

The City Clerk (the "**Clerk**") reported that pursuant to a resolution of the Mayor and City Council (the "**Governing Body**") of the City of Tupelo, Mississippi (the "**City**") calling for a public hearing to be held at 6:00 P.M. on Tuesday, April 16, 2024, with respect to a "*Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004, as Amended and Restated April 2024*" (the "**TIF Plan**"), she did cause a notice of the public hearing to be published in the *Northeast Mississippi Daily Journal*, a newspaper having a general circulation in the City on April 4, 2024, as evidenced by proof of publication on file in the office of the Clerk. The Mayor then called the meeting to order, and the public hearing was duly convened. At that time, all present were given an opportunity to present oral or written comments on the TIF Plan. At the conclusion of the public hearing, Council Member _____ offered and moved the adoption of the following resolution:

A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE "TAX INCREMENT FINANCING PLAN, TUPELO COMMONS PROJECT, TUPELO, MISSISSIPPI, FEBRUARY 2004, AS AMENDED AND RESTATED APRIL 2024".

WHEREAS, under the power and authority granted by the Laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "**TIF Act**"), the Governing Body of the City, on April 2, 2024, did adopt a certain resolution entitled:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE TAX INCREMENT FINANCING PLAN, TUPELO COMMONS PROJECT, TUPELO, MISSISSIPPI, FEBRUARY 2004 OF THE CITY (THE "2004 TIF PLAN**"), AS AMENDED AND RESTATED BY THE TAX INCREMENT FINANCING PLAN, TUPELO COMMONS PROJECT, TUPELO, MISSISSIPPI, FEBRUARY 2004, AS AMENDED AND RESTATED APRIL 2024 (THE "**AMENDED AND RESTATED TIF PLAN**") PROPOSES A PROJECT THAT IS ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; AUTHORIZING AND APPROVING THE AMENDED AND RESTATED TIF PLAN FOR THE PURPOSES AS PROVIDED HEREIN; AUTHORIZING AND APPROVING THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE AMENDED AND RESTATED TIF PLAN; AND FOR RELATED PURPOSES; AND**

WHEREAS, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in the *Northeast Mississippi Daily Journal*, a newspaper having a general circulation within the County, and was so published in said newspaper on April 4, 2024, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk and attached hereto as **Exhibit A**; and

WHEREAS, the notice of public hearing generally described the TIF Plan and further called for a public hearing to be held at the meeting place of the Governing Body in the City Hall, located at 71 East Troy Street, Tupelo, Mississippi 38804, at 6:00 p.m., on April 16, 2024, in order for the general public to state or present their views on the TIF Plan; and

WHEREAS, at 6:00 P.M. on Tuesday, April 16, 2024, the public hearing was held and all in attendance were given an opportunity to state or present their oral or written comments on the TIF Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION ONE: That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

SECTION TWO: That the Governing Body of the City is now fully authorized and empowered under the provisions of the TIF Act, to adopt and implement the TIF Plan attached hereto as **Exhibit B**, and do hereby adopt and approve such plan as presented in order to assist in the development of the Tupelo Commons Project, including infrastructure improvements which include, but are not limited to, paying the cost of any of, constructing various public infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements, construction of roadways with curb and gutter, installation of traffic signalization and signage, acquisition of rights-of-way, landscaping of rights-of-way, related engineering fees (including the City's engineering fees), attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs; and for other purposes authorized pursuant to the TIF Act and Sections 57-64-1 *et seq.*, Mississippi Code of 1972, as amended, if applicable (collectively, the "**Infrastructure Improvements**").

The above and foregoing resolution, after having been first reduced to writing, was seconded by Council Member _____ and was adopted by the following roll call vote, to wit:

YEAS:

NAYS:

ABSENT:

The President thereby declared the motion carried and the resolution adopted, this the 16th day of April 2024.

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing resolution having been submitted to and approved by the Mayor, this the 16th day of April 2024.

CITY CLERK

MAYOR

Exhibit A
Proof of Publication

STATE OF MISSISSIPPI, LEE COUNTY:

Personally appeared before me, Diana Irias, Notary Public, in and for said County and State, Edward B. Blakeley, Chief Operating Officer, of a newspaper printed and published in the City of Tupelo, Lee County, Mississippi, called The Northeast Mississippi Daily Journal, who being duly sworn, deposes and says that the publication of a certain notice, a true copy of which is hereunto attached, has been made in said newspaper for _____ weeks consecutively to-wit:

Vol. 151 . No. 4 Date 04/04/2024
 Vol. _____ . No. _____ Date _____ 20 _____
 Vol. _____ . No. _____ Date _____ 20 _____
 Vol. _____ . No. _____ Date _____ 20 _____
 Vol. _____ . No. _____ Date _____ 20 _____
 Vol. _____ . No. _____ Date _____ 20 _____

Edward B. Blakeley, COO

Witness my hand and seal this 04 day

of April 20 24
Diana Irias, Notary



#1662661

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
AMENDED AND RESTATED TAX
INCREMENT FINANCING PLAN
FOR
TUPELO COMMONS PROJECT

Notice is hereby given that the Mayor and the City Council of the City of Tupelo, Mississippi (the "Governing Body" of the "City"), will hold a public hearing on Tuesday, April 16, 2024, at 6:00 P.M. at the regular meeting of the Governing Body to be held at its usual meeting in City Hall, located at 71 East Troy Street, Tupelo, Mississippi, on the Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004, as Amended and Restated April 2024 (the "Amended and Restated TIF Plan"), presented for consideration by the Governing Body and requesting that the Amended and Restated TIF Plan be approved in compliance with the Tax Increment Financing Redevelopment Plan, Tupelo, Mississippi 1989, as amended and restated, November 1996 and as may be amended from time to time (the "Redevelopment Plan"), for the City and, further, to designate the Project and the Infrastructure Improvements, described in the Amended and Restated TIF Plan as appropriate for development and tax increment financing.

The general scope of the Amended and Restated TIF Plan is for the City, among other things, to amend and restate the Tax Increment Financing Plan (Tupelo Commons Project), Tupelo, Mississippi, February 2004 (the "2004 TIF Plan") to (a) extend the duration of the 2004 TIF Plan to term of not to exceed ten (10) years from the adoption of the Amended and Restated TIF Plan or until such time as any tax increment financing revenue bonds or notes are paid in full, (b) provide that the interest rate to maturity of any tax increment financing revenue bonds or notes, issued by the City under the Amended and Restated TIF Plan, shall not exceed the interest rate to maturity that which is allowed under Section 75-17-101 et seq., Mississippi Code of 1972, unless otherwise restricted by further proceedings or resolution of the Governing Body of the City, and (c) provides for other amendments set forth in the Amended and Restated TIF Plan pursuant to the TIF Act, all in connection with the construction of various infrastructure improvements described in the Amended and Restated TIF Plan to provide tax increment financing to assist with the redevelopment of the TIF District and for the purpose of providing funds necessary to pay for any of, acquiring land and/or the construction of various infrastructure improvements in connection with the construction of the Tupelo Commons Project (the "Project"), which includes, but is not limited to, paying the cost of any of, constructing various public infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements with curb and gutter, installation of traffic signalization and signage, acquisition of rights-of-way, landscaping of rights-of-way, related engineering fees (including the City's engineering fees), attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs; and for other purposes authorized pursuant to the TIF Act and REDA Act, (collectively, the "Infrastructure Improvements").

The TIF Bonds shall be secured solely by any or all of the incremental increase in the City's real and personal property ad valorem tax revenues generated from the Project within the TIF District and as otherwise allowed by the TIF Act and the REDA Act (defined below). The TIF Bonds will not be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above.

The City may enter into a Regional Economic Development Alliance with Lee County, Mississippi (the "County"), pursuant to the Regional Economic Development Act, Title 57, Chapter 64, Mississippi Code of 1972, as amended (the "REDA Act") to support the Project and to allow proceeds of the TIF Bonds to be used to pay the cost of certain of the Infrastructure Improvements and to provide additional security for the TIF Bonds.

Construction of the Project and the Infrastructure Improvements and payment of the TIF Bonds issued to construct the Project and the Infrastructure Improvements will be paid as set forth in the Amended and Restated TIF Plan and will not require an increase in ad valorem taxes within the City or the County.

Copies of the Amended and Restated TIF Plan and the Redevelopment Plan are available for examination in the office of the City Clerk at the City's City Hall located at 71 East Troy Street, Tupelo, Mississippi 38804.

Witness my signature and seal, this the 2nd day of April 2024,
CITY OF TUPELO, MISSISSIPPI
 BY: s/ Todd Jordan
 TITLE: Mayor
 April 4, 2024.

PRINTERS FEES

To 797 words at 0.12 cents per word \$ 95.64
 To Proof of Publication \$ 10.00
 Total \$ 105.64

Exhibit B

TIF PLAN

TAX INCREMENT FINANCING PLAN

TUPELO COMMONS PROJECT

TUPELO, MISSISSIPPI

FEBRUARY 2004

AS AMENDED AND RESTATED APRIL 2024

**TAX INCREMENT FINANCING PLAN
TUPELO COMMONS PROJECT
TUPELO, MISSISSIPPI
FEBRUARY 2004
AS AMENDED AND RESTATED APRIL 2024**

ARTICLE I

A. Preamble

The administration and implementation of this *Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004, as Amended and Restated April 2024* (the "**TIF Plan**") shall be administered by the City of Tupelo (the "**City**").

The project consists of three phases - the Current Phase, the Proposed Phase, and the Future Phase, which are defined below:

The Current Phase

The Current Phase of the project includes ten (10) acres and consists of a Malco Theater, a Wendy's Restaurant, a Chili's Restaurant, and a specialty eye care clinic. This phase represents an investment in excess of \$11,500,000 and employs over 75 people.

The Proposed Phase

The Proposed Phase of the project includes twenty (20) acres and will consist of up to five restaurants and approximately 138,000 square feet of retail space. This phase will represent a private investment of approximately \$30,000,000.

The Future Phase

The Future Phase of this project will consist of the remaining sixty (60) acres and will include restaurant sites, out parcels for retail development, and 115,000 square feet of additional retail space. This phase is estimated to cost approximately \$65,000,000.

B. Statement of Intent

The City proposes to issue Tax Increment Financing Revenue Bonds or Notes, in one or more series, in an amount not to exceed Three Million Dollars (\$3,000,000), which will be secured solely by a pledge of the increased ad valorem real and personal property taxes generated by the construction and development of the Tupelo Commons Project (the "**Project**") as such project may develop. These funds will be used to pay the cost of constructing various public infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements, construction of roadways with curb and gutter, installation of traffic signalization and signage, acquisition of rights-of-way, landscaping of rights-of-way, related engineering fees (including the City's engineering

fees), attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs and for other purposes authorized pursuant to the TIF Act and the REDA Act, if applicable (the "Infrastructure Improvements").

The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare.

The proposed improvements described hereinabove will be constructed in accordance with City codes and standards and shall be available for use by the general public.

C. Public Convenience and Necessity

The public convenience and necessity require participation by the City in this Project. The public interest will be served by the City's participation in the infrastructure cost of the Project. The Project will accomplish the following, which will provide for the public convenience and necessity and serve the best interests of the citizens of the City.

1. Construction of the Current Phase of the Project represents a private investment in excess of \$11,500,000. The Proposed Phase will represent an investment in excess of \$30,000,000, and the Future Phase is projected to represent an investment in excess of \$65,000,000.
2. The Current Phase employs over 75 people with an annual payroll of approximately \$1,300,000. The Proposed Phase will employ over 200 persons with an annual payroll of approximately \$3,600,000. Employment for the Future Phase is unknown at this time.
3. City ad valorem property taxes generated from the development are projected to be as follows:

	<u>Real Property</u>	<u>Personal Property</u>
Current Phase	\$ 25,489	\$ 8,256
Proposed Phase	\$ 73,550	\$25,052
Future Phase	\$135,358	\$56,656

4. County ad valorem property taxes generated from the development are estimated to be as follows:

	<u>Real Property</u>	<u>Personal Property</u>
Current Phase	\$ 28,997	\$ 9,392
Proposed Phase	\$ 83,671	\$28,500
Future Phase	\$153,984	\$64,433

5. The Project will generate the following estimated ad valorem property taxes for the School District:

	<u>Real Property</u>	<u>Personal Property</u>
Current Phase	\$ 54,320	\$17,594

Proposed Phase	\$156,740	\$53,388
Future Phase	\$288,455	\$120,738

6. The Project is expected to generate retail sales tax rebates of \$101,010. \$665,630, and \$1,467,350 for the City treasury for the Current Proposed, and Future Phases, respectively.
7. The development of the 90± acres will include new businesses, retailers, and amenities for the City and will help diversify and expand the City's retail sales tax base.
8. The Project will result in the development of a prime commercial property, which has heretofore been undeveloped.
9. The Project will provide roadway improvements to facilitate long-range traffic flow improvements, which are endorsed by MDOT.
10. The project has resulted in the construction of a state-of-the-art theater for the City, attracting over 250,000 customers annually.
11. The project will be a modern, pedestrian enhanced shopping and entertainment experience.
12. Tupelo Commons will provide upscale, diversified retail opportunities.
13. The project will attract new retailers to the City.
14. The project will cause increased development activity, which will spur additional development in the area.
15. The project has and will continue to bring new restaurants to the City.
16. The project will provide new small business and franchisee opportunities for the City.
17. The project will enhance the City's/region's ability to attract both technology and manufacturing industry development by enhancing the "cultural infrastructure through expanded entertainment, dining, and shopping opportunities.

ARTICLE II

A. Redevelopment Project Description

Proposed Project

The Project includes 90± acres of prime commercial real estate located at the intersection of Highways 78 and 45 in Tupelo, Mississippi.

The project consists of three phases — the Current Phase, the Proposed Phase, and the Future Phase, which are defined below:

The Current Phase

The Current Phase of the project includes ten (10) acres and consists of a Malco Theater, a Wendy's Restaurant, a Chili's Restaurant, and a specialty eye care clinic. This phase represents an investment in excess of \$11,500,000 and employs over 75 people.

The Proposed Phase

The Proposed Phase of the project includes twenty (20) acres and will consist of up to five restaurants and approximately 138,000 square feet of retail space. This phase will represent a private investment of approximately \$30,000,000.

The Future Phase

The Future Phase of this project will consist of the remaining sixty (60) acres and will include restaurant sites, out parcels for retail development, and 115,000 square feet of additional retail space. This phase is estimated to cost approximately \$65,000,000.

Project Location

a. Legal Description and Map

Attached hereto as Exhibit I is a legal description of the TIF District. Exhibit II is a survey of the TIF District from which the tax revenues will be generated to finance the TIF bond debt.

b. Environmental Characteristics and Zoning

The Project Site is comprised of approximately 90± acres. Development of the site will require road construction, traffic signalization, utilities such as water, sanitary sewer, drainage, and landscaping. Approximately 35 acres is zoned C-2 General Commercial in the Barnes Crossing Overlay District. The balance of the property is zoned AO, Agriculture/Open Space.

B. Developer Information

- | | | | |
|----|---|---|--|
| 1. | <u>Name of Developer</u>
Big Oaks Farm, LLC | <u>Name of Developer</u>
Kenlan Development | <u>Name of Developer</u>
V.M. Cleveland
Cleveland Properties,
LLC |
| 2. | <u>Address of Developer</u>
P. O. Box 2372
Tupelo, MS 38303 | <u>Address of Developer</u>
2239 Whitten Road, Suite
101
Memphis, TN 38133 | <u>Address of Developer</u>
1879 N. Coley Road
Tupelo, MS 38801 |
| 3. | <u>Developer Tax I.D.
Number</u>
64-0768476 | <u>Developer Tax I.D.
Number</u>
62-1850110 | <u>Developer Tax I.D.
Number</u> |
| 4. | <u>Local Contractors or
Agents</u>
None | <u>Local Contractors or
Agents</u>
None | <u>Local Contractors or
Agents</u>
None |

ARTICLE III

ECONOMIC DEVELOPMENT IMPACT DESCRIPTION

A. Job Creation

Current Phase

Construction Jobs

Estimates for the number of construction jobs and payroll that were generated by the Current Phase are unavailable.

Permanent Jobs

Approximately 75 persons are employed from this phase with an annual payroll in excess of \$1,300,000.

Proposed Phase

Construction Jobs

The construction of this phase is estimated to create approximately 100-150 jobs with a construction payroll of approximately \$4,140,000.

Permanent Phase

The project will create approximately 200 full and part-time jobs with an annual payroll of approximately \$3,600,000.

Future Phase

Construction Jobs

Estimates for construction jobs for this phase are unavailable.

Permanent Jobs

Estimates for permanent jobs for this phase are unavailable.

B. Financial Benefit To The Community

Ad Valorem Tax Increases

The construction and development of the Tupelo Commons Project will generate significant ad valorem tax revenues for the City, the County, and the School District. The following are estimates of ad valorem tax revenues expected to be generated by the development based upon the assumptions of true value outlined below:

Real and Personal Property Taxes

<u>Entity</u>	<u>Millage Rates</u>	(10 acres) <u>Current</u>	(20 acres) <u>Proposed</u>	(60 acres) <u>Future</u>
City	27.47			
Real		\$25,489	\$73,550*	\$135,358*
Personal		8,256	25,052*	56,656*
County	31.25			
Real		28,997	83,671	153,984
Personal		9,392	28,500	64,433
School	58.54			
Real		54,320	156,740	288,455
Personal		17,594	53,388	120,738
Totals	117.26	\$144,048	\$420,901	\$819,624

*These taxes will be pledged to service TLF bond debt.

True Value

Current Development (10 acres)	
Real Property	\$ 6,186,100
Personal Property	\$ 2,003,715
Proposed Development (20 acres)	
Real Property	\$17,850,000
Personal Property	\$ 6,080,000
Future Development (60 acres)	
Real Property	\$32,850,000
Personal Property	\$13,750,000

NOTE: These assumptions are based upon the following: retail space - \$75/sq. ft. for land and building; \$35/sq.ft. for FFE and Inventory; Restaurants - \$1,250,000 land and building and \$250,000 for FFE and Inventory.

Retail Sales

Below is a tabular presentation of the sales from the current development (10 acres) and estimated sales from the proposed development (20 acres) and future development (60 acres).

	<u>Retail Sales</u>	<u>Sales Tax To State</u>	<u>Rebate To Tupelo</u>
Current	\$ 7,800,000	\$ 444,990	\$ 101,010
Proposed	51,400,000	2,932,370	665,630
Future	113,000,000	6,446,650	1,463,350
Totals	\$172,200,000	\$9,824,010	\$2,229,990

Satellite Development

Satellite development will create community benefits not included in the data provided hereinabove.

The Tupelo Commons Project will spur adjacent development resulting in construction of new buildings and opening of new businesses. Out parcel sales will result in new investments, new construction, and new jobs.

Satellite development will result in increased ad valorem taxes, increased retail sales tax rebates, additional new jobs, and new and increased payrolls for the community.

ARTICLE IV

THE OBJECTIVE OF THE TAX INCREMENT FINANCING PLAN

The primary objective of the TIF Plan is to serve the public convenience and necessity by participating in the construction of the Infrastructure Improvements in connection with the Project. The TIF Plan will provide financing to construct Infrastructure Improvements to serve the 90± acre development including the Malco Theater, Wendy's Restaurant, Chili's Restaurant, the specialty eye care clinic, and additional commercial developments as described in detail in the preamble to this TIF Plan.

The Infrastructure Improvements will be constructed in accordance with standards, codes, and ordinances of the City.

The Infrastructure Improvements will provide for the health and welfare of the public by providing for safe and adequate roadway improvements and adequate utilities, which may include water, gas, sanitary sewer systems, and drainage systems. The area will be landscaped.

ARTICLE V

A STATEMENT INDICATING THE NEED AND PROPOSED USE OF THE TAX INCREMENT FINANCING PLAN IN RELATIONSHIP TO THE REDEVELOPMENT PLAN

The use of Tax Increment Financing is needed as an inducement that will result in the development of vacant and undeveloped prime commercial property in the City of Tupelo, Mississippi.

The proposed use of the TIF Plan is to provide a financing mechanism for the construction of public infrastructure improvements necessary to serve the public that will utilize the Tupelo Commons Project.

ARTICLE VI

A STATEMENT CONTAINING THE COST ESTIMATE OF THE REDEVELOPMENT PROJECT, PROJECTED SOURCES OF REVENUE TO MEET THE COSTS, AND TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED

A. Cost Estimates of the Redevelopment Project

At build out the Tupelo Commons development will represent a private investment in excess of \$105,000,000. The City proposes to issue Tax Increment Financing bonds, in one or more series, in an amount not to exceed \$3,000,000. The funds will be used for constructing various public infrastructure improvements including, but not limited to, installation and/or relocation of utilities such as water, sanitary sewer, natural gas lines, electricity, construction of drainage improvements, construction of roadways with curb and gutter, installation of traffic signalization and signage, acquisition of rights-of-way, landscaping of rights-of-way, related engineering fees (including the City's engineering fees), attorney's fees, TIF Plan preparation fees, capitalized interest, and other related soft costs and for other purposes authorized pursuant to the TIF Act and the REDA Act, if applicable (the "Infrastructure Improvements").

B. Projected Sources of Revenue To Meet Costs

The Developer will secure financing for the private investment. The City will pledge the ad valorem tax increases from the real and personal property generated from the development of the Proposed and Future Phases of the TIF District to finance the Tax Increment Financing bonds or notes, in one or more series.

C. Total Amount of Indebtedness To Be Incurred

The City will issue up to \$3,000,000 in TIF Bonds, Notes, or other debt obligations, in one or more series, which will be secured by the City with the pledge of incremental increases in ad valorem real and personal property taxes generated by the construction and development of the Proposed and Future Phases of the TIF District. The *Tax Increment Financing Redevelopment Plan, Tupelo, Mississippi, 1989, As Amended and Restated, November 1996 and the Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004* shall be administered by the City including, but not necessarily limited to, the issuance of Bonds or Notes or other debt obligations to provide funds to defray the cost of infrastructure improvements.

It is expected that Tax Increment Financing Bonds or Notes or other debt obligations, in one or more series, can be obtained at an annual interest rate of not to exceed more than that which is allowed under Section 75-17-101 *et seq.*, Mississippi Code of 1972, however the City hereby reserves its right to restrict the not to exceed interest rate to maturity for any Tax Increment Financing Bonds or Notes or other debt obligations, in one or more series, by further proceedings or resolution of the Governing Body of the City. Tax Increment Financing Bonds or Notes or other debt obligations, in one or more series, may be secured for a term of not to exceed twenty (20) years.

The only obligation of the City with respect to the payment of any tax increment financing debt obligations will be the pledge of the ad valorem real and personal property tax revenues generated from the development of the Proposed and Future Phases of the property identified in Exhibit I attached hereto.

ARTICLE VII

REAL PROPERTY TO BE INCLUDED IN THE TAX INCREMENT FINANCING DISTRICT

The real property to be included in the TIF District from which the ad valorem real and personal property tax revenues will be generated to finance the TIF bonds will be the 90± acre tract comprising Tupelo Commons, a legal description of which is attached as Exhibit I. A survey of the TIF District is attached in Exhibit II.

ARTICLE VIII

DURATION OF THE TAX INCREMENT FINANCING PLAN'S EXISTENCE

The duration of the Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004, as Amended and Restated April 2024 will not exceed ten (10) years from the adoption of the Tax Increment Financing Plan, Tupelo Commons Project, Tupelo, Mississippi, February 2004, as Amended and Restated April 2024, or until such time as any tax increment financing revenue bonds or notes are paid in full.

ARTICLE IX

**EXTIMATED IMPACT OF TAX INCREMENT FINANCING PLAN
UPON THE REVENUES OF ALL TAXING JURISDICTIONS
IN WHICH A REDEVELOPMENT PROJECT IS LOCATED**

Ad Valorem Tax Increases

The construction and development of the Tupelo Commons Project will generate significant ad valorem tax revenues for the City, the County, and the School District. The following are estimates of ad valorem tax revenues expected to be generated by the development based upon the assumption of true value outlined below.

Real and Personal Property Taxes

<u>Entity</u>	<u>Millage Rates</u>	<u>(10 acres) Current</u>	<u>(20 acres) Proposed</u>	<u>(60 acres) Future</u>
City	27.47			
Real		\$25,489	\$73,550*	\$135,358*
Personal		8,256	25,052*	56,656*
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Real		28,997	83,671	153,984
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Totals	\$172,200,000	\$9,824,010	\$2,229,990

ARTICLE X

THE GOVERNING BODY SHALL BY RESOLUTION, FROM TIME TO TIME, DETERMINE (I) THE DIVISION OF AD VALOREM TAX RECEIPTS, IF ANY, THAT MAY BE USED TO PAY FOR THE COST OF ALL OR ANY PART OF THE PROJECT; (II) THE DURATION OF TIME IN WHICH SUCH TAXES MAY BE USED FOR SUCH PURPOSES; (III) IF THE CITY SHALL ISSUE BONDS FOR THE PROJECT; AND (IV) SUCH OTHER RESTRICTIONS, RULES, REGULATIONS AS IN THE SOLE DISCRETION OF THE GOVERNING BODY OF THE CITY SHALL BE NECESSARY IN ORDER TO PROMOTE AND PROTECT THE PUBLIC INTEREST.

Through the adoption of the TIF Plan, the Governing Body of the City acknowledges the above and shall adopt the necessary resolution when deemed necessary and appropriate.

ARTICLE XI

PLAN OF FINANCING

This TIF Plan provides for the City to issue the TIF Bonds, Notes, or other debt obligations, which will be secured by the City with the pledge of incremental increases in ad valorem taxes generated by the Project.

This TIF Plan will also provide for Lee County (the "County") to participate in the financing for the Project. Should the County elect to participate, the County may choose to enter into an interlocal agreement and/or pledge agreement with the City.

Such decision on the most advantageous method for the City to incur the debt will be made pursuant to further proceedings of the City.

EXHIBIT I
DESCRIPTION OF THE TIF DISTRICT

LEGAL DESCRIPTION:

Commencing at the Northeast corner of the Northeast Quarter of Section 18, Township 9 South, Range 6 East, City of Tupelo, Lee county, Mississippi and run thence S 89 degrees 34 minutes 02 seconds W for 1308.26 ft. to a point on the East right of way of North Gloster Street or Miss. State Highway No. 145; thence run S 2 degrees 47 minutes 00 seconds W along said right of way for 1559.30 ft.; thence run S 87 degrees 13 minutes 00 seconds E along said right of way for 75.00 ft.; thence run S 2 degrees 47 minutes 00 seconds W along said right of way for 853.44 ft. to the South line of the Lowes Property for a point of beginning; thence run S 87 degrees 07 minutes 00 seconds E along the South line of the Lowes Property a distance of 851.68 ft.; thence run S 02 degrees 48 minutes 12 seconds W along the Lowes Property a distance of 37.44 ft.; thence run S 87 degrees 07 minutes 29 seconds E along the Lowes Property a distance of 82.79 ft.; thence run N 02 degrees 48 minutes 12 seconds E along the Lowes Property a distance of 810.21 ft. to a 1/2 inch rebar; thence run N 89 degrees 54 minutes 26 seconds W a distance of 660.88 ft. to a 1/2 inch rebar on the west line of the Jim Walter Homes Property; thence run N 02 degrees 47 minutes 00 seconds E a distance of 266.12 ft. to a 1/2 inch rebar; thence run EAST a distance of 771.72 ft. to a 1/2 inch rebar; thence run SOUTH a distance of 181.75 ft. to a 1/2 inch rebar; thence run EAST a distance of 1165.81 ft. to a 1/2 inch rebar on the West right of way of U.S. Highway No. 45; thence along said right of way as follows: with a curve turning to the right with an arc length of 1151.06 ft., with a radius of 5729.58 ft., with a chord bearing of S 15 degrees 36 minutes 11 seconds W, with a chord length of 1149.13 ft.; thence run S 66 degrees 16 minutes 21 seconds E a distance of 5.00 ft.; thence run S 21 degrees 35 minutes 45 seconds W a distance of 986.54 ft.; thence run S 53 degrees 12 minutes 11 seconds W a distance of 410.89 ft.; thence run S 68 degrees 31 minutes 21 seconds W this now being the North right of way of U.S. Highway No. 78 a distance of 845.52 ft.; thence run N 87 degrees 19 minutes 03 seconds W a distance of 415.79 ft.; thence run N 65 degrees 50 minutes 22 seconds W a distance of 260.71 ft. to a point where said right of way intersects the East line of North Gloster Street; thence along the East right of way of North Gloster Street as follows: with a curve turning to the left with an arc length of 609.75 ft., with a radius of 3318.15 ft., with a chord bearing of N 08 degrees 02 minutes 52 seconds E, with a chord length of 608.90 ft.; thence run N 02 degrees 47 minutes 00 seconds E a distance of 610.85 ft.; thence run N 15 degrees 13 minutes 22 seconds E a distance of 185.69 ft.; thence run N 02 degrees 47 minutes 00 seconds E a distance of 253.73 ft. to the point of beginning.

Lying and being part in the Northeast Quarter and part in the Southeast quarter of Section 18, Township 9 South, Range 6 East, City of Tupelo, Lee County, Mississippi and contains area of 94.90 acres

EXHIBIT II
MAP OF THE TIF DISTRICT

