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Filed:   11-22-16  

Sponsored by:   Schilling  

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO.   2016- 277  

SPECIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 ADOPTING the Redevelopment Plan for the Elm House Redevelopment Area  
2 generally located along the south side of East Madison Street  
3 between South Jefferson Avenue and South Thomas Avenue, and  
4 declaring its redevelopment necessary for the preservation of the  
5 public peace, prosperity, health, safety, morals, and welfare.  
6  
7

8 WHEREAS, the City of Springfield, Missouri (the "City"), pursuant to Section  
9 99.300, RSMo, et seq., (the "Act") has duly created the Land Clearance for  
10 Redevelopment Authority of the City of Springfield, Missouri, (the "Authority") and  
11 vested in said Authority the powers authorized by State Law; and  
12

13 WHEREAS, the Authority is authorized by the Act to prepare development plans  
14 for the elimination of slums and urban blight and to improve social and economic  
15 conditions; and  
16

17 WHEREAS, the proposed Area was previously declared to be blighted by the  
18 City Council in 1964 by Resolution No. 4282, and said designation was later reaffirmed  
19 in 1967 by Resolution No. 4794 which also adopted the South Central "A" Urban  
20 Renewal Area; and  
21

22 WHEREAS, a Redevelopment Plan for the Area, attached hereto and  
23 incorporated herein as "Exhibit 1," has been prepared and submitted to the Authority  
24 and the Planning and Zoning Commission for their consideration; and  
25

26 WHEREAS, after duly considering the Redevelopment Plan, the Authority  
27 recommended approval of the Redevelopment Plan at its meeting on November 1,  
28 2016; and  
29

30 WHEREAS, the Redevelopment Plan was approved by the Planning and Zoning  
31 Commission on November 10, 2016; and  
32

33 WHEREAS, City Council held a public meeting on November 28, 2016, for which  
34 notice was properly given in accordance with Section 99.430.1(8), RSMo, and all  
35 interested parties, including affected political subdivisions, were given the opportunity to  
36 be heard on such request; and

37  
38 WHEREAS, City Council, after all interested parties were given an opportunity to  
39 be heard, has elected to approve the Redevelopment Plan submitted herewith.

40  
41 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
42 SPRINGFIELD, MISSOURI, as follows, that:

43  
44 Section 1 – It is hereby found, determined, and declared that the proposed  
45 redevelopment area, located along the south side of East Madison Street between  
46 South Jefferson Avenue and South Thomas Avenue, is appropriate for the undertaking  
47 of a redevelopment project in conformance with the Redevelopment Plan, which is  
48 attached hereto as "Exhibit 1," and incorporated herein by this reference.

49  
50  
51 Section 2 - The Redevelopment Plan is hereby found to be a feasible and  
52 reasonable plan for redevelopment of the area and is in conformity with the general plan  
53 for development of the City and said Redevelopment Plan is an appropriate plan for the  
54 acquisition, clearance, reconstruction, rehabilitation and renewal of the entire area, and  
55 for future land uses. Said Redevelopment Plan is found to meet the requirements of  
56 Section 99.430(4), RSMo, and is hereby adopted.

57  
58 Section 3 - The Authority and the City Manager are hereby authorized to take  
59 such actions as are necessary to approve the Redevelopment Plan with the exception  
60 that any contractual agreements with developers shall be approved by Council action.

61  
62 Section 4 - This Ordinance shall be in full force and effect from and after  
63 passage.

64  
65 Passed at meeting: \_\_\_\_\_

66  
67  
68 \_\_\_\_\_  
69 Mayor

70 Attest: \_\_\_\_\_, City Clerk

71  
72 Filed as Ordinance: \_\_\_\_\_

73  
74 Approved as to form: Richard T. Weder, Assistant City Attorney

75  
76 Approved for Council action: Greg Burt, City Manager

## **EXPLANATION TO COUNCIL BILL NO. 2016- 277**

FILED: 11-22-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To approve a redevelopment plan for the Elm House Redevelopment Area located along the south side of East Madison Street between South Jefferson Avenue and South Thomas Avenue and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (Planning and Zoning Commission, the Land Clearance for Redevelopment Authority and Staff recommend approval).

BACKGROUND: Sections 99.300-99.715, RSMo, of the Land Clearance for Redevelopment Authority Law, provide incentives to encourage investment and the removal of blight within Council-approved redevelopment areas. Pursuant to the foregoing, the Land Clearance for Redevelopment Authority (“LCRA”) may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan and are located within an area that City Council has declared as blighted. Partial real property tax abatement is based on 100% of the increase in the assessed value of land and improvements for 10 years.

Elm House, LLC has submitted a redevelopment plan for the Elm House Redevelopment Area (“Exhibit 1”), which consists of four parcels (approx. 0.55 acres), located along the south side of East Madison Street between South Jefferson Avenue and South Thomas Avenue (“Redevelopment Plan”). The purpose of the Redevelopment Plan is to remove blight and redevelop the area into a new housing development for fraternities and sororities that will be associated with Missouri State University. The Redevelopment Area is currently occupied by two duplexes and two single-family residential structures, which were constructed between the years 1887 and 1951. The Plan proposes to demolish the existing structures within the Redevelopment Area and construct a fraternity and sorority development consisting of two, three-story buildings. The buildings will be leased to college fraternities and sororities and will each serve as the residence for up to 24 students, as well as a location for chapter meeting and activities. Off-street parking will be provided as required in the R-HD, High-Density Multi-Family Residential District and the UN, University Combining District Overlay.

The Land Clearance for Redevelopment Authority reviewed the Redevelopment Plan on November 1, 2016, and recommended approval by a vote of 3 to 0. The Planning and Zoning Commission also reviewed the Redevelopment Plan at their November 10, 2016 meeting and recommended approval by a vote of 7 to 0.

Applicants are typically required to submit a blight report along with the redevelopment plan. However, in this case, a blight report was not necessary because the Elm House Redevelopment Area is located in a previously blighted area. The Redevelopment Area

is part of a larger area that City Council declared to be blighted in 1964 (Resolution No. 4282) and later reaffirmed in 1967 (Resolution No. 4794) with the adoption of the South Central “A” Urban Renewal Area. The requirements of the Urban Renewal Plan are obsolete and impractical by today’s standards for new construction in Center City. In order to facilitate redevelopment, the Applicant has submitted a new redevelopment plan for the Elm House Redevelopment Area, which will replace the existing Urban Renewal Plan within said Redevelopment Area.

This proposal is consistent with the Chapter 99/Land Clearance for Redevelopment Authority policies set forth in the *Economic Development Incentives Policy Manual*. Those policies are provided below.

1. Proposed redevelopment plans must be reviewed by the Planning and Zoning Commission and found to be consistent with the City of Springfield Comprehensive Plan.
2. Proposals for redevelopment plans and property tax abatement pursuant to Chapter 99, RSMo will be strongly discouraged in approved Tax Increment Financing districts because tax abatement conflicts with the intent of the TIF statute to capture the incremental increase to fund TIF improvements.

Section 99.430(9), RSMo. establishes the scope of review for a municipality to approve a Redevelopment Plan. City Council may approve a redevelopment plan if it finds that it is feasible and in conformity with the general plan for the development of the community as a whole.

The *Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan* designates the land within and surrounding the Redevelopment Area for Medium- or High-Density Residential Housing. This land use designation includes all types of multi-family residential housing with densities greater than six dwelling units per acre. The Comprehensive Plan recommends this type of land use be located where there is good traffic access, preferably along arterials and collectors. It also recommends that redevelopment areas be located between low-density housing and non-residential land uses, as well as near high-amenity areas. The Redevelopment Plan satisfies these recommendations by proposing new high-density residential housing that will abut South Jefferson Avenue, which is classified as a secondary arterial. Furthermore, the Redevelopment Area is immediately adjacent to a Missouri State University Bear Line Shuttle stop located at the southwest corner of South Thomas Avenue and East Madison Street and a City Utilities bus stop located at the southwest corner of South Jefferson Avenue and East Madison Street. The Redevelopment Area is also served by sidewalks and is located adjacent to a designated bicycle route running along East Madison Street. In addition to its close proximity to Missouri State University, the Redevelopment Area is located within 250 feet of Jenny Lincoln Park.

The *Center City Plan Element of the Springfield–Greene County Comprehensive Plan* found that the Center City area suffers from physical deterioration and economic

obsolescence. It also states that although there are several properties within Center City that have been well maintained or have been recently constructed, the overall condition is one of an area that could benefit from revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to redevelop the Redevelopment Area into a new fraternity and sorority development

This Ordinance supports the following *Field Guide 2030* goal: Chapter 3, Economic Development; Major Goal 7, to continue the development and revitalization of the center city Springfield.

REMARKS: The Planning and Zoning Commission, the Land Clearance for Redevelopment Authority, and City staff recommend City Council approve the Redevelopment Plan.

Submitted by:



Matt D. Schaefer  
Senior Planner



Mary Lilly Smith, Director

  
Greg Burris, City Manager

# **Exhibit 1**

**REDEVELOPMENT PLAN  
FOR  
THE ELM HOUSE  
REDEVELOPMENT AREA  
SPRINGFIELD, MISSOURI**

September 13, 2016

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## Redevelopment Plan

### **I. Introduction**

Elm House, LLC, a Missouri limited liability company (the “*Developer*”), has prepared the following plan (the “*Redevelopment Plan*”) for the planned development of panhellenic style (fraternity and sorority) residential housing which will be in the vicinity of Missouri State University’s campus and marketed primarily to students. The Redevelopment Plan proposes to completely redevelop the Redevelopment Area (as defined below) by constructing two (2) approximately three (3) story buildings and on-site parking lot (the “*Project*”). The maximum height of each building will be three (3) stories with a pitched roof. Upon completion of the Project, the Developer intends to master-lease each building to a separate Panhellenic organization (i.e. fraternities and sororities) associated with Missouri State University (“*Panhellenic Organization*”). The Panhellenic Organizations will then lease each of the building’s individual beds to their members for residential use. Although the Developer fully expects to master-lease each building to a Panhellenic Organization, in the event Developer is unable to lease one or more of the buildings to a Panhellenic Organization, Developer will seek an amendment to this Redevelopment Plan to retrofit one or more of the buildings to be leased as market-rate housing marketed primarily to students. As further set forth below, partial real property tax abatement will be available for redevelopment in the Redevelopment Area (as defined below) that is consistent with this Redevelopment Plan.

In 1964, pursuant to Resolution No. 4282, the Springfield City Council (the “*City Council*”) blighted an area generally bounded on the south by East Grand Street, on the east generally by the back lot lines of properties that face South Kimbrough Avenue, on the north by the Downtown Redevelopment Plan Area (with some portions that overlap), and on the west by South Market Avenue and then South Campbell Avenue (the “*Blighted Area*”). The City Council reaffirmed the blight for the Blighted Area pursuant to Resolution No. 4794 which was adopted in 1967. A map identifying the Blighted Area is attached hereto as Exhibit A.

### **II. Description of the Project**

#### *A. Boundaries of the Redevelopment Area*

The area to be redeveloped includes four (4) parcels addressed at 404 E. Madison Avenue/802 S. Jefferson Avenue, 410/412 E. Madison Avenue, 416 E. Madison Avenue, and 420 E. Madison Avenue (the “*Redevelopment Area*”), which consists of approximately 0.5508 acres of land. A map identifying the Redevelopment Area is attached hereto as Exhibit B and the Redevelopment Area is legally described on Exhibit C attached hereto.

#### *B. Need for Redevelopment*

The Redevelopment Area and other surrounding property were initially blighted in 1964 by the City Council due to a predominance of deteriorating conditions. The prosecution of this Redevelopment Plan will eliminate such conditions and create a desirable living environment for residents while increasing the taxable revenues to the City of Springfield.

#### *C. Redevelopment Plan Objectives and Strategies*

1. Goals of the Springfield - Greene County Comprehensive Plan.

The Redevelopment Area is located within the Center City Study Area (as defined by the City of Springfield’s Center City Plan Element (the “*CCPE*”), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan). The CCPE is a long-term guide for private investments and public improvements for a major part of central Springfield (“*Center City*”).<sup>1</sup> One of the goals of the CCPE is that Center City will continue to be the focal point for higher education and technology development and that Springfield and Center City will be known as “an education and communications city” fulfilling the needs of businesses and students of tomorrow.<sup>2</sup>

Additionally, the City of Springfield and Missouri State University (“*MSU*”) executed an agreement establishing direction for the future physical growth of MSU.<sup>3</sup> This agreement evolved from the desire to redirect the physical expansion of MSU’s campus away from the neighborhoods located to the south and east of MSU and to direct it instead toward Greater Downtown’s core area around Park Central Square.<sup>4</sup>

The Redevelopment Area is located within the vicinity of MSU. The Growth Management and Land Use Plan (“*Land Use Plan*”), which is another component of the Vision 20/20 Springfield-Greene County Comprehensive Plan, indicates that the Redevelopment Area and surrounding property is an appropriate area for medium or high density housing. The Land Use Plan also identifies MSU and surrounding areas as an Activity Center.<sup>5</sup> The Land Use Plan states that one of its objectives for areas identified as Activity Centers is that plans should promote additional or new employment, intensified retail business, higher density housing, and convenient transit service.<sup>6</sup> While the Redevelopment Area is located outside the official Activity Center according to the Activity Center Map, MSU has experienced significant growth since the Activity Center Map was adopted. If the Map was updated today, it is likely the Redevelopment Area would be located within the official Activity Center boundaries. In addition, the Redevelopment Area conforms to the guidelines for higher-density residential uses, as described in the Land Use Plan.

The Redevelopment Area meets both the accessibility and connectivity criteria described in the Land Use Plan. Particularly, the Redevelopment Area is accessible due to the close proximity of collector and arterial streets. For instance, Jefferson Avenue, a secondary arterial borders the western side of the Redevelopment Area and West Grand Street, which runs directly south of the Redevelopment Area, is classified as a primary arterial.

In addition, the Redevelopment Area is located near bus transit routes, is served by good sidewalks for pedestrian access, and is located to several nearby parks, MSU, and Downtown. Specifically, MSU’s Bear Line shuttle service has a route along E. Madison Avenue, which includes a stop in the direct vicinity to the Redevelopment Area. In addition to the Bear Line, the Redevelopment Area is located near two City Utilities bus routes: one along South Avenue (two blocks to the west of the Redevelopment Area) and another along Jefferson Avenue –

<sup>1</sup>See page 1-1 of the CCPE.

<sup>2</sup>See page 1-2 of the CCPE.

<sup>3</sup>See page 3-38 of the CCPE.

<sup>4</sup>See page 3-38 of the CCPE.

<sup>5</sup>See page 18-34 of the Land Use Plan.

<sup>6</sup>See page 18-28 of the Land Use Plan.

directly across the street from the Redevelopment Area. Moreover, Madison Avenue is designated as a bicycle route.

2. Redevelopment Plan Objectives and Conformance with the Goals of the Springfield - Greene County Comprehensive Plan.

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the area for fraternity and sorority housing marketed to Panhellenic Organizations and their members. The Project involves the construction of two (2) approximately three (3) story buildings. Each building will be a maximum of three (3) stories with a pitched roof. To accommodate residents and their guests, the Project will include onsite parking of approximately twenty-six (26) parking spaces.

The Project will further the objectives of the Springfield - Greene County Comprehensive Plan in several different ways. It will provide for additional student housing in Center City which will help to further the CCPE's goal that Center City be a focal point for higher education and fulfill the needs of students. The Project also complies with the City's goals for MSU's growth since the Redevelopment Area is located to the west of MSU's main campus. In addition, the Project meets the guidelines for multi-family residential housing set forth in the Land Use Plan as a result of the vehicle and pedestrian accessibility of the Redevelopment Area to MSU, Center City and nearby parks and other City amenities via the bus transit routes and the sidewalks in the area.

**III. Land Use Plan**

A. *Former and Existing Land Use*

There are currently two (2) duplexes and two (2) single family residences in the Redevelopment Area.

B. *Proposed Land Use*

The proposed land use for the Redevelopment Area is as two (2) approximately three (3) story buildings with on-site parking. Each building is intended to serve as a residence for approximately twenty-four (24) fraternity or sorority members and will also be able to accommodate various fraternity or sorority functions, such as chapter meetings and other events. Should the Developer be unable to enter into a master-lease with a Panhellenic Organization for one or more of the buildings, the Developer will seek an amendment to this Redevelopment Plan to allow one or more of the buildings to be used as market-rate multi-family residential housing marketed primarily to students. Land use plans showing proposed site plans for the Redevelopment Area are attached hereto as Exhibit D. The Project will substantially conform to the attached proposed plans.

C. *Existing and Proposed Zoning*

The existing zoning for the Redevelopment Area is High-Density Multi-Family Residential (R-HD). Developer is pursuing rezoning of the Redevelopment Area from R-HD to R-HD with the University Combining District (UN)—which allows for fraternity and sorority housing.

D. *Regulations and Controls*

Redevelopment of the Redevelopment Area shall be subject to all applicable Springfield, Missouri Codes and Ordinances.

**IV. Execution of the Project**

A. *Execution*

The Developer or its successors in interest will be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan.

B. *Land Acquisition*

The Developer is currently under contract to purchase 404 E. Madison Avenue/802 S. Jefferson Avenue, 410/412 E. Madison Avenue, 416 E. Madison Avenue, and 420 E. Madison Avenue and does not require any additional land. Per the terms of the purchase contracts, the current owners are aware the Developer is submitting this Redevelopment Plan and have agreed to assist the Developer in the submittal of this Redevelopment Plan.

C. *Financing*

The Developer is utilizing conventional financing to finance the Project.

D. *Disposition of Property*

No property is proposed to be disposed of within the Redevelopment Area.

E. *Plan for Relocation Assistance*

The Developer intends offer relocation assistance to current residents of the Redevelopment Area by working with Developer's management company to attempt to offer to place any displaced resident in another unit.

F. *Redevelopment Schedule and Estimated Dates of Completion*

The Developer estimates that each stage of the Project will be completed in accordance with the following schedule:

Building # 1:

- Pre-Construction (Inspections/Permits): Completed by December 2016
- Site Work (Demolition): Completed by January 2017
- Construction of Building: Completed by August 2017

Building # 2:

- Pre-Construction (Inspections/Permits): Completed by September/October 2017
- Site Work (Demolition): Completed by November/December 2017
- Construction of Building: Completed by August 2018

G. *Taxation*

The Developer or its successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief pursuant to Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

H. *Covenants*

The Redevelopment Plan shall run with the land for a period of twenty (20) years from the date of final approval (at which point it shall expire and shall be of no further force or effect) and shall, during such time, require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan if they wish to benefit from tax relief available under Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

**V. Other Provisions**

A. *Compliance with State and Local Law*

The Redevelopment Plan shall be implemented in conformance with the requirements of state and local law.

B. *Population Density*

The Project will provide housing for approximately forty-eight (48) individuals on a .55 acre site.

C. *Public Facilities*

The Project will not require any additional public facilities or utilities.

**VI. Procedure for Changes or Modification of Plan**

Upon application by the Developer or its successors in interest, the Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission. When the proposed amendment or modification substantially changes the Redevelopment Plan, the City Council must also approve the amendment or modification.

EXHIBIT A  
Map of Blighted Area

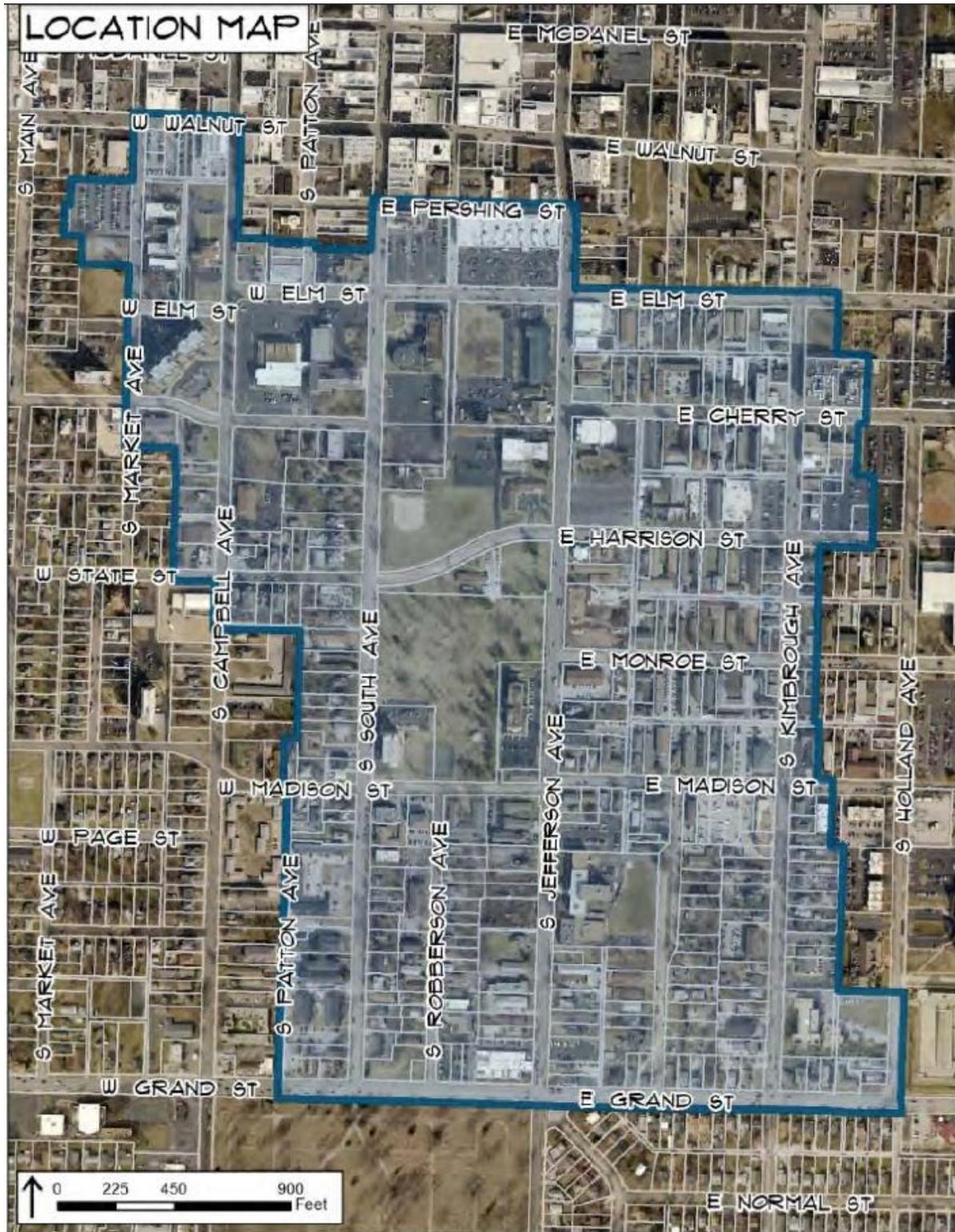


EXHIBIT B

Map of Redevelopment Area



## EXHIBIT C

### Legal Description of the Redevelopment Area

#### 404 E. MADISON/802 J. JEFFERSON

THE WEST 80 FEET OF THE NORTH 92 FEET AND 7 INCHES OF LOT ONE HUNDRED TWENTY (120), IN SOUTHERN ADDITION, TO THE CITY OF SPRINGFIELD, MISSOURI, AND A STRIP OF GROUND 5 FEET WIDE, MORE OR LESS, LYING ALONG THE NORTH SIDE OF SAID WEST 80 FEET OF SAID LOT, SAID STRIP OF LAND ABOVE DESCRIBED BEING BOUNDED ON THE NORTH BY MADISON STREET, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT THAT PART DEEDED IN BOOK 1536, AT PAGE 25, SUBJECT TO ANY PART THEREOF, TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

#### 410/412 E. MADISON

ALL OF THE EAST 70 FEET OF THE WEST 150 FEET OF THE NORTH 92 FEET AND 7 INCHES OF LOT ONE HUNDRED TWENTY (120), SOUTHERN ADDITION, AND A STRIP OF GROUND 5 FEET WIDE, MORE OF LESS, LYING ALONG THE NORTH SIDE OF SAID STRIP OF LAND ABOVE DESCRIBED BEING BOUNDED ON THE NORTH BY MADISON STREET IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

#### 416 E. MADISON

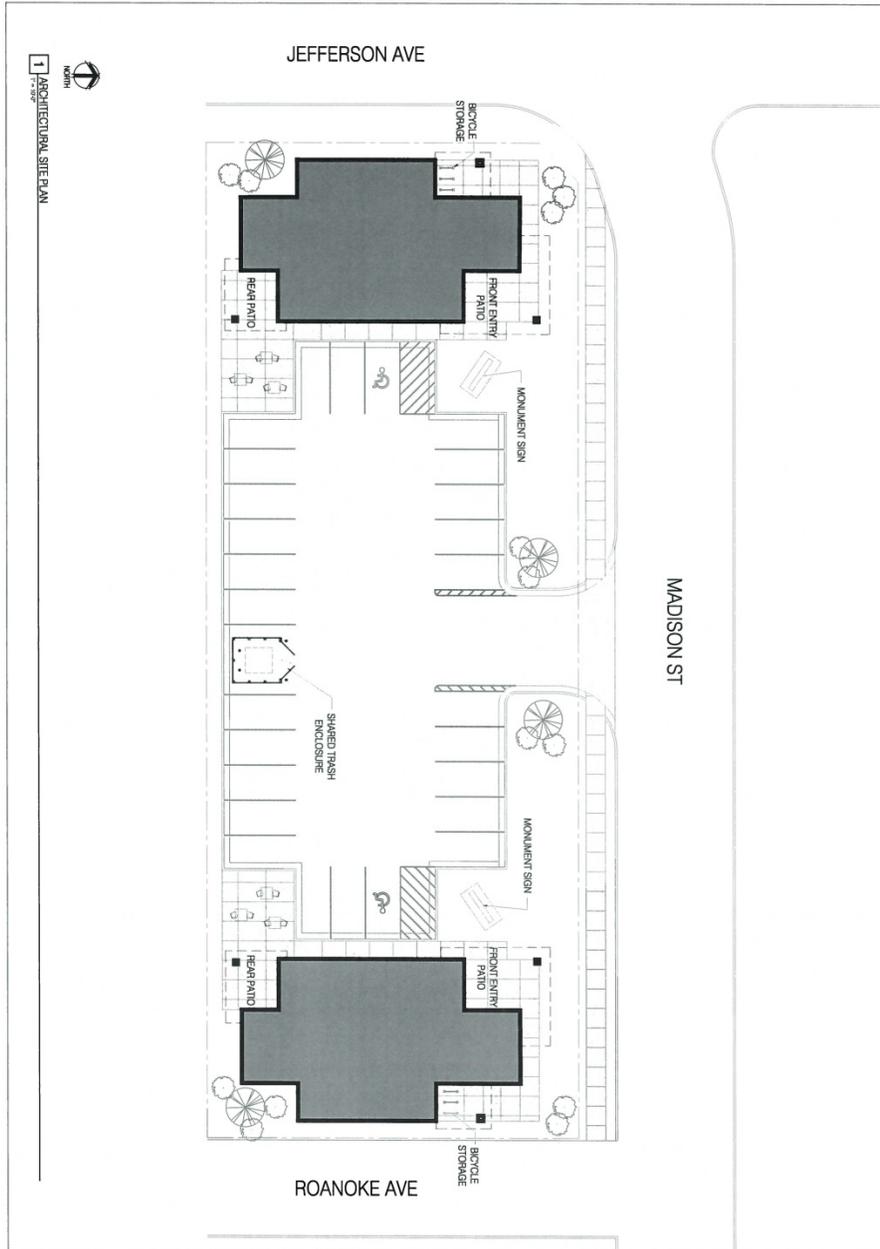
ALL OF THE WEST 50 FEET OF THE EAST 100 FEET OF THE FOLLOWING DESCRIBED LAND: THE NORTH 92 FEET AND 7 INCHES OF LOT ONE HUNDRED-TWENTY (120) IN SOUTHERN ADDITION TO THE CITY OF SPRINGFIELD, MISSOURI. ALSO A STRIP OF GROUND 5 FEET WIDE BY 250 FEET IN LENGTH, LYING ALONG THE NORTH SIDE OF LOT ONE HUNDRED-TWENTY (120) OF SOUTHERN ADDITION MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 120 SOUTHERN ADDITION; THENCE EAST 250 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE NORTH 5 FEET TO THE FENCE ON THE SOUTH SIDE OF MADISON STREET, AS SAID FENCE IS NOW LOCATED; THENCE RUNNING IN A WESTERLY DIRECTION 250 FEET TO A POINT DIRECTLY NORTH OF THE PLACE OF BEGINNING; THENCE SOUTH 5 FEET TO THE PLACE OF BEGINNING. SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

#### 420 E. MADISON

THE EAST FIFTY (50) FEET OF THE NORTH NINETY-TWO AND SEVEN-TENTHS (92.7) FEET OF LOT ONE HUNDRED TWENTY (120), SOUTHERN ADDITION, TOGETHER WITH A FIVE (5) FOOT STRIP NORTH OF AND ADJOINING SAID TRACT, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

# EXHIBIT D

## Land Use Plan



DATE	2008/00/00
SCALE	AS SHOWN
PROJECT	STUDENT HOUSING
CLIENT	SAY YOU CAN LLC
ARCHITECT	BATES ARCHITECTURE

**STUDENT HOUSING  
FOR  
SAY YOU CAN LLC**

SPRINGFIELD, MO

www.batesarch.com  
 phone no. 417.885.2086  
 local office 417.885.2113  
 433 west walton  
 springfield, missouri 65808

**bates**

NO. 1	DATE	DESCRIPTION