



Office of the City Clerk

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Kansas City, Missouri 64106

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CERTIFICATE OF THE CITY CLERK

I, Millie M. Crossland, City Clerk of Kansas City, Missouri, certify the attached is a true and correct copy of:

Chapter(s):

Charter Section(s):

Ordinance(s):

Resolution(s): 060288

Other(s):

The above appears in records and is on file in the Office of the City Clerk, 25th Floor, City Hall, Kansas City, Missouri.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the City on this 15th day of March, 2006.

**Millie M. Crossland
City Clerk**

By

Misty Phipps

Deputy City Clerk



RESOLUTION NO. [R-2006-00302]

060288

Consenting to the minor modification of the 25th and Southwest Boulevard General Development Plan by the Planned Industrial Expansion Authority of Kansas City, Missouri.

WHEREAS, on September 30, 2004, upon recommendation of the PIEA, the City Council found the 25th and Southwest Boulevard Area ("Project Area") blighted and approved the 25th 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 to develop 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 original Plan states that the cost of relocation of the utilities will be borne by the Developer; and

WHEREAS, on March 1, 2006, the Authority adopted Resolution No. 1083 with the stated intention of clarifying 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 electrical utility relocation costs is now before the Public Service Commission of Missouri; and

WHEREAS, members of Public Service commission have shown an interest in the City's position on the modification of the Plan; and

WHEREAS, the Council concurs with and consents to the modification of the Plan by the Authority; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. That the Council hereby states its concurrence with and consent to the modification of the 25th and Southwest Boulevard General Development by striking the following paragraph on page 34 on the Plan:

RESOLUTION NO. [R-2006-00302]

"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 parties other than the City or the PIEA."

Section 2. The Council finds that this modification is minor and does not substantially change the Plan as previously approved by the PIEA or the City Council, or the nature of the contemplated development.

Section 3. That this Resolution takes effect immediately upon its adoption.



Authenticated as Passed

Kary Barnes
BARNES, Mayor

[Signature]
City Clerk

DATE PASSED MAR 09 2006