PETITION TO THE CITY COUNCIL

OF THE CITY OF JOPLIN, MISSOURI FOR THE CREATION OF

THE 32nd STREET THEATRE COMMUNITY IMPROVEMENT DISTRICT

Submitted _____

PETITION FOR THE CREATION OF
THE 32ND STREET THEATRE COMMUNITY IMPROVEMENT DISTRICT

Pursuant to the authority of the Community Improvement District Act (the "**Act**"), Sections 67.1401 through 67.1571, RSMo, this verified Petition is filed with the City Clerk of the City of Joplin, Missouri (the "City") by the undersigned. The undersigned, collectively representing i) the property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district; and ii) more than fifty percent per capita of all owners of real property within the boundaries of the proposed district, do hereby petition and request that the City Council of the City of Joplin, Missouri create a community improvement district pursuant to Missouri law.

1. **Property Description**. The legal description of the proposed district is set forth in **Exhibit A-1** to this Petition and a map illustrating the contiguous boundaries of the District is set forth as **Exhibit A-2**. A list of the owners of all properties included within the boundaries of the proposed district as of the date of the filing of this Petition is attached hereto as **Exhibit B**.

2. **District Name**. The name of the proposed district shall be: 32nd Street Theatre Community Improvement District.

3. **Notice to Petitioners**. The signers of this Petition understand that their signatures may not be withdrawn from this Petition later than seven (7) days after this Petition is filed with the City Clerk.

4. **Purpose and Five-Year Plan**. The District will fund the construction of certain public improvements within the District (the "Improvements"). Anticipated Improvements to be carried out during the first five (5) years of the District may include: construction of parking facilities and associated improvements, construction and extension of public utilities, landscaping and signage. At the time of the Petition, the cost of the Improvements is not known; however, the estimated cost of the Improvements are as follows:

ANTICIPATED IMPROVEMENT	PRELIMINARY ESTIMATED COST
Site Grading	$500,000
Paving of Parking Lot and associated improvements	$1,200,000
Landscaping	$140,000
Total Estimated Cost of Improvements	**$1,840,000**

The particular items included within the Improvements may be increased or amended from time to time and the costs of the Improvements to be financed by the District shall include all associated design, architecture, engineering, financing, private interest carry, legal and administrative costs of same. The cost of the Improvements shall be funded through the imposition of a sales tax as described in **Section 12** of the Petition.

In addition to the Improvements, the District is authorized to provide all of those services authorized by the Act, including the maintenance of public improvements and public and private

property within the District, and supporting business activity and economic development in the District, including, but not limited to, the promotion of business activity, development and retention, and recruitment of business. Such services shall only be paid by revenues of the District after the costs of improvements have been fully paid.

5. **Political Subdivision**. Petitioner requests the proposed district be created as a political subdivision of the State of Missouri.

6. **Governing Board**. Petitioner requests the proposed district be governed by a Board of Directors (the "Board") appointed by the Mayor of the City, with the consent of the City Council.

    a. Number. The proposed district shall be governed by a Board of Directors ("Board") consisting of five (5) members

    b. Qualifications. Each Member of the Board ("Director") shall meet the following requirements

        i. be at least 18 years of age;

        ii. be and must declare to either be an owner ("Owner") or an authorized representative of an Owner of real property within the District, an owner of a business ("Operator") or an authorized representative of such owner of a business operating within the District, or a registered voter ("Resident") residing within the District, as provided by the CID Act;

        iii. be and have been a resident of the State of Missouri for at least one year immediately preceding the date upon which he or she takes office in accordance with Article VII, Section 8 of the Missouri Constitution; and

        iv. except for the initial directors named in this Petition, be nominated according to the slate submitted as described in **Section 6, paragraph e** of the Petition.

    c. Initial Directors. The initial Board of the proposed district shall be appointed by the Mayor with the consent of the City Council ("Initial Directors"). Two of the Initial Directors shall serve for four-year terms and the remaining three directors shall serve for two-year terms.

    d. Terms. Each Initial Directors named above shall serve for the term set forth opposite his/her name or until his/her successor is appointed in accordance with **Section 6, paragraph e** of the Petition. Each Successive Director shall serve a four (4) year term or until his/her successors is appointment in accordance with **Section 6, paragraph e** of the Petition. If, for any reason, a Director is not able to serve his/her term, the remaining directors shall elect an Interim Director to fill the vacancy of the unexpired term.

Notwithstanding anything to the contrary, any Director's failure to the meet the qualification requirements of **Section 6, paragraph b** of the Petition, either in the Director's individual capacity or in a Director's representative capacity, shall constitute cause for the Board to take appropriate action to remove said Director.

e. Successive Directors. Successor Directors shall be appointed by the Mayor with the consent of the City Council by resolution according to the slate submitted by the Executive Director of the District to the City of Joplin, Missouri's City Clerk (the "City Clerk"). The slate of proposed Successive Directors shall evidence in a from satisfactory to the City that each Successor Director meets the qualifications to serve as Director pursuant to the CID Act and this Petition.

Upon receipt of the slate of Successor Directors, the City Clerk shall promptly deliver the slate to the Mayor, and the Mayor shall either (i) approve the slate and seek consent of same from the City Council at the next regular meeting of the City Council or (ii) return the slate to the Board with a request for alternates for any or all of the Boards positions identified in the slate.

Should the City Council refuse to consent to the slate submitted to it by the Mayor, it shall request alternatives for any or all Board positions identified on the slate, the Board shall within ten (10) days of such refusal submit an alternative slate to the mayor with two (2) alternates for each of the Board positions requested by the City Council.

Should the Mayor reject and return the slate to the Board, the Board shall within ten (10) days of such refusal submit an alternative slate to the mayor with two (2) alternates for each of the Board positions requested by the Mayor.

After receipt of the alternative slate, the Mayor shall either (i) choose from the alternate(s), approve the slate, and seek consent of the City Council at the next regular meeting of the City Council, or (ii) reject the alternative slate. In the event the Mayor rejects the alternative slate, Successor Directors that meet the qualifications of the CID Act and this Petition shall be appointed by the Mayor with the consent of the City Council.

7. **Assessed Value of Property**. The total assessed value of all real property within the proposed district is $314,880.

8. **Property Not Blighted**. The Petitioners are not requesting that the City Council determine the property within the proposed District is blighted.

9. **Duration of District**. The District will continue to exist and function until the earlier of: (1) until all of the obligations (and accrued interest), as defined in the CID Act, of the District have been repaid, or (2) the date which is twenty-seven (27) years from the date of the ordinance establishing the District. The City may extend the duration of the District pursuant to Section 67.1481 of the CID Act

10. **Real Property Taxes**. The proposed district will not have the power to impose a real property tax or a business license tax.

11. **Special Assessments**. The proposed district will not have the power to impose special assessments.

12. **Sales Taxes**. Qualified voters of the proposed district may be asked to approve a sales tax of up to one percent (1%), in accordance with the CID Act, to fund certain improvements within the proposed district and/or to pay the costs of services provided by the proposed district.

13. **Borrowing Capacity**. Petitioner does not seek limitations on the borrowing capacity of the proposed district.

14. **Revenue Generation**. Petitioner does not seek limitations on the revenue generation of the proposed district.

15. **Powers of District**. Petitioner does not seek limitations on the powers of the proposed district.

Exhibit A-1

The legal description of the proposed district

All that part of the Northwest Quarter and the Northeast Quarter of Section 19, Township 27 North, Range 32 West, in the City of Joplin, Newton County, Missouri, being more particularly described as follows:
commencing at the northwest corner of said Section 19, thence South 88 degrees 29 minutes 34 seconds East, with the north line of the Northwest Quarter of said Section 19, a distance of 1669.62 feet; thence South 01 degree 30 minutes 26 seconds West, a distance of 40.00 feet to the intersection of the south right-of-way line of E. 32nd Street and east right-of-way line of S. Hammons Boulevard, said point being the point of beginning; thence South 88 degrees 29 minutes 34 seconds East, with the south right-of-way line of E. 32nd Street, a distance of 197.36 feet; thence South 85 degrees 37 minutes 49 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance if 200.25 feet; thence South 88 degrees 29 minutes 34 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance of 164.03 feet to a point on the southwesterly line of the Kansas City Southern Railway property; thence South 50 degrees 51 minutes 36 seconds East, with the southwesterly line of the Kansas City Southern Railway property and no longer wit the south right-of-way line of E. 32nd Street, a distance of 683.53 feet; thence North 88 degrees 25 minutes 48 seconds West, and no longer with the southwesterly line of the Kansas City Southern Railway property, a distance of 1119.88 feet to a point on the east right-of-way line of S. Hammons Boulevard; thence North 12 degrees 57 minutes 24 seconds West, with the east right-of-way line of S. Hammons Boulevard, a distance of 16.19 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 294.50 feet, a central angle of 14 degrees 35 minutes 05 seconds, an arc distance of 74.96 feet; thence North 01 degree 37 minutes 40 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 300.62 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 29.00 feet, a central angle of 89 degrees 49 minutes 07 seconds, an arc distance of 45.46 feet; thence South 88 degrees 54 minutes 47 seconds east for a distance of 1.00 feet; thence North 01 degrees 05 minutes 13 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 6.72 feet to the point of beginning. The above-described tract contains 361,686.12 square feet, or 8.30 acres. The basis of bearing for the above real property description is Missouri State Plane West Zone, NAD 83.

Exhibit A-2

Map illustrating the contiguous boundaries of the proposed district

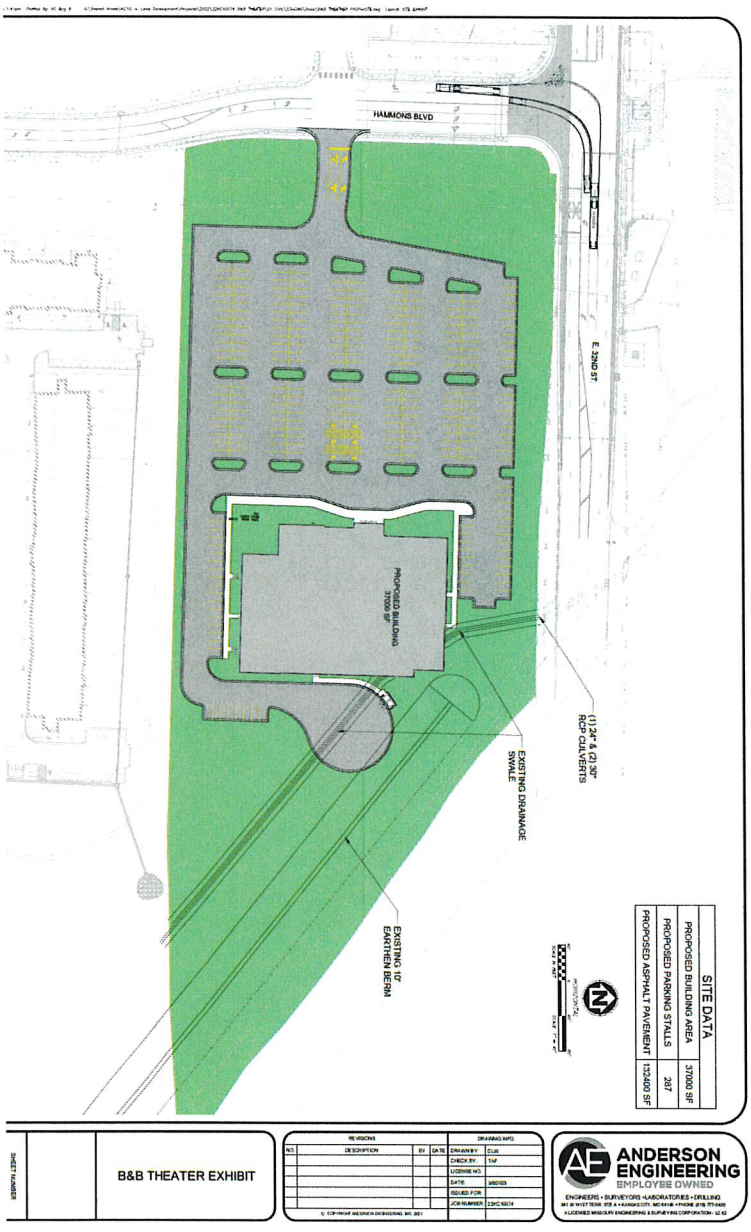

Exhibit B

A list of the owners of all properties included within the boundaries of the proposed district as of the date of the filing of this Petition

Parcel #	Owner
044019000000005017	WOODSONIA JOPLIN LLC

Signature Page for Petition to the City of Joplin, Missouri for the Establishment of the 32nd Street Theatre Community Improvement District

The undersigned requests that the City Council of the City of Joplin, Missouri, establish the 32nd Street Theatre Community Improvement District according to the preceding Petition and authorize the creation of the District.

Name of Owner:	WOODSONIA JOPLIN LLC
Owner's Telephone Number:	
Owner's Mailing Address:	20010 MANDERSON ST STE 101
	Elkhorn, Nebraska 68022
Name of Signer:	
Basis of Legal Authority to Sign:	
Signer's Telephone Number:	Same as above
Signer's Mailing Address:	Same as above

The map, parcel number and assessed value of each tract of real property within the proposed District owned: The District will contain all or a limited portion of the following parcels:

Address	Map/Parcel I.D.	Assessed Value
	044019000000005017	$314,880
Total		**$314,880**

[SIGNATURE AND NOTARY PAGES TO FOLLOW]

By executing this Petition, the undersigned represents and warrants that he has received a copy of this Petition and its exhibits, has read this Petition and its exhibits, is authorized to execute this Petition on behalf of the property owner named immediately above, and authorizes this signature page to be attached to the original of this Petition to be filed in the Office of the City Clerk. The undersigned also acknowledges that his/her signature may not be withdrawn later than seven days after this Petition is filed with the City Clerk.

WOODSONIA JOPLIN LLC
a Nebraska Limited Liability Company

By: _____

Name: Drew Snyder

Title: Manager

Date: 4/24/2023

STATE OF)
)
) **SS.**
COUNTY OF)

BE IT REMEMBERED, that on this 24th day of April, 2023 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Drew Snyder, manager of Woodsonia Joplin, LLC, who executed the foregoing instrument on behalf of said company and he duly acknowledged the execution of the same to be the act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Tanya K Mainelli.
Notary Public

My Commission Expires:

March 21, 2027

State of Nebraska – General Notary
TANYA K MAINELLI
My Commission Expires
March 21, 2027