

FILED<sup>2</sup>

MAR 14 2006

Missouri Public  
Service Commission

**THE PLANNED INDUSTRIAL EXPANSION AUTHORITY  
OF KANSAS CITY, MISSOURI**

**RESOLUTION NO. 1083**

**APPROVING A MINOR MODIFICATION TO THE 25<sup>th</sup> AND SOUTHWEST  
BOULEVARD GENERAL DEVELOPMENT PLAN.**

**WHEREAS**, the Planned Industrial Expansion Authority of Kansas City, Missouri, is a public body created pursuant to Ordinance No. 34677 ("PIEA") adopted by the City Council of Kansas City, Missouri, ("City Council") on February 9, 1968, in accordance with Sections 100.300-100.620, RSMo (the "PIEA Law"); and

**WHEREAS**, pursuant to the PIEA Law, the PIEA is transacting business and exercising the powers granted to it by applicable law; and

**WHEREAS**, On September 30, 2004, upon recommendation of the PIEA, the City Council found the 25<sup>th</sup> and Southwest Boulevard Area ("Project Area") blighted and approved the 25<sup>th</sup> and Southwest Boulevard General Development Plan by Committee Substitute for Ordinance No. 041081 (the "Plan"); and

**WHEREAS**, Boulevard Brewing Associates, L.P. d/b/a Boulevard Brewing Company (the "Developer") has been selected by the PIEA for developing the Boulevard Brewing Project, (the "Project") within the Plan; and

**WHEREAS**, the Project provides for the renovation and construction of a brewery as well as public improvements within the Project Area, including the relocation of certain utilities as required by the City of Kansas City, Missouri; and

**WHEREAS**, the Plan states that the cost of relocation of the utilities will be borne by the Developer; and

**WHEREAS**, the Authority wishes to clarify that the reason that any language regarding the responsibility for utility relocation costs was included in the Plan was to indicate that the Authority would not be obligated to pay such costs, not to make a determination of responsibility as between the Developer and any utility company; and

**WHEREAS**, the matter of responsibility for relocation costs is now before the Public Service Commission of Missouri and the Authority does not desire that the language in the Plan have any bearing on the matter not intended by the Authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNED INDUSTRIAL  
EXPANSION AUTHORITY OF KANSAS CITY, MISSOURI:**

Section 1. That the Authority hereby approves the modification of the 25<sup>th</sup> and Southwest Boulevard General Development by striking the following paragraph on page 34 on the Plan:

Exhibit No. 4  
Case No(s). EC-2006-0332  
Date 3-06-06 Rptr. 4

"Proposed Changes in Public Utilities

It may be required that as part of a specific project plan, and to remedy blighting conditions, certain utilities will be relocated or buried. Any changes will be coordinated with the City of Kansas City, Missouri and provided at the Developers expense.";

and adding a new Paragraph in its place, to read as follows:

"Proposed Changes in Public Utilities

It may be required that as part of a specific project plan, and to remedy blighting conditions, certain utilities will be relocated or buried. Any changes will be coordinated with the City of Kansas City, Missouri and expenses relating to the same will be incurred and financed by the affected utilities or other parties other than the City or the PIEA."

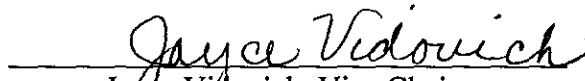
Section 3. The Authority finds that these modifications are minor modifications which do not substantially change the Plan as previously approved by the City Council.

Section 4. That this Resolution takes effect from and after its adoption.

Approved March 1, 2006.

[SEAL]

PLANNED INDUSTRIAL EXPANSION AUTHORITY OF  
KANSAS CITY, MISSOURI

  
Joyce Vidovich, Vice Chairman

ATTEST:

  
Assistant Secretary