

**BYLAWS OF**  
**LAND BANK OF BLUE SPRINGS, MISSOURI**

**ARTICLE I**  
**NAME, OFFICES, AND PURPOSE**

**Name:** The Land Bank of Blue Springs, Missouri (hereinafter “Land Bank”), a public body corporate and politic created pursuant to RSMo Sections 141.210 to 141.810 and Sections 141.980 to 141.1015 (“Land Tax Collection Law”) and activated by the City Council of the City of Blue Springs, Missouri by Ordinance No. 4429 and adopted on March 4, 2013. The Land Bank shall have permanent and perpetual duration until terminated and dissolved in accordance with the provisions of RSMo Section 141.1012, and as set forth in Section 800.200 of the Code of Ordinances of the City of Blue Springs, Missouri (“Code of Ordinances”).

**Offices:** The principal office of the Land Bank shall be located at 903 W. Main Street, Blue Springs, Jackson County, Missouri. The Land Bank may also have other offices at such places within the corporate limits of the City of Blue Springs, Missouri (hereinafter “City”), as the Board may decide.

**Purpose:** The Land Bank shall manage, sell, transfer and dispose of interests in real estate owned by the Land Bank in accordance with this Chapter 800. The use of property conveyed by the Land Bank shall be for the purposes of returning land to private (for-profit and non-profit) ownership, including nonrevenue-generating, nontax-producing land, to create: (i) opportunities for revitalization of deteriorating residential, retail and commercial neighborhoods, (ii) safe, decent and affordable housing for existing and future residents, (iii) retail and commercial areas on vacant or deteriorated properties within neighborhoods, (iv) the assemblage of property for future development in a manner consistent with the purposes of the City’s Comprehensive and associated plans, particularly in areas designated by the City as target areas for revitalization or development, and (v) create or expand side yards with unimproved vacant lots in neighborhoods for the benefit of abutting residences. When properties cannot be returned to private ownership they should be used in ways beneficial to the City and its Citizens, e.g., (i) space for use as community gardens, (ii) public spaces and places for parks, green spaces and other public purposes, (iii) use as wildlife conservation areas, and (iv) other beneficial uses through private (for-profit or non-profit) or public ownerships, as set forth in Section 800.110.E, as further considered and applied by the Board of Commissioners governing the Land Bank.

The Land Bank shall not own any interest in real estate that is located wholly or partially outside the City. The Land Bank shall not be authorized to sell more than five contiguous parcels to the same entity in the course of a year.

**ARTICLE II**  
**TAX EXEMPT STATUS**

In accordance with RSMo Section 141.984.2, the income of the Land Bank shall be exempt from all taxation by the state and by any of its political subdivisions. Upon acquiring title

to any real estate, the Land Bank shall immediately notify the county assessor and the collector of such ownership, and such real estate shall be exempt from all taxation during the Land Bank's ownership thereof, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, the Land Bank shall immediately notify the county assessor and the collector of such change of ownership; provided however, that such tax exemption for improved and occupied real property held by the Land Bank as lessor pursuant to a ground lease shall terminate upon the first such occupancy, and the Land Bank shall immediately notify the county assessor and the collector of such occupancy.

### **ARTICLE III POWERS**

The Land Bank shall have all powers necessary or appropriate to carry out and effectuate the purposes and provisions of Chapter 800 of the Code of Ordinances and the Land Tax Collection Law as they relate to this agency.

### **ARTICLE IV GOVERNING BOARD**

**Composition:** The Land Bank shall be composed of a Board of Commissioners which shall consist of five members, all of whom shall be residents of the City. One commissioner shall be appointed by Jackson County, Missouri, one commissioner shall be appointed by the school district that is wholly or partially located within the City and Jackson County, Missouri, and then has the largest population according to the last preceding federal decennial census, and the three remaining commissioners shall be appointed by the Mayor pursuant Section 4.4.C of the City Charter. The initial term of the commissioner appointed by Jackson County shall be one year, and thereafter each appointment by the County shall be for a period of four years. The initial term of the commissioner appointed by school district shall be two years, and thereafter each appointment by the school district shall be for a period of four years. The initial terms of the three commissioners appointed by the Mayor, shall be staggered, for one, two or three years, and thereafter four year terms. The purpose of such staggering of the initial terms is to provide ongoing continuity, with a majority of the Board of Commissioners remaining in office at any one time. Subsequent to the initial term of office of the commissioners, each term shall be for four years. Commissioners shall serve at the pleasure of each commissioner's appointing authority, and no cause need be stated for the removal of a commissioner. Commissioners shall serve without compensation. Any vacancy shall be filled by the same appointing authority that made the original appointment. Commissioners of the first Board of the Land Bank shall be appointed within sixty days after the Effective Date of the Ordinance establishing the Land Bank. If any appointing authority fails to make any appointment within the time the first appointments are required, or within sixty days after any term expires, then the appointment shall be made by the Mayor. Except as otherwise provided in subsection 2 of RSMo Section 141.720, the City or school district, as an appointing authority for this Land Bank, shall not be an appointing authority under RSMo Section 141.720 for the Land Trust of Jackson County ("Land

Trust”) upon completion of all transfers to the Land Bank from the Land Trust, or one year after the Effective Date of the Ordinance establishing the Land Bank, whichever shall first occur.

**Eligibility to Serve as Commissioner:** Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a Board commissioner and the acceptance of the appointment shall neither terminate nor impair such public office. For purposes of this Section, "public officer" shall mean a person who is elected to a political subdivision office. Any political subdivision employee shall be eligible to serve as a Board commissioner. All commissioners shall be at the time of appointment and remain throughout their term residents of the City, and shall resign their appointment effective immediately upon the loss of residency.

**Conflicts of Interest and Ethics:** Neither the members of the Board nor any salaried employee of the Land Bank agency shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership, or disposition of any lands held by the Land Bank other than the salaries, expenses, and emoluments provided for in Chapter 800 of the Code of Ordinances. Neither the members of the Board nor any salaried employee of the Land Bank shall own, directly or indirectly, any legal or equitable interest in or to any lands held by the Land Bank. In accordance with RSMo Section 141.1000, a violation of this Section is a felony, and any person found guilty of violating this Section shall be sentenced to a term of imprisonment of not less than two nor more than five years. The Board of the Land Bank shall adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the Board and Land Bank employees, provided that such rules and regulations are not inconsistent with Chapter 800 of the Code of Ordinances or any other applicable law.

**Board Organization:** The Board shall have the power to organize and reorganize the executive, administrative, clerical, and other divisions of the Land Bank and to fix the duties, powers, and compensation of all employees, agents, and consultants of the Land Bank. The Board may cause the Land Bank to reimburse any commissioner for expenses actually incurred in the performance of duties on behalf of the Land Bank.

**Board Meetings:** The Board shall meet in regular session according to a schedule adopted by the Board, and shall meet in special session as convened by the chairman or upon written notice signed by a majority of the commissioners. The presence of a majority of the Board's total membership shall constitute a quorum to conduct business.

**Open Meetings:** Except as otherwise provided under Missouri law, all Board meetings shall be open to the public and the Board shall cause minutes and a record to be kept of all its proceedings. The Land Bank shall be subject to the provisions of Chapter 610, Chapter 109, and any other applicable provisions of Missouri state law governing public records and public meetings.



I, . . . . . , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of Blue Springs, Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

. . . . .

Subscribed and sworn to this . . . day of . . . , 20. .

My appointment expires: . . . . .

. . . . .

Notary Public

**Non-liability:** Board Commissioners, individually or collectively, shall not be liable personally on the bonds or other obligations of the Land Bank, and the rights of creditors of the Land Bank shall be solely against the assets of the Land Bank. Notwithstanding the foregoing, the Land Bank may obtain such insurance it deems appropriate or prudent for itself, or the Board commissioners or staff of the Land Bank in their official capacity with the Land Bank.

**ARTICLE V  
OFFICERS**

**Officers:** The commissioners of the Board shall select annually from among themselves a chair, a vice-chair, and a treasurer, and such other officers as the Board may determine.

**Chairman - Powers and Duties:** The Chairman shall:

- A. Attend and preside at all meetings of the Board;
- B. Sign all contracts, deeds, mortgages, bonds, and other instruments made by the Land Bank that the Board has authorized for execution, except where the signing and execution thereof has been expressly delegated by the Board or these Bylaws to another agent of the Land Bank, or is required by law to be otherwise signed or executed;
- C. Report to the Board regarding the activities of the Land Bank and submit recommendations and information concerning the business, affairs and policies of the Land Bank;

- D. Have the power to appoint committees for such special purposes as the Chairman deems necessary for the operation of the Authority; and
- E. Generally perform all duties incident to the office of the Chairman and such other duties as may be prescribed by the LCRA Act and the Board.

**Vice-Chairman - Powers and Duties:** In the absence of the Chairman, or in the event of the Chairman's death, inability or refusal to act, the Vice-Chairman shall perform the duties of the Chairman and, when so acting, shall act with all the powers of and be subject to all the restrictions to which the Chairman is subject until such time as the Board shall elect a new Chairman. If the Vice-Chairman is absent, or in the event of his or her death, inability or refusal to act, the Treasurer shall perform the duties of the Vice-Chairman. The Vice-Chairman shall also perform such other duties as may be assigned by the Chairman or the Board.

**Joint Powers:** The Chairman or Vice Chairman shall make and execute contracts, checks, and other instruments necessary or convenient to the exercise of the powers of the Land Bank; and any contract, check or instrument when signed by the Chairman or vice Chairman of the Land Bank, or by an authorized use of their facsimile signatures, and by the appointed Secretary or Treasurer of the Land Bank, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf.

**Treasurer – Powers and Duties:** The Treasurer shall work with City staff to:

- A. Prepare Treasurer's report;
- B. Invest the money of the land bank agency, including amounts deposited in reserve or sinking funds, at the discretion of the Board, in instruments, obligations, securities, or property determined proper by the Board, and name and use depositories for its money;
- C. To fix, charge, and collect rents, fees, and charges for the use of the property of the land bank agency and for services provided by the land bank agency;
- D. With assistance of Secretary, assure that regular books of accounts are kept showing receipts and expenditures, and render to the Board, at each regular meeting (or more often when requested), an account of the Land Bank's transactions and also of the financial condition of the Land Bank;
- E. Assist in completion of annual audit;

**Secretary - Powers and Duties:** The Secretary of the Land Bank shall have general supervision over the administration of the Land Bank's business and affairs, subject to the direction of the Commissioners, and shall be charged with the management of the affairs of the Land Bank. The person who serves as Secretary of the Land Bank shall have the following powers and duties:

- A. Keep the minutes for the meetings of the Board as provided by law in one or more books provided for that purpose;

- B. Assure that all notices are properly given, in accordance with these Bylaws and as required by law;
- C. Be custodian of the records and seal of the Land Bank;
- D. Assure that the seal of the Land bank is affixed to all documents duly authorized for execution under seal on behalf of the Land Bank;
- E. Keep a register which includes the address and telephone number of each Commissioner whose address and telephone number shall be furnished to the Secretary by the Commissioner;
- F. Cause all money paid to the Land Bank from all sources whatsoever to be properly received;
- G. Cause all funds of the Land Bank to be deposited in such banks, trust companies or other depositories as shall be selected by the Board;
- H. Authorize, pursuant to Board direction, all orders and checks for the payment of money and shall cause the Land Bank's money to be paid out as directed by the Board;
- I. Work with Treasurer to assure that regular books of accounts are kept showing receipts and expenditures, and render to the Board, at each regular meeting (or more often when requested), an account of the Land Bank's transactions and also of the financial condition of the Land Bank;
- J. Perform all duties incidental to the office of Secretary and such other duties as may be assigned to the Secretary by the Chairman or the Board; and
- K. Exercise such other authority as is from time to time delegated by the Board by resolution.

**Delegation of Duties:** In case of the absence of any officer of the Land Bank, for any reason that the Board may deem sufficient, the Board may delegate the power or duties of such officer to another officer or designated agent for the interim, provided a majority of all Commissioners concur.

**Election or Appointment and Term of Office:** The Chairman and one or more Vice-Chairmen shall be elected annually by the Board from among the Commissioners at the annual meeting of the Board. If the election of officers is not held at such meeting, the election shall be held as soon thereafter as is convenient. Each such officer shall hold office until a successor has been duly elected and qualified, or until resignation, death or removal. The Secretary shall be

appointed by the Board. Any person appointed to fill the office of Secretary, or any vacancy therein, shall serve at the pleasure of the Board.

**Vacancies:** Should the office of Chairman or Vice-Chairman become vacant, the Board shall elect a successor from among the Commissioners at the next regular meeting, and such election shall be for the unexpired term of said officer.

## **ARTICLE VI STAFFING AND INTERGOVERNMENTAL AGREEMENTS**

The Land Bank may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. The staff of the land bank agency shall be persons who have demonstrated special interest, experience or education in urban planning, community development, real estate, law, finance or related areas; provided, however, clerical, technical or other support staff need not have such demonstrated interest, experience or education. The Board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the Land Bank. The Land Bank may also enter into contracts and agreements with political subdivisions for staffing services to be provided to the Land Bank by political subdivisions or agencies or departments thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or departments thereof. Such an agreement may include, but are not limited to, contracts for the joint exercise of powers, contracts for ownership, management, development, and disposition of real property. The Land Bank may receive funding through grants and loans from political subdivisions, from the state, from the federal government, and from other public and private sources.

## **ARTICLE VII BOOKS AND RECORDS**

The Land Bank shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board as required by law and shall annually file with the City Clerk, a report of its activities for the preceding year, and shall make recommendations with reference to such additional legislation or other action as it deems necessary in order to carry out the purposes of the Land Tax Collection Law.

## **ARTICLE VIII SEAL**

The Board shall provide a corporate seal, which shall be circular in form and be inscribed with the name of the Land Bank.



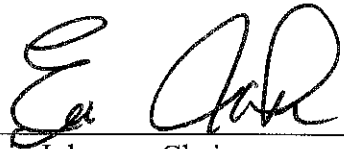
**ARTICLE IX  
AMENDMENT OF BYLAWS**

These Bylaws may be altered, amended, or repealed, and new Bylaws may be adopted with the approval of at least three (3) of the Commissioners at any regular or special meeting. Except by unanimous consent of all the Commissioners, no proposed amendment to these Bylaws shall be voted upon until reduced to writing, filed with the Secretary and distributed to the Commissioners at the regular meeting of the Board immediately preceding the meeting at which the amendment is voted upon.

**ARTICLE X  
AMENDMENT OF MISSOURI STATUTES**

If, at any time, the Land Tax Collection Law, the Sunshine Law or any other Missouri statute ("Missouri Law") is amended in a manner which conflicts with these Bylaws, the Board shall cause these Bylaws to be amended to be consistent with Missouri Law, and in the interim, the amended Missouri Law shall govern the actions of the Land Bank and the Board.

LAND BANK OF BLUE SPRINGS,  
MISSOURI

By:   
Eric Johnson, Chairman

ATTEST:

  
Sheryl Morgan, Board Secretary

