

AN ORDINANCE MAKING CERTAIN AMENDMENTS TO THE HADLEY TOWNSHIP REDEVELOPMENT PLAN, MAKING CERTAIN FINDINGS RELATING THERETO, AND AUTHORIZING ACTION BY THE APPROPRIATE CITY OFFICIALS.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

WHEREAS, on July 12, 2006, the City Council of the City of Richmond Heights, Missouri (the “City”), adopted Ordinance No. 4991 (1) approving a plan for redevelopment known as the Hadley Township Redevelopment Plan (the “Original Redevelopment Plan”), (2) designating the redevelopment area described therein (the “Redevelopment Area”) as a “redevelopment area” under the Act, (3) approving a redevelopment project for the portion of the Redevelopment Area described as “RPA 1” in the Original Redevelopment Plan (the “Redevelopment Project”) and (4) adopting tax increment financing with respect to RPA 1; and

WHEREAS, on July 2, 2008, the City Council of the City adopted Ordinance No. 5076 approving the 2008 Amendment: Hadley Township Redevelopment Plan (the “2008 Amendment” and together with the Original Redevelopment Plan, the “Redevelopment Plan”); and

WHEREAS, the City wishes to further amend the Redevelopment Plan through the approval of the 2011 Amendment: Hadley Township Redevelopment Plan attached hereto as **Exhibit A** (the “2011 Amendment”), which 2011 Amendment will reduce the size of the Redevelopment Area, update the blight study included in the Redevelopment Plan, make revisions to the scope of the Redevelopment Project and reduce the available amount of tax increment financing assistance by \$2 million; and

WHEREAS, after all proper notice was given, the Tax Increment Financing Commission of the City of Richmond Heights, Missouri (the “Commission”) held a public hearing in conformance with the Act on July 20, 2011, and received comments from all interested persons and taxing districts relative to the proposed 2011 Amendment; and

WHEREAS, after the conclusion of the public hearing, the Commission adopted a resolution approving the 2011 Amendment and recommending to the City Council that it adopt an ordinance (a) approving the 2011 Amendment, (b) ratifying and affirming the approval and designation of the Redevelopment Area as a “redevelopment area” as provided in the Act, and (c) ratifying and affirming the approval of the Redevelopment Project as described in the Redevelopment Plan, all as amended by the 2011 Amendment;

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

SECTION 1. The City Council hereby finds that the 2011 Amendment is necessary, desirable and in the best interests of the City, and the City Council hereby approves the 2011 Amendment. The designation of the Redevelopment Area, as amended by the 2011 Amendment, as a “redevelopment area” under the Act is ratified and affirmed. The approval of the Redevelopment Project, as amended by the 2011 Amendment, is ratified and affirmed.

SECTION 2. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

SECTION 3. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 4. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 6th day of September, 2011.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: August 15, 2011
Second reading: September 6, 2011

EXHIBIT A

2011 AMENDMENT: HADLEY TOWNSHIP REDEVELOPMENT PLAN

[On file in the Office of the Deputy City Clerk]