson County, Kansas, thence north a distance of 40.84 feet to a point 54.0 feet south of the north line of said Lot 220, thence east and parallel to the north line of said Lot 220 a distance of 132.20 feet more or less to a point on the south line of said Lot 220, thence in a southwesterly direction and along the south line of said Lot 220 a distance of 138.37 feet to the point of beginning.

Tax Parcel No.: KF151208-4038

Legal:

That part of the northwest quarter of the Southeast quarter of Section 8, Township 12, Range 25, in Mission, Johnson County, Kansas, described as follows: Beginning at a point 200 feet north of the South line and 540 feet east of the west line of the northwest quarter of the southeast quarter of said Section 8, thence South 89° 43' 30" east along a line parallel with the South line of the northwest quarter of the southeast quarter of said Section 8 a distance of 121.61 feet; thence North 0° 12' 30" east along the west line of the park tract deeded to the City of Mission in Deed Book 345 at page 533 in the Office of the Register of Deeds, Olathe, Kansas, 90 feet; thence north 77° 53' 30" east along the northerly line of said park tract 248.30 feet; thence north 66° 26' 30" east along the northerly line of said park tract 95.16 feet; thence north 0° 01' 40" east 121.99 feet to the south line of 60th Street as established by the deed in Deed Book 436 at page 621 in the Office of the Register of Deeds; thence southwesterly along the south line of said 60th Street, said line being on a curve to the left having a radius of 522.19 feet and whose initial tangent bearing is south 81° 03' 00" west, a distance of 11.95 feet to a point of tangency; thence south 80° 24' 00" west along the south line of said 60th Street 446.49 feet; thence south along a line parallel with the west line of the northwest quarter of the southeast quarter of said Section 8, a distance of 224.94 feet to the point of beginning.

Tax Parcel No.: KF251208-4039

Legal:

The East 75 feet of the West 540 feet of the Northeast Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, Johnson County, Kansas, lying South of 60th Street, except the South 200 feet thereto.

Tax Parcel No.: KF251208-4030

Legal:

All of the West 65 feet of the East 185.82 feet of the South 200 feet of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, except that part in roads.

Tax Parcel No.: KF251208-4029

Legal:

All of the West 60 feet of the East 245.82 feet of the South 200 feet of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 8, Township 12, Range 25, Johnson County, Kansas except that part in streets and roads.

Tax Parcel No.: KF251208-4031

Legal:

The West 80 feet of the East 325.82 feet of the South 200 feet of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, except that part now in 61st Street, now in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP07000006 0009

Legal:

Lot 9, Block 6, Countryside, a subdivision in the City Mission, Johnson County, Kansas.

Tax Parcel No.: KF251209-1008; KF251209-1013; KF251209-2002

Legal:

PARCEL 1:

All that part of the West 1/2 of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, more particularly described as follows: From the West 1/4 corner of said Section 9 (being the same as the Southwest corner of the Northwest 1/4 of said Section 9), run thence North 0 degrees East (this and all other bearings being in relation to the West line of said Section 9, having an assumed bearing of due North-South) along said West line, a distance of 339.15 feet; thence North 90 degrees East a distance of 1742.10 feet to the true point of beginning of the tract of land herein described, said point being on the Easterly right-of-way line of Roeland Drive, as said Street is now established; thence North 31 degrees 28 minutes 08 seconds West, a distance of 358.19 feet to a point on the Southerly right-of-way line of Johnson Drive, as now established; thence North 69 degrees 35 minutes 52 seconds East along said Southerly line, a distance of 143.70 feet; thence North 70 degrees 10 minutes 33 seconds East along said Southerly line a distance of 434.76 feet to a point (being the Northwesterly corner of a tract of land condemned for right-of-way by the Kansas Turnpike Authority as Tract No. J-11 under Suit No. 24661, filed June 6, 1958, in the District Court of Johnson County, Kansas, and conveyed by instrument dated February 7, 1959, in Book 422 Deeds, at Page 233, under Document No. 574033); thence South 19 degrees 49 minutes 27 seconds East along the Westerly line of said tract, a distance of 1.53 feet; thence along the Southerly right-of-way line of the tract so condemned and conveyed, North 74 degrees 38 minutes 36 seconds East, a distance of 342.82 feet; thence Northeasterly on a curve to the right, tangent to the last described course, having a radius of 297.25 feet, a distance of 48.36 feet; thence continuing Northeasterly, Easterly and Southeasterly, on a curve to the right, having a common tangent with the last described curve at the last described point and having a radius of 106.25 feet, a distance of 157.63 feet; thence continuing Southeasterly on a curve to the right, having a common tangent with the last described curve at the last described point and having a radius of 397.25 feet, a distance of 69.33 feet; thence South 1 degree 02 minutes 09 seconds East, tangent to the last described curve, a distance of 111.19 feet; thence South 0 degrees 06 minutes 33 seconds West, parallel with and 44.55 feet West of, measured at right angles thereto, the East line of the West 1/2 of said Section 9, a distance of 200.66 feet, more or less, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence South 39 degrees 25 minutes 03 seconds West, along said Northwesterly right-of-way line, a distance of 969.42 feet to a point on the Easterly right-of-way line of said Roeland Drive; thence North 50 degrees 34 minutes 57 seconds West, along said Easterly right-of-way line of said Roeland Drive; thence North 50 degrees 34 minutes 57 seconds West, along said Easterly right-of-way line, a distance of 17 feet; thence continuing Northwesterly and Northerly, along said Easterly right-of-way line, being a curve to the right, tangent to the last described course and having a radius of 260.50 feet, a distance of 243.40 feet; thence continuing Northerly and Northwesterly, along said Easterly right-of-way line, being a curve to the left having a common tangent with the last described curve at the last described point and having a radius of 490 feet, a distance of 294.36 feet; thence North 31 degrees 28 minutes 08 seconds West along said Easterly right-of-way line, a distance of 125.55 feet, to the point of beginning;

EXCEPT THOSE PORTIONS DESCRIBED AS FOLLOWS:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of the said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, a distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of U.S. Highway No. 50, a distance of 457.42 feet; thence North 50 degrees 34 minutes 57 seconds West, along a line perpendicular to the last described course, a distance of 66.29 feet, to the true point of beginning of subject tract; thence North 50 degrees 44 minutes 32 seconds West, a distance of 286.62 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 157.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 128.87 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 50.50 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 99.75 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 15.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 10 feet; thence North 39 degrees 15 minutes 28 seconds East a distance of 16 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 48 feet; thence South 39 degrees 15 minutes 28 seconds West, a distance of 238.70 feet to the true point of beginning of subject tract;

AND

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of

125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and a central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of said U.S. Highway No. 50, a distance of 969.42 feet to a point on the Westerly right-of-way line of Roe Boulevard, as now established; thence North 0 degrees 06 minutes 33 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 200.66 feet; thence North 1 degree 02 minutes 09 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 49.27 feet; thence South 88 degrees 57 minutes 51 seconds West, along a line perpendicular to the last described course, a distance of 21.76 feet, to the true point of beginning of subject tract; thence South 84 degrees 15 minutes 28 seconds West, a distance of 277.17 feet; thence North 5 degrees 44 minutes 32 seconds West, a distance of 132.75 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 252.67 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 91.92 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 24.50 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 40.83 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KF251209-1016; KF251209-1017

Legal:

Parcel 1:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of the said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, a distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03

seconds East, along the Northwesterly right-of-way line of U.S. Highway No. 50, a distance of 457.42 feet; thence North 50 degrees 34 minutes 57 seconds West, along a line perpendicular to the last described course, a distance of 66.29 feet, to the true point of beginning of subject tract; thence North 50 degrees 44 minutes 32 seconds West, a distance of 286.62 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 157.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 128.87 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 50.50 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 99.75 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 15.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 10 feet; thence North 39 degrees 15 minutes 28 seconds East a distance of 16 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 48 feet; thence South 39 degrees 15 minutes 28 seconds West, a distance of 238.70 feet to the true point of beginning of subject tract.

Parcel 2:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the 3 West line of the Northwest 1/4 of said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and a central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of said U.S. Highway No. 50, a distance of 969.42 feet to a point on the Westerly right-of-way line of Roe Boulevard, as now established; thence North 0 degrees 06 minutes 33 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 200.66 feet; thence North 1 degree 02 minutes 09 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 49.27 feet; thence South 88 degrees 57 minutes 51 seconds West, along a line perpendicular to the last described course, a distance of 21.76 feet, to the true point of beginning of subject tract; thence South 84 degrees 15 minutes 28 seconds West, a distance of 277.17 feet; thence North 5 degrees 44 minutes 32 seconds West, a distance of 132.75 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 252.67 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 91.92 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 24.50 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 40.83 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KF251209-1014; KF251209-1011

Legal:

Commencing at the northwest corner of the northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in Johnson County, Kansas; thence North 3.70 feet to a point on the west line of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section; thence deflecting to the right from the last described course 65 degrees 41 minutes 50 seconds, a distance of 1332.57 feet, said line being 9.0 feet south and parallel to the center tangent line of an 18 foot wide brick slab (formerly U.S. Highway No. 50) and now known as Johnson Drive; thence Southeasterly 90 degrees to the last described course a distance of 21 feet to the point of beginning; thence continuing on the last described course a distance of 250 feet; thence in a northeasterly direction along a course which makes an angle of 90 degrees to the last described course, a distance of 335.74 feet to the westerly line of Roeland Drive; thence deflecting to the left 98 degrees 09 minutes 58 seconds a distance of 251.72 feet to the southerly right of way line of said Johnson Drive; thence southwesterly along a line which is 30 feet from the center line of said Johnson Drive 300 feet to the point of beginning AND

All that part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in the City of Mission, in said county and state, described as follows: From the northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9; run thence North (this and all subsequent bearings being in relation to the west line of the Southwest $\frac{1}{4}$ of said Section 9, as having an assumed bearing of due North-South), 3.70 feet to a point in a line that is 9.0 feet Southerly distance at right angles to the center tangent line of an 18 foot brick slab known as Johnson Drive formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1386.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 271.0 feet to the true point of beginning of the tract of land herein described; thence North 66 degrees 41 minutes 50 seconds East 281.75 feet to the Westerly right of way line of Roeland Drive as now established; thence South 31 degrees 28 minutes 08 seconds East along said Westerly right of way line, 53.21 feet to the Northerly right of way line of Martway Street, as now established; thence South 66 degrees 51 minutes 57 seconds West along said Northerly right of way line, 289.31 feet; thence North 23 degrees 18 minutes 10 seconds West, 51.82 feet to the point of beginning, EXCEPT

All that part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: From the Northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9; thence run North (this and all subsequent bearings being in relation to the West line of the Southwest $\frac{1}{4}$ of said Section 9 as having an assumed bearing of due North-South) 3.70 feet to a point in a line that is 9.0 feet Southerly distance, at right angles to the center tangent line of an 18 foot wide brick slab known as Johnson Drive, formerly U.S. Highway 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1332.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 21.0 feet to the Southerly right of way line of said

Johnson Drive, as now established, also being the true point of beginning of the tract of land herein described; thence continuing South 23 degrees 18 minutes 10 seconds East, 250.00 feet; thence North 66 degrees 41 minutes 50 seconds East, 54.0 feet; thence North 23 degrees 18 minutes 10 seconds West 250.00 feet to the Southerly right of way line of said Johnson Drive; thence South 66 degrees 41 minutes 50 seconds West along said Southerly right of way line 54.0 feet to the point of beginning.

Tax Parcel No.: KP38000000 0007

Legal:

Lots 7, 8, 9, 10, 21 and 22, Lot 23, except the East 10 feet thereof, and the East 95 feet of Lot 20, Block 5, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP38000000 0005; KP38000000 0006

Legal:

Lots 5 and 6, Block 5, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP38000000 0025A; KP38000000 0025; KP38000000 0024;

KP38000000 0023B

Legal:

All of Lots 24, 25 and 26, and the East 10 feet of Lot 23, all in Mission Village, Block 5, a subdivision in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 26; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly line of said Lot 26, 137.74 feet to a point of curvature; thence Southeasterly along said Easterly line, on a curve to the right being tangent to the last described course having a radius of 440 feet, and an arc length of 48.65 feet to the Southeasterly corner of said Lot 26; thence South 66 degrees 41 minutes 50 seconds West along the Southerly line of said Lot 23 thru 26, 413.42 feet; thence North 23 degrees 03 minutes 34 seconds West, 185.87 feet to a point on the Northerly line of said Lot 23; thence North 66 degrees 51 minutes 26 seconds East, along the Northerly line of said Lots 23 thru 26, 389.09 feet to the point of beginning.

Tax Parcel No.: KP38000000 0004; KP38000000 0003; KP38000000 0019A;

KP38000000 0002; KP38000000 0018; KP38000000 0017; KP37500004 0002B;

KP38000000 0012A; KP38000000 0012B

Legal:

Tract I:

All that part of Lot 2, Block 4, Mission Village, a subdivision of land now in the City of Mission, Johnson County, Kansas, lying Easterly of the following described line: Beginning at a point on the Northerly line of said Lot 2, which point is 9.92 feet Southwesterly from the Northeasterly corner of said Lot 2; thence Southeasterly, to a

point in the Southerly line of said Lot 2, which is 10.83 feet Southwesterly from the Southeasterly corner of said Lot 2, and also all of Lots 3, 4 and 5, all in said Block 4, and also vacated Birch Street.

Tract II:

All that part of Lots 12 and 13, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 13; thence South 66 degrees 51 minutes 26 seconds West, along the Northwesterly line of said Lot 13, a distance of 134.11 feet, to the Northwesterly corner thereof; thence Southwesterly and Westerly, along the Northerly line of said Lot 12, said line being on a curve to the right, having a radius of 250 feet, a distance of 74.05 feet; thence South 00 degrees East, a distance of 0.80 feet; thence South 86 degrees 07 minutes 00 seconds East, a distance of 154.66 feet, thence South 41 degrees East a distance of 210 feet, to a point on the Southerly line of said Lot 13, thence South 63 degrees 16 minutes 00 seconds East, along the Southerly line of said Lot 13, a distance of 8.41 feet, to the Southeasterly corner thereof, thence Northwesterly, along the Northeasterly line of said Lot 13, to the point of beginning, and also all of Lots 2, 3, 4, 15, 17, 18, 19 and all of Lot 20, Except the East 95 feet thereof of said Mission Village, Block 5, and also all of vacated Birch Street, lying adjacent to Lots 2 and 3, of said Mission Village, Block 5, all except that part thereof in roads and streets.

Tract III:

All that part of Lots 12 and 13, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of said Lot 13, thence South 85 degrees 53 minutes, 10 seconds East, along the Southerly line of said Lot 13, a distance of 81.87 feet; thence North 24 degrees, 58 minutes, 41 seconds East, along said Southerly line, a distance of 79.22 feet; thence North 41 degrees West a distance of 210.00 feet; thence North 86 degrees, 07 minutes West, a distance of 154.66 feet; thence South 13 degrees, 23 minutes, 09 seconds East, a distance of 107.56 feet to a point on the Southerly line of said Lot 12; thence Southcasterly along said Southerly line of Lot 12 and the Westerly line of said Lot 13; said lines being on a curve to the right, having an initial tangent bearing of North 77 degrees, 21 minutes 56 seconds East, a radius of 125 feet, and an arc length of 232.21 feet to the point of beginning.

Tax Parcel No.: KP35000000 0001

Legal:

Beginning 72.77 feet North and 25 feet East of the Southwest corner of the Northwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, thence Northeasterly along the Northerly line of U.S. Highway No. 50, 113.7 feet, thence North 23 degrees 23 minutes West 135 feet; thence South 66 degrees and 37 minutes West 60.1 feet, thence South 131.8 feet to the beginning; also known as Lot 1, Mission Vale, an addition according to the recorded plat thereof.

Tax Parcel No.: KP37500004 0001; KP38000000 0001

Legal:

Tract I:

All of Lot 1, EXCEPT the West 10 feet of Lot 1, Block 4, taken under Condemnation Suit No. 45522, and Lot 2, Block 4, Mission Village, lying Westerly of the following described line: Beginning at a point on the Northerly line of said Lot 2, which point is 9.92 feet Southwesterly from the Northeasterly corner of said Lot 2; thence Southeasterly to a point in the Southerly line of said Lot 2, which is 10.83 feet Southwesterly from the Southeasterly corner of said Lot 2, all in Block 4, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas.

Tract II:

All of Lot 1, Mission Village, Block 5, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP38000000 0015

Legal:

Lot 15, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP38000000 0016

Legal:

Lot 16, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, also called Martway Pumping Station.

ORDINANCE NO. 1195

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 1190 ESTABLISHING A REDEVELOPMENT DISTRICT (ROCK CREEK REDEVELOPMENT)

WHEREAS, on January 11, 2006, the City of Mission, Kansas (the "City"), established the Rock Creek Redevelopment District pursuant to K.S.A. 12-1770 *et seq.*, as amended, by passage of Ordinance No. 1190; and

WHEREAS, Exhibit A to Ordinance No. 1190 depicted the boundaries of redevelopment project areas within the Rock Creek Redevelopment District; and

WHEREAS, the City wishes to modify the boundary between the areas designated as Project Area 1 and Project Area 3 on Exhibit A attached to Ordinance No. 1190; and

WHEREAS, the amendment to the boundary between Project Area 1 and Project Area 3 does not constitute an addition of area to the Rock Creek Redevelopment District or a substantial change to the Rock Creek Redevelopment District;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. The Governing Body of the City hereby finds and determines that the area proposed to be included as a redevelopment district is as follows:

A parcel within the city of Mission, Kansas, depicted on the attached Exhibit A.

A legal description of the area encompassing the redevelopment district is attached hereto as Exhibit B.

Section 2. The Governing Body of the City hereby finds and determines that (a) the area described in Section 1 of this Ordinance is a "blighted area" because a majority of the property in such area is within a 100-year floodplain area, and therefore, is an "eligible area" as defined in the Act, and (b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

Section 3. The Governing Body of the City hereby finds and determines that the district plan includes the following redevelopment project areas depicted on the attached Exhibit A which are all located within the redevelopment district described in Section 1 of this Ordinance:

Project Area 1. Redevelopment of the existing Mission Mall shopping center and adjacent property consisting of one or more commercial and residential facilities

and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 2. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 3. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

Project Area 4. One or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

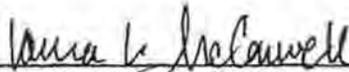
Section 4. In accordance with the Act and Resolution 615, a redevelopment district is hereby established in the City encompassing the area described in Section 1 of this Ordinance. The redevelopment district does not contain any property not referenced in Resolution 615 which provided notice of the public hearing.

Section 5. The Mayor, City Administrator, Finance Director, City Clerk and other officials and employees of the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

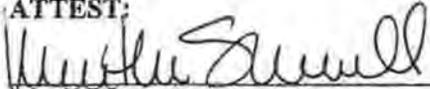
Section 6. This Ordinance shall be in full force and effect from and after its passage by the governing body of the City and publication once in the official City newspaper.

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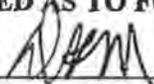
ADOPTED by the City Council of the City of Mission, Kansas on February 8,
2006.



Laura L. McConwell, Mayor

ATTEST:


Martha Sumrall, City Clerk

APPROVED AS TO FORM:


David K. Martin, City Attorney

EXHIBIT A

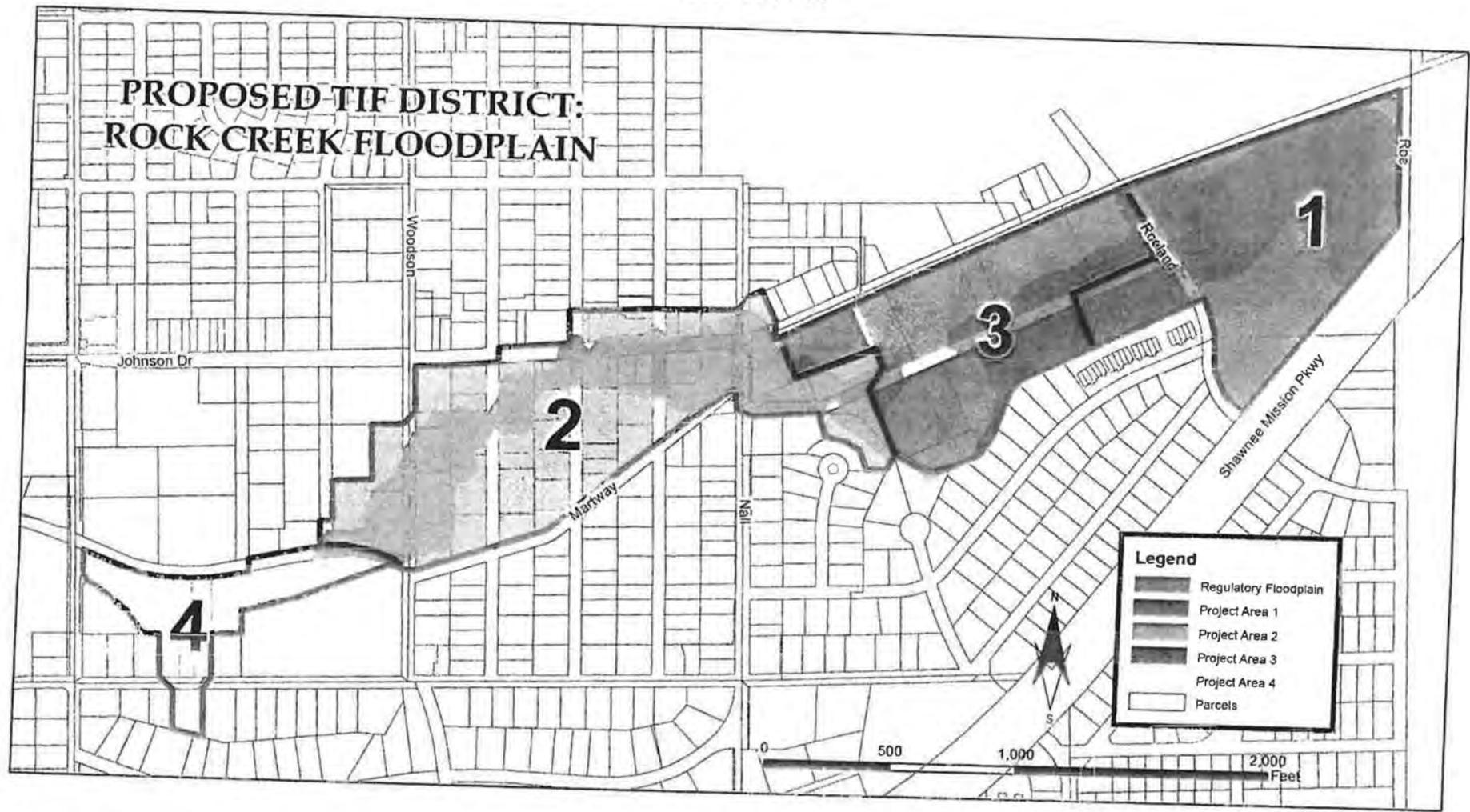


Exhibit B
CITY OF MISSION, KANSAS
ROCK CREEK REDEVELOPMENT DISTRICT
Legal Description

Tax Parcel No.: KP27500000 0020; KP27500000 0042B; KP27500000 0042A

Legal:

Lots 20 and 42, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0080C

Legal:

All that part of the South 55 feet of Lot 80 and all that part of Lot 81, Missionhill Acres, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of said Lot 81; thence N 0° 08' 04" E, along the West line of said Lot 81, a distance of 102.32 feet, to the true point of beginning of subject tract; thence S 89° 58' 25" E, along a line parallel with the North line of said Lot 81, a distance of 29.54 feet; thence S 0° 08' 04" W, along a line parallel with the West line of said Lot 81, a distance of 12.92 feet; thence S 89° 58' 25" E, along a line parallel to the North line of said Lot 81, a distance of 110.39 feet, to a point on the East line thereof; thence N 0° 08' 04" E, along the East line of said Lot 81 and along the East line of said Lot 80, a distance of 82.32 feet; thence N 88° 59' 15" W, a distance of 139.95 feet to a point on the West line of said Lot 80; thence S 0° 08' 04" W, along the West line of said Lot 80 and along the West line of said Lot 81, a distance of 71.81 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KP27500000 0104C

Legal:

Lot 104, Except the west 75 feet, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0104B; KP27500000 0104A

Legal:

The East 50 feet of the West 75 feet of Lot 104, Missionhill Acres, and also the West 25 feet of said Lot 104, Missionhill Acres, a subdivision in Johnson County, Kansas, according to the plat thereof.

Tax Parcel No.: KP27500000 0081

Legal:

Lot 81, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, except, All that part of the South 55 feet of Lot 80 and all that part of Lot 81, Missionhill

Acres, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of said Lot 81; thence N 0° 08' 04" E, along the West line of said Lot 81, a distance of 102.32 feet, to the true point of beginning of subject tract; thence S 89° 58' 25" E, along a line parallel with the North line of said Lot 81, a distance of 29.54 feet; thence S 0° 08' 04" W, along a line parallel with the West line of said Lot 81, a distance of 12.92 feet; thence S 89° 58' 25" E, along a line parallel to the North line of said Lot 81, a distance of 110.39 feet, to a point on the East line thereof; thence N 0° 08' 04" E, along the East line of said Lot 81 and along the East line of said Lot 80, a distance of 82.32 feet; thence N 88° 59' 15" W, a distance of 139.95 feet to a point on the West line of said Lot 80; thence S 0° 08' 04" W, along the West line of said Lot 80 and along the West line of said Lot 81, a distance of 71.81 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KP27500000 0021A

Legal:

Lot 21 and the North ½ of vacated 60 Street adjacent to said Lot 21 on the South, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, EXCEPT beginning at a point on the Southerly prolongation of the West line of said Lot 21 and the centerline of vacated 60 Street; thence Northeasterly along the centerline of vacated 60 Street, 77.39 feet; thence Southwesterly along a curve to the left, 63.81 feet, said curve having a radius of 170 feet, to a point, said point being in the Westerly line of said Lot 21; thence South along the Westerly line of said Lot 21, 27.25 feet to the point of beginning.

Tax Parcel No.: KP27500000 0041; KP27500000 0040B

Legal:

Tract I: Lot 41, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tract II: The North 50 feet of Lot 40, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0082B; KP27500000 0082A; KP27500000 0083A

Legal:

All of Lot 82 and the North 40 feet of Lot 83, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27600000 0003

Legal:

Lot 3, Resurvey of Lot 103, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27600000 0002; KP27600000 0001

Legal: Lots 1 and 2, Resurvey of Lot 103, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0144B; KP27500000 0144C; KP27500000 0144A

Legal:

Tract I:

Beginning at the Northeast corner of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas; thence in a Westerly direction along the North line of said Lot, a distance of 53.50 feet to a point; thence Southerly 117.38 feet to a point which is 52.50 feet West of the Southeast corner of said Lot 144; thence East along the South line of said Lot 52.50 feet to the Southeast corner thereof; thence North along the Easterly line of said Lot, a distance of 120 feet to the point of beginning, all a part of Section 8, Township 12, Range 25, Except that part in roads.

Tract II:

Beginning at a point in the North line of Lot 144, Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30.82 feet East of the Northwest corner of said Lot 144; thence South and parallel to the West line of said Lot 144, a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said store building a distance of 46.83 feet more or less to the Southeast corner of said store building; thence South and parallel to the West line of said Lot 144 a distance of 48 feet to a point in the South line of said Lot 144, which point is 32.75 feet East of the Southwest corner of Lot 144; thence East along the South line of said Lot 144 a distance of 54.75 feet to a point which is 52.50 feet West of the Southeast corner of Lot 144; thence in a Northerly direction distance of 117.38 feet to a point in the North line of Lot 144, which is 53.50 feet West of the Northeast corner of Lot 144; thence West along the North line of said Lot 144, a distance of 55.85 feet to the point of beginning, except that part in roads.

Tract III:

Beginning at a point on the South line of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30 feet East of the Southwest corner of said Lot 144; thence North and parallel to the West line of Lot 144 a distance of 114.6 feet to a point on the North line of said Lot 144; thence East along the North line of Lot 144 distance of .78 feet to a point; thence South and parallel to the West line of Lot 144 a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said store building a distance of 46.83 feet, more or less, to the Southeast corner of said store building to a point which is 32.75 feet East of the West line and 48 feet North of the South line of said Lot; thence South and parallel to the West line of said Lot 144, a distance of 48 feet to a point on the South line of said Lot 144; thence West 2.75 feet to the point of beginning, and all of the West 30 feet of Lot 144, Missionhill Acres, Except that part in roads.

Tax Parcel No.: KP27500000 0164

Legal:

All of Lot 164 in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas as recorded in Book 7, Plats, at Page 20, Except the following described tract: Beginning at the Southwest corner, Lot 164 in Missionhill Acres; thence North along the West line of said Lot 164 a distance of 47.63 feet to a point; thence in an easterly direction on a line parallel to and 47.63 feet North of the South line of the said Lot 164 a distance of 74.50 feet to a point; thence South along a line that is parallel to and 74.50 feet East of the West line of said Lot 164 a distance of 47.63 feet to a point in the South line of said Lot 164; thence West along the South line of said Lot 164 a distance of 74.50 feet to the point of beginning.

Tax Parcel No.: KP27500000 0205

Legal:

Lot 205, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0226

Legal:

Lot 226 Except the South 19.74 feet in the Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of Lot 226 of said Missionhill Acres; thence N 00° 10' 38" W on the West line of said Lot 226 a distance of 19.74 feet to the point of beginning; thence continuing N 00° 10' 38" W on said West line a distance of 100.26 feet; thence N 88° 44' 05" E on the North line of said Lot 226 a distance of 140.68 feet; thence S 00° 04' 44" E on the East line of said Lot 226 a distance of 103.36 feet; thence N 90° 00' 00" W a distance of 140.48 feet to the point of beginning.

Tax Parcel No.: KP27500000 0225B

Owner: Groundrunner Properties, LLC, a Kansas limited liability company

Legal:

The North ½ of Lot 225 and the South 19.74 feet of Lot 226, in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Lot 226 of said Missionhill Acres; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 226 a distance of 19.74 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 140.48 feet to a point on the East line of said Lot 226; thence South 00 degrees 04 minutes 44 seconds West on the East line of said Lot 226 and Lot 225, a distance of 79.74 feet to the Southeast corner of the North ½ of said Lot 225; thence South 90 degrees 00 minutes 00 seconds West a distance of 140.34 feet to the Southwest corner of the North ½ of said Lot

225; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 225 a distance of 60.00 feet to the Point of Beginning.

Tax Parcel No.: KP27500000 0164A

Legal:

Beginning at the Southwest corner of Lot 164 in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas; thence North along the West line of said Lot 164, a distance of 47.63 feet to a point; thence in an Easterly direction on a line parallel to and 47.63 feet North of the South line of said Lot 164, a distance of 74.50 feet to a point, thence South along a line that is parallel to and 74.50 feet East of the West line of said Lot 164, a distance of 47.63 feet to a point in the South line of the said Lot 164; thence West along the South line of said Lot 164, a distance of 74.50 feet to the point of beginning.

Tax Parcel No.: KP27500000 0101

Legal:

The North 100 feet of Lot 101 and all of Lot 102, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0145; KP27500000 0146

Legal:

Lots 145 and 146, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0083B

Legal:

The South 80 feet of Lot 83 and the North 40 feet of Lot 84, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0039

Legal:

Lot 39 and the South 70 feet of Lot 40, Missionhill Acres, City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0163; KP27500000 0206B; KP27500000 0206A;
KP27500000 0162

Legal:

Lots 162, 163 and 206, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0225A

Legal:

The South Half of Lot 225, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0084A

Legal:

The South 80 feet of Lot 84 and all of Lot 85, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0207; KP27500000 0207A

Legal:

The North 60 feet of Lot 207 and the South 60 feet of Lot 207, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KF251208-4049; KF251208-4050; KF251208-4040

Owner: Mission Hills Apartments, L.L.C., a Minnesota limited liability company

Legal:

Tract I:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the True Point of Beginning; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the True Point of Beginning, except that part in 60th Street and Dearborn Street.

Tract II:

Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 degrees 56 minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of

the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 degrees 56 minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, except that part in Woodson Street.

Tract III:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North, along a line 330 feet West of said parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 495.81 feet, to a point 300 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 300 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 330 feet; thence South, along the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 497.90 feet to the point of beginning, EXCEPT

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 degrees 19 minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the True Point of Beginning; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 degrees 56 minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the True Point of Beginning,

EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 degrees 56 minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 degrees 56 minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the

Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, thence North 89 degrees 56 minutes West 149 feet to the true point of beginning; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet; thence North and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 220 feet; thence South 89 degrees 56 minutes East along a line 300 feet South and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet to the true point of beginning, all in the City of Mission, Johnson County, Kansas, and except those parts in streets and roads.

Tax Parcel No.: KP27500000 0224A

Legal:

The North One-Half of Lot 224, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0100B

Legal:

All of the North 40 feet of Lot 100 and the South 20 feet of Lot 101, in Missionhill Acres, a subdivision, in Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0224B; KP27500000 0223A

Legal:

Missionhill Acres, South one-half of Lot 224, and the North one-half of Lot 223, subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof

Tax Parcel No.: KP27500000 0147

Legal:

Lot 147, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0161A

Legal:

The North half of Lot 161, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0208; KP27500000 0210

Legal:

Lots 208, 209, 210 and 211, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0100A

Legal:

The South 60 feet of the North 100 feet of Lot 100, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0160

Legal:

Lot 160, and the South half of Lot 161, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0099

Legal:

Lot 99 and the South 20 feet of Lot 100, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0223B

Legal:

The North 50 feet of the South 60 feet of Lot 223, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0148

Legal:

Lot 148, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0222

Legal:

Lot 222 except that South 9 feet thereof, and the South 10 feet of Lot 223, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP27500000 0149

Legal:

All of Lot 149, Missionhill Acres, a subdivision now in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0159

Legal:

Lot 159, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP27500000 0221A

Legal:

The North 77 feet of Lot 221, and the South 9 feet of Lot 222, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP27500000 0220A

Legal:

The South 43 feet of Lot 221, and all of Lot 220, except that portion deeded to the City of Mission for street and highway purposes as recorded in Book 451, Deeds at Page 201, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KF251208-4033

Legal:

All that part of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, Johnson County, Kansas, described as follows: Beginning at a point in the West line of said Quarter Quarter Quarter Section 200 feet north of the Southwest corner; thence South 89 degrees 34 minutes East parallel to the South line of said Quarter Quarter Quarter Section 465.0 feet; thence North and parallel to the West line of said Quarter Quarter Quarter Section 182.63 feet; thence North 67 degrees 05 minutes West 504.84 feet to the West line of said Quarter Quarter Quarter Section; thence South 375.7 feet to the point of beginning,

Except that part described as follows:

The East 10 feet of the West 30 feet of all that part of the Southwest $\frac{1}{4}$ Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ Section 8, Township 12, Range 25 described as follows: Beginning at a point in the West line of said Quarter Quarter Quarter Section, 200 feet North of the Southwest corner; thence South 89 degrees 34 minutes East parallel to the South line of said Quarter Quarter Quarter Section 465.0 feet; thence North and parallel to the West line of said Quarter Quarter Quarter Section, 182.63 feet; thence North 67 degrees 05 minutes West 504.84 feet to the West line of said Quarter Quarter Quarter Section; thence South 375.7 feet to the point of beginning, in Johnson County, Kansas,

And except

Beginning 398 feet North and 30 feet East of the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 12, Range 25; thence East 10 feet; thence North 40 feet; thence West 10 feet; thence South 40 feet to point of beginning, in Johnson County, Kansas,

And except

That part of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: Beginning at a point on the West line of said Quarter Quarter Quarter Section, 200 feet North of the Southwest corner thereof; thence North 217.50 feet along said West line; thence East 30 feet; thence

Southeasterly 50.99 feet along a curve to the right with a radius of 75.89 feet and tangent to the last described course; thence South 51 degrees, 30 minutes East, 145.30 feet; thence Southeasterly 59.60 feet along a curve to the right with a radius of 205.62 feet and tangent to the last described course; thence South 34 degrees, 53 minutes, 37 seconds East, 54.60 feet; thence Southeasterly 55.30 feet along a curve to the left with a radius of 58.04 feet and tangent to the last described course to a point of a line 200 feet North of the South line of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North 89 degrees, 34 minutes, 00 seconds West, 310 feet to the point of beginning.

Tax Parcel No.: KF251208-4043

Legal:

That part of the East 300 feet of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, which lies North of the Mission City Park Property conveyed to the City of Mission by Deed recorded in Book 354 Deeds, at Page 533 and South of 60th Street, being more particularly described as follows: Commencing at a point on the East line of the Northwest Quarter of the Southeast Quarter of said Section 8, which is 527.40 feet North of the Southeast corner thereof; thence South 66 degrees 19 minutes West, along the Northerly boundary line of said Mission City Park property, a distance of 66.24 feet to the point of beginning of the tract herein described, said point of beginning being on the center line of 60th Street, as now dedicated; thence continuing South 66 degrees 19 minutes West, along the Northerly boundary of said Park property, a distance of 294.11 feet, more or less, to a point 330 feet West of the East line of said Quarter Quarter Section; thence North, along a line 330 feet West of and parallel to the East line of said Quarter Quarter Section, a distance of 147.22 feet, more or less, to the center line of the dedicated right of way of said 60th Street; thence Northeasterly, Easterly and Southeasterly along said centerline, a distance of 273.76 feet, more or less, to the point of beginning, except that part in street and roads as conveyed to the City of Mission in Book 436 Deeds, Page 621, and in Book 440 Deeds, Page 367.

Tax Parcel No.: KP27500000 0220B

Legal:

Beginning at a point on the east right-of-way line of Woodson Road, said point being the southwest corner of Lot 220, Missionhill Acres, a subdivision in Section 8, Township 12, Range 25, Johnson County, Kansas, thence north a distance of 40.84 feet to a point 54.0 feet south of the north line of said Lot 220, thence east and parallel to the north line of said Lot 220 a distance of 132.20 feet more or less to a point on the south line of said Lot 220, thence in a southwesterly direction and along the south line of said Lot 220 a distance of 138.37 feet to the point of beginning.

Tax Parcel No.: KF151208-4038

Legal:

That part of the northwest quarter of the Southeast quarter of Section 8, Township 12, Range 25, in Mission, Johnson County, Kansas, described as follows: Beginning at a point 200 feet north of the South line and 540 feet east of the west line of the northwest quarter of the southeast quarter of said Section 8, thence South 89° 43' 30" east along a line parallel with the South line of the northwest quarter of the southeast quarter of said Section 8 a distance of 121.61 feet; thence North 0° 12' 30" east along the west line of the park tract deeded to the City of Mission in Deed Book 345 at page 533 in the Office of the Register of Deeds, Olathe, Kansas, 90 feet; thence north 77° 53' 30" east along the northerly line of said park tract 248.30 feet; thence north 66° 26' 30" east along the northerly line of said park tract 95.16 feet; thence north 0° 01' 40" east 121.99 feet to the south line of 60th Street as established by the deed in Deed Book 436 at page 621 in the Office of the Register of Deeds; thence southwesterly along the south line of said 60th Street, said line being on a curve to the left having a radius of 522.19 feet and whose initial tangent bearing is south 81° 03' 00" west, a distance of 11.95 feet to a point of tangency; thence south 80° 24' 00" west along the south line of said 60th Street 446.49 feet; thence south along a line parallel with the west line of the northwest quarter of the southeast quarter of said Section 8, a distance of 224.94 feet to the point of beginning.

Tax Parcel No.: KF251208-4039

Legal:

The East 75 feet of the West 540 feet of the Northeast Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, Johnson County, Kansas, lying South of 60th Street, except the South 200 feet thereto.

Tax Parcel No.: KF251208-4030

Legal:

All of the West 65 feet of the East 185.82 feet of the South 200 feet of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, except that part in roads.

Tax Parcel No.: KF251208-4029

Legal:

All of the West 60 feet of the East 245.82 feet of the South 200 feet of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 8, Township 12, Range 25, Johnson County, Kansas except that part in streets and roads.

Tax Parcel No.: KF251208-4031

Legal:

The West 80 feet of the East 325.82 feet of the South 200 feet of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, except that part now in 61st Street, now in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP07000006 0009

Legal:

Lot 9, Block 6, Countryside, a subdivision in the City Mission, Johnson County, Kansas.

Tax Parcel No.: KF251209-1008; KF251209-1013; KF251209-2002

Legal:

PARCEL 1:

All that part of the West 1/2 of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, more particularly described as follows: From the West 1/4 corner of said Section 9 (being the same as the Southwest corner of the Northwest 1/4 of said Section 9), run thence North 0 degrees East (this and all other bearings being in relation to the West line of said Section 9, having an assumed bearing of due North-South) along said West line, a distance of 339.15 feet; thence North 90 degrees East a distance of 1742.10 feet to the true point of beginning of the tract of land herein described, said point being on the Easterly right-of-way line of Roeland Drive, as said Street is now established; thence North 31 degrees 28 minutes 08 seconds West, a distance of 358.19 feet to a point on the Southerly right-of-way line of Johnson Drive, as now established; thence North 69 degrees 35 minutes 52 seconds East along said Southerly line, a distance of 143.70 feet; thence North 70 degrees 10 minutes 33 seconds East along said Southerly line a distance of 434.76 feet to a point (being the Northwesterly corner of a tract of land condemned for right-of-way by the Kansas Turnpike Authority as Tract No. J-11 under Suit No. 24661, filed June 6, 1958, in the District Court of Johnson County, Kansas, and conveyed by instrument dated February 7, 1959, in Book 422 Deeds, at Page 233, under Document No. 574033); thence South 19 degrees 49 minutes 27 seconds East along the Westerly line of said tract, a distance of 1.53 feet; thence along the Southerly right-of-way line of the tract so condemned and conveyed, North 74 degrees 38 minutes 36 seconds East, a distance of 342.82 feet; thence Northeasterly on a curve to the right, tangent to the last described course, having a radius of 297.25 feet, a distance of 48.36 feet; thence continuing Northeasterly, Easterly and Southeasterly, on a curve to the right, having a common tangent with the last described curve at the last described point and having a radius of 106.25 feet, a distance of 157.63 feet; thence continuing Southeasterly on a curve to the right, having a common tangent with the last described curve at the last described point and having a radius of 397.25 feet, a distance of 69.33 feet; thence South 1 degree 02 minutes 09 seconds East, tangent to the last described curve, a distance of 111.19 feet; thence South 0 degrees 06 minutes 33 seconds West, parallel with and 44.55 feet West of, measured at right angles thereto, the East line of the West 1/2 of said Section 9, a distance of 200.66 feet, more or less, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence South 39 degrees 25 minutes 03 seconds West, along said Northwesterly right-of-way line, a distance of 969.42 feet to a point on the Easterly right-of-way line of said Roeland Drive; thence North 50 degrees 34 minutes 57 seconds West, along said Easterly right-of-way line of said Roeland Drive; thence North 50 degrees 34 minutes 57 seconds West, along said Easterly right-of-way line, a distance of 17 feet; thence continuing Northwesterly and Northerly, along said Easterly right-of-way line, being a curve to the right, tangent to the last described course and having a radius of 260.50 feet, a distance of 243.40 feet; thence continuing Northerly and Northwesterly, along said Easterly right-of-way line, being a curve to the left having a common tangent with the last described curve at the last described point and having a radius of 490 feet, a distance of 294.36 feet; thence North 31 degrees 28 minutes 08 seconds West along said Easterly right-of-way line, a distance of 125.55 feet, to the point of beginning;

EXCEPT THOSE PORTIONS DESCRIBED AS FOLLOWS:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of the said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, a distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of U.S. Highway No. 50, a distance of 457.42 feet; thence North 50 degrees 34 minutes 57 seconds West, along a line perpendicular to the last described course, a distance of 66.29 feet, to the true point of beginning of subject tract; thence North 50 degrees 44 minutes 32 seconds West, a distance of 286.62 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 157.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 128.87 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 50.50 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 99.75 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 15.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 10 feet; thence North 39 degrees 15 minutes 28 seconds East a distance of 16 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 48 feet; thence South 39 degrees 15 minutes 28 seconds West, a distance of 238.70 feet to the true point of beginning of subject tract;

AND

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of

125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and a central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of said U.S. Highway No. 50, a distance of 969.42 feet to a point on the Westerly right-of-way line of Roe Boulevard, as now established; thence North 0 degrees 06 minutes 33 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 200.66 feet; thence North 1 degree 02 minutes 09 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 49.27 feet; thence South 88 degrees 57 minutes 51 seconds West, along a line perpendicular to the last described course, a distance of 21.76 feet, to the true point of beginning of subject tract; thence South 84 degrees 15 minutes 28 seconds West, a distance of 277.17 feet; thence North 5 degrees 44 minutes 32 seconds West, a distance of 132.75 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 252.67 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 91.92 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 24.50 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 40.83 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KF251209-1016; KF251209-1017

Legal:

Parcel 1:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the West line of the Northwest 1/4 of the said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, a distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03

seconds East, along the Northwesterly right-of-way line of U.S. Highway No. 50, a distance of 457.42 feet; thence North 50 degrees 34 minutes 57 seconds West, along a line perpendicular to the last described course, a distance of 66.29 feet, to the true point of beginning of subject tract; thence North 50 degrees 44 minutes 32 seconds West, a distance of 286.62 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 157.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 128.87 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 50.50 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 99.75 feet; thence North 39 degrees 15 minutes 28 seconds East, a distance of 15.10 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 10 feet; thence North 39 degrees 15 minutes 28 seconds East a distance of 16 feet; thence South 50 degrees 44 minutes 32 seconds East, a distance of 48 feet; thence South 39 degrees 15 minutes 28 seconds West, a distance of 238.70 feet to the true point of beginning of subject tract.

Parcel 2:

All that part of the West 1/2 of Section 9, Township 12, Range 25, now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 9; thence North 0 degrees East, along the 3West line of the Northwest 1/4 of said Section 9, a distance of 339.15 feet; thence North 90 degrees East, a distance of 1742.10 feet, to a point on the Easterly right-of-way line of Roeland Drive, as now established; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 125.55 feet, to a point of curvature; thence Southeasterly and Southerly, along the Easterly right-of-way line of said Roeland Drive, said line being on a curve to the right, having a radius of 490 feet, and a central angle of 34 degrees 25 minutes 13 seconds, a distance of 294.36 feet, to a point of reverse curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 260.50 feet, a central angle of 53 degrees 32 minutes 02 seconds, and whose initial tangent bearing is South 2 degrees 57 minutes 05 seconds West, distance of 243.40 feet, to a point of tangency; thence South 50 degrees 34 minutes 57 seconds East, along the Easterly right-of-way line of said Roeland Drive, a distance of 17 feet, to a point on the Northwesterly right-of-way line of U.S. Highway No. 50, as now established; thence North 39 degrees 25 minutes 03 seconds East, along the Northwesterly right-of-way line of said U.S. Highway No. 50, a distance of 969.42 feet to a point on the Westerly right-of-way line of Roe Boulevard, as now established; thence North 0 degrees 06 minutes 33 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 200.66 feet; thence North 1 degree 02 minutes 09 seconds West, along the Westerly right-of-way line of said Roe Boulevard, a distance of 49.27 feet; thence South 88 degrees 57 minutes 51 seconds West, along a line perpendicular to the last described course, a distance of 21.76 feet, to the true point of beginning of subject tract; thence South 84 degrees 15 minutes 28 seconds West, a distance of 277.17 feet; thence North 5 degrees 44 minutes 32 seconds West, a distance of 132.75 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 252.67 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 91.92 feet; thence North 84 degrees 15 minutes 28 seconds East, a distance of 24.50 feet; thence South 5 degrees 44 minutes 32 seconds East, a distance of 40.83 feet, to the true point of beginning of subject tract.

Tax Parcel No.: KF251209-1014; KF251209-1011

Legal:

Commencing at the northwest corner of the northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in Johnson County, Kansas; thence North 3.70 feet to a point on the west line of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section; thence deflecting to the right from the last described course 65 degrees 41 minutes 50 seconds, a distance of 1332.57 feet, said line being 9.0 feet south and parallel to the center tangent line of an 18 foot wide brick slab (formerly U.S. Highway No. 50) and now known as Johnson Drive; thence Southeasterly 90 degrees to the last described course a distance of 21 feet to the point of beginning; thence continuing on the last described course a distance of 250 feet; thence in a northeasterly direction along a course which makes an angle of 90 degrees to the last described course, a distance of 335.74 feet to the westerly line of Roeland Drive; thence deflecting to the left 98 degrees 09 minutes 58 seconds a distance of 251.72 feet to the southerly right of way line of said Johnson Drive; thence southwesterly along a line which is 30 feet from the center line of said Johnson Drive 300 feet to the point of beginning AND

All that part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in the City of Mission, in said county and state, described as follows: From the northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9; run thence North (this and all subsequent bearings being in relation to the west line of the Southwest $\frac{1}{4}$ of said Section 9, as having an assumed bearing of due North-South), 3.70 feet to a point in a line that is 9.0 feet Southerly distance at right angles to the center tangent line of an 18 foot brick slab known as Johnson Drive formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1386.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 271.0 feet to the true point of beginning of the tract of land herein described; thence North 66 degrees 41 minutes 50 seconds East 281.75 feet to the Westerly right of way line of Roeland Drive as now established; thence South 31 degrees 28 minutes 08 seconds East along said Westerly right of way line, 53.21 feet to the Northerly right of way line of Martway Street, as now established; thence South 66 degrees 51 minutes 57 seconds West along said Northerly right of way line, 289.31 feet; thence North 23 degrees 18 minutes 10 seconds West, 51.82 feet to the point of beginning, EXCEPT

All that part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: From the Northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9; thence run North (this and all subsequent bearings being in relation to the West line of the Southwest $\frac{1}{4}$ of said Section 9 as having an assumed bearing of due North-South) 3.70 feet to a point in a line that is 9.0 feet Southerly distance, at right angles to the center tangent line of an 18 foot wide brick slab known as Johnson Drive, formerly U.S. Highway 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1332.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 21.0 feet to the Southerly right of way line of said

Johnson Drive, as now established, also being the true point of beginning of the tract of land herein described; thence continuing South 23 degrees 18 minutes 10 seconds East, 250.00 feet; thence North 66 degrees 41 minutes 50 seconds East, 54.0 feet; thence North 23 degrees 18 minutes 10 seconds West 250.00 feet to the Southerly right of way line of said Johnson Drive; thence South 66 degrees 41 minutes 50 seconds West along said Southerly right of way line 54.0 feet to the point of beginning.

Tax Parcel No.: KP38000000 0007

Legal:

Lots 7, 8, 9, 10, 21 and 22, Lot 23, except the East 10 feet thereof, and the East 95 feet of Lot 20, Block 5, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP38000000 0005; KP38000000 0006

Legal:

Lots 5 and 6, Block 5, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Tax Parcel No.: KP38000000 0025A; KP38000000 0025; KP38000000 0024;
KP38000000 0023B

Legal:

All of Lots 24, 25 and 26, and the East 10 feet of Lot 23, all in Mission Village, Block 5, a subdivision in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 26; thence South 31 degrees 28 minutes 08 seconds East, along the Easterly line of said Lot 26, 137.74 feet to a point of curvature; thence Southeasterly along said Easterly line, on a curve to the right being tangent to the last described course having a radius of 440 feet, and an arc length of 48.65 feet to the Southeasterly corner of said Lot 26; thence South 66 degrees 41 minutes 50 seconds West along the Southerly line of said Lot 23 thru 26, 413.42 feet; thence North 23 degrees 03 minutes 34 seconds West, 185.87 feet to a point on the Northerly line of said Lot 23; thence North 66 degrees 51 minutes 26 seconds East, along the Northerly line of said Lots 23 thru 26, 389.09 feet to the point of beginning.

Tax Parcel No.: KP38000000 0004; KP38000000 0003; KP38000000 0019A;
KP38000000 0002; KP38000000 0018; KP38000000 0017; KP37500004 0002B;
KP38000000 0012A; KP38000000 0012B

Legal:

Tract I:

All that part of Lot 2, Block 4, Mission Village, a subdivision of land now in the City of Mission, Johnson County, Kansas, lying Easterly of the following described line: Beginning at a point on the Northerly line of said Lot 2, which point is 9.92 feet Southwesterly from the Northeasterly corner of said Lot 2; thence Southeasterly, to a

point in the Southerly line of said Lot 2, which is 10.83 feet Southwesterly from the Southeasterly corner of said Lot 2, and also all of Lots 3, 4 and 5, all in said Block 4, and also vacated Birch Street.

Tract II:

All that part of Lots 12 and 13, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 13; thence South 66 degrees 51 minutes 26 seconds West, along the Northwesterly line of said Lot 13, a distance of 134.11 feet, to the Northwesterly corner thereof; thence Southwesterly and Westerly, along the Northerly line of said Lot 12, said line being on a curve to the right, having a radius of 250 feet, a distance of 74.05 feet; thence South 00 degrees East, a distance of 0.80 feet; thence South 86 degrees 07 minutes 00 seconds East, a distance of 154.66 feet, thence South 41 degrees East a distance of 210 feet, to a point on the Southerly line of said Lot 13, thence South 63 degrees 16 minutes 00 seconds East, along the Southerly line of said Lot 13, a distance of 8.41 feet, to the Southeasterly corner thereof, thence Northwesterly, along the Northeasterly line of said Lot 13, to the point of beginning, and also all of Lots 2, 3, 4, 15, 17, 18, 19 and all of Lot 20, Except the East 95 feet thereof of said Mission Village, Block 5, and also all of vacated Birch Street, lying adjacent to Lots 2 and 3, of said Mission Village, Block 5, all except that part thereof in roads and streets.

Tract III:

All that part of Lots 12 and 13, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of said Lot 13, thence South 85 degrees 53 minutes, 10 seconds East, along the Southerly line of said Lot 13, a distance of 81.87 feet; thence North 24 degrees, 58 minutes, 41 seconds East, along said Southerly line, a distance of 79.22 feet; thence North 41 degrees West a distance of 210.00 feet; thence North 86 degrees, 07 minutes West, a distance of 154.66 feet; thence South 13 degrees, 23 minutes, 09 seconds East, a distance of 107.56 feet to a point on the Southerly line of said Lot 12; thence Southeasterly along said Southerly line of Lot 12 and the Westerly line of said Lot 13; said lines being on a curve to the right, having an initial tangent bearing of North 77 degrees, 21 minutes 56 seconds East, a radius of 125 feet, and an arc length of 232.21 feet to the point of beginning.

Tax Parcel No.: KP35000000 0001

Legal:

Beginning 72.77 feet North and 25 feet East of the Southwest corner of the Northwest ¼ of Section 9, Township 12, Range 25, thence Northeasterly along the Northerly line of U.S. Highway No. 50, 113.7 feet, thence North 23 degrees 23 minutes West 135 feet; thence South 66 degrees and 37 minutes West 60.1 feet, thence South 131.8 feet to the beginning; also known as Lot 1, Mission Vale, an addition according to the recorded plat thereof.

Tax Parcel No.: KP37500004 0001; KP38000000 0001

Legal:

Tract I:

All of Lot 1, EXCEPT the West 10 feet of Lot 1, Block 4, taken under Condemnation Suit No. 45522, and Lot 2, Block 4, Mission Village, lying Westerly of the following described line: Beginning at a point on the Northerly line of said Lot 2, which point is 9.92 feet Southwesterly from the Northeasterly corner of said Lot 2; thence Southeasterly to a point in the Southerly line of said Lot 2, which is 10.83 feet Southwesterly from the Southeasterly corner of said Lot 2, all in Block 4, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas.

Tract II:

All of Lot 1, Mission Village, Block 5, a subdivision in the City of Mission, Johnson County, Kansas.

Tax Parcel No.: KP38000000 0015

Legal:

Lot 15, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas

Tax Parcel No.: KP38000000 0016

Legal:

Lot 16, Mission Village, Block 5, a subdivision of land now in the City of Mission, Johnson County, Kansas, also called Martway Pumping Station.

Exhibit C

(Published in *The Legal Record* on November 26, 2019)

ORDINANCE NO. 1508

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS, MAKING FINDINGS AND DIVIDING THE ROCK CREEK REDEVELOPMENT DISTRICT INTO FIVE REDEVELOPMENT DISTRICTS PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, the City of Mission, Kansas (the "City") created a redevelopment district (the "Redevelopment District") pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act") and Ordinance No. 1190 passed by the City Council of the City (the "Governing Body") on January 11, 2006, as amended by Ordinance No. 1195 passed by the Governing Body on February 8, 2006; and

WHEREAS, the City is considering the division of the Redevelopment District into five separate redevelopment districts pursuant to K.S.A. 12-1771(h); and

WHEREAS, as part of the division of the Redevelopment District, the City desires to adjust the boundary between former Project Area 1 and Project Area 3 to include the property currently occupied by Wendy's in proposed Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) as shown on **Exhibit A**.

WHEREAS, the Governing Body adopted Resolution No. 1035 on October 16, 2019, establishing this date as the date for the public hearing to consider the division of the Redevelopment District into five (5) redevelopment districts; and

WHEREAS, notice of the public hearing was given as required by the Act; and

WHEREAS, the public hearing was held and closed on this date; and

WHEREAS, the Governing Body hereby finds and determines it to be necessary and advisable to divide the Redevelopment District into five (5) redevelopment districts.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section 1. The Governing Body hereby finds that all required notices for the public hearing were disseminated in accordance with the Act.

Section 2. The Governing Body affirms its finding that the conservation, development or redevelopment of the Redevelopment District as divided herein is necessary to promote the general and economic welfare of the City.

Section 3. The Governing Body hereby finds that it is necessary and desirable to divide the Redevelopment District into five (5) separate redevelopment districts in accordance with K.S.A. 12-1771(h). The redevelopment districts are depicted on the map attached hereto as **Exhibit A** and legally described in **Exhibit B**, and generally described as follows:

Rock Creek Redevelopment District No. 1 (Gateway). A redevelopment district containing

one project area consisting of some or all of the following uses: one or more commercial or residential facilities, parking facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary sewers, water lines and all related expenses to redevelop and finance the project.

Rock Creek Redevelopment District No. 2. A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial and residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and refinance the redevelopment project and all other associated public and private infrastructure.

Rock Creek Redevelopment District No. 2A (Capitol Federal). A redevelopment district containing one project area consisting of some or all of the following uses: an approximately 3,800 square foot commercial banking building and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the project and all other associated public and private infrastructure.

Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl). A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the project and all other associated public and private infrastructure.

Rock Creek Redevelopment District No. 4. A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial and residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and refinance the redevelopment project and all other associated public and private infrastructure.

Section 4. The Governing Body hereby finds that the actions contemplated by this Ordinance do not cause a "substantial change" (as defined in the Act) to (a) the Mission Gateway Fourth Amended Tax Increment Financing Redevelopment Project Plan (the "Gateway Plan") adopted by the Governing Body on October 18, 2017, pursuant to Ordinance No. 1468, or (b) the Redevelopment Project Plan – Capitol Federal Savings Bank Development (the "Capitol Federal Plan") adopted by the Governing Body on May 20, 2009, pursuant to Ordinance No. 1299.

Section 5. The Governing Body hereby finds that the respective feasibility studies prepared for the Gateway Plan and the Capitol Federal Plan presented on this date show that the tax increment revenue related to each respective plan is expected to be sufficient to pay the redevelopment project costs for each respective plan.

Section 6. The Mayor, City Administrator, Finance Director, City Clerk and other officials and employees of the City, including the City Attorney, and Gilmore & Bell, P.C., Bond Counsel to the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 7. This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

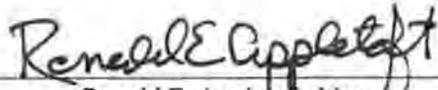
[Balance of page intentionally left blank]

Section 8. This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

ADOPTED by the Governing Body this November 18, 2019.

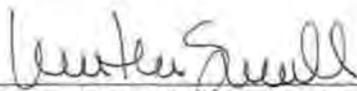
SIGNED by the Mayor this November 18, 2019.

(SEAL)

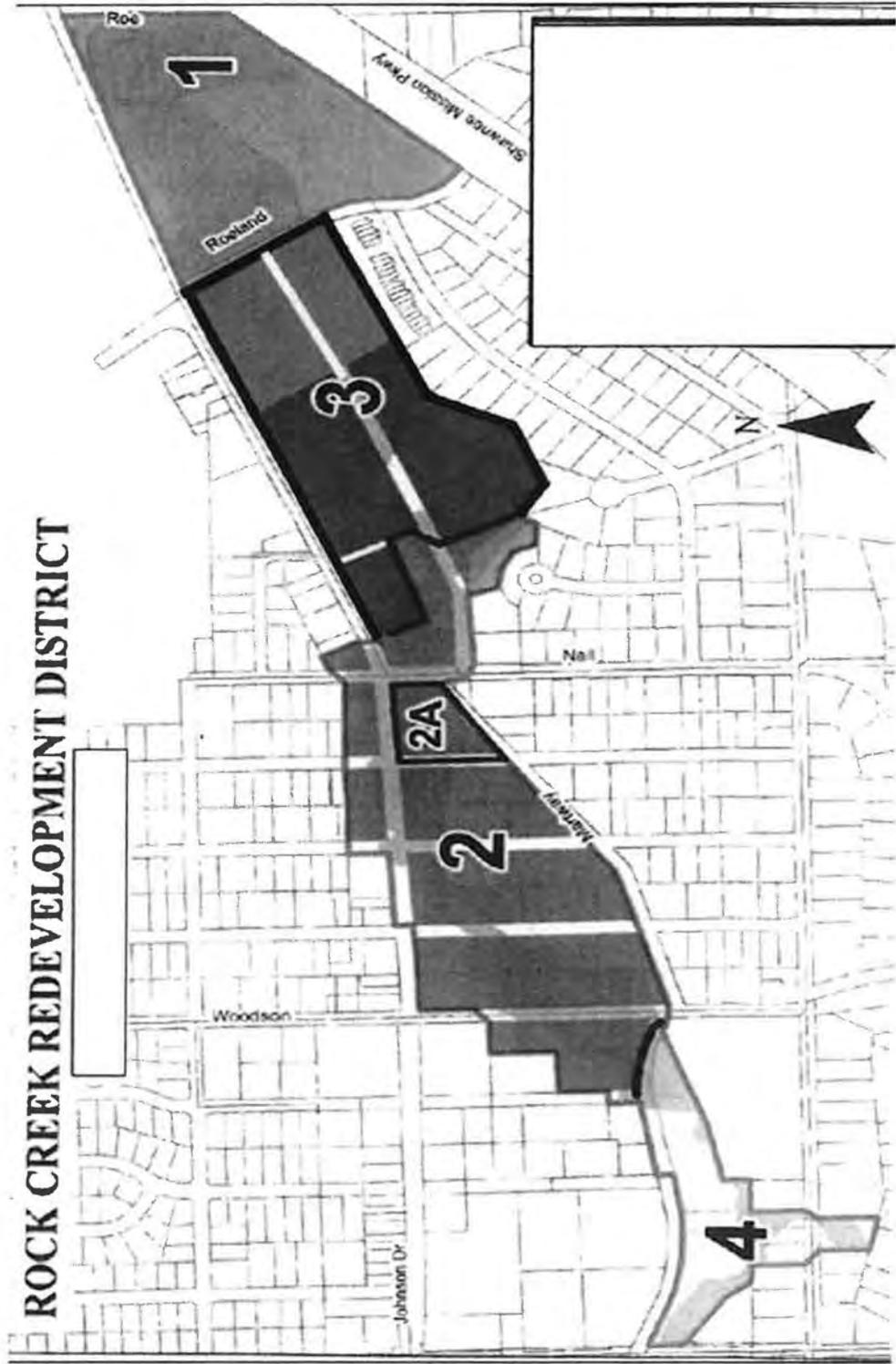


Ronald E. Appletoft, Mayor

ATTEST:



Martha Sumrall, City Clerk



ROCK CREEK REDEVELOPMENT DISTRICT

MAP OF REDEVELOPMENT DISTRICTS

EXHIBIT A

EXHIBIT B

LEGAL DESCRIPTIONS OF REDEVELOPMENT DISTRICTS

[see attached]

PROJECT AREA 1 – Gateway Site

Parcel Id.: KP58100000 0001

Legal:

Lot 1, THE GATEWAY FIRST PLAT, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KR251209-1005

Legal:

9-12-25 PT SE 1/4 NW 1/4 BG INTRC W RTWY/L ROE & SLY RTWY/L JOHNSON DR S 30' WLY 95.4' TO PT IN S/L JO DR ELY 100' ON S/L JO DR TO PT OF BG (JOHNSON DR) .03 ACS M/L MIC-0096B0001 BTAO #864

Parcel Id.: KR251209-1006

Legal:

9-12-25 PT NW 1/4 BEG 76.42' S & 40' W INTRC CTRL JOHNSON DR & ROE AVE S 517.93' SWLY 7.18' N 202.73' NLY 111.19' NLY 69.33' NWLY ON CURVE 157.63' WLY 48.36' SWLY 342.82' NLY 1.53' NELY ON SLY/L JOHNSON DR 441.24' ELY 94.08' TO BG EX .04 AC PLATTED (JOHNSON DR & ROE AVE) .40 ACS M/L MIC 96B 3 BTAO 1458 1

PROJECT AREA 2a – Capitol Federal Bank Site

Parcel Id.: KR27500000 0021C

Legal:

MISSIONHILL ACRES BG 15' W NE CR LT 21 E 15' S 152.79' SW TOPT 40' W C/L NALL AVE N TO PT 10' S N/L LT 21 NW TO POB (NALL AVE)

Parcel Id.: KP06500000 0001

Legal:

Lot 1, CAPITOL FEDERAL FIRST PLAT, a subdivision in the City of Mission, Johnson County, Kansas.

PROJECT AREA 2 – Nall Ave. to Dearborn St., Between Johnson Drive and Martway Street

Parcel Id.: KF251208-4040; KF251208-4049; KF251208-4050

Legal:

TRACT I:

Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, thence North 89 Degrees 56 Minutes West 149 feet to the true point of beginning; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet; thence North and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 220 feet; thence South 89 Degrees 56 Minutes East along a line 300 feet South and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet to the true point of beginning, all in the City of Mission, Johnson County, Kansas.

Tract II:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 Degrees 19 Minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the TRUE POINT OF BEGINNING; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 Degrees 56 Minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the TRUE POINT OF BEGINNING, except that part in 60th Street and Dearborn Street.

TRACT III:

Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 Degrees 56 Minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 Degrees 56 Minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, except that part in Woodson Street.

TRACT IV:

Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 Degrees 19 Minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of-Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 495.81 feet, to a point 300 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 Degrees 56 Minutes East, along a line 300 feet South of and parallel to the North line of the Northwest Quarter of the Southeast Quarter of Section 8, 497.90 feet to the point of beginning, EXCEPT Beginning at a point on the East line and 527.40 feet North of the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence South 66 Degrees 19 Minutes West, along the Northerly property line of the Mission City Park property, 66.24 feet to the centerline of 60th Street, as now dedicated; thence Northwesterly, Westerly and Southwesterly, along the centerline of said 60th Street Right-of Way, 273.76 feet, to a point 330 feet West of the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; for the TRUE POINT OF BEGINNING; thence North, along a line 330 feet West of and parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, 275.81 feet, to a point 520 feet South of the North line of the Southeast Quarter of Section 8; thence South 89 Degrees 56 Minutes East, along a line 520 feet South of and parallel to the North line of the Southeast Quarter of Section 8, 156 feet; thence South, along a line parallel to the East line of the Northwest Quarter of the Southeast Quarter of Section 8, to a point in the centerline of 60th Street as now established; thence Northwesterly, Westerly and Southwesterly along the centerline of 60th Street to the TRUE POINT OF BEGINNING, EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, City of Mission, Johnson County, Kansas; thence North 89 degrees 56 Minutes West 149 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 25 feet; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 46 feet; thence South 89 Degrees 56 Minutes East along a line parallel to the North line of the Northwest Quarter of the Southeast Quarter, 174 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North along said East line 266 feet more or less to the point of beginning, EXCEPT Beginning at a point on the East line and 300 feet South of the North line of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, thence North 89 Degrees 56 Minutes West 149 feet to the true point of beginning; thence South and parallel to the East line of the Northwest Quarter of the Southeast Quarter 220 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet; thence North and parallel to the East line of the Northwest Quarter of the Southeast Quarter, 220 feet; thence South 89 Degrees 56 Minutes East along a line 300 feet South and parallel to the North line of the Northwest Quarter of the Southeast Quarter, 156 feet to the true point of beginning, all in the City of Mission, Johnson County, Kansas, and except those parts in streets and roads.

Parcel Id.: KP27500000 0020; KP27500000 0042A; and KP27500000 0042B

Legal:

Lots 20 and 42, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0081

Legal:

LEGAL DESCRIPTION-TRACT 1

ALL THAT PART OF THE SOUTH 55 FEET OF LOT 80 AND ALL THAT PART OF LOT 81, MISSION HILL ACRES, A SUBDIVISION OF LAND NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 81; THENCE N 0° 08' 04" E, ALONG THE WEST LINE OF SAID LOT 81, A DISTANCE OF 102.32 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE S 89° 58' 25" E, ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 81, A DISTANCE OF 29.54 FEET; THENCE S 0° 08' 04" W, ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 81, A DISTANCE OF 12.92 FEET; THENCE S 89° 58' 25" E, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID LOT 81, A DISTANCE OF 110.39 FEET, TO A POINT ON THE EAST LINE THEREOF; THENCE N 0° 08' 04" E, ALONG THE EAST LINE OF SAID LOT 81 AND ALONG THE EAST LINE OF SAID LOT 80, A DISTANCE OF 82.32 FEET; THENCE N 88° 50' 15" W, A DISTANCE OF 139.85 FEET TO A POINT ON THE WEST LINE OF SAID LOT 80; THENCE S 0° 08' 04" W, ALONG THE WEST LINE OF SAID LOT 80 AND ALONG THE WEST LINE OF SAID LOT 81, A DISTANCE OF 71.81 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 11,308 SQUARE FEET, MORE OR LESS.

Parcel Id.: KP27500000 0082A; KP27500000 0082B; and KP27500000 0083A

Legal:

All of Lot 82 and the North 40 feet of Lot 83, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0083B

Legal:

The South 80 feet of Lot 83 and the North 40 feet of Lot 84, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0084A

Legal:

The South 80 feet of Lot 84 and all of Lot 85, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0099

Legal:

Lot 99, and the South 20 feet Lot 100, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0100A

Legal:

The South 60 feet of the North 100 feet of Lot 100, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0100B

Legal:

All of the North 40 feet of Lot 100 and the South 20 feet of Lot 101, in MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0101

Legal:

The North 100 feet of Lot 101 and all of Lot 102, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0104A and KP27500000 0104B

Legal:

Tract 1:

All of the East 50 feet of the West 75 feet of Lot 104, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof. (Commonly known as 5622 Johnson Drive, Mission, Kansas)

Tract 2:

The West 25 feet of Lot 104, Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof. (Commonly known as 5636 Johnson Drive, Mission, Kansas)

Parcel Id.: KP27500000 0104C

Legal:

Lot 104, MISSIONHILL ACRES, except the West 75 feet thereof, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0144A

Legal:

Beginning at a point on the South line of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30 feet East of the Southwest corner of said Lot 144; thence North and parallel to the West line of Lot 144 a distance of 114.6 feet to a point on the North line of said Lot 144; thence East along the North line of Lot 144 a distance of .78 feet to a point; thence South and parallel to the West line of said Lot 144 a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said Store building a distance of 48.83 feet, more or less, to the Southeast corner of said store building to a point which is 32.75 feet East of the West line and 48 feet North of the South line of said lot; thence South and parallel to the West line of said Lot 144, a distance of 48 feet to a point on the South line of said Lot 144; thence West 2.75 feet to the point of beginning, and all of the West 30 feet of Lot 144, Missionhill Acres, Except that part in roads.

Parcel Id.: KP27500000 0144B

Legal:

Beginning at the Northeast corner of Lot 144, in Missionhill Acres, a subdivision in Johnson County, Kansas; thence in a Westerly direction along the North line of said Lot, a distance of 53.50 feet to a point; thence Southerly 117.38 feet to a point which is 52.50 feet West of the Southeast corner of said Lot 144; thence East along the South line of said Lot 52.50 feet to the Southeast corner thereof; thence North along the Easterly line of said Lot, a distance of 120 feet to the point of beginning, all a part of Section 8, Township 12, Range 25, Except that part in roads.

Parcel Id.: KP27500000 0144C

Legal:

Beginning at a point in the North line of Lot 144 in Missionhill Acres, a subdivision in Johnson County, Kansas, which is 30.82 feet East of the Northwest corner of said Lot 144; thence South and parallel to the West line of said Lot 144, a distance of 19.8 feet to the Northeast corner of a store building; thence in a Southerly direction along the East line of said store building a distance of 46.83 feet more or less to the Southeast corner of said store building; thence South and parallel to the West line of said Lot 144 a distance of 48 feet to a point on the South line of said Lot 144, which point is 32.75 feet East of the Southwest corner of Lot 144; thence East along the South line of said Lot 144 a distance of 54.75 feet to a point which is 52.50 feet West of the Southeast corner of Lot 144; thence in a Northerly direction a distance of 117.38 feet to a point in the North line of Lot 144 which is 53.50 feet West of the Northeast corner of Lot 144; thence West along the North line of said Lot 144, a distance of 55.85 feet to the point of beginning, Except that part in roads.

Parcel Id.: KP27500000 0145 and KP27500000 0146

Legal:

Lots 145 and 146, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0147

Legal:

Lot 147, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0148

Legal:

Lot 148, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0149

Legal:

All of Lot 149, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0159

Legal:

Lot 159, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0160

Legal:

Lot 160 and the South half of Lot 161, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0161A

Legal:

The North half of Lot 161, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0162; KP27500000 0163; and KP27500000 0206A; and KP27500000 0206B

Legal:

Lots 162, 163 and Lot 206, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0164

Legal:

All of Lot 164 in MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas as recorded in Book 7, Plats, at Page 20, except the following described tract: beginning at the Southwest corner, Lot 164 in Mission Hill Acres; thence North along the West line of said Lot 164 a distance of 47.63 feet to a point; thence in an easterly direction on a line parallel to and 47.63 feet North of the South line of the said Lot 164 a distance of 74.50 feet to a point; thence South along a line that is parallel to and 74.50 feet East of the West line of said Lot 164 a distance of 47.63 feet to a point in the South line of the said Lot 164; thence West along the South line of said Lot 164 a distance of 74.50 feet to the point of beginning.

Parcel Id.: KP27500000 0164A

Legal:

Beginning at the Southwest corner of Lot 164 in Missionhill Acres, a subdivision in the City of Mission, Johnson County, Kansas; thence North along the West line of said Lot 164, a distance of 47.63 feet to a point; thence in an Easterly direction on a line parallel to and 47.63 feet North of the South line of said Lot 164, a distance of 74.60 feet to a point, thence South along a line that is parallel to and 74.60 feet East of the West line of said Lot 164, a distance of 47.63 feet to a point in the South line of the said Lot 164; thence West along the South line of said Lot 164, a distance of 74.60 feet to the point of beginning.

Parcel Id.: KP27500000 0205

Legal:

Lot 205, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat filed in Book 7, Page 20.

Parcel Id.: KP27500000 0207 and KP27500000 0207A

Legal:

The North 60 feet of Lot 207 and the South 60 feet of Lot 207, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0208 and Parcel Id.: KP27500000 0210

Legal:

Lots 208, 209, 210 and 211, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0220A

Legal:

The South 43 feet of Lot 221, and all of Lot 220, EXCEPT that portion deeded to the City of Mission for street and highway purposes as recorded in Deed Book 451 at Page 201, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KR27500000 0220B

Legal:

Beginning at a point on the east right-of-way line of Woodson Road, said point being the southwest corner of Lot 220, MISSIONHILL ACRES, a subdivision in Section 8, Township 12, Range 25, Johnson County, Kansas, thence north a distance of 40.84 feet to a point 54.0 feet south of the north line of said Lot 220, thence east and parallel to the north line of said Lot 220 a distance of 132.20 feet more or less to a point on the south line of said Lot 220, thence in a

southwesterly direction and along the south line of said Lot 220 a distance of 138.37 feet to the point of beginning.

Parcel Id.: KP27500000 0221A

Legal:

The North 77 feet of Lot 221 and the South 9 feet of Lot 222, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0222

Legal:

Lot 222, EXCEPT the South 9 feet thereof, and the South 10 feet of Lot 223, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0223A and KP27500000 0224B

Legal:

MISSIONHILL ACRES, South one-half (S. ½) of Lot 224, and the North one-half (N. ½) of Lot 223, subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0223B

Legal:

The North 50 feet of the South 60 feet of Lot 223, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0224A

Legal:

The North one-half of Lot 224, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27500000 0225A

Legal:

The South half of Lot 225, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KP27500000 0226

Legal:

Lot 226, Except the South 19.74 feet in the MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows:
Commencing at the Southwest corner of Lot 226 of said MISSIONHILL ACRES; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 226 a distance of 19.74 feet to the Point of Beginning; thence continuing North 00 degrees 10 minutes 38 seconds West on said West line a distance of 100.26 feet; thence North 88 degrees 44 minutes 05 seconds East on the North line of said Lot 226 a distance of 140.68 feet; thence South 00 degrees 04 minutes 44 seconds East on the East line of said Lot 226 a distance of 103.36 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 140.48 feet to the point of beginning.

ACCESS EASEMENT FOR TRACT B:

A tract of land for ingress-egress over the South 10.00 feet of the North 1/2 of Lot 225, also the West 20.00 feet of the East 25.00 feet of Lot 225 and the West 20.00 feet of the East 25.00 feet of the South 19.74 feet of Lot 226, all in MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of Lot 225 of said MISSIONHILL ACRES; thence South 00 degrees 10 minutes 38 seconds East on the West line of said Lot 225 a distance of 50.00 feet to the Point of Beginning; thence South 90 degrees 00 minutes 00 seconds East a distance of 115.34 feet; thence North 00 degrees 04 minutes 44 seconds West a distance of 69.74 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 20.00 feet; thence South 00 degrees 04 minutes 44 seconds East a distance of 79.74 feet; thence South 90 degrees 00 minutes 00 seconds West a distance of 135.34 feet to the West line of said Lot 225; thence North 00 degrees 10 minutes 38 seconds West on said West line 10.00 feet to the Point of Beginning.

Parcel Id.: KP27600000 0001 and KP27600000 0002

Legal:

Lots 1 and 2, Resurvey of Lot 103, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP27600000 0003

Legal:

Lots 3, Resurvey of Lot 103, MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP35000000 0001

Legal:

Lot 1, MISSION VALE, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP37500004 0001

Legal:

All of Lot 1, EXCEPT the West 10 feet of Lot 1, Block 4, taken under Condemnation Suit No. 45522, and Lot 2, Block 4, Mission Village, lying Westerly of the following described line: Beginning at a point on the Northerly line of said Lot 2, which point is 9.92 feet Southwesterly from the Northeasterly corner of said Lot 2; thence Southeasterly to a point in the Southerly line of said Lot 2, which is 10.83 feet Southwesterly from the Southeasterly corner of said Lot 2, all in Block 4, Mission Village, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP38000000 0001

Legal:

All of Lot 1, MISSION VILLAGE, BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas

Parcel Id.: KP27500000 0080C

Legal:

ALL THAT PART OF THE SOUTH 55 FEET OF LOT 80 AND ALL THAT PART OF LOT 81, MISSION HILL ACRES, A SUBDIVISION OF LAND NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 81; THENCE N 0° 08' 04" E, ALONG THE WEST LINE OF SAID LOT 81, A DISTANCE OF 102.32 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE S 89° 58' 25" E, ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 81, A DISTANCE OF 29.84 FEET; THENCE S 0° 08' 04" W, ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 81, A DISTANCE OF 12.92 FEET; THENCE S 89° 58' 25" E, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID LOT 81, A DISTANCE OF 110.39 FEET, TO A POINT ON THE EAST LINE THEREOF; THENCE N 0° 08' 04" E, ALONG THE EAST LINE OF SAID LOT 81 AND ALONG THE EAST LINE OF SAID LOT 80, A DISTANCE OF 82.32 FEET; THENCE N 88° 58' 15" W, A DISTANCE OF 138.85 FEET TO A POINT ON THE WEST LINE OF SAID LOT 80; THENCE S 0° 08' 04" W, ALONG THE WEST LINE OF SAID LOT 80 AND ALONG THE WEST LINE OF SAID LOT 81, A DISTANCE OF 71.81 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 11,308 SQUARE FEET, MORE OR LESS.

Parcel Id.: KR37500004 0001A

Legal:

The West Ten (10) feet of Lot 1, Block 4 Mission Village, a subdivision in the City of Mission, Johnson County, Kansas (Being Tract #40 in Condemnation Action #45522 in District Court of Johnson County, Kansas).

Parcel Id.: KP27500000 0225B

Legal:

The North 1/2 of Lot 225 and the South 19.74 feet of Lot 226, in MISSIONHILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Lot 226 of said MISSIONHILL ACRES; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 226 a distance of 19.74 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 140.48 feet to a point on the East line of said Lot 226; thence South 00 degrees 04 minutes 44 seconds West on the East line of said Lot 226 and Lot 225, a distance of 79.74 feet to the Southeast corner of the North 1/2 of said Lot 225; thence South 90 degrees 00 minutes 00 seconds West a distance of 140.34 feet to the Southwest corner of the North 1/2 of said Lot 225; thence North 00 degrees 10 minutes 38 seconds West on the West line of said Lot 225 a distance of 60.00 feet to the Point of Beginning.

Parcel Id.: KR27500000 0164B

Legal:

Permanent Right of Way

All that part of Lot 164, Missionhill Acres, a subdivision lying in the Southeast Quarter of Section 8, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Northwest corner of the Southeast Quarter of Section 8, Township 12 South, Range 25 East; thence North 88 degrees 01 minutes 42 seconds East along the North line of the Southeast Quarter of said Section 8 a distance of 1676.68 feet to a point on the Northerly prolongation of the East right of way line of Outlook Avenue; thence South 2 degrees 00 minutes 42 seconds East along the East right of way line of Outlook Avenue and said prolongation a distance of 48.93 feet to the POINT OF BEGINNING; thence North 84 degrees 56 minutes 17 seconds East a distance of 140.20 feet to a point; thence South 2 degrees 00 minutes 42 seconds East a distance of 5.34 feet to a point; thence South 85 degrees 55 minutes 04 seconds West a distance of 140.09 feet to a point on the East right of way line of Outlook Avenue; thence North 2 degrees 00 minutes 42 seconds West along the East right of way line of Outlook Avenue a distance of 2.94 feet to the POINT OF BEGINNING and containing 580 Square Feet or 0.013 Acres, more or less.

Parcel Id.: KR27500000 0020A

Legal:

Permanent Right of Way

All that part of Lots 20 and 42, Missionhill Acres, a subdivision lying in the Northeast Quarter of Section 8, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter of Section 8, Township 12 South, Range 25 East; thence North 88 degrees 01 minutes 42 seconds East along the South line of the Northeast Quarter of said Section 8 a distance of 2336.67 feet to a point on the Southerly prolongation of the West line of Lot 42, Missionhill Acres; thence North 1 degree 49 minutes 20 seconds West along the West line of said Lot 42 and said prolongation a distance of 46.80 feet to the POINT OF BEGINNING; thence continuing North 1 degree 49 minutes 20 seconds West along the West line of said Lot 42 a distance of 36.25 feet to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 6.92 feet to a point; thence South 0 degrees 09 minutes 51 seconds West a distance of 25.13 feet to a point; thence in a Southeasterly direction along a curve to the right whose initial tangent bears North 85 degrees 53 minutes 35 seconds East, having a radius of 51.00 feet, through a central angle of 17 degrees 10 minutes 57 seconds, an arc distance of 15.29 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 49.00 feet, through a central angle of 17 degrees 50 minutes 14 seconds, an arc distance of 15.25 feet to a point; thence North 85 degrees 14 minutes 19 seconds East a distance of 48.29 feet to a point; thence North 82 degrees 03 minutes 36 seconds East a distance of 36.07 feet to a point; thence North 85 degrees 14 minutes 19 seconds East a distance of 73.48 feet to a point; thence South 4 degrees 59 minutes 52 seconds East a distance of 6.98 feet to a point; thence South 84 degrees 56 minutes 11 seconds West a distance of 194.48 feet to the POINT OF BEGINNING and containing 1515 Square Feet or 0.035 Acres, more or less.

Parcel Id.: KR27500000 0226A

Legal:

All that part of Lot 226, MISSIONHILL ACRES, a subdivision of land now in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of said Lot 226; thence East, along the North line of said Lot 226 to the Northeast corner thereof; thence South, along the East line of said Lot 226, to a point 28 feet South of the Northline thereof; thence Westerly, to a point 79 feet West of the East line and 47 feet South of the North line of said Lot 226; thence Westerly, to a point on the west line of said Lot 226 and 44 feet South of the Northeast corner thereof; thence Northerly, along the West line of said Lot 226, a distance of 44 feet, to the point of beginning.

Parcel Id.: KP32400000 0002

Legal:

Lot 2, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas.

PROJECT AREA 3 – Roeland Drive to Nall Ave., Between Johnson Drive and Martway

Parcel Id.: KF251209-1011 and KF251209-1014

Legal:

Commencing at the northwest corner of the northwest 1/4 of the Southwest 1/4 of Section 9, Township 12, Range 25, in Johnson County, Kansas; thence North 3.70 feet to a point on the west line of the southwest 1/4 of the northwest 1/4 of said section; thence deflecting to the right from the last described course 66 degrees 41 minutes 50 seconds, a distance of 1332.57 feet, said line being 9.0 feet south and parallel to the center tangent line of an 18 foot wide brick slab (formerly U.S. Highway No. 50) and now known as Johnson Drive; thence southeasterly 90 degrees to the last described course a distance of 21 feet to the point of beginning; thence continuing on the last described course a distance of 250 feet; thence in a northeasterly direction along a course which makes an angle of 90 degrees to the last described course, a distance of 335.74 feet to the westerly line of Roeland Drive; thence deflecting to the left 98 degrees 09 minutes 58 seconds a distance of 251.72 feet to the southerly right of way line of said Johnson Drive; thence southwesterly along a line which is 30 feet from the center line of said Johnson Drive 300 feet to the point of beginning AND

All that part of the South 1/2 of the Northwest 1/4 of Section 9, Township 12, Range 25, in the City of Mission, in said county and state, described as follows: From the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 9; run thence North (this and all subsequent bearings being in relation to the West line of the Southwest 1/4 of said Section 9, as having an assumed bearing of due North-South), 3.70 feet to a point in a line that is 9.0 feet Southerly distance at right angles to the center tangent line of an 18 foot brick slab known as Johnson Drive formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1336.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 271.0 feet to the true point of beginning of the tract of land herein described; thence North 66 degrees 41 minutes 50 seconds East 181.75 feet to the Westerly right of way line of Roeland Drive as now established; thence South 31 degrees 28 minutes 08 seconds East along said Westerly right of way line, 53.21 feet to the Northerly right of way line of Martway Street, as now established; thence South 66 degrees 51 minutes 57 seconds West along said Northerly right of way line, 289.31 feet; thence North 23 degrees 18 minutes 10 seconds West, 51.82 feet to the point of beginning, EXCEPT

All that part of the South 1/2 of the Northwest 1/4 of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: From the Northwest corner of the Northwest 1/4 of the Southwest 1/4

of said Section 9; thence run North (this and all subsequent bearings being in relation to the West line of the Southwest 1/4 of said Section 9 as having an assumed bearing of due North-South) 3.70 feet to a point in a line that is 9.0 feet Southerly distance, at right angles to the center tangent line of an 16 foot wide brick slab known as Johnson Drive, formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1332.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 21.0 feet to the Southerly right of way line of said Johnson Drive, as now established, also being the true point of beginning of the tract of land herein described; thence continuing South 23 degrees 18 minutes 10 seconds East, 250.00 feet; thence North 66 degrees 41 minutes 50 seconds East, 54.0 feet; thence North 23 degrees 18 minutes 10 seconds West 250.00 feet to the Southerly right of way line of said Johnson Drive; thence South 66 degrees 41 minutes 50 seconds West along said Southerly right of way line 54.0 feet to the point of beginning.

Parcel Id.: KR251209-1018

Legal:

All that part of the South 1/2 of the Northwest 1/4 of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, as described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 9; thence North (assumed bearing of due North-South), a distance of 3.70 feet to a point on the West line of the Southwest 1/4 of the Northwest 1/4 of said Section 9; thence North 66° 42' 30" East, a distance of 1386.57 feet, said line being 8 feet South and parallel to the center tangent line of Johnson Drive; thence South 23° 18' 10" East, distance of 21 feet to the Southerly right-of-way line of Johnson Drive, as now established, also being the true point of beginning; thence South 23° 18' 10" East, a distance of 5.68 feet; thence North 69° 33' 35" East, a distance of 122.25 feet; thence North 66° 41' 50" East, a distance of 102.14 feet; thence South 73° 53' 09" East, a distance of 34.42 feet to a point on the Westerly right-of-way line of Roeland Drive as now established; thence North 31° 28' 08" West along said Westerly line, a distance of 9.00 feet; thence North 72° 23' 09" West along the right-of-way line as now established, a distance of 37.78 feet to the Southerly right-of-way line of Johnson Drive as now established; thence South 66° 41' 50" West along said Southerly line, a distance of 221.00 feet to the point of beginning; containing 2,487 square feet more or less.

Parcel Id.: KP38000000 0005 and KP38000000 0006

Legal:

Lots 5 and 6, MISSION VILLAGE, Block 5, a subdivision in the City of Mission, Johnson County, Kansas

Parcel Id.: KP38000000 0007

Legal:

Lots 7, 8, 9, 10, 21 and 22, Lot 23, except the East 10 feet thereof, and the East 95 feet of Lot 20, Block 5, MISSION VILLAGE, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof;

Together with the non-exclusive right appurtenant to and for the benefit of the above described property to use existing and future parking facilities, drive aisles and access drives to the adjacent street created and granted by the Reciprocal License and Building Setback Line Agreement dated May 19, 1971, by and among Mission Mart, Inc., a Kansas corporation, Metropolitan Life Insurance Company, a New York corporation, and Safeway Stores, Incorporated, a Maryland corporation, filed for record September 1, 1971, in the Office of the Register of Deeds in and for Johnson County, Kansas, Register of Deeds No. 889503, and recorded in Book 223 Misc. at Page 208, over, upon and across the following described property in the City of Mission, Johnson County, Kansas, described as follows, to wit;

All that part of the South 1/2 of the Northwest 1/4 of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 9; thence North (this and all subsequent bearings being in relation to the West line of the Southwest 1/4 of said Section 9 as having an assumed bearing of due North-South) 3.70 feet to a point in a line that is 9.0 feet Southerly distance at right angles to the center tangent line of an 18-foot wide brick slab known as Johnson Drive, formerly U.S. Highway No. 50; thence North 55 degrees 41 minutes 50 seconds East along said line, 1386.47 feet (Deed-1386.57); thence South 23 degrees 18 minutes 10 seconds East, 21.0 feet to the Southerly right of way line of said Johnson Drive, as now established, also being the true point of beginning of the tract of land herein described; thence continuing South 23 degrees 18 minutes 10 seconds East, 301.82 feet to the Northerly right of way line of Martway Street as now established; thence North 55 degrees 51 minutes 57 seconds East, along said Northerly right of way line, 389.31 feet to the Westerly right of way line of Roeland Drive, as now established; thence North 31 degrees 32 minutes 08 seconds West, along said Westerly right of way line, 304.90 feet to the Southerly right of way line of said Johnson Drive; thence Southwesterly along said Southerly right of way line, being a curve to the left and having a radius of 4470.0 feet, an initial tangent bearing of South 67 degrees 49 minutes 28 seconds West, an arc distance of 87.88 feet; thence South 68 degrees 41 minutes 50 seconds West, along said Southerly right of way line, 158.12 feet to the point of beginning.

Parcel Id.: KP38000000 0016

Legal:

Lot 16, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas

Parcel Id.: KP38000000 0023B

Legal:

East 10 feet of Lot 23 and the West 50 feet of Lot 24, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP38000000 0024

Legal:

East 50 feet of Lot 24, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas

Parcel Id.: KP38000000 0025

Legal:

Lot 25 except the East 49.1 feet, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP38000000 0025A

Legal:

East 49.1 feet of Lot 25 and all of Lot 26, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas, except the following tract:

All that part of Lot 26, Block 5, MISSION VILLAGE, a subdivision of land in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 26; thence S 33° 28' 53" E, along the East line of said Lot 26, a distance of 137.74 feet, to a point of curvature; thence Southerly along the Easterly line of said Lot 26, said line being on a curve to the right having a radius of 440 feet and a central angle of 6° 20' 05", a distance of 48.63 feet, to the Southeast corner thereof; thence S 64° 41' 03" W, along the South line of said Lot 26, a distance of 10.63 feet; thence N 29° 28' 17" W, a distance of 167.95 feet; thence N 72° 55' 50" W, a distance of 12.63 feet; thence S 64° 19' 42" W, a distance of 191.69 feet, to a point on the West line of said Lot 26; thence N 25° 09' 19" W, along the West line of said Lot 26, a distance of 10.50 feet, to the Northwest corner thereof; thence N 64° 50' 41" E, along the North line of said Lot 26, a distance of 200 feet, to the point of beginning. All subject to that part thereof, now dedicated for permanent street right-of-way.

Parcel Id.: KR38000000 0026A

Legal:

All that part of Lot 26, Block 5, MISSION VILLAGE, a subdivision of land in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 26; thence S 33° 28' 53" E, along the East line of said Lot 26, a distance of 137.74 feet, to a point of curvature; thence Southerly along the Easterly line of said Lot 26, said line being on a curve to the right having a radius of 440 feet and a central angle of 6° 20' 05", a distance of 48.63 feet, to the Southeast corner thereof; thence S 64° 41' 03" W, along the South line of said Lot 26, a distance of 10.63 feet; thence N 29° 28' 17" W, a distance of 167.95 feet; thence N 72° 55' 50" W, a distance of 12.63 feet; thence S 64° 19' 42" W, a distance of 191.69 feet, to a point on the West line of said Lot 26; thence N 25° 09' 19" W, along the West line of said Lot 26, a distance of 10.50 feet, to the Northwest corner thereof; thence N 64° 50' 41" E, along the North line of said Lot 26, a distance of 200 feet, to the point of beginning. All subject to that part thereof, now dedicated for permanent street right-of-way.

Parcel Id.: KP24950000 0001

Legal:

Lot 1, MISSION CELL TOWER, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP32400000 0001

Legal:

Lot 1, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP32400000 0003

Legal:

Lot 3, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP32400000 0004

Legal:

Lot 4, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas.

**PROJECT AREA 4 – between Woodson Road and Lamar Ave., South of Martway Street,
Generally Following the Rock Creek**

Parcel Id.: KF251208-4033

Legal:

All that part of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12 South, Range 25 East, sixth principal meridian, City of Mission, Johnson County, Kansas described as follows; Commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 8; thence North 01 degrees 51 minutes 53 seconds East, along the West line of the Northwest Quarter of the Southeast Quarter of said Section 8, a distance of 200.00 feet; thence South 88 degrees 08 minutes 08 seconds East, a distance of 465.00 feet; thence North 01 degrees 53 minutes 54 seconds East, a distance of 182.63 feet to the point of beginning; thence North 65 degrees 50 minutes 09 seconds West, a distance of 86.59 feet to a point on the Southerly right of way line Martway Street; thence Southeasterly along said right of way on a curve to the left having a radius of 548.98 feet, an initial tangent bearing of South 82 degrees 56 minutes 06 seconds East, a central angle of 08 degrees 22 minutes 18 seconds, a distance of 80.21 feet; thence South 01 degrees 53 minutes 54 seconds West, a distance of 31.44 feet to the point of beginning containing 1,181 square feet or 0.03 acres more or less.

Parcel Id.: KP20600000 0001

Legal:

Lot 1, MARTWAY OFFICE BUILDINGS, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KF251208-4029

Legal:

All of the West 60 feet of the East 245.82 feet of the South 200 feet of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range, 25, in Mission, Johnson County, Kansas, except that part in streets and roads.

Parcel Id.: KF251208-4030

Legal:

All of the West 65 feet of the East 185.82 feet of the South 200 feet of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, except that part in roads.

Parcel Id.: KF251208-4031

Legal:

The West 80 feet of the East 325.82 feet of the South 200 feet of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, except that part now in 61st Street now in the City of Mission, Johnson County, Kansas.

Parcel Id.: KF251208-4039

Legal:

The East 75 feet of the West 540 feet of the Northwest Quarter of the Southeast Quarter of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, lying South of 60th Street, except the South 200 feet thereof.

Parcel Id.: KF251208-4043

Legal:

THAT PART OF THE EAST 300 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, WHICH LIES NORTH OF THE MISSION CITY PARK PROPERTY CONVEYED TO THE CITY OF MISSION BY DEED RECORDED IN BOOK 354 DEEDS, AT PAGE 533 AND SOUTH OF 60TH STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, WHICH IS 527.40 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 66 DEGREES 19 MINUTES WEST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID MISSION CITY PARK PROPERTY, A DISTANCE OF 66.24 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED, SAID POINT OF BEGINNING BEING ON THE CENTER LINE OF 60TH STREET, AS NOW DEDICATED; THENCE CONTINUING SOUTH 66 DEGREES 19 MINUTES WEST, ALONG THE NORTHERLY BOUNDARY OF SAID PARK PROPERTY, A DISTANCE OF 294.11 FEET, MORE OR LESS, TO A POINT 330 FEET WEST OF THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE NORTH, ALONG A LINE 330 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 147.22 FEET, MORE OR LESS, TO THE CENTER LINE OF THE DEDICATED RIGHT OF WAY OF SAID 60TH STREET; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG SAID CENTER LINE, A DISTANCE OF 273.76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT THAT PART IN STREET AND ROADS AS CONVEYED TO THE CITY OF MISSION IN BOOK 436 DEEDS, PAGE 621 AND IN BOOK 440 DEEDS, PAGE 367.

Parcel Id.: KP07000006 0009

Legal:

Lot 9, Block 6, COUNTRYSIDE, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat thereof.

Parcel Id.: KR251208-4054

Legal:

A TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY PURPOSES LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN MISSION, JOHNSON COUNTY, KANSAS, BEARINGS ARE REFERENCED TO GRID NORTH OF THE KANSAS STATE PLANE COORDINATE SYSTEM, 1983, NORTH ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, T12S, R25E, BEING A FOUND DISK IN MONUMENT BOX; THENCE S02°05'18"E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 831.95 FEET; THENCE N87°54'42"E ALONG A LINE THAT IS PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING; THENCE S56°13'55"W, A DISTANCE OF 17.63 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED PERPENDICULAR TO SAID WEST LINE; THENCE N02°05'18"W ALONG A LINE THAT IS PARALLEL WITH AND 30.00 FEET EAST OF SAID WEST LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 54.98 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARTWAY DRIVE, AS NOW ESTABLISHED; THENCE S69°19'24"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 16.27 FEET TO A POINT THAT IS 45.00 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED PERPENDICULAR TO SAID WEST LINE; THENCE S02°05'18"E ALONG A LINE THAT IS PARALLEL WITH AND 45.00 FEET EAST OF SAID WEST LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 39.43 FEET TO THE POINT OF BEGINNING.

THE TRACT DESCRIBED ABOVE CONTAINS 708 SQUARE FEET, OR 0.0163 ACRES, MORE OR LESS.

Parcel Id.: KP20600000 0002

Legal:

Lot 2, MARTWAY OFFICE BUILDINGS, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP20600000 0003

Legal:

Lot 3, MARTWAY OFFICE BUILDINGS, a subdivision in the City of Mission, Johnson County, Kansas.

Parcel Id.: KP20600000 0T0A

Legal:

Tract A, MARTWAY OFFICE BUILDINGS, a subdivision in the City of Mission, Johnson County, Kansas.

EXHIBIT D – DETAILED BUDGET

Project Budget (2021 Update)		
	Development Budget	TIF Eligible Project Costs
-		
<u>Land, Demolition & Predevelopment Costs</u>		
Property Acquisition	7,550,000	7,550,000
Tenant Buyouts and Relocation	512,568	512,568
Demotion / Earthwork	2,534,838	2,534,838
Architectural / Survey / Site Design	7,420,005	-
Engineering	2,944,401	-
Legal	1,861,125	-
Real Estate Taxes Paid-to-Date	2,428,909	-
Storm Water Assessment Paid-to-Date	4,197,170	4,197,170
Interest on Past Loans	5,244,330	-
Closing Costs / Mortgage Tax on Past Loans	1,962,642	-
Prior Contractor General Conditions / Fees / Other	1,285,255	-
Marketing / Promotions	580,009	-
Miscellaneous 3rd Party Expenses	820,238	-
Developer- General Conditions	548,654	-
Developer- Miscellaneous	485,862	-
Developer- Project Management / Coordination	976,641	-
Developer - Travel / Lodging / Meals	461,140	-
Developer- Meals & Entertainment	20,904	-
Developer - Allocated Overhead	651,550	-
Developer- Other Legacy less Minimum Rents	612,329	-
Total Demolition & Predevelopment Costs	43,098,570	14,794,576
<u>Site Work, Infrastructure & Parking</u>		
Hard Costs- Parking Garage Spaces	16,162,382	16,162,382
Stormwater Improvements*	6,595,554	6,595,554
Sitework	4,902,267	4,902,267
Offsite	2,192,261	2,192,261
Total Site Work	29,852,464	29,852,464
<u>Hard Costs</u>		
Hard Costs Retail (Roeland)	3,854,490	346,821
Hard Costs Retail (Johnson)	202,500	18,221
Hard Costs Cinergy / Food Hall Space	18,242,780	1,641,459
Hard Costs Hotel (includes Restaurant & Spa)	23,088,057	2,077,430
Hard Costs Residential	52,013,611	4,680,109
Hard Costs Office	13,736,172	1,235,961

Payment & Performance Bonds	931,838	207,889
Insurance/Builders Risk	2,109,847	453,513
General Contractor Fee	4,706,373	786,551
Tenant Improvements	14,609,785	-
Contingency	7,118,388	1,588,080
Total Hard Costs	140,613,840	13,036,034
<u>Soft Costs</u>		
Architecture/Engineering Services	6,300,295	1,089,951
Legal	1,343,492	232,424
Platting	-	-
Civil Engineer (includes geo-tech and survey)	540,000	93,420
Testing & Special Inspections	890,946	154,134
Real Estate Taxes (Forward)	567,317	-
Residential Marketing and FF&E	325,000	-
Project Branding & Marketing	452,500	-
Farmers Interest	-	-
Hotel Pre-Opening	200,000	-
Hotel Supplies	-	-
Hotel FFE	5,050,000	-
Hotel Operator Technical Services Fee	75,000	-
Development Fee	5,929,805	-
Project Staffing	1,550,000	-
Residential Staffing	160,000	-
Permit & Fees	861,459	149,032
Accounting (Audit, etc.)	261,712	45,276
Developer Reimbursements	415,053	-
Leasing Commissions	3,523,698	-
Soft Cost Contingency	2,294,000	396,862
Total Soft Costs	30,740,278	2,161,099

<u>Financing Costs</u>		
Mortgage Broker Fee	522,200	90,341
Origination Fee	1,508,850	261,031
Title Insurance	755,587	130,716
Mortgage Recording Tax	-	-
Legal (Owner and Lender)	2,631,192	455,196
Construction Monitoring	338,667	58,589
3rd Parties	35,000	6,055
Construction Interest Reserve	18,277,899	3,162,077
Bond Payment Reserve	-	-
Total Financing Costs	24,069,395	4,164,005
Total Budget	268,374,548	64,008,179

EXHIBIT E – TIF BOND PROFORMA
(Follows on separate page)

MISSION GATEWAY - INCENTIVE REVENUE PROJECTIONS

TIF Bond Proceeds: **\$27,923,385**

PROJECT COMPONENT	Square Footage/Keys	Appraised Value PSF/Key	Appraised Value	Assessed Value	Sales PSF	Room Sales	Food & Beverage	Total Sales
Small Shop Commercial/Restaurant	49,752	\$ 280	\$ 13,930,560	\$ 3,482,640	\$ 250			\$ 12,438,000
Retail and Entertainment	90,000	\$ 303	\$ 17,100,000	\$ 4,275,000	\$ 180			\$ 16,200,000
Residential	373	\$ 190,000	\$ 70,870,000	\$ 8,150,050				
Hotel	202	\$ 75,000	\$ 15,150,000	\$ 3,787,500		\$ 6,399,764	\$ 1,400,000	\$ 7,799,764
Office	100,000	\$ 150	\$ 15,000,000	\$ 3,750,000				
Parking Structure	292,000	\$ 100	\$ 29,141,600	\$ 7,285,400				
TOTAL:			\$ 161,192,160	\$ 30,730,590		\$ 6,399,764	\$ 1,400,000	\$ 36,437,764
Commercial Assessment:	25%							
Residential Assessment:	11.5%							

Year	Base Assessed Value	Projected Assessed Value	Total Sales Increment	Hotel Room Sales	Real Estate Increment	TIF Sales Tax Revenue	TIF Transient Guest Tax Revenue	Total TIF Revenue
1	\$ 2,532,825	\$ 2,532,825	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	\$ 2,532,825	\$ 18,438,354	\$ 21,862,658	\$ 3,839,858	\$ 1,653,984	\$ 147,921	\$ 307,189	\$ 2,109,093
3	\$ 2,532,825	\$ 29,194,061	\$ 34,615,876	\$ 6,079,776	\$ 2,772,449	\$ 199,218	\$ 486,382	\$ 3,458,048
4	\$ 2,532,825	\$ 30,730,590	\$ 36,437,764	\$ 6,399,764	\$ 2,932,229	\$ 209,703	\$ 511,981	\$ 3,653,913
5	\$ 2,532,825	\$ 31,191,549	\$ 37,166,519	\$ 6,591,757	\$ 2,980,163	\$ 213,897	\$ 527,341	\$ 3,721,401
6	\$ 2,532,825	\$ 31,659,422	\$ 37,909,850	\$ 6,789,510	\$ 3,028,817	\$ 218,175	\$ 543,161	\$ 3,790,152
7	\$ 2,532,825	\$ 32,134,313	\$ 38,668,047	\$ 6,993,195	\$ 3,078,200	\$ 222,538	\$ 569,456	\$ 3,860,194
8	\$ 2,532,825	\$ 32,616,328	\$ 39,441,408	\$ 7,202,991	\$ 3,128,323	\$ 226,989	\$ 576,239	\$ 3,931,552
9	\$ 2,532,825	\$ 33,105,573	\$ 40,230,236	\$ 7,419,080	\$ 3,179,199	\$ 231,529	\$ 593,526	\$ 4,004,254
10	\$ 2,532,825	\$ 33,602,157	\$ 41,034,840	\$ 7,641,653	\$ 3,230,838	\$ 236,160	\$ 611,332	\$ 4,078,330
11	\$ 2,532,825	\$ 34,106,189	\$ 41,855,537	\$ 7,870,902	\$ 3,283,251	\$ 240,883	\$ 629,672	\$ 4,153,806
12	\$ 2,532,825	\$ 34,617,782	\$ 42,692,648	\$ 8,107,030	\$ 3,336,450	\$ 245,700	\$ 648,562	\$ 4,230,713
13	\$ 2,532,825	\$ 35,137,049	\$ 43,546,501	\$ 8,350,240	\$ 3,390,448	\$ 250,614	\$ 668,019	\$ 4,309,082
14	\$ 2,532,825	\$ 35,664,104	\$ 44,417,431	\$ 8,600,748	\$ 3,445,255	\$ 255,627	\$ 688,060	\$ 4,388,942
15	\$ 2,532,825	\$ 36,199,066	\$ 45,305,780	\$ 8,858,770	\$ 3,500,885	\$ 260,739	\$ 708,702	\$ 4,470,326
16	\$ 2,532,825	\$ 36,742,052	\$ 46,211,895	\$ 9,124,533	\$ 3,557,349	\$ 265,954	\$ 729,963	\$ 4,553,266
17	\$ 2,532,825	\$ 37,293,183	\$ 47,136,133	\$ 9,398,269	\$ 3,614,660	\$ 271,273	\$ 751,862	\$ 4,637,795
18	\$ 2,532,825	\$ 37,852,580	\$ 48,078,856	\$ 9,680,217	\$ 3,672,831	\$ 276,699	\$ 774,417	\$ 4,723,947
19	\$ 2,532,825	\$ 38,420,369	\$ 49,040,433	\$ 9,970,624	\$ 3,731,874	\$ 282,233	\$ 797,650	\$ 4,811,756
20	\$ 2,532,825	\$ 38,996,675	\$ 50,021,242	\$ 10,269,742	\$ 3,791,803	\$ 287,877	\$ 821,579	\$ 4,901,259
21	\$ 2,532,825	\$ 39,581,625	\$ 51,021,666	\$ 10,577,835				
22	\$ 2,532,825	\$ 40,175,349	\$ 52,042,100	\$ 10,895,170				
TOTALS					\$ 61,309,008	\$ 4,543,729	\$ 11,935,093	\$ 77,787,830
NET PRESENT VALUE	5.750%				\$ 33,370,131	\$ 2,469,744	\$ 6,369,894	\$ 42,209,769
Gross Bond Proceeds (NPV of Revenue Divided by DSCR)				130%	\$ 25,669,331	\$ 1,899,803	\$ 4,899,918	\$ 32,469,053
Less: Bond Issuance				14%	\$ (3,593,706)	\$ (265,972)	\$ (685,989)	\$ (4,545,667)
Net Bond Proceeds					\$ 22,075,625	\$ 1,633,831	\$ 4,213,930	\$ 27,923,385

Notes:

- (1) Percentage Online Year 1: 35%
- (2) Percentage Online Year 2: 60%
- (3) Percentage Online Year 3: 95%
- (4) Percentage Online Year 4: 100%
- (5) Annual Increase in sales: 2%
- (6) Annual increase in assessed value: 1.5%
- (7) TIF Mill Levy Rate: 103.988
- (8) City Sales Tax Subject to TIF, includes City's share of County sales tax: 0.5755100%
- (9) Transient Guest Tax Rate Subject to TIF: 8%
- (10) Current Base Assessed Value: \$254,696
- (11) TIF Base Assessed Value: \$2,532,825
- (12) CID Rate: 2%
- (13) Hotel Room Sales Annual Increase: 3%

Assessed Value	Sales
35%	35%
60%	60%
95%	95%
100%	100%

Mill Levy Rates (2021)	Captured
512 Bond	7.438
512 Sch Gen	20.000
512 Unified	24.229
Comm College	9.110
JC CON FR #2	10.775
JO CO Library	3.908
JO CO Park	3.096
Johnson County	18.564
City of Mission	16.369
Rock CR S Dr	10.499
State	1.500
TOTAL	125.488

EXHIBIT F – CITY OF MISSION MEETING MINUTES REGARDING THIS PROJECT PLAN

Item 1b. Public Hearing – 2022 Mission
Gateway Community
Improvement District Petition

**PETITION FOR THE CREATION OF THE 2022 MISSION GATEWAY
COMMUNITY IMPROVEMENT DISTRICT**

TO: The Governing Body,
City of Mission, Kansas

The undersigned, being the owner of record, whether resident or not, of the following:

1. More than fifty-five percent (55%) of the land area contained within the hereinafter described community improvement district; and
2. More than fifty-five percent (55%) by assessed value of the land area contained within the hereinafter described community improvement district;

hereby petitions the City of Mission, Kansas (the “City”) to create a community improvement district and authorize the proposed projects hereinafter set forth, all in the manner provided by K.S.A § 12-6a26, *et seq.* (the “Act”). In furtherance of such request, the petitioner states as follows:

1. MAP AND LEGAL DESCRIPTION OF THE PROPOSED DISTRICT

A map generally depicting the proposed community improvement district (the “District”) is attached hereto as **EXHIBIT “A”**. The legal description of the District is attached hereto as **EXHIBIT “B”**.

2. GENERAL NATURE OF THE PROJECTS

The general nature of the proposed projects to be funded in part by the District (the “Projects”) is to promote the development of a new mixed-use commercial development located generally at the northeast corner of Shawnee Mission Parkway and Roeland Drive in the City. The Projects, which shall be subject to prior approval by the City, may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs, and services within the District, including, but not limited to: land acquisition, infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the City and the petitioner’s administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act and approved by the City.

3. ESTIMATED COST

The estimated or probable cost of the Projects is \$268,374,548. See the attached **EXHIBIT “C”** for a detailed budget.

4. PROPOSED METHOD OF FINANCING



It is proposed that the Projects be financed through a combination of private equity, private debt, community improvement district financing, tax increment financing, and industrial revenue bonds (such industrial revenue bonds to be issued solely to provide a sales tax exemption on construction materials and furniture, fixtures, and equipment). It is proposed that community improvement district revenue will be made available to finance the cost of the Projects through the issuance of pay-as-you-go financing, as defined in the Act, special obligation revenue bonds, or any combination of these methods as further described herein.

5. PROPOSED AMOUNT OF SALES TAX

It is being proposed that the Projects be financed in part through the levying of a two percent (2.00%) community improvement retail sales tax as authorized by the Act with such sales tax to commence on January 1, 2024 or such other date as shall be approved by ordinance of the City, and to continue for a maximum term of twenty-two (22) years.

6. PROPOSED METHOD AND AMOUNT OF ASSESSMENT

There are no assessments proposed by this Petition other than the sales tax described herein.

7. NOTICE TO PETITION SIGNATORY

Names may not be withdrawn from this Petition by the signatory hereto after the City commences consideration of this Petition, or later than seven (7) days after the filing hereof with the City Clerk, whichever occurs first.

EXHIBIT "A"
MAP OF DISTRICT



EXHIBIT "B"

LEGAL DESCRIPTION OF DISTRICT

Lots 2-7, The Gateway Second Plat, a subdivision in the City of Mission, Johnson County, Kansas, a replat of Lot 1, The Gateway First Plat, Part of the West half of Section 9, Township 12 South, Range 25 East, City of Mission, Johnson County, Kansas, less any portions in dedicated public street right of way (if any), more particularly described as and also including all of the following:

All that part of the West half of Section 9, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 1 degree 49 minutes 20 seconds West along the West line of the Northwest Quarter of said Section 9 a distance of 349.28 feet (339.15 feet Deed) to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 1740.63 feet (1742.10 feet Deed) to a point on the East right of way line of Roeland Drive, the POINT OF BEGINNING; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 358.19 feet to a point on the South right of way line of Johnson Drive; thence North 67 degrees 34 minutes 47 seconds East along the South right of way line of Johnson Drive a distance of 143.70 feet to a point; thence North 68 degrees 09 minutes 28 seconds East along the South right of way line of Johnson Drive a distance of 434.76 feet to a point; thence South 21 degrees 50 minutes 32 seconds East along the South right of way line of Johnson Drive a distance of 1.53 feet to a point; thence North 72 degrees 37 minutes 31 seconds East along the South right of way line of Johnson Drive a distance of 342.82 feet to a point; thence in a Northeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 297.25 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Southeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also lying on the West right of way line of Roe Avenue; thence in a Southeasterly direction along the West right of way line of Roe Avenue and along a curve to the right, having a radius of 397.25 feet, through a central angle of 9 degrees 59 minutes 48 seconds, an arc distance of 69.31 feet to a point; thence South 3 degrees 03 minutes 14 second East along the West right of way line of Roe Avenue a distance of 111.19 feet to a point; thence South 2 degrees 07 minutes 38 seconds East along the West right of way line of Roe Avenue a distance of 200.66 feet to a point; thence South 1 degree 54 minutes 32 seconds East along the West right of way line of Roe Avenue a distance of 42.62 feet to a point on the Northwesterly right of way line of Shawnee Mission Parkway (also known as US Highway 56) as established in Book 200706 at Page 003864; thence South 37 degrees 23 minutes 58 seconds West along the Northwesterly right of way line of said Shawnee Mission Parkway a distance of 936.45 feet to the point of intersection of the Northwesterly right of way line of Shawnee Mission Parkway and the East right of way line of Roeland Drive; thence North 52 degrees 36 minutes 02 seconds West along the East right of way line of Roeland Drive a distance of 44.00 feet to a point; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the right, having a radius of 260.50 feet, through a central angle of 53 degrees 32 minutes 02 seconds, an arc distance of 243.40 feet to a point of reverse curvature; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the left, having a radius of 490.00 feet, through a central angle of 34 degrees 25 minutes 13 seconds, an arc distance of 294.37 feet to a point; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 125.55 feet to the POINT OF BEGINNING and containing 721,889 Square Feet or 16.572 Acres, more or less.

EXHIBIT "C"
ESTIMATED PROBABLE COST OF PROJECTS

<u>Project Budget (2022 Update)</u>	
	Development Budget
<u>Land, Demolition & Predevelopment Costs</u>	
Property Acquisition	7,550,000
Tenant Buyouts and Relocation	512,568
Demotion / Earthwork	2,534,838
Architectural / Survey / Site Design	7,420,005
Engineering	2,944,401
Legal	1,861,125
Real Estate Taxes Paid-to-Date	2,428,909
Storm Water Assessment Paid-to-Date	4,197,170
Interest on Past Loans	5,244,330
Closing Costs / Mortgage Tax on Past Loans	1,962,642
Prior Contractor General Conditions / Fees / Other	1,285,255
Marketing / Promotions	580,009
Miscellaneous 3rd Party Expenses	820,238
Developer- General Conditions	548,654
Developer- Miscellaneous	485,862
Developer- Project Management / Coordination	976,641
Developer - Travel / Lodging / Meals	461,140
Developer- Meals & Entertainment	20,904
Developer - Allocated Overhead	651,550
Developer- Other Legacy less Minimum Rents	612,329
Total Demolition & Predevelopment Costs	43,098,570
<u>Site Work, Infrastructure & Parking</u>	
Hard Costs- Parking Garage Spaces	16,162,382
Stormwater Improvements*	6,595,554
Sitework	4,902,267
Offsite	2,192,261
Total Site Work	29,852,464
<u>Hard Costs</u>	
Hard Costs Retail (Roeland)	3,854,490
Hard Costs Retail (Johnson)	202,500
Hard Costs Cinergy / Food Hall Space	18,242,780
Hard Costs Hotel (includes Restaurant & Spa)	23,088,057
Hard Costs Residential	52,013,611

Hard Costs Office	13,736,172
Payment & Performance Bonds	931,838
Insurance/Builders Risk	2,109,847
General Contractor Fee	4,706,373
Tenant Improvements	14,609,785
Contingency	7,118,388
Total Hard Costs	140,613,840
<u>Soft Costs</u>	
Architecture/Engineering Services	6,300,295
Legal	1,343,492
Platting	-
Civil Engineer (includes geo-tech and survey)	540,000
Testing & Special Inspections	890,946
Real Estate Taxes (Forward)	567,317
Residential Marketing and FF&E	325,000
Project Branding & Marketing	452,500
Farmers Interest	-
Hotel Pre-Opening	200,000
Hotel Supplies	-
Hotel FFE	5,050,000
Hotel Operator Technical Services Fee	75,000
Development Fee	5,929,805
Project Staffing	1,550,000
Residential Staffing	160,000
Permit & Fees	861,459
Accounting (Audit, etc.)	261,712
Developer Reimbursements	415,053
Leasing Commissions	3,523,698
Soft Cost Contingency	2,294,000
Total Soft Costs	30,740,278

<u>Financing Costs</u>	
Mortgage Broker Fee	522,200
Origination Fee	1,508,850
Title Insurance	755,587
Mortgage Recording Tax	-
Legal (Owner and Lender)	2,631,192
Construction Monitoring	338,667
3rd Parties	35,000
Construction Interest Reserve	18,277,899
Bond Payment Reserve	-
Total Financing Costs	24,069,395
Total Budget	268,374,548

City of Mission	Item Number:	2a.
ACTION ITEM SUMMARY	Date:	September 28, 2022
Community Development	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinance Making Findings and Terminating a Fourth Amended Tax Increment Financing Redevelopment Project Plan and Adopting a Fifth Amended Tax Increment Redevelopment Project Plan

RECOMMENDATION: Consider the Ordinance making findings and terminating a Fourth Amended Tax Increment Financing Redevelopment Project Plan and adopting a Fifth Amended Tax Increment Financing Redevelopment Project Plan pursuant to K.S.A. 12-1770 et. seq and amendments thereto, Mission Gateway

DETAILS: On February 8, 2006, the Mission City Council established the physical boundaries of a redevelopment district on the subject property to allow the City to consider the use of Tax Increment Financing (TIF) to finance a portion of the costs for the redevelopment of the Mission Gateway site. Since that time, there have been several TIF Redevelopment Project Plans approved, the current TIF Redevelopment Project Plan (the Fourth Amended TIF Redevelopment Project Plan) was approved in 2017 and the 20-year TIF clock started on January 1, 2019.

On June 1, 2022, the Mission Gateway developer submitted a Fifth Amended TIF Redevelopment Project Plan for Council consideration which, if approved, would approve such revised project plan and provide for a new 20-year TIF clock. A copy of the Fifth Amended TIF Redevelopment Project Plan is included in the packet.

Fifth Amended TIF Redevelopment Project Plan

The Fifth Amended TIF Redevelopment Project Plan proposes a mixed-use center consisting of approximately 139,752 square feet of small shop retail, restaurants, and entertainment space, an approximately 100,000 square foot office or medical facility, an approximately 202 room hotel, and an approximately 373 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure. The Project will provide living, working, shopping, and entertainment opportunities.

The developer has indicated that the intent is to construct the Project in two (2) phases, both of which are included in the Fifth Amended TIF Redevelopment Project Plan. The phases are anticipated to include the following:

Related Statute/City Ordinance:	K.S.A. 12-1770, et seq.
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	2a.
ACTION ITEM SUMMARY	Date:	September 28, 2022
Community Development	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

- Phase 1: Proposed to include: (i) construction of approximately 49,752 square feet of “small-shop” commercial or restaurant uses; (ii) construction of an approximately 90,000 square foot entertainment space; (iii) construction of approximately 373 apartment units; (iv) construction of related site work; (v) construction of surface parking sufficient for such uses pursuant to the City’s applicable ordinances; and (vi) construction of a parking garage serving the entirety of the Project.

- Phase 2: Proposed to include: (i) construction of an approximately 202-room hotel and (ii) construction of an approximately 100,000 square foot office or medical facility.

In accordance with K.S.A. 12-1772(b), upon receipt of a redevelopment project plan, the Planning Commission must review the plan to determine if it is consistent with Mission’s Comprehensive Plan. The Mission Gateway Fifth Amended Redevelopment Project Plan was considered by the Planning Commission on July 25, 2022 and found to be in conformance with Mission’s Comprehensive Land Use Plan.

Comprehensive Plan

The Comprehensive plan designates the subject property as part of the East Gateway District and as appropriate for mixed-use high-density re-development to include a pedestrian-friendly mix of neighborhood and community office uses, retail-commercial and service-commercial uses institutional, civic, and medium to high density residential uses intermixed through compatible site planning and building design.

According to the Comprehensive Plan, residential uses may be located on upper floors of a building’s business use or may include attached residential structures or apartment/condominium buildings or hotels, commingled in the same structures or nearby to promote diversity and a successful pedestrian environment. Given the proximity of residential uses, all business developments should be well-planned and designed to ensure a high level of compatibility. Non-residential uses are expected to be limited to compact, pedestrian/community-oriented services rather than large-scale or automotive oriented uses. Site designs should include a tight network of streets, wide

Related Statute/City Ordinance:	K.S.A. 12-1770, et seq.
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	2a.
ACTION ITEM SUMMARY	Date:	September 28, 2022
Community Development	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

sidewalks, regular street tree planting, buildings oriented toward the street frontages with close setbacks to the street, and accommodation of on-street parking. Off-street parking is to be located behind non-residential structures and rear or underground garage access is required of residential structures.

In addition to the requirement for the Planning Commission to find the plan in conformance with the Comprehensive Land Use Plan, the City Council must also conduct a public hearing within certain statutorily specified timelines. On August 17, 2022, the City Council passed Resolution 1116 calling a public hearing on the Fifth Amended Tax Increment Financing Redevelopment Project Plan for 6:30 p.m. on Wednesday, September 28, 2022 at the Powell Community Center.

Following the public hearing, the Governing Body considers an ordinance approving the Fifth Amended Redevelopment Project Plan and terminating the existing Fourth Amended Redevelopment Project Plan. Since the terms of a proposed Redevelopment Agreement were not finalized in time for the September 28 Special City Council meeting, the Mayor will open the public hearing on the Fifth Amended Redevelopment Project Plan, take comments from any of the public wishing to speak on the topic, and then will ask for the public hearing and the associated ordinance (item 2a.) to be continued to a future date.

A two-thirds majority vote (6 of 9, with Mayor voting) of the Governing Body is required to approve the Fifth Amended Redevelopment Project Plan ordinance. The ordinance was prepared by Kevin Wempe of Gilmore & Bell, P.C. the City's Bond Counsel. At such future time as the ordinance is considered, if approved, it would be effective upon publication, as the TIF plan must be in effect prior to issuance of any special obligation TIF Bonds.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	K.S.A. 12-1770, et seq.
Line Item Code/Description:	NA
Available Budget:	NA

(Published in The Legal Record on _____, 2022)

ORDINANCE NO. _____

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS MAKING FINDINGS AND TERMINATING A FOURTH AMENDED TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN AND ADOPTING A FIFTH AMENDED TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO (GATEWAY).

WHEREAS, the City of Mission, Kansas (the “City”), is a second class city organized and existing under the constitution and laws of the State of Kansas; and

WHEREAS, the City established the Rock Creek Redevelopment District (the “Original Redevelopment District”) pursuant to K.S.A. 12-1770 *et seq.* (the “TIF Act”), approved by the City Council (the “Governing Body”) on January 11, 2006 and amended on February 8, 2006, by passage of Ordinance No. 1190 and Ordinance No. 1195, respectively; and

WHEREAS, on May 20, 2009, the Governing Body passed Ordinance No. 1299, dividing the Original Redevelopment District into five separate redevelopment project areas, including “Project Area 1;” and

WHEREAS, on October 18, 2017, the City approved a Fourth Amended Tax Increment Financing Redevelopment Project Plan (the “Fourth Amended Plan”) for Project Area 1 pursuant to Ordinance No. 1468; and

WHEREAS, Ordinance 1468 was published in the official City newspaper on October 31, 2017, and became effective on January 1, 2019; and

WHEREAS, on November 18, 2019, the City passed Ordinance No. 1508 dividing the Original Redevelopment District into five separate redevelopment districts pursuant to K.S.A. 12-1771(h), one of such resulting redevelopment districts being Rock Creek Redevelopment District No. 1 (Gateway) (the “Redevelopment District”), with the boundaries of such Redevelopment District being coterminous with the boundaries of Project Area 1; and

WHEREAS, Aryeh Realty, LLC (“Developer”), the developer of the project contemplated under the Fourth Amended Plan, has represented to the City that such Fourth Amended Plan is no longer desired or feasible, and Developer has abandoned such plan; and

WHEREAS, Developer now proposes that the City (i) terminate the Fourth Amended Plan and (ii) adopt the Fifth Amended Tax Increment Financing Redevelopment Project Plan (the “Fifth Amended Plan”) in accordance with the TIF Act; and

WHEREAS, notice of a public hearing on adoption of the Fifth Amended Redevelopment Project Plan was given as required by the Act; and

WHEREAS, a public hearing on adoption of the Fifth Amended Redevelopment Project Plan was held and closed on this date.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section 1. The Governing Body hereby finds that the TIF Act does not address outright termination of a redevelopment project plan, and that termination of a redevelopment project plan does not conflict with any provisions of the TIF Act. The Governing Body further finds that the Fourth Amended Plan has been abandoned by the Developer and is no longer desired or feasible, and that the Fifth Amended Plan proposes a new redevelopment project consisting of new revenue sources in comparison to the Fourth Amended Plan. The Governing Body, pursuant to its home rule powers under Article 12, Section 5 of the Constitution of the State of Kansas, hereby terminates the Fourth Amended Plan and repeals Ordinance No. 1468.

Section 2. The Governing Body hereby adopts the Fifth Amended Plan, which governs redevelopment of the real property in the Redevelopment District. The Redevelopment District and its coterminous project area are legally described on **Exhibit A** and shown on the map attached as **Exhibit B**.

Section 3. The Governing Body finds and determines that the Fifth Amended Plan does not require a relocation assistance plan under the Act since no relocation assistance will be provided under the Fifth Amended Plan and finds and determines that all required notice of the public hearing and the Fifth Amended Plan were properly given in accordance with the Act.

Section 4. The Mayor, City Administrator, City Clerk and other officials and employees of the City, including the City Attorney and external advisors and consultants, are hereby authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 5. This Ordinance shall take effect and be in force from and after (a) its passage by a 2/3 vote of the Governing Body, and (b) its publication once in the official City newspaper.

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PASSED by the Governing Body on September 28, 2022.

SIGNED by the Mayor on September 28, 2022.

Solana Flora, Mayor

(SEAL)

Robyn Fulks, City Clerk

Approved as to form only:

David K. Martin, City Attorney

EXHIBIT A

MAP OF REDEVELOPMENT DISTRICT AND PROJECT AREA

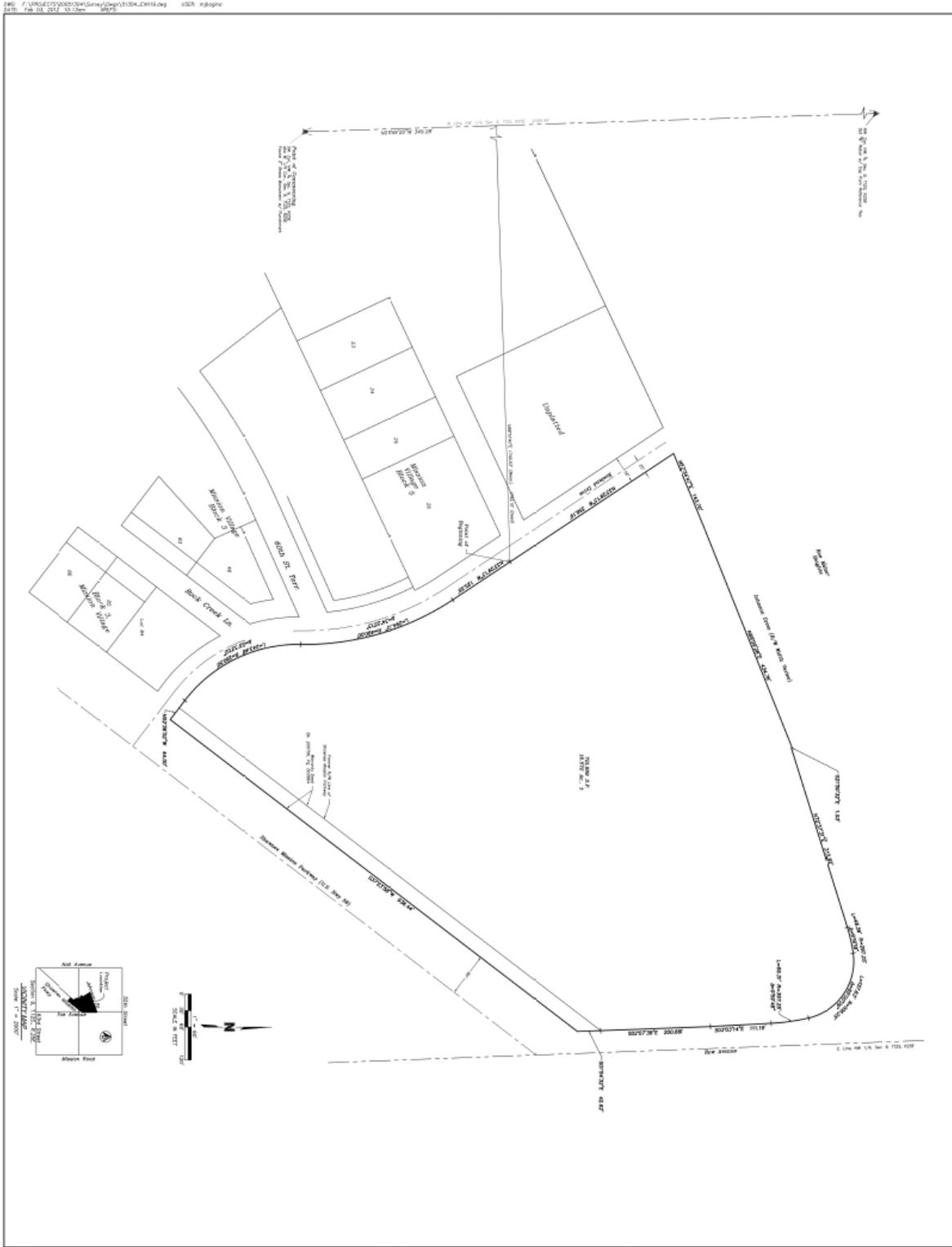


EXHIBIT B

LEGAL DESCRIPTION OF THE REDEVELOPMENT DISTRICT AND PROJECT AREA

Lots 2-7, The Gateway Second Plat, a subdivision in the City of Mission, Johnson County, Kansas, a replat of Lot 1, The Gateway First Plat, Part of the West half of Section 9, Township 12 South, Range 25 East, City of Mission, Johnson County, Kansas, less any portions in dedicated public street right of way (if any), more particularly described as and also including all of the following:

All that part of the West half of Section 9, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 1 degree 49 minutes 20 seconds West along the West line of the Northwest Quarter of said Section 9 a distance of 349.28 feet (339.15 feet Deed) to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 1740.63 feet (1742.10 feet Deed) to a point on the East right of way line of Roeland Drive, the POINT OF BEGINNING; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 358.19 feet to a point on the South right of way line of Johnson Drive; thence North 67 degrees 34 minutes 47 seconds East along the South right of way line of Johnson Drive a distance of 143.70 feet to a point; thence North 68 degrees 09 minutes 28 seconds East along the South right of way line of Johnson Drive a distance of 434.76 feet to a point; thence South 21 degrees 50 minutes 32 seconds East along the South right of way line of Johnson Drive a distance of 1.53 feet to a point; thence North 72 degrees 37 minutes 31 seconds East along the South right of way line of Johnson Drive a distance of 342.82 feet to a point; thence in a Northeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 297.25 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Southeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also lying on the West right of way line of Roe Avenue; thence in a Southeasterly direction along the West right of way line of Roe Avenue and along a curve to the right, having a radius of 397.25 feet, through a central angle of 9 degrees 59 minutes 48 seconds, an arc distance of 69.31 feet to a point; thence South 3 degrees 03 minutes 14 second East along the West right of way line of Roe Avenue a distance of 111.19 feet to a point; thence South 2 degrees 07 minutes 38 seconds East along the West right of way line of Roe Avenue a distance of 200.66 feet to a point; thence South 1 degree 54 minutes 32 seconds East along the West right of way line of Roe Avenue a distance of 42.62 feet to a point on the Northwesterly right of way line of Shawnee Mission Parkway (also known as US Highway 56) as established in Book 200706 at Page 003864; thence South 37 degrees 23 minutes 58 seconds West along the Northwesterly right of way line of said Shawnee Mission Parkway a distance of 936.45 feet to the point of intersection of the Northwesterly right of way line of Shawnee Mission Parkway and the East right of way line of Roeland Drive; thence North 52 degrees 36 minutes 02 seconds West along the East right of way line of Roeland Drive a distance of 44.00 feet to a point; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the right, having a radius of 260.50 feet, through a central angle of 53 degrees 32 minutes 02 seconds, an arc distance of 243.40 feet to a point of reverse curvature; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the left, having a radius of 490.00 feet, through a central angle of 34 degrees 25 minutes 13 seconds, an arc distance of 294.37 feet to a point; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 125.55 feet to the POINT OF BEGINNING and containing 721,889 Square Feet or 16.572 Acres, more or less.

City of Mission	Item Number:	2b.
ACTION ITEM SUMMARY	Date:	September 28, 2022
Community Development	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinance Terminating Mission Gateway Community Improvement District #3 and Authorizing the Creation of the 2022 Mission Gateway Community Improvement District in the City of Mission, Kansas

RECOMMENDATION: Consider the Ordinance terminating Mission Gateway Community Improvement District #3 and authorizing the creation of the 2022 Mission Gateway Community Improvement District in the City of Mission, Kansas; authorizing the making of certain project improvements relating thereto; approving the estimated costs of such project improvements; levying a community improvement district sales tax within such district; and providing for the method of financing the same.

DETAILS: On June 27, 2022 the Gateway Developer submitted a new Community Improvement District (CID) Petition associated with the current project proposal. The Community Improvement District establishes an additional sales tax to be levied within the boundaries of a specified project area or district.

Based on the revenues projected from the current version of Gateway project elements, the Developer has indicated a need to terminate the existing Gateway Community Improvement District (Mission Gateway CID #3) and replace it with a new one. The current CID took effect January 2019, encompasses the entire project site and levies an additional 1% CID sales tax on all uses within the district.

The new petition for the 2022 Mission Gateway Community Improvement District still contemplates a single district but increases the additional sales tax to be levied from 1% to 2%. The proposed effective date of the new Community Improvement District is January 1, 2024. Cinergy, estimated to be the largest sales tax generator within the district provided a letter indicating their support for the project and the use of incentives.

In accordance with state statutes, the City Council is required to conduct a public hearing on the Community Improvement District Petition. On August 17, 2022, the City Council passed Resolution 1117 calling a public hearing on the 2022 Mission Gateway Community Improvement District for 6:30 p.m. on Wednesday, September 28, 2022 at the Powell Community Center.

Related Statute/City Ordinance:	K.S.A. 12-6a26 <i>et seq.</i>
Line Item Code/Description:	NA
<i>Available Budget:</i>	NA

City of Mission	Item Number:	2b.
ACTION ITEM SUMMARY	Date:	September 28, 2022
Community Development	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

Following the public hearing, the Governing Body considers an ordinance approving the Community Improvement District and taking other associated actions. Since the terms of a proposed Redevelopment Agreement for the Mission Gateway Project were not finalized in time for the September 28 Special City Council meeting, the Mayor will open the public hearing on the 2022 Mission Gateway Community Improvement District Petition, take comments from any member of the public wishing to speak on the topic, and then will ask for the public hearing and the associated ordinance (item 2b.) to be continued to a future date.

The ordinance was prepared by Kevin Wempe of Gilmore & Bell, P.C. the City's Bond Counsel. At such future time as the ordinance is considered, if approved, it would require a simple majority vote of the City Council to pass the ordinance.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	K.S.A. 12-6a26 <i>et seq.</i>
Line Item Code/Description:	NA
Available Budget:	NA

ORDINANCE NO. _____

AN ORDINANCE TERMINATING MISSION GATEWAY COMMUNITY IMPROVEMENT DISTRICT #3 AND AUTHORIZING THE CREATION OF THE 2022 MISSION GATEWAY COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF MISSION, KANSAS; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; LEVYING A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT; AND PROVIDING FOR THE METHOD OF FINANCING THE SAME.

WHEREAS, K.S.A. 12-6a26 *et seq.* (the “Act”) authorizes the governing body of any city or county to create community improvement districts (a “CID”) to finance projects within such defined area of the city or county and to levy a community improvement district sales tax upon property within the district to finance projects; and

WHEREAS, an amended petition (the “2017 Petition”) was filed with the City Clerk on June 16, 2017, proposing the creation of the Mission Gateway Community Improvement District #3 (“CID #3”) under the Act and the imposition of a community improvement district sales tax in order to pay the costs of projects as described in the 2017 Petition; and

WHEREAS, the 2017 Petition was signed by Aryeh Realty, LLC, a Delaware limited liability company (the “Property Owner”); and

WHEREAS, the City Council (the “Governing Body”) of the City of Mission, Kansas (the “City”), by passage of Ordinance No. 1469 on October 18, 2017, created CID #3 and levied the CID sales tax as requested in the 2017 Petition; and

WHEREAS, the Property Owner has requested the termination of CID #3 and associated CID sales tax and, on July 27, 2022, the Property Owner submitted a new petition (the “2022 Petition”) to the City for the establishment of the 2022 Mission Gateway Community Improvement District (the “2022 CID”) and levy of a CID sales tax in the amount of 2% (the “CID Sales Tax”); and

WHEREAS, the 2022 Petition was signed by Property Owner, the owner of record of more than fifty-five percent (55%) of the land area contained in the proposed 2022 CID and more than fifty-five percent (55%) by assessed value of the land area contained within the proposed 2022 CID; and

WHEREAS, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, the Governing Body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such CID projects therein, and to give notice of the hearing by publication at least once each week for two (2) consecutive weeks in the official City newspaper and by certified mail to all property owners within the proposed CID, the second publication to be at least seven (7) days prior to the hearing and such certified mail sent at least ten (10) days prior to such hearing; and

WHEREAS, the Governing Body adopted Resolution No. 1117 on August 17, 2022 (the “Resolution”) directing that a public hearing on the proposed 2022 CID within the City be held on

September 28, 2022, declaring its intent to impose the CID Sales Tax, and requiring that the City Clerk provide for notice of such public hearing as set forth in the Act; and

WHEREAS, the Resolution was mailed (by certified mail) to all property owners within the proposed 2022 CID on August 19, 2022, and published once each week for two (2) consecutive weeks in *The Legal Record*, the official City newspaper, on September 13, 2022 and September 20, 2022; and

WHEREAS, on September 28, 2022, the Governing Body conducted a public hearing on the proposed 2022 CID; and

WHEREAS, the Governing Body hereby finds and determines it to be advisable to terminate CID #3, create the proposed 2022 CID and set forth the boundaries thereof, authorize the projects as described herein, approve the estimated costs of the projects and approve the method of financing the same, all in accordance with the provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION 1. Termination of CID #3. The Governing Body finds and determines that based upon the request of the Property Owner that CID #3 is hereby terminated, including the related CID sales tax for CID #3. City officials are hereby directed to take such action and give notice to the Kansas Department of Revenue in connection with such termination.

SECTION 2. Creation of 2022 Community Improvement District; Boundaries. The Governing Body hereby finds and determines that it is advisable to create, in accordance with the provisions of the Act, the 2022 CID within the City to be referred to as the 2022 Mission Gateway Community Improvement District. A legal description of the boundaries of the 2022 CID is set forth on **Exhibit A**, attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the 2022 CID is attached as **Exhibit B**, attached hereto and incorporated by reference herein.

SECTION 3. Authorization of CID Projects and Estimated Costs. The Projects (defined below) are hereby approved as follows:

(a) The general nature of the proposed project is to promote the development of a new mixed-use commercial development located generally at the northeast corner of Shawnee Mission Parkway and Roeland Drive in the City. The Projects may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs, and services within the CID, including, but not limited to: land acquisition, infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the City and the petitioner's administrative costs in establishing and maintaining the 2022 CID, and any other items permitted to be financed within the 2022 CID under the Act and approved by the City (collectively, the "Projects").

(b) The estimated cost of the proposed Projects is \$268,374,548, plus associated financing costs, such as interest, reserves, and any costs associated with the issuance of bonds

SECTION 4. Method of Financing.

(a) The costs of the Projects will be financed with the CID Sales Tax levied pursuant to the provisions of the Act. The CID Sales Tax is hereby imposed at the rate of **2.0%** on the sale of tangible personal property at retail or rendering or furnishing services which are taxable pursuant to the Kansas

Retailers' Sales Tax Act (K.S.A. 79-3601 *et seq.*) within the District with such CID Sales Tax to commence on January 1, 2024 or such other date as the Governing Body of the City sets by ordinance and continue for a period of twenty-two (22) years or such earlier date as provided in a redevelopment agreement to be entered into between the City and the Property Owner.

(b) The 2022 CID revenue will be made available to finance the cost of the Projects through pay-as-you-go financing, as defined in the Act, special obligation revenue bonds, or any combination of thereof. There will be no issuance of full faith and credit bonds pursuant to the Act.

(c) There will be no CID special assessments.

SECTION 5. Segregation of CID Sales Tax Revenues. All revenues derived from the collection of the CID Sales Tax shall be deposited into a special fund of the City to be designated as the 2022 Mission Gateway Community Improvement District Revenue Fund. Such revenues shall be used to pay the costs of the Projects, including the City's expenses.

SECTION 6. Effective Date. This Ordinance shall take effect and be in force from and after (a) its passage by the Governing Body, and (b) its publication once in the official City newspaper.

[Balance of page intentionally left blank]

PASSED by the Governing Body on this ____ day of _____, 2022 and **APPROVED AND SIGNED** by the Mayor.

CITY OF MISSION, KANSAS

By: _____
Solana Flora, Mayor

[SEAL]

ATTEST:

Robyn Fulks, City Clerk

Approved as to form only:

David K. Martin, City Attorney

EXHIBIT A

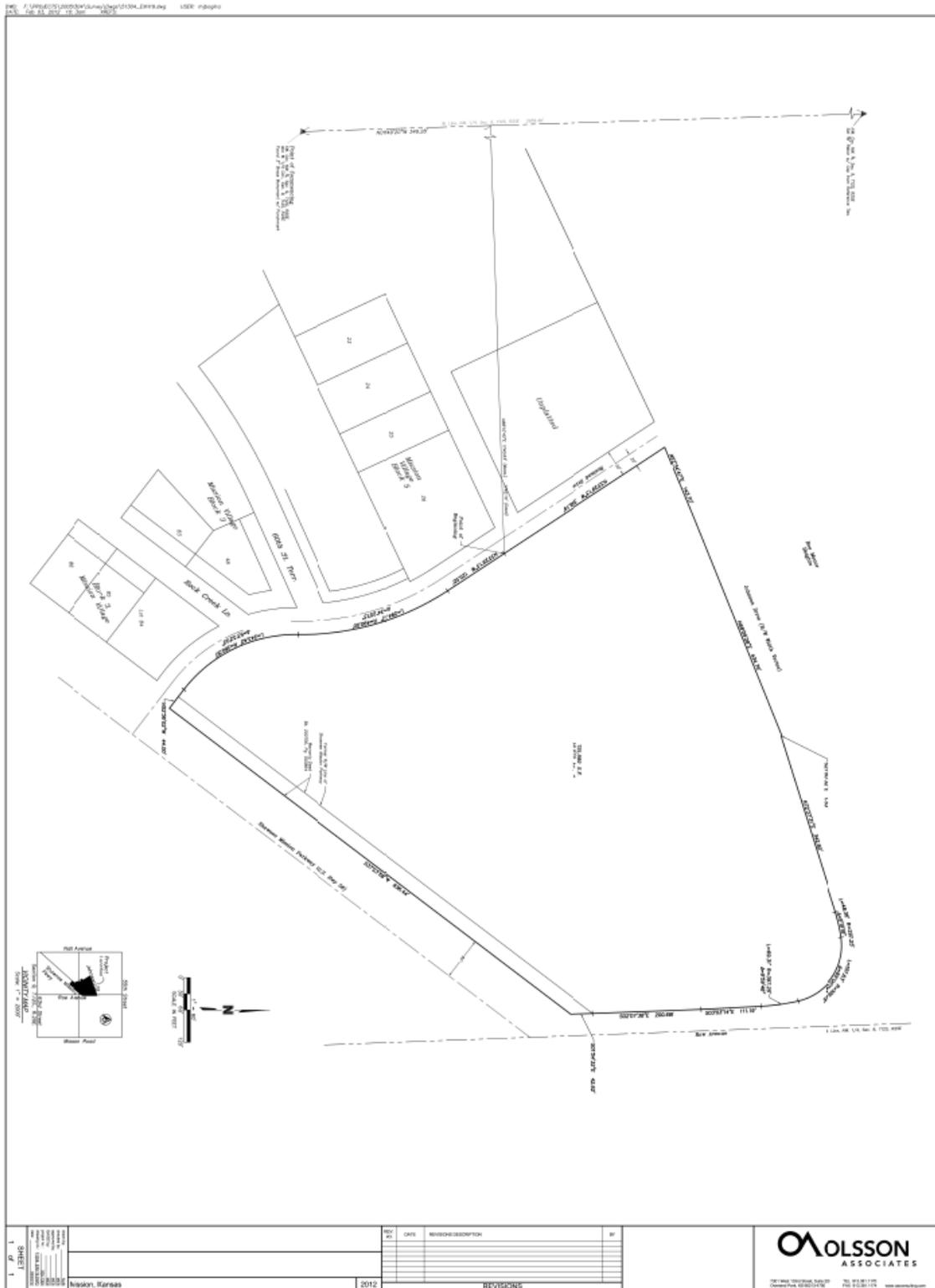
LEGAL DESCRIPTION OF 2022 MISSION GATEWAY COMMUNITY IMPROVEMENT DISTRICT

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All that part of the West half of Section 9, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 1 degree 49 minutes 20 seconds West along the West line of the Northwest Quarter of said Section 9 a distance of 349.28 feet (339.15 feet Deed) to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 1740.63 feet (1742.10 feet Deed) to a point on the East right of way line of Roeland Drive, the POINT OF BEGINNING; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 358.19 feet to a point on the South right of way line of Johnson Drive; thence North 67 degrees 34 minutes 47 seconds East along the South right of way line of Johnson Drive a distance of 143.70 feet to a point; thence North 68 degrees 09 minutes 28 seconds East along the South right of way line of Johnson Drive a distance of 434.76 feet to a point; thence South 21 degrees 50 minutes 32 seconds East along the South right of way line of Johnson Drive a distance of 1.53 feet to a point; thence North 72 degrees 37 minutes 31 seconds East along the South right of way line of Johnson Drive a distance of 342.82 feet to a point; thence in a Northeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 297.25 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Southeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also lying on the West right of way line of Roe Avenue; thence in a Southeasterly direction along the West right of way line of Roe Avenue and along a curve to the right, having a radius of 397.25 feet, through a central angle of 9 degrees 59 minutes 48 seconds, an arc distance of 69.31 feet to a point; thence South 3 degrees 03 minutes 14 second East along the West right of way line of Roe Avenue a distance of 111.19 feet to a point; thence South 2 degrees 07 minutes 38 seconds East along the West right of way line of Roe Avenue a distance of 200.66 feet to a point; thence South 1 degree 54 minutes 32 seconds East along the West right of way line of Roe Avenue a distance of 42.62 feet to a point on the Northwesterly right of way line of Shawnee Mission Parkway (also known as US Highway 56) as established in Book 200706 at Page 003864; thence South 37 degrees 23 minutes 58 seconds West along the Northwesterly right of way line of said Shawnee Mission Parkway a distance of 936.45 feet to the point of intersection of the Northwesterly right of way line of Shawnee Mission Parkway and the East right of way line of Roeland Drive; thence North 52 degrees 36 minutes 02 seconds West along the East right of way line of Roeland Drive a distance of 44.00 feet to a point; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the right, having a radius of 260.50 feet, through a central angle of 53 degrees 32 minutes 02 seconds, an arc distance of 243.40 feet to a point of reverse curvature; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the left, having a radius of 490.00 feet, through a central angle of 34 degrees 25 minutes 13 seconds, an arc distance of 294.37 feet to a point; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 125.55 feet to the POINT OF BEGINNING and containing 721,889 Square Feet or 16.572 Acres, more or less.

EXHIBIT B MAP OF PROPOSED 2022 MISSION GATEWAY COMMUNITY IMPROVEMENT DISTRICT



City of Mission	Item Number:	3a.
DISCUSSION ITEM SUMMARY	Date:	September 28, 2022
Administration	From:	Laura Smith

Discussion items allow the committee the opportunity to freely discuss the issue at hand.

RE: Mission Gateway Redevelopment Project – Next Steps

DETAILS: During the September 28, 2022 Special City Council Meeting, the Mayor will open two separate hearings related to the Gateway Redevelopment Project. The hearings are as follows:

1. Public Hearing on Fifth Amended Tax Increment Financing (TIF) Redevelopment Project Plan
2. Public Hearing on 2022 Mission Gateway Community Improvement District (CID) Petition

Also included in the special meeting packet are the ordinances which have been prepared for Council action related to the TIF Project Plan and the CID. Since a draft redevelopment agreement could not be provided with the agenda packet for the September 28 meeting, the Mayor will open the public hearings, take any comment and then ask the Council to continue the public hearings, and consideration of the ordinances to a future meeting. Meeting date options are currently being evaluated and options will be presented during the September 28 meeting.

As we move toward the next meeting date, the City’s consultant team will continue to review and negotiate the terms of the City’s potential participation in the Mission Gateway project. In addition to the ordinances outlined above, action items for Council consideration at that future meeting will also include:

- Resolution considering adoption of a Redevelopment Agreement
- Consideration of the Preliminary Development Plan for the Mission Gateway

Included with this Discussion Item as a part of the packet, the memos from Mr. Kimmel and myself shared at the September 14 work session are provided again for Council’s review and information.

CFAA IMPACTS/CONSIDERATIONS: NA

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

MEMORANDUM

TO: City of Mission, Kansas
FROM: Bruce Kimmel, Senior Municipal Advisor
DATE: September 13, 2022
SUBJECT: Mission Gateway Redevelopment – Fiscal Considerations

In advance of tomorrow’s City Council work session regarding the Mission Gateway redevelopment project, I wanted to summarize a few key “deal points” between the City and Developer for your review. It is important to note that several points still need to be resolved before a complete development agreement can be presented for the Council’s consideration (target date of September 28) but this is the right time for City Staff and advisors to receive Council perspective and questions regarding where we’re at now and how to proceed over the next two weeks.

The first major factor for the Council to consider is the proposed financial incentive package. The Developer has requested the following forms of assistance, which are almost exactly identical to the package the City negotiated with the Developer and approved in October 2017. As proposed,

- The project will receive 100% of a 2% CID fee over the maximum 22-year term. The plan is for all Phase 1 CID revenues to be pledged to the repayment of a Phase 1 Special Obligation (SO) Bond issuance. Similarly, if Phase 2 Bonds are issued, all Phase 2 CID revenues would go toward that debt service. And if the Bonds are paid off before the 22-year maximum term, remaining revenues would fund / reimburse other CID-eligible expenses through the CID expiration date.
- If the Council agrees to reset the 20-year clock on the existing Gateway TIF Project Area, the redevelopment will receive 100% of the Project Area’s property TIF over the maximum 20-year term. It will be pledged in the same way as the above CID revenues, first for Bond repayment and then to fund / reimburse other TIF-eligible expenses.
- The project will receive 55% of the City’s 1% general sales tax collections within the Gateway project area over the 20-year TIF term. This allocation reflects the “TIF capture” of 0.55% of the City’s 1% general sales tax rate, with the City retaining revenues generated from the remaining 0.45% portion over the entire TIF term.
- The project will receive 89% (1% of 9%) of the City transient guest tax collections within the Gateway project area over the same 20-year TIF term as above. This allocation reflects the “TIF capture” of 8% of the City’s 9% transient guest tax rate, with the City retaining revenues generated from the remaining 1% portion over the entire TIF term.
- The Industrial Revenue Bond (IRB)-driven sales tax exemption on Gateway construction materials, as discussed previously.

I would like to note that the above terms, again largely identical to those negotiated and approved in 2017, reflected a significant pivot away from the Developer’s original proposal and toward an approach with greater benefits and stability for the City. The City Team considered the relative value of each requested financial tool from the City’s perspective, and also the City’s interest in obtaining upfront and ongoing incremental new revenues that it could use to fund City services and projects, versus waiting for “tail” TIF revenue surpluses to begin perhaps after 13-14 years, and/or for full City tax collections following the 20-year TIF term.

With these considerations in mind, the City determined and continues to believe the following:

- Sales and transient guest taxes hold more future value for the City than does its relatively small share of property tax increment, and the CID holds little value due to restrictions on how these revenues may be spent.
- The City will benefit more from retaining a portion of the incremental new sales and transient guest taxes during the entire 20-year TIF term than it would from collecting a larger portion of TIF tails, say, in years 14 through 20.
- Allocating fixed percentages of the sales and transient guest tax TIF over 20 years will give the Developer an incentive to work with the City to make the SO Bond issuances as efficient as possible – so that the Developer may then receive a larger amount of tail TIF and CID reimbursements for remaining eligible costs.

The chart below estimates the non-TIF sales tax, transit guest tax, and property tax – as well as the stormwater assessments and utility fees that the City will collect if both Phases 1 and 2 are completed in the general timelines anticipated by the Developer.

MISSION GATEWAY REDEVELOPMENT - ESTIMATED CITY REVENUES ASSUMING TIF RESET											
YEAR	ESTIMATED TAXABLE SALES	Y-O-Y Growth	375% Street Sales Tax (Sunsets 2032)	375% Park Sales Tax (Sunsets 2033)	City Portion of County Sales Tax (Variable)(1)	Non-TIF Gen. Sales Tax (0.45% Portion of 1%)	Non-TIF Guest Tax (1% Portion of 9%)	Base Property Taxes (2)	Stormwater Special Assessment	Stormwater Utility Fees	TOTAL REVENUE
1 2022	\$0		\$0	\$0	\$0	\$0	\$0	\$10,000	\$689,696	\$78,288	\$867,883
2 2023	\$21,862,658	n/a	\$81,985	\$81,985	\$0	\$98,282	\$0	\$10,000	\$689,696	\$78,288	\$860,235
3 2024	\$34,815,876	58.33%	\$129,810	\$129,810	\$0	\$156,771	\$0	\$10,000	\$689,696	\$78,288	\$1,103,274
4 2025	\$36,437,764	5.26%	\$136,642	\$136,642	\$0	\$163,970	\$38,399	\$45,282	\$689,696	\$78,288	\$1,198,817
5 2026	\$37,106,519	2.00%	\$139,374	\$139,374	\$0	\$167,248	\$60,798	\$45,282	\$689,696	\$78,288	\$1,229,961
6 2027	\$37,909,849	2.00%	\$142,162	\$142,162	\$0	\$170,594	\$83,998	\$45,282	\$689,696	\$78,288	\$1,242,081
7 2028	\$38,698,048	2.00%	\$145,005	\$145,005	\$0	\$174,006	\$85,918	\$45,282	\$689,696	\$78,288	\$1,253,059
8 2029	\$39,441,407	2.00%	\$147,905	\$147,905	\$0	\$177,486	\$87,895	\$45,282	\$689,696	\$78,288	\$1,264,267
9 2030	\$40,230,235	2.00%	\$150,863	\$150,863	\$0	\$181,036	\$89,932	\$45,282	\$689,696	\$78,288	\$1,275,800
10 2031	\$41,034,840	2.00%	\$153,881	\$153,881	\$0	\$184,657	\$72,030	\$45,282	\$689,696	\$78,288	\$1,287,613
11 2032	\$41,855,537	2.00%	\$156,968	\$156,968	\$0	\$188,350	\$74,191	\$45,282	\$689,696	\$78,288	\$1,299,622
12 2033	\$42,692,648	2.00%	\$160,097	\$160,097	\$0	\$192,117	\$76,417	\$45,282	\$689,696	\$78,288	\$1,311,893
13 2034	\$43,548,501	2.00%	\$163,299	\$163,299	\$0	\$195,959	\$78,709	\$45,282	\$689,696	\$78,288	\$1,324,432
14 2035	\$44,417,431	2.00%	\$166,565	\$166,565	\$0	\$199,878	\$81,070	\$45,282	\$689,696	\$78,288	\$1,337,244
15 2036	\$45,305,779	2.00%	\$169,897	\$169,897	\$0	\$203,876	\$83,502	\$45,282	\$0	\$78,288	\$750,742
16 2037	\$46,211,896	2.00%	\$173,295	\$173,295	\$0	\$207,954	\$86,007	\$45,282	\$0	\$78,288	\$764,120
17 2038	\$47,136,133	2.00%	\$176,760	\$176,760	\$0	\$212,113	\$88,588	\$45,282	\$0	\$78,288	\$777,791
18 2039	\$48,078,856	2.00%	\$180,296	\$180,296	\$0	\$216,355	\$91,245	\$45,282	\$0	\$78,288	\$791,761
19 2040	\$49,040,433	2.00%	\$183,902	\$183,902	\$0	\$220,682	\$93,963	\$45,282	\$0	\$78,288	\$806,038
20 2041	\$50,021,241	2.00%	\$187,580	\$187,580	\$0	\$225,096	\$96,802	\$45,282	\$0	\$78,288	\$820,627
21 2042	\$51,021,686	2.00%	\$191,331	\$191,331	\$0	\$510,217	\$897,356	\$541,716	\$0	\$78,288	\$2,410,240
22 2043	\$52,042,999	2.00%	\$195,158	\$195,158	\$0	\$520,421	\$924,277	\$541,716	\$0	\$78,288	\$2,455,018
TOTALS			\$3,332,765	\$3,332,765	\$0	\$4,566,169	\$3,111,116	\$1,683,224	\$8,394,330	\$1,722,336	\$26,342,706

NPV @ 5% Discount: \$15,286,443

Please note that the estimated City revenues and the timing thereof in the chart above require some fine-tuning that Ehlers will complete prior to tomorrow’s work session. Nevertheless, our current analysis indicates the City will collect more than \$26 million of incremental new property, sales, and transient guest tax revenues from the entire Gateway project during the 20-year TIF and 22-year CID terms – all to be budgeted and used for City purposes.

Further, this City revenue estimate does not include the City’s allotment of Johnson County’s sales tax or City business license and franchise fee revenues from all Gateway elements.

If only Phase 1 is completed, the estimated City revenues total approximately \$20 million, or approximately 76% of the \$26 million that is projected for the entire TIF / CID Term. This is \$2.2 million less than the Phase 1 estimate I shared during the September 7 Finance & Administration Committee meeting, due to a methodology change that I made this week.

MISSION GATEWAY REDEVELOPMENT - ESTIMATED CITY REVENUES ASSUMING TIF RESET - PHASE 1 ONLY												
YEAR	ESTIMATED TAXABLE SALES	Y-O-Y Growth	.375% Street Sales Tax (Sunsets 2032)	.375% Park Sales Tax (Sunsets 2033)	City Portion of County Sales Tax (Variable)(1)	Non-TIF Gen. Sales Tax (0.45% Portion of 1%)	Non-TIF Guest Tax (1% Portion of 9%)	Base Property Taxes (2)	Stormwater Special Assessment	Stormwater Utility Fees	TOTAL REVENUE	
1	2022	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	\$599,595	\$78,288	\$687,883	
2	2023	\$21,862,658	n/a	\$81,985	\$81,985	\$0	\$98,382	\$10,000	\$599,595	\$78,288	\$950,235	
3	2024	\$25,142,057	15.00%	\$94,283	\$94,283	\$0	\$113,139	\$10,000	\$599,595	\$78,288	\$989,588	
4	2025	\$25,644,898	2.00%	\$96,168	\$96,168	\$0	\$115,402	\$45,282	\$599,595	\$78,288	\$1,030,904	
5	2026	\$26,157,796	2.00%	\$98,092	\$98,092	\$0	\$117,710	\$45,282	\$599,595	\$78,288	\$1,037,058	
6	2027	\$26,680,952	2.00%	\$100,054	\$100,054	\$0	\$120,064	\$45,282	\$599,595	\$78,288	\$1,043,336	
7	2028	\$27,214,571	2.00%	\$102,055	\$102,055	\$0	\$122,466	\$45,282	\$599,595	\$78,288	\$1,049,740	
8	2029	\$27,758,862	2.00%	\$104,096	\$104,096	\$0	\$124,915	\$45,282	\$599,595	\$78,288	\$1,056,271	
9	2030	\$28,314,039	2.00%	\$106,178	\$106,178	\$0	\$127,413	\$45,282	\$599,595	\$78,288	\$1,062,933	
10	2031	\$28,880,320	2.00%	\$108,301	\$108,301	\$0	\$129,961	\$45,282	\$599,595	\$78,288	\$1,069,729	
11	2032	\$29,457,927	2.00%	\$110,467	\$110,467	\$0	\$132,561	\$45,282	\$599,595	\$78,288	\$1,076,660	
12	2033	\$30,047,085	2.00%	\$112,677	\$112,677	\$0	\$135,212	\$45,282	\$599,595	\$78,288	\$1,083,730	
13	2034	\$30,648,027	2.00%	\$114,930	\$114,930	\$0	\$137,916	\$45,282	\$599,595	\$78,288	\$1,090,941	
14	2035	\$31,260,987	2.00%	\$117,229	\$117,229	\$0	\$140,674	\$45,282	\$599,595	\$78,288	\$1,098,297	
15	2036	\$31,886,207	2.00%	\$119,573	\$119,573	\$0	\$143,488	\$45,282	\$0	\$78,288	\$506,204	
16	2037	\$32,523,931	2.00%	\$121,965	\$121,965	\$0	\$146,358	\$45,282	\$0	\$78,288	\$513,857	
17	2038	\$33,174,410	2.00%	\$124,404	\$124,404	\$0	\$149,285	\$45,282	\$0	\$78,288	\$521,663	
18	2039	\$33,837,898	2.00%	\$126,892	\$126,892	\$0	\$152,271	\$45,282	\$0	\$78,288	\$529,625	
19	2040	\$34,514,656	2.00%	\$129,430	\$129,430	\$0	\$155,316	\$45,282	\$0	\$78,288	\$537,746	
20	2041	\$35,204,949	2.00%	\$132,019	\$132,019	\$0	\$158,422	\$45,282	\$0	\$78,288	\$546,029	
21	2042	\$35,909,048	2.00%	\$134,659	\$134,659	\$0	\$359,090	\$541,716	\$0	\$78,288	\$1,248,413	
22	2043	\$36,627,229	2.00%	\$137,352	\$137,352	\$0	\$366,272	\$541,716	\$0	\$78,288	\$1,260,981	
TOTALS				\$2,372,807	\$2,372,807	\$0	\$3,246,318	\$0	\$1,883,224	\$8,394,330	\$1,722,336	\$19,991,822
											NPV @ 5% Discount:	\$15,286,443

At tomorrow’s meeting, I will also present corresponding projections of the property TIF, sales TIF, and CID that will be pledged to the repayment of the proposed SO Bonds – and to the pay-go funding and/or reimbursement of other eligible Gateway costs, but only as possible within the 20 and 22-year maximum TIF and CID terms.

Finally, prior to the special September 28 City Council meeting, Ehlers will prepare a final report that includes all aspects of the redevelopment agreement (including points to be completed), and that answers questions raised during tomorrow’s Council work session. Thank you.



MEMORANDUM

Date: September 12, 2022
To: Mayor and City Council
From: Laura Smith, City Administrator
RE: Mission Gateway Project

As we continue our discussions and consideration of the developer's current request for public incentives related to the Mission Gateway project, this memo will summarize the project's history to date and outline the items to be considered during the Special City Council meeting on September 28, 2022.

Background/History

In 2005, The Cameron Group, LLC, a development company from East Syracuse, New York, purchased the Mission Mall property with plans to build a mixed-use development on the site. In 2006, the Planning Commission reviewed and approved the rezoning and preliminary site plan for the redevelopment of the subject property for urban development composed of retail, office, hotel, restaurant, and residential uses (Ordinance #1203). Since the initial "MXD" zoning and preliminary site plan was first approved, more than sixteen years ago, the project has undergone several iterations, reflected in revised plans presented to the Planning Commission and the City Councils.

The subject property is the site of the former Mission Mall and is zoned Planned Mixed Use District "MXD". This district is intended to encourage a variety of land uses in closer proximity to one another than would be possible with more conventional zoning districts. Developments in this district are allowed and expected to have a mixture of residential, office and retail uses, along with public spaces, entertainment uses and other specialty facilities that are compatible in both character and function. Developments are also expected to utilize shared parking facilities linked to multiple buildings and uses by a logical pedestrian network that places more emphasis on the quality of the pedestrian experience than is generally found in typical suburban development. Buildings are intended to be primarily multi-story structures with differing uses organized vertically rather than the horizontal separation of uses that commonly results from conventional zoning districts.

Mission's Comprehensive Plan (both current and the proposed draft) indicates this area is appropriate for Mixed Use High-Density to be composed of a pedestrian friendly mix of neighborhood and community office uses, retail-commercial and service-commercial uses, institutional, civic, and medium to high density Residential.

The most recent preliminary site plan for the project was approved by the City Council on January

20, 2016 after a public hearing before the Planning Commission in September 2015. Final site plan approval was granted by the Planning Commission in March 2017. The 2017 project was originally intended to be constructed in three (3) phases, but the project was modified in 2019 to transition to a single phase.

In 2019, financing for the entire project had been secured and the City was working with the developer’s team to take a Special Obligation (SO) bond issue to market. At that same time, the developer went “at-risk” with their own private equity to begin construction of the Cinergy entertainment complex and the parking structure. In late fall 2019, the developer’s mezzanine lender withdrew their support from the project, and by the time a replacement lender had been identified, the COVID-19 pandemic had created uncertainty in the bond market, bringing the project to a halt. The project was not completed by the December 31, 2021 deadline in the Mission Gateway Third Amended and Restated Redevelopment Agreement, and the City officially terminated the previous Redevelopment agreement on January 5, 2022.

Review and Evaluation of Financing Request

Since the project’s inception in 2005, the Developer has identified several unique development challenges and added costs which created a project financing gap. As a result, they have requested the City consider using a variety of economic development tools to establish a public-private partnership which would be mutually beneficial for both the City and the Developer.

When considering redevelopment projects where public incentives are requested, the City employs a team of consultants which includes an independent financial advisor, a land use attorney, and bond counsel to assist the staff in evaluating the project and project financials to determine whether a recommendation that balances the needs of both the City and the Developer can be achieved.

In February 2022, the developer’s team made a presentation (copy included in the packet) to the City Council which included a revised project plan and modifications to the incentive tools previously approved, specifically the termination of the existing tax increment financing (TIF) project plan and adoption of a new TIF project plan for a term of 20 years and increasing the CID sales tax rate from 1% to 2%. A comparison of the project’s physical components between what was approved in 2017 and what is currently proposed are highlighted in the table below:

Project Component	Project Components 2017	Project Components 2022
Retail/commercial (sq. ft.)	195,094	139,752
Residential Units	168	373
Hotel (rooms)	202	202
Office/Medical (sq. ft.)	75,000	100,000
Parking Structure (surface and structured stalls)	1,457	1,457

During the February presentation, the Mayor and Council expressed their desire to see an affordable housing component incorporated into the project as well as efforts to strengthen the sustainability aspects of the project by achieving specific certifications. Since that time, staff has worked closely with the developer to communicate and clarify the Council's goals, objectives, and concerns regarding the project before calendaring the issue for formal Council consideration.

In June, the developer submitted a new Mission Gateway TIF redevelopment project plan and a new Community Improvement District (CID) Petition. Both require public hearings under Kansas statutes, and on August 17, 2022 the Council passed Resolutions No. 1116 and No. 1117 setting the respective public hearings for 6:30 p.m. on Wednesday, September 28, 2022 at the Powell Community Center. As a part of the new submission, the Developer has indicated a desire to return to a phased project (Phases I and II), as they currently only have financing secured for Phase I, which includes multi-family housing, retail, the Cinergy entertainment complex and the parking garage.

During the September 7, 2022 Finance & Administration Committee meeting, Bruce Kimmel, of Ehlers, Inc. provided a brief presentation regarding the project's financials and the revenues estimated to be available to the City from the project. A memo from Mr. Kimmel is included in the packet which provides more information. Mr. Kimmel will also be present at the September 14 work session to continue to provide information on the project's financials.

As was contemplated in the most recent redevelopment agreement, the City and the Developer will share revenues throughout the entire TIF term - allowing for the entire community to benefit from the project. These would be revenues which would not be available if the project is not built. The City's potential participation in the project does not take away services or benefits for current residents or businesses and provides an opportunity for significant financial benefits to the City (\$26.3 million) over the next 20 years. The \$26.3 million estimate reflects both Phase I and Phase II to be completed. If only Phase I is completed, the revenues available to the City total approximately \$20 million. To date, there have been no incentives paid to the Gateway developers.

During the work session on Wednesday evening, we will review the financial components of the project in greater detail, including a more individualized evaluation of each potential revenue stream, along with information on the key terms where staff has reached tentative agreement with the developer based on Council direction. Following this work session, the following items will appear on the September 28, 2022 Special City Council meeting agenda for consideration and action.

Ordinance Approving a new Mission Gateway TIF Redevelopment Project Plan and Terminating the Existing TIF Redevelopment Project Plan.

On February 8, 2006, the Mission City Council established the physical boundaries of a

redevelopment district on the subject property to allow the City to consider the use of Tax Increment Financing (TIF) to finance a portion of the costs for the redevelopment of the Mission Gateway site and since that time there have been several TIF Redevelopment Project Plans approved. The current TIF Redevelopment Project Plan (the Plan) was approved in 2017 and the 20-year TIF clock started on January 1, 2019. The developer has submitted a Fifth Amended TIF Redevelopment Project Plan for Council consideration which, if approved, will restart the 20-year TIF clock. A copy of the Fifth Amended TIF Redevelopment Project Plan is included in the packet. This is identical to the information provided previously to the Council as a part of the August Committee/Council meeting packets.

TIF Redevelopment Project Plan

The Fifth Amended TIF Redevelopment Project Plan proposes a mixed-use center consisting of approximately 139,752 square feet of small shop retail, restaurants, and entertainment space, an approximately 100,000 square foot office or medical facility, an approximately 202 room hotel, and an approximately 373 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure. The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the property to its highest and best use. It is contemplated that the Project will be constructed in two (2) phases:

- Phase 1: Proposed to include: (i) construction of approximately 49,752 square feet of “small-shop” commercial or restaurant uses; (ii) construction of an approximately 90,000 square foot entertainment space; (iii) construction of approximately 373 apartment units; (iv) construction of related site work; (v) construction of surface parking sufficient for such uses pursuant to the City’s applicable ordinances; and (vi) construction of a parking garage serving the entirety of the Project.

- Phase 2: Proposed to include: (i) construction of an approximately 202-room hotel and (ii) construction of an approximately 100,000 square foot office or medical facility.

In accordance with K.S.A. 12-1772(b), upon receipt of a redevelopment project plan, the Planning Commission must review the plan to determine if it is consistent with Mission’s Comprehensive Plan. The Mission Gateway Fifth Amended Redevelopment Project Plan was considered by the Planning Commission on July 25, 2022 and found to be in conformance with Mission’s Comprehensive Land Use Plan.

Comprehensive Plan

The Comprehensive plan designates the subject property as part of the East Gateway District and as appropriate for mixed-use high-density re-development to include a pedestrian-friendly mix of neighborhood and community office uses, retail-commercial and service-commercial uses institutional, civic, and medium to high density residential uses intermixed through compatible site

planning and building design.

According to the Comprehensive Plan, residential uses may be located on upper floors of a building's business use or may include attached residential structures or apartment/condominium buildings or hotels, commingled in the same structures or nearby to promote diversity and a successful pedestrian environment. Given the proximity of residential uses, all business developments should be well-planned and designed to ensure a high level of compatibility. Non-residential uses are expected to be limited to compact, pedestrian/community-oriented services rather than large-scale or automotive oriented uses. Site designs should include a tight network of streets, wide sidewalks, regular street tree planting, buildings oriented toward the street frontages with close setbacks to the street, and accommodation of on-street parking. Off-street parking is to be located behind non-residential structures and rear or underground garage access is required of residential structures.

Following the public hearing on September 28, 2022 at 6:30 p.m., the Council will consider an ordinance approving the Fifth Amended Redevelopment Project Plan and terminating the existing TIF Redevelopment Project Plan. It requires a two-thirds majority vote (6 of 9, with Mayor voting) of the Governing Body to approve the TIF Redevelopment Project Plan ordinance. The ordinance was prepared by Kevin Wempe of Gilmore & Bell, P.C. the City's Bond Counsel. If approved, the ordinance would be effective upon publication, as the TIF Plan must be in effect prior to issuance of any SO TIF Bonds.

Ordinance Establishing the 2022 Mission Gateway Community Improvement District (CID) and Terminating the Existing Mission Gateway CID #3

Based on the revenues projected on the current version of Gateway project elements, the Developer has indicated a need to terminate the existing Gateway Community Improvement District (CID) and replace it with a new one. The current CID took effect January 2019, encompasses the entire project site and levies an additional 1% CID sales tax on all uses within the district. The new petition for the 2022 Mission Gateway Community Improvement District still contemplates a single district but increases the additional sales tax levy from 1% to 2%. The proposed effective date of the new Community Improvement District is January 1, 2024. As discussed during the September 7, 2022 Committee meeting, Cinergy has provided a letter indicating their support for the project and the use of incentives.

Following the public hearing on September 28, 2022 at 6:30 p.m., the Council will consider an ordinance establishing the 2022 Mission Gateway Community Improvement District. A simple majority vote of the City Council is required to pass the ordinance. The ordinance was prepared by Kevin Wempe of Gilmore & Bell, P.C., the City's Bond Counsel.

Resolution Approving the Redevelopment Agreement

The Redevelopment Agreement is the document used to capture and control the terms of the

“deal” as agreed to by the City and the developer. It addresses, among other things, the project budget, the project schedule, the obligations of the developer and the City, the process for certifying and reimbursing TIF and CID eligible expenses, requirements for transfer or sale of the property, and events of default and remedies.

The Redevelopment Agreement will be prepared by Pete Heaven, the City’s land use attorney. To date, the deal terms, based on Council direction provided to the City’s consultant team are included below. Several of the terms apply to both Phase I and Phase II (or any other future phases) of the project and are noted as such.

- 100% of Property Tax TIF revenues to developer (all project phases)
- 45/55% split of TIF Sales Tax revenues between City/Developer (all project phases)
- 1%/8% split of Transient Guest Tax revenues between City/Developer (applicable to hotel only, and developer’s portion capped at 8%)
- Commitment to maintain 10% of total residential units as attainable housing at 60% of AMI for the 20-year TIF term
- Commitment to achieve Green Globes certification for the project (all phases)

The Council expressed a desire for the developer to escrow \$3 million for Phase I of the project to ensure its completion. At this time, agreement on this term has not been reached and is still being discussed and negotiated with the developer.

Since the developer has only committed to Phase I of the project, if the Fifth Amended TIF Redevelopment Project Plan and the 2022 Mission Gateway CID petition were approved, the City would only consider a special obligation bond issuance sized appropriately to be repaid with project revenues from Phase I. Phase II bond issuance may be contemplated or referenced in a Redevelopment Agreement, but the current Council may not bind future Council’s actions and application for Phase II TIF bonds will have to be made at a later date. Staff and developer are also continuing to negotiate the uses and distribution of Phase I bond proceeds. A phased distribution in concert with the private equity and commercial loan proceeds like what was included in previous development agreement is anticipated.

It is staff’s goal to resolve the remaining deal terms in concept either prior to Wednesday’s City Council work session or by week’s end. If that can be accomplished, then the Council would also consider a resolution at the September 28, 2022 meeting to approve a new Redevelopment Agreement. The resolution may be adopted by a simple majority vote of the City Council.

Summary

Every version of this project has been negotiated and approved by challenging assumptions, evaluating costs, and vetting all information provided by the Developer. This iteration of the project is no different. Because the City does not own the site, and never has, we must remain poised to respond to the developer’s request for consideration of a revised project.



The top priorities of the City Council are to bring a project to fruition and remain committed to protecting the financial interests of the City and the taxpayers to the greatest extent possible. All members of the City's consultant team will be present to review and answer questions regarding any of the documents and/or actions anticipated in connection with the Mission Gateway project. Please feel free to contact any member of the City team with questions or comments regarding the project or the process.