

**BILL NO.** 21-200

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT IN CONNECTION WITH A PORTION OF THE RPA 2 REDEVELOPMENT PROJECT DESCRIBED IN THE REDEVELOPMENT PLAN FOR THE DOWNTOWN TAX INCREMENT FINANCING DISTRICT, CAPE GIRARDEAU, MISSOURI, 2015.**

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**WHEREAS**, the City Council has approved the “Redevelopment Plan for the Downtown Tax Increment Financing District, Cape Girardeau, Missouri, 2015” and the “RPA 2 Redevelopment Project” described therein; and

**WHEREAS**, the City desires to enter into a redevelopment agreement with Arsenal Venture LLC (the “Developer”) with respect to the completion of a portion of the RPA 2 Redevelopment Project consisting of the redevelopment of the building located at 1 South Main Street to accommodate the needs of a behavioral and therapeutic services company (the “Developer Project”);

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:**

**Section 1.** The City Council hereby finds and determines that it is necessary and desirable to enter into a redevelopment agreement with the Developer in substantially the form of **Exhibit A** attached hereto in connection with the Developer Project (the “Redevelopment Agreement”). The Mayor or City Manager is hereby authorized and directed to execute the Redevelopment Agreement on behalf of the City. The City Clerk is hereby authorized and directed to attest to the Redevelopment Agreement and to affix the seal of the City thereto. The Redevelopment Agreement shall be in substantially the form attached to this Ordinance, which Redevelopment Agreement is hereby approved by the City Council with such changes therein as shall be approved by the officers of the City executing the same.

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

**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 one; 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 10 days after its passage by the City Council.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
Bob Fox, Mayor

ATTEST:

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Bruce Taylor, Deputy City Clerk

**EXHIBIT A**

**REDEVELOPMENT AGREEMENT**

[On file in the City Clerk's Office]