

**OFFICIAL BALLOT FOR HWY J & 17 STREET
COMMUNITY IMPROVEMENT DISTRICT**

INSTRUCTIONS TO VOTERS:

If you are in favor of the question, darken the oval opposite "YES."

If you are opposed to the question, darken the oval opposite "NO."

QUESTION NO. 1

**SHALL THE HWY J & 17TH STREET COMMUNITY
IMPROVEMENT DISTRICT IMPOSE A SALES TAX OF ONE (1%)
PERCENT ON ALL RETAIL SALES WITHIN THE DISTRICT FOR
A PERIOD OF THIRTY (30) YEARS FROM THE DATE ON
WHICH THE TAX IS FIRST IMPOSED FOR THE PURPOSE OF
PROVIDING REVENUE TO PAY THE COSTS OF MAKING
PUBLIC IMPROVEMENTS, REPAY BONDS OR NOTES ISSUED
TO FUND THE COSTS OF PUBLIC IMPROVEMENTS, PLEDGE
SUCH REVENUE FOR THE REPAYMENT OF SUCH BONDS OR
NOTES, FUND OTHER NECESSARY IMPROVEMENTS WITHIN
THE DISTRICT AND TO FUND THE COSTS OPERATION OF THE
DISTRICT?**

YES

NO

LEGAL DESCRIPTION OF CEVER HWY 14 COMMUNITY
IMPROVEMENT DISTRICT AND LIST OF PROPERTY

THE DISTRICT LEGAL DESCRIPTION:

COUNTY PARCEL # 11-0.2-03-003-010-008.000 ASSESSED Value \$ 197,340

All that part of the Northeast Quarter of the Southwest Quarter in Section 3, Township 27 North, Range 21, West, in Christian County, Missouri, being a part of the lands described in the Affidavit of Scrivener's Error recorded in Book 2008, at Page 7689, in the Christian County Recorder's Office and being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 3, Township 27 North, Range 21 West, in Christian County, Missouri; thence South 87 Degrees 56 Minutes 17 Seconds East along the North line of said Quarter, a distance of 1,372.55 feet to a point in the same; thence departing said North line South 02 Degrees 03 Minutes 43 Seconds West a distance of 39.73 feet to the South Right-of-Way line of Missouri Highway "J", as now established, said point being the POINT OF BEGINNING; thence North 87 Degrees 44 Minutes 11 Seconds East, along the said South Right-of-Way line a distance of 118.12 feet to a point of curvature in the same; thence continuing along said South Right-of-Way line, on a curve to the right having a Radius of 5,690.00 feet, an internal Angle of 02 Degrees 03 Minutes 26 Seconds, and a Length of 204.31 feet to point in the same; thence departing said South Right-of-Way line South 01 Degree 19 Minutes 50 Seconds West, a distance of 180.00 feet to a point; thence South 88 Degrees 43 minutes 44 Seconds East, a distance of 200.06 feet to a point in the West line of a tract of land as described in the Warranty Deed by Limited Liability Company recorded in the Christian County Recorder's Office in Book 372, at Page 603 thence South 01 Degrees 05 Minutes 15 Seconds West along said West line and beyond, along the West line of a tract of land as described in the Corporate Warranty Deed recorded in the Christian County Recorder's Office in Book 2006, at page 12219, a distance of 159.23 feet to the Southwest corner thereof, said point being on the North line of Hopedale Heights Industrial Development, a subdivision in Christian County, Missouri, duly recorded in the Christian County Recorder's Office in Plat Book G, at Page 234; thence North 88 Degrees 28 Minutes 14 Seconds West along the North line of said subdivision, a distance 575.74 feet to the Northwest Corner thereof, said point also being on the East Right-of-way line of North 17th Street, as now established; thence North 01 Degrees 20 minutes 09 Seconds East along the said East Right-of-Way line, a distance of 269.04 feet to a point in the same; thence South 89 Degrees 54 Minutes 15 Seconds East, a distance of 53.00 feet to a point; thence North 01 Degrees 14 Minutes 47 Seconds East, a distance of 52.02 feet to the POINT OF BEGINNING and containing 152,927 square feet of 3.511 acres of land, more or less, EXCEPT any part thereof taken, deeded or used for road or highway purposes. Subject to any easements or restrictions of record.

AUGUST 17, 2010 ELECTION CERTIFICATION

Official results of the August 17, 2010 Mail-In Election by the Hwy J & 17th Street Community Improvement District, located at the Southeast corner of Missouri State Highway J and North 17th Street all within the city limits of Ozark, Missouri.

Number of Ballots Cast
Number of Ballots Voting "Yes" $\frac{1}{0}$
Number of Ballots Voting "No"

We, the two (2) election judges appointed by the County Clerk of Christian County, Missouri, do hereby certify that we canvassed the ballots cast at a mail-in election held in Christian County, Missouri on August 17, 2010.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on this 17th day of August, 2010.

Marian Matthews
Marian Matthews, Republican Election Judge

Erin Glossip
Erin Glossip, Democratic Election Judge

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of August, 2010.

Norma Ryan
Norma Ryan, Christian Chief Deputy County Clerk/Election Authority

10:00 Am.

Kay Brown, County Clerk



KAY BROWN



100 W. CHURCH ROOM 206
OZARK, MO 65721

Phone: 581-6360 Fax: 581-8331

August 1, 2010

RE: Hwy J & 17th Street Community Improvement District

Richard H. Scrivener
2415 South Campbell Avenue
Springfield, Mo. 65807

Dear Mr. Scrivener,

Enclosed please find your ballot for the August 17, 2010, Hwy J & 17th Street Community Improvement District Mail-In Election

- 1) Cast your vote per the instructions on the ballot.
- 2) Fold and place the ballot in the small secrecy envelope labeled #1. Seal the envelope.
- 3) Place the Secrecy envelope in the envelope labeled #2. **Sign the Affidavit located on the envelope, IN THE PRESENCE OF A NOTARY.** Seal the envelope.
- 4) Place the signed and notarized envelope in the larger self-addressed and pre-stamped envelope and mail to:

Kay Brown, Christian County Clerk,
100 West Church, Room 206
Ozark, Missouri 65721

Mail-in ballots shall be returned to my office in person, or by depositing the ballot in the United States mail and must arrive in my office no later than 7:00 p.m. the day of the election (August 17, 2010). My office is open Monday through Friday, 8:00 a.m. to 4:30 p.m. If necessary give my office a call at 417-581-6360, to make an appointment to deliver the ballot to our office on Saturday, August 15th, 2010.

If I can be of further assistance please give me a call.

Sincerely,


Kay Brown

EXHIBIT A
NOTICE OF ELECTION

I, Kay Brown, County Clerk of Christian County, Missouri, chief election authority for the same, do hereby cause to be published in a newspaper of general circulation in accordance with Missouri Revised Statutes 115.127 a notice of a special election to be conducted in accordance with Missouri Revised Statutes 115.650 through 115.660, known as the "Mail in Election" statutes. All qualified voters shall be eligible to vote in said election in accordance with Missouri election laws as herein provided.

NAME OF DISTRICT HOLDING ELECTION: Hwy J & 17th Street Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Hwy J & 17th Street Community Improvement District comprises estimated 3.5 acres of land lying at the southeast corner of the intersection of Missouri Hwy J and North 17th Street in the City of Ozark, Missouri.

TYPE OF TAX: One question will be on the ballot imposing a sales tax.

RATE OF TAX: The sales tax rate is 1 %.

DURATION AND PURPOSE OF TAX: Both taxes shall have a duration of thirty (30) years and both shall be used for public improvements within the District, repay bonds or notes issued by the District, be pledged to secure repayment of such bonds or notes, fund other necessary improvements within the District, and fund the cost of operation of the District.

DATE BALLOTS SHALL BE MAILED TO QUALIFIED VOTERS: Ballots shall be mailed August 6, 2010.

DATE OF ELECTION: August 17, 2010

QUALIFIED VOTERS AS DEFINED WILL CONSIST OF EITHER OF THE FOLLOWING:

1. Registered voters who reside within the District. In order to vote in said election said person must be registered voters pursuant to the records of the election authority and as provided in Section 115.137 Subsection 1 of the Missouri Revised Statutes as of the thirtieth day prior to the date of the election.
2. If no such registered voters reside in the District, the owners of real property located within the District pursuant to the tax records of the Christian County Clerk, for real property as of the thirtieth day prior to the date of the election.

The Ballot must be returned to the election authority's office in person, or by depositing the Ballot in the United States mail addressed to the election authority's office and postmarked, not later than the date of the election. Any qualified voter that did not receive a Ballot in the mail or lost the Ballot received in the mail may pick up a mail-in-ballot at the election authority's office after August 6, 2010 until and including the day of the election. Election office location is the Office of County Clerk at the County Court House, at 100 West Church Street, Room 206 in Ozark, Missouri.

Kay Brown
Kay Brown, County Clerk
Chief Election Official

7/9/2010
Date

**OFFICIAL BALLOT FOR HWY J & 17 STREET
COMMUNITY IMPROVEMENT DISTRICT**

INSTRUCTIONS TO VOTERS:

If you are in favor of the question, darken the oval opposite "YES."

If you are opposed to the question, darken the oval opposite "NO."

QUESTION NO. 1

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IMPROVEMENT DISTRICT IMPOSE A SALES TAX OF ONE (1%)
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PUBLIC IMPROVEMENTS, REPAY BONDS OR NOTES ISSUED
TO FUND THE COSTS OF PUBLIC IMPROVEMENTS, PLEDGE
SUCH REVENUE FOR THE REPAYMENT OF SUCH BONDS OR
NOTES, FUND OTHER NECESSARY IMPROVEMENTS WITHIN
THE DISTRICT AND TO FUND THE COSTS OPERATION OF THE
DISTRICT?**

YES

NO

APPLICATION FOR REPLACEMENT MAIL-IN BALLOT

State of Missouri }
County of CHRISTIAN } SS

I _____, declare that I am a resident and a properly registered voter residing at

_____ *Residence Address* *City*

I further declare that my ballot was: (check one)

- | | |
|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Destroyed | <input type="checkbox"/> Lost |
| <input type="checkbox"/> Spoiled | <input type="checkbox"/> Not received |

and that I will not vote more than one (1) ballot in this election.

_____ *Telephone Number* *Date of Birth*

I wish my replacement ballot to be sent to the address listed below:

_____ *Address* *City* *State* *Zip*

_____ *Signature of Voter*

Subscribed and sworn to (affirmed)
before me, this _____ day of 20_____

_____ *Notary Public or other officer*
Authorized to administer oaths

My commission expires _____

(SEAL)

RETURN THIS COMPLETED FORM TO:
Kay Brown, Christian County Clerk
100 West Church, Room 206
Ozark, Missouri 65721

For Office Use Only

Date Application Received _____

Date replacement
ballot was mailed
or delivered _____

HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT
SALES TAX ISSUE

August 17, 2010, Mail-In Election
State of Missouri, County Christian

I hereby declare under penalty of perjury that I am the owner of real property in the HWY J & 17th Street Community Improvement District and qualified to vote in this election, or authorized to affix my signature on behalf of the owner (named below) of real property in the HWY J & 17th Street Community Improvement District which is qualified to vote in this election.

	State of _____
Signature	County of _____
Print Name of Real Property Owner If Signer is Different from Owner	On this _____ day of _____, 2010, before me, a Notary Public in and for said state, personally appeared _____, known to me to be the person who executed the same for the purposes therein stated.
State Basis of Legal Authority To Sign	Signature of Notary _____
Signature	Commission Expires _____
Print Name of Real Property Owner If Signer is Different from Owner	
State Basis of Legal Authority To Sign	

I hereby declare under penalty of perjury that I am a qualified voter and the owner of real property in the Hwy J and 17th Street Community Improvement District pursuant to the real property tax records of the County Assessor, I have voted the enclosed ballot and am returning it in compliance with Section 115.650 to 115.660, RSMo, have not and will not vote more than one ballot in this election.

I also understand failure to complete the information below will invalidate my ballot.

I am the authorized representative of The Revocable Living Trust of Richard H. Scrivener dated January 17, 1995. In such capacity, I am the Trustee of The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995 and am authorized to take such actions and execute such instruments for carrying on business and affairs as necessary.

Signature

Richard H. Scrivener, Trustee

Richard H. Scrivener
2415 South Campbell Avenue
Springfield, MO. 65807

Parcel Identification Number:
11-0.2-03-003-010-008.000
Owner of 3.5 acres within District

STATE OF MISSOURI)
)
COUNTY OF CHRISTIAN)

Subscribed and sworn to before me, a Notary Public in and for said State, this _____ day of _____, 2010.

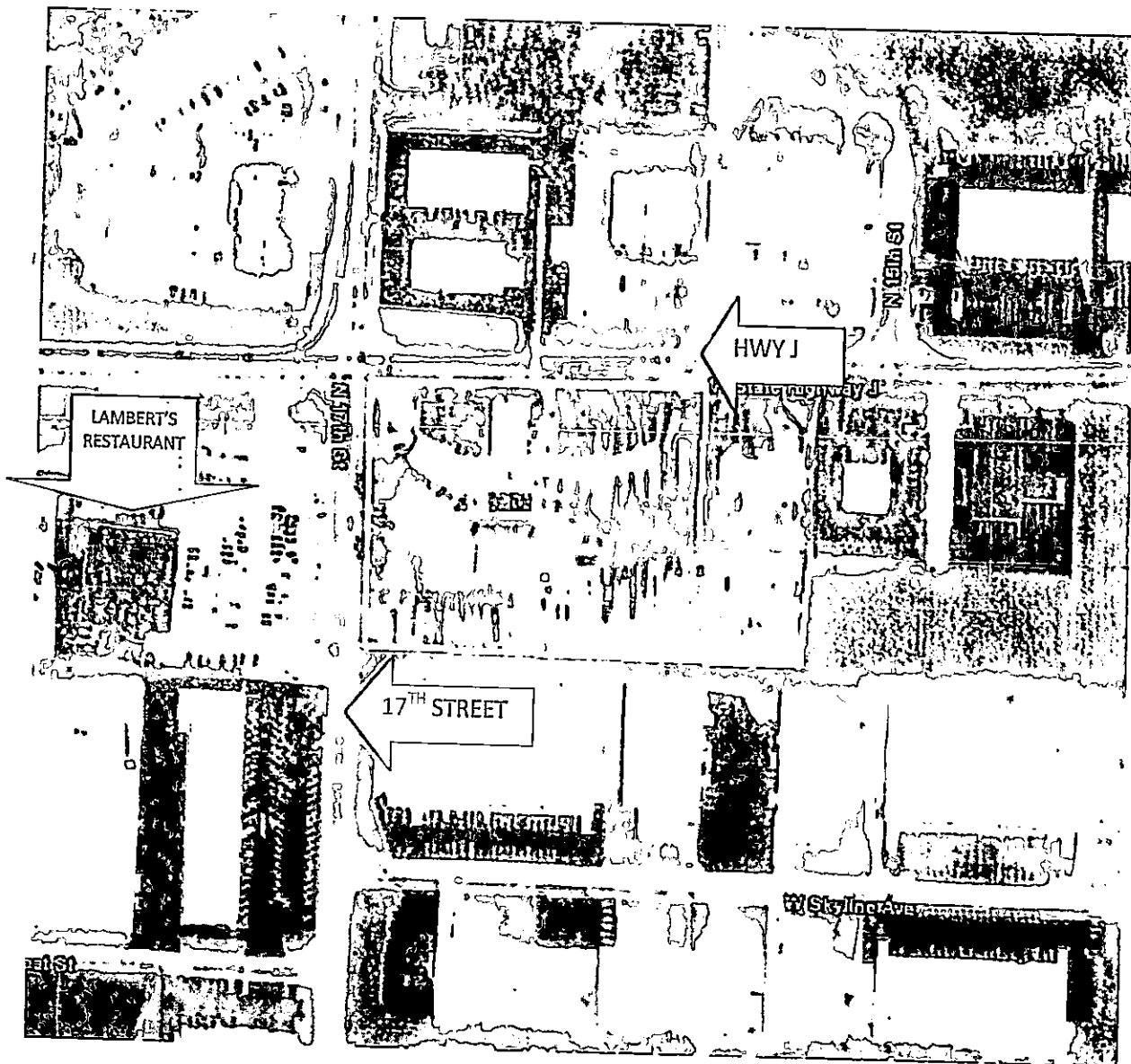
(SEAL)

Notary Public
My Commission Expires:

~~ONLY ONE PROPERTY OWNER WITHIN PROPOSED DISTRICT~~

EXHIBIT B

MAP OF THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT



REAL: Query Inquiry Deed Next Previous WindLevy XCard Bill Exit

Query for particular Real rows

YEAR 10 DT PD/AM/RC / 0.00 / 0
 PARCEL# 11-0.2-3-3-10-8.000 CODE# 0-0-0
 NAME SCRIVENER, RICHARD H (TRUST) ACRES 3.51 LT IT
 ADDRESS1 2415 S CAMPBELL SEC 3 TWN 27 RNG 21
 ADDRESS2 DEED BOOK/PAGE 2009-009465
 CITY SPRINGFIELD ST MO DATE RECORDED 07/01/2009
 ZIP 65807-0000 VALUATION 145,820 MORTGAGOR CODE 0
 SCHOOL 6 ROAD 6 CITY 6 FIRE 1
 0 0 MAP SCALE 100
 NID/CID 0.00 ABATE 0.00 RES VAL 0 0
 PAYMENT CODE 0 SUPPL CODE 0 AG VAL 0 0
 BOE 0 MONTH 0 COM VAL 455,700 145,820
 ABATE 0 MONTH 0 VAC VAL 0 0
 PROP DES: BEG NWC NE4 SW4, S 334', E 602', N TO S ROW HWY J, W TO POB. EX TR
 SOLD

3-27-21

PARCEL LOCATION:	ADDRESS#	ADDRESS NAME	CITY
RR	HWY J	OZARK	

EXHIBIT A

LEGAL DESCRIPTIONS AND MAP OF PROPOSED HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT

COUNTY PARCEL # 11-0.2-03-003-010-008.000 ASSESSED VALUE: \$197,340

All that part of the Northeast Quarter of the Southwest Quarter in Section 3, Township 27 North, Range 21 West, in Christian County, Missouri, being a part of the lands described in the Affidavit of Scrivener's Error recorded in Book 2008, at Page 7689, in the Christian County Recorder's Office and being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 3, Township 27 North, Range 21 West, in Christian County, Missouri; thence South 87 Degrees 56 Minutes 17 Seconds East along the North line of said Quarter, a distance of 1,372.55 feet to a point in the same; thence departing said North line South 02 Degrees 03 Minutes 43 Seconds West, a distance of 39.73 feet to the South Right-of-Way line of Missouri Highway "J", as now established, said point being the POINT OF BEGINNING; thence North 87 Degrees 44 Minutes 11 Seconds East, along the said South Right-of-Way line, a distance of 118.12 feet to a point of curvature in the same; thence continuing along said South Right-of-Way line, on a curve to the right having a Radius of 5,690.00 feet, an internal Angle of 02 Degrees 03 Minutes 26 Seconds, and a Length of 204.31 feet to a point in the same; thence departing said South Right-of-Way line South 01 Degrees 19 Minutes 50 Seconds West, a distance of 180.00 feet to a point; thence South 88 Degrees 43 Minutes 44 Seconds East, a distance of 200.06 feet to a point in the West line of a tract of land as described in the Warranty Deed by Limited Liability Company recorded in the Christian County Recorder's Office in Book 372, at Page 603 thence South 01 Degrees 05 Minutes 15 Seconds West along said West line and beyond, along the West line of a tract of land as described in the Corporate Warranty Deed recorded in the Christian County Recorder's Office in Book 2006, at Page 12219, a distance of 159.23 feet to the Southwest corner thereof, said point being on the North line of Hopedale Heights Industrial Development, a subdivision in Christian County, Missouri, duly recorded in the Christian County Recorder's Office in Plat Book G, at Page 234; thence North 88 Degrees 28 Minutes 14 Seconds West along the North line of said subdivision, a distance of 575.74 feet to the Northwest Corner thereof, said point also being on the East Right-of-Way line of North 17th Street, as now established; thence North 01 Degrees 20 Minutes 09 Seconds East along the said East Right-of-Way line, a distance of 269.04 feet to a point in the same; thence South 89 Degrees 54 Minutes 15 Seconds East, a distance of 53.00 feet to a point; thence North 01 Degrees 14 Minutes 47 Seconds East, a distance of 52.02 feet to the POINT OF BEGINNING and containing 152,927 square feet of 3.511 acres of land, more or less, EXCEPT any part thereof taken, deeded or used for road or highway purposes. Subject to any easements or restrictions of record.

EXHIBIT C

FIVE YEAR PLAN OF THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT

FIVE YEAR DEVELOPMENT PLAN

HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT

OBJECTIVES AND PURPOSE OF DISTRICT:

The Hwy J & 17th Street Community Improvement District comprises estimated 3.5 acres of land lying at the southeast corner of the intersection of Missouri Hwy J and North 17th Street in the City of Ozark, Missouri. The land is used as a convenience store, but the current C-Store building has been demolished. Storage buildings exist in the rear of the property. It is proposed to construct a new convenience store and to rehabilitate and relocate portions of the existing storage buildings into new retail space which will be leased. The C-Store will be operated by Scrivener Oil Company and will also manage the leasing of the retail space. The District will be reconstructed so as to open up the rear of the property to retail and provide pedestrian friendly crossings on 17th Street. The District will be landscaped and designed to be an attractive retail area. The land owners find that the cost of developing the property in order to create the new retail space to be excessive and can not afford to make all of the public improvements and correct the blighted conditions needed to serve the property. It is proposed that the Hwy J & 17th Street Community Improvement District be formed to impose a sales tax of 1% and a property tax of up to \$1.00 per \$100 of assessed value to fund the cost of needed public infrastructure, storm water controls, other site cost eligible, and correct the blighted conditions of the existing storage buildings. The land owners propose to request the creation of a Tax Increment Finance District (TIF) which includes the District and that the TIF enter into an Intergovernmental Cooperative Funding Agreement with the proposed CID District which will allow the CID District to capture 50% of the new local retail sales tax to assist in the funding of the District. The project will cost an estimated \$5,357,769 with an estimated \$1,357,769 in CID/TIF eligible expenses. The land owner proposes to provide all funds for the project and seek to be reimbursed by the Hwy J & 17th Street Community Improvement District from tax revenue generated. The property owners conclude that without the assistance of the District the property and the needed improvements could not occur.

PUBLIC IMPROVEMENTS TO BE FUNDED BY DISTRICT:

The District will be responsible for the funding of all public infrastructure cost for the entire development, which will include all utilities installation, streets, sidewalks, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, drainage, water, storm and sewer systems, and other site improvements such as; parking lots, garages, lades, dams and waterways, streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, barriers, telephone and information booths, bus stop and other shelters, rest rooms, kiosks, paintings, murals, display cases, sculptures, fountains, parks, trails, lawns, trees, and any other landscape, pedestrian or shopping malls and plazas, and any other useful, necessary, or desired improvement to the District as allowed by Section 67.1401 to 67.1571 of RSMo, as amended.

Exhibit "A"

PETITION FOR CREATION

OF A

COMMUNITY IMPROVEMENT DISTRICT

UNDER MISSOURI REVISED STATUTES 67.1401 TO 67.1571 AS AMENDED

PETITION SUBMITTED TO: City of Ozark, Missouri

DATE OF PETITION: November 6, 2009

NAME OF THE PROPOSED DISTRICT: Hwy J & 17th Street Community Improvement District

Comes now the recorded owners of more than fifty-percent (50%) of the total assessed value of all real property within the proposed Community Improvement District requesting the establishment of a Community Improvement District as allowed under Missouri Revised Statutes 67.1401 to 67.1571, as amended.

The Petition request that the City Clerk of the City of Ozark, Missouri, review said petition to certify that it complies with the requirements of subsection 2 of Missouri Revised Statute 67.1421 and contains all required information.

The Petition request that Board of Aldermen of the City of Ozark, Missouri hold a public hearing in accordance with Missouri Revised Statute 67.1431 to receive public comments concerning the Petition.

The Petition request that upon the conclusion of the required public hearing that an ordinance be adopted establishing the Hwy J & 17th Street Community Improvement District as a political subdivision granting it the powers as provided for under Missouri Revised Statutes 67.1401 to 67.1571, as amended and other such powers as stated and requested within the Petition.

REQUIRED COMPONENTS OF THE PETITION:

1. THE LEGAL DESCRIPTION OF THE PROPOSED DISTRICT: Attached as Exhibit A of this Petition. All real property is contiguous as required under RSMo 67.1411. A map of the proposed District boundaries is attached as Exhibit B.
2. THE NAME OF THE PROPOSED DISTRICT: Hwy J & 17th Street Community Improvement District.
3. NOTICE THAT SIGNATURES OF THE SIGNERS MAY NOT WITHDRAW THEIR SIGNATURE LATER THAN SEVEN DAYS AFTER THE PETITION IS FILED WITH THE CITY CLERK: See statement on signature page of Petition.
4. A FIVE-YEAR PLAN FOR THE DISTRICT: Attached as Exhibit C of this Petition.

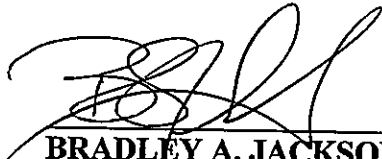
SECTION 4: NOTIFICATION OF CREATION: The Board of Aldermen further orders the City Clerk to notify the Missouri Department of Economic Development in accordance with Missouri Revised Statutes Section 67.1421 (6).

SECTION 5: AFFECTIVE DATE OF CREATION: The Board of Aldermen hereby establishes the date and time of creation of the Highway J and N. 17th Street Community Improvement District as the date and time of the passage and approval of this Ordinance.

PASSED THIS 17th DAY OF MAY 2010.

	AYE	NAY	ABSENT/ABSTAIN	
Alderman Dennis Sparrow	<u> X </u>	_____	_____	_____
Alderman Eddie Campbell	<u> X </u>	_____	_____	_____
Alderman Mark Spinabella	<u> X </u>	_____	_____	_____
Alderman Melissa Wagner	_____	<u> X </u>	_____	_____
Alderman Rick Gardner	<u> X </u>	_____	_____	_____
Alderman Chris Snyder	<u> X </u>	_____	_____	_____

APPROVED THIS 17th DAY OF MAY 2010.



BRADLEY A. JACKSON, MAYOR

ATTEST:



Lana Wilson, City Clerk

Bill #2499
Ordinance #10-015
May 17, 2010

Image# 004283850003 Type: LAN
Recorded: 07/01/2009 at 09:29:38 AM
Total Amt: \$30.00 Page 1 of 3
Christian County Recorder
Roy Meadows Recorder of Deeds
File# 2009-00009525

BK 2009 PG 9465



CORPORATION WARRANTY DEED

THIS INDENTURE, Made on the 30 day JUNE, 2009, by and between **TONY'S CONVENIENCE CENTER, INC.** now legally known as **TCCENT, INC.**, a Missouri corporation, GRANTOR hereinafter referred to as Party of the First Part, whether one or more, **RICHARD H SCRIVENER, TRUSTEE OF THE REVOCABLE LIVING TRUST AGREEMENT OF RICHARD H SCRIVENER DATED JANUARY 17, 1995, GRANTEE**, hereinafter referred to as Party of the Second Part, whether one or more. Mailing address of said first named Grantee is: 2415 S CAMPBELL, SPRINGFIELD, MO 65807

WITNESSETH, That the said Party of the First Part, In consideration of the sum of Ten and NO/100 DOLLARS (\$10.00) and other good and valuable consideration to him paid by the said Party of the Second Part, the receipt of which is hereby acknowledged, does by these presents, GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, unto the said Party of the Second Part, his heirs and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of **CHRISTIAN** and State of Missouri, to-wit:

SEE EXHIBIT A - ATTACHED

GRANTOR further swears and affirms that TCCENT, INC., a Missouri corporation was formerly known as TONY'S CONVENIENCE CENTER, INC. and that a Certificate of Amendment was filed with the Missouri Secretary of State on February 11, 2002 to change the name of the corporation.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging, or in anywise appertaining, unto the said Party of the Second Part, and unto his heirs and assigns forever; the said Party of the First Part hereby covenanting that he is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that he has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by him or those under whom he claims and that he will warrant and defend the title to the said premises unto the said Party of the Second Part and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

5. STATEMENT OF THE TYPE STRUCTURE THE DISTRICT WILL BE FORMED: The District shall be formed as a political subdivision under RSMo Sections 67.1401 to 67.1571, as amended.

6. GOVERNING BOARD OF DIRECTORS: The District shall be governed by a board of directors appointed by the Mayor with the consent of the Board of Aldermen of the City of Ozark, Missouri as provided under Missouri Revised Statutes 67.1451, as amended. The terms of the members of the District's board of directors shall be as follow:

a. Of the initial appointed directors named below, one-half shall be appointed to serve for a two-year term, and one-half shall be appointed to serve for the term of four years, and if an odd number of directors are appointed, the last person appointed shall serve for a two-year term; provided that each director shall serve until such director's successor is appointed. Successor directors shall be appointed in the same manner as the initial directors and shall serve for a term of four years.

7. NUMBER OF DIRECTORS: The number of directors shall be five, serving four-year staggered terms except as provided below for the initial members of the board of directors. The directors shall be at least eighteen years of age; and either an owner as defined in RSMo 67.1401, of real property or of a business operating within the District or a registered voter residing within the district. In accordance with Section 67.1451 paragraph 2, sub paragraph (3) of the Missouri Revised Statutes; "if there are fewer than five owners of real property located within a district, the board may be comprised of up to five legally authorized representatives of any of the owners of real property located within the district."; The initial board of directors, compromised of five legal representatives of the petitioners are herein proposed.

DIRECTOR

TERM

- | | |
|----------------------|----------------|
| a. Sean Bumgarner | Two-Year Term |
| b. Teresa Wallis | Two-Year Term |
| c. Richard Scrivener | Four-Year Term |
| d. Nancy Scrivener | Two-Year Term |
| e. Jami Jordon | Four-Year Term |

TOTAL ASSESSED VALUE OF ALL REAL PROPERTY OF THE DISTRICT: \$197,340
County Parcel Number 11-0.2-03.-003-010-008.000

9. SEEKING BLIGHTED STATUS: The petitioners are seeking a blighting status for the district. Renovations of some existing buildings are proposed which meet the definition of blighted.

10. PROPOSED LENGTH OF TIME FOR THE EXISTENCE OF THE DISTRICT; The petitioners herein request that the number of years be thirty years from the adoption of the Ordinance approving this Petition as provided in RSMo. 67.1481.

11. MAXIMUM SALES TAX RATE TO BE IMPOSED: The petitioners herein request that a maximum one-percent (1%) sales and use tax be imposed on all retail sales made within the District which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, except sales of motor vehicles,

trailers, boats or outboard motors and sales to public utilities, subject to approval by the qualified voters of the District.

12. **MAXIMUM RATE OF REAL PROPERTY TAXES:** The maximum rate of real property taxes shall not exceed \$1.00 per \$100 of assessed value, subject to approval by the qualified voters of the District.
13. **MAXIMUM RATE OF SPECIAL ASSESSMENTS AND METHOD OF ASSESSMENTS:** The maximum rate of special assessment shall not exceed the value of twenty-five cents (\$.25) per square foot of land in a given tax year. The assessment method shall be per square foot on each square foot of real property owned. Property classification and assessments may vary between residential and commercial property based on usage and service provided. Only property owners who will benefit from the service of the improvement shall be levied with a special assessment.
14. **DISTRICT FUND TO BE ESTABLISHED:** The petitioners will establish funds and accounts with a depository bank or trust company designated to receive any and all revenue and pay all expenses of the District and to disburse them in accordance of the actions and directions of the Hwy J & 17th Street Community Improvement District Board of Directors.
15. **LIMITATIONS ON BORROWING CAPACITY OF DISTRICT:** The District will have no preset borrowing limitations prescribed by this petition.
16. **LIMITATIONS ON REVENUE OF DISTRICT:** The District shall not be limited in the amounts or type of revenue, except as allowed by RSMo 67.1401 to 67.1571 as amended.
17. **OTHER LIMITATIONS:** No other limitations are herein requested by this Petition.

The Petitioners herein request that the Board of Aldermen of the City of Ozark, Missouri authorize the creation of the Hwy J & 17th Street Community Improvement District as herein requested and grant it the powers and authority as provided for under Missouri Revised Statutes 67.1401 to 67.1571 as amended and as provided in this Petition.

AN ORDINANCE OF THE CITY OF OZARK, MISSOURI AUTHORIZING AND CREATING THE HIGHWAY J & N. 17TH STREET COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI AND APPOINT THE DIRECTORS OF SAID DISTRICT AS PROVIDED IN MISSOURI REVISED STATUTES SECTIONS 67.1401 THROUGH 67.1571.

WHEREAS, the owner of real property within a proposed Community Improvement District has submitted a Petition for Creation of a District in accordance with Missouri Revised Statutes, Section 67.1421 to the City Clerk of the City of Ozark, Missouri; and

WHEREAS, the City Clerk has verified the Petition in accordance with Missouri Revised Statutes, Section 67.1421, and certified that said Petition is in compliance with said Section; and

WHEREAS, The Board of Aldermen of the City of Ozark, Missouri set and held a public hearing on March 15, 2010 in accordance with Missouri Revised Statutes, Section 67.1431; and

WHEREAS, The Board of Aldermen finds that the purpose of and need for the District will serve to further develop the economic and social welfare of the City.

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Ozark, Missouri as follows:

SECTION 1: ORDER OF CREATION: The Board of Aldermen hereby orders the creation of the Highway J and N. 17th Street Community Improvement District as a political subdivision of the State of Missouri in accordance with Missouri Revised Statutes Sections 67.1401 through 67.1571, for such term as is set forth in the Petition and grants all powers as provided in said Statutes and all powers and duties as requested within the Petition for Creation, which is herein attached to this Ordinance as "Exhibit A".

SECTION 2: APPOINTMENT OF BOARD OF DIRECTORS: The Board of Aldermen further confirms the appointment by the Mayor of the first Board of Directors as those individuals requested by the owner as the Districts suggested Board of Directors within the Petition for Creation, which is herein attached to this Ordinance as "Exhibit A" and authorizing the Mayor to make further appointments from qualified candidates subject to approval by the Board of Aldermen in compliance with the Petition and authorized by Missouri Revised Statutes, Section 67.1451.

SECTION 3: FINDING OF BLIGHT: The Board of Aldermen further find conditions of blight exist upon the property as requested within the Petition existing within the existing storage buildings located on the property and grant a condition of blight upon this part of the District only as provided in Missouri Revised Statutes Section 67.1461 (2) and defined in Section 99.805 (1). Blighting has been determined based on existing buildings which are constructed over utility lines and not in compliance with current set back requirements for the property lines.

**DESIGNATION OF PROPERTY OWNER'S REPRESENTATIVE
AS PROVIDED IN SECTION 67.1451 (3) OF THE MISSOURI REVISED STATUTES
PROVIDING FOR LEGAL REPRESENTATIVES TO BE APPOINTED TO SERVE ON
THE BOARD OF DIRECTORS OF A COMMUNITY IMPROVEMENT DISTRICT**

"If there are fewer than five owners of real property located within a district, the board may be comprised of up to five legally authorized representatives of any of the owners of real property located within the district. "

I, Richard H. Scrivener, Trustee of the Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995, a living trust and the owner of the fee interest in real property in the City of Ozark, Missouri, being more particularly described below (the "Property"). The Property is located within the boundaries of the proposed Hwy J & 17th Street Community Improvement District (the "District"). I hereby designate the following persons as authorized representative for purposes of serving on the District's Board of Directors. This action and appointment is within my authority as sole trustee of the owner.

NAME: Richard Scrivener
ADDRESS: 2415 South Campbell Avenue; Springfield, MO 65807
TELEPHONE: 417-887-8308

NAME: Jami Jordan
ADDRESS: 2415 South Campbell Avenue; Springfield, MO 65807
TELEPHONE: 417-887-8308

NAME: Sean Bumgarner
ADDRESS: 2415 South Campbell Avenue; Springfield, MO 65807
TELEPHONE: 417-887-8308

NAME: Teresa Wallis
ADDRESS: 2415 South Campbell Avenue; Springfield, MO 65807
TELEPHONE: 417-887-8308

NAME: Nancy Scrivener
ADDRESS: 2415 South Campbell Avenue; Springfield, MO 65807
TELEPHONE: 417-887-8308

SIGNER:

Richard H. Scrivener, Trustee

I, Richard H. Scrivener, Trustee of The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995, a living trust of which I am sole trustee do hereby appoint the above named persons as legal representatives of the property owner for the purpose of representing the owner as board members for the proposed Hwy J & 17th Street Community Improvement District, such appointment does not give the representatives to bind the owner or the property, but only to represent the owner on the board of directors for conducting business of the proposed District.

Richard H. Scrivener
Richard H. Scrivener, Trustee

11/6/09
Date

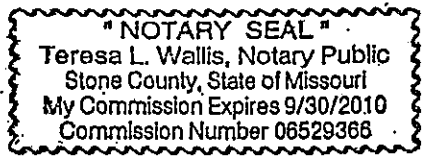
The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995

STATE OF MISSOURI)
 SS)
COUNTY OF GREENE)

Before me personally appeared Richard H. Scrivener, to me personally known to be the individual described in and executed the foregoing instrument, and possessing such documentation as to demonstrate his legal authority to execute this document on behalf of the owner of the real property, The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995.

WITNESS my hand and official seal this 6th day of November, 2009

Teresa Wallis



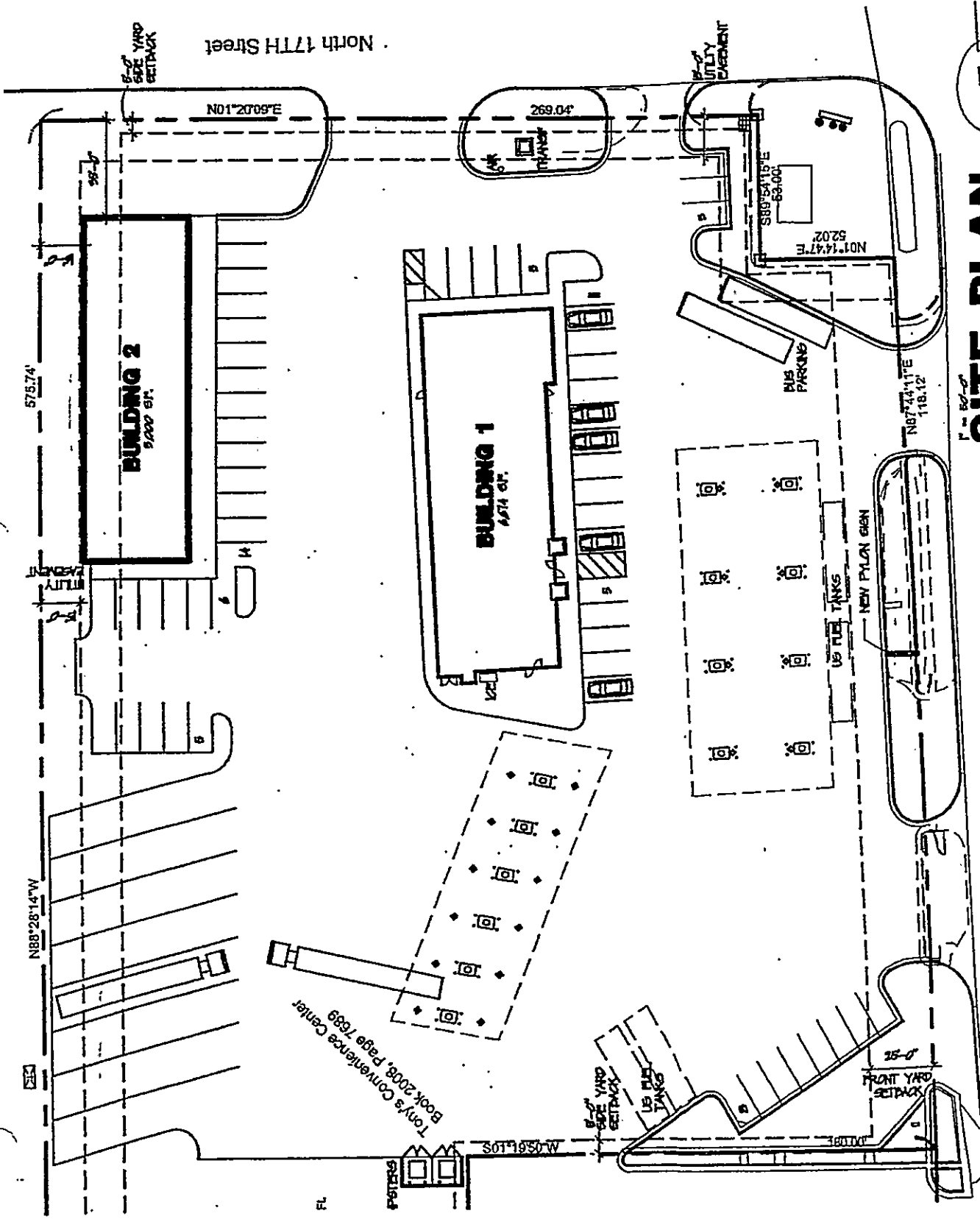
CONTRACT FOR THE SALE OF REAL ESTATE

THIS CONTRACT is made and entered into this 24th day of May, 2009, by and between TCCENT, Inc., hereinafter referred to as "Seller", and Richard H. Scrivener, Trustee of the Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995, hereinafter referred to as "Buyer".

1. **PROPERTY CONVEYED.** Seller agrees to sell and Buyer agrees to purchase, upon the terms and conditions hereinafter set out, the following described property:

All that part of the Northeast Quarter of the Southwest Quarter in Section 3, Township 27 North, Range 21 West, in Christian County, Missouri, being a part of the lands described in the Affidavit of Scrivener's Error recorded in Book 2008, at Page 7689, in the Christian County Recorder's Office and being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 3, Township 27 North, Range 21 West, in Christian County, Missouri; thence South 87 Degrees 56 Minutes 17 Seconds East along the North line of said Quarter, a distance of 1,372.55 feet to a point in the same; thence departing said North line South 02 Degrees 03 Minutes 43 Seconds West, a distance of 39.73 feet to the South Right-of-Way line of Missouri Highway "J", as now established, said point being the POINT OF BEGINNING; thence North 87 Degrees 44 Minutes 11 Seconds East, along the said South Right-of-Way line, a distance of 118.12 feet to a point of curvature in the same; thence continuing along said South Right-of-Way line, on a curve to the right having a Radius of 5,690.00 feet, an internal Angle of 02 Degrees 03 Minutes 26 Seconds, and a Length of 204.31 feet to a point in the same; thence departing said South Right-of-Way line South 01 Degrees 19 Minutes 50 Seconds West, a distance of 180.00 feet to a point; thence South 88 Degrees 43 Minutes 44 Seconds East, a distance of 200.06 feet to a point in the West line of a tract of land as described in the Warranty Deed by Limited Liability Company recorded in the Christian County Recorder's Office in Book 372, at Page 603 thence South 01 Degrees 05 Minutes 15 Seconds West along said West line and beyond, along the West line of a tract of land as described in the Corporate Warranty Deed recorded in the Christian County Recorder's Office in Book 2006, at Page 12219; a distance of 159.23 feet to the Southwest corner thereof, said point being on the North line of Hopedale Heights Industrial Development, a subdivision in Christian County, Missouri, duly recorded in the Christian County Recorder's Office in Plat Book G, at Page 234; thence North 88 Degrees 28 Minutes 14 Seconds West along the North line of said subdivision; a distance of 575.74 feet to the Northwest Corner thereof, said point also being on the East Right-of-Way line of North 17th Street, as now established; thence North 01 Degrees 20 Minutes 09 Seconds East along the said East Right-of-Way line, a distance of 269.04 feet to a point in the same; thence South 89 Degrees 54 Minutes 15 Seconds East, a distance of 53.00 feet to a point; thence North 01 Degrees 14 Minutes 47 Seconds East, a distance of 52.02 feet to the POINT OF BEGINNING and containing 152,927 square feet of 3.511 acres of land, more or less, EXCEPT any part thereof taken, deeded or used for road or highway purposes. Subject to any easements or restrictions of record.

PROJECT SITE PLAN



North 177H Street



SITE PLAN

Missouri Highway "J"

N88°28'14"W

N01°20'09"E

269.04'

S89°54'15"E
53.00'

N01°14'47"E
52.02'

N87°44'11"E
118.12'

Tony's Convenience Center
Book 2008, Page 1689

W. 558.1' LOS

FRONT YARD SETBACK

BACK YARD SETBACK

575.74'

BUILDING 2
5,000 sq. ft.

BUILDING 1
4,574 sq. ft.

PUB. PARKING

US FUEL TANKS

NEW FUEL GREN

US FUEL TANKS

US FUEL TANKS

US FUEL TANKS

US FUEL TANKS

US FUEL TANKS

FL

PSTERS

submit an annual report to the City of Ozark and the Missouri Department of Economic Development within one hundred-twenty days (120) of the end of the fiscal year. The fiscal year of the District will be the same as the City of Ozark. The District will also file all annual reports with the State Auditor and will conduct an annual audit of operations.

REMOVAL FROM AND ADDITION OF REAL PROPERTY TO DISTRICT:

The District will be entitled to remove property and add property to the District as provided for in Section 67.1441 of the RSMo., as amended. No property can be added to the District under state law unless the property owner voluntarily petitions the District and the City to add their property to the District.

TERMINATION OF THE DISTRICT:

The District has been established with a term of thirty years. Such term was selected in order to provide adequate time to generate sufficient revenue to fund the cost of the public improvements. Extension of the District beyond the thirty year period may be done by vote of the qualified voters of the District in accordance with Sections 677.1401 to 67.1571 RSMo., as amended. The District will terminate prior to the designated term if all debts and obligations of the District have been paid and the objective of the District has been accomplished in accordance with Section 67.1481 of RSMo., as amended.

REVENUE PROJECTIONS

The District projects revenue and expenses for the first five years of operation based on the new CID/TIF revenue. No other property will be included in the CID or TIF District for collection of revenue.

FIVE YEAR PROFORMA:	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CID SALES TAX	\$22,000	\$22,000	\$22,000	\$22,000	\$22,000
TIF REVENUE	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000
TOTAL PROJECTED REVENUE	\$54,000	\$54,000	\$54,000	\$54,000	\$54,000
PROJECTED OPERATING EXPENSES:					
ADMINISTRATION	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
TOTAL OPERATING EXPENSES	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
NET AVAILABLE FOR CAPITAL IMPROVEMENTS REIMBURSEMENTS	\$49,000	\$49,000	\$49,000	\$49,000	\$49,000

Estimated Costs of Improvement	Amount
Site Engineering	\$ 50,000.00
Permits and zoning fees	\$ 5,000.00
Utility tap	\$ 2,000.00
Environmental Audit	\$ 7,000.00
Impact fees	\$ -
Utilities extension / relocation	\$ 43,500.00
Demolition/ excavation / fill / grading	\$ 104,100.00
Storm Drainage	\$ 16,800.00
Paving - parking lots - curbs - sidewalks	\$ 391,890.00
landscaping / air compressor / fencing and gates	\$ 71,000.00
Site Lighting / Canopies / signage	\$ 321,000.00
Rehabilitation and relocation of existing buildings	\$ 502,000.00
Trash receptacles / enclosures	\$ 12,500.00
Professional & Legal	\$ 34,000.00
General conditions / profit/ overhead	\$ 96,979.00
TOTAL	\$ 1,657,769.00

REVENUE GENERATION:

SALES TAX: The District has proposed a one-percent (1%) sales tax and use tax on all retail sales within the District, subject to voter approval, to be collected to fund, or assist in the funding of the above proposed public improvement, and the TIF revenue to be generated using only 50% of the new local retail sales tax. The TIF revenue is subject to the creation and approval of the TIF District and approval of an Intergovernmental Cooperative Funding Agreement. The District may impose a real estate tax and or a special assessment to fund project cost, subject to voter approval.

FINANCING PLAN:

It is anticipated that revenues will not be sufficient upon creation of the District to fund all of the proposed improvements. It is proposed that the owner of the real property within the District will provide the funds to make the initial public improvements and enter into a financing/development agreement with the District to reimburse the owners as funds are available with interest or to be repaid from bond or loan proceeds which the District may issue or borrow.

OPERATIONS OF DISTRICT:

The District Board of Directors shall approve and oversee the public improvements and the provision of services within the District in accordance with Sections 67.1401 to 67.1571 of the RSMo., as amended. All funds generated by the District through the collection of sales tax, real estate tax, special assessments or any other revenue which the District may earn shall be used to fund authorized improvements and fund the operation cost of the District. The Board of Directors shall meet no less than quarterly in any year and shall maintain minutes of all meetings and shall post such meetings in accordance with the Missouri Sunshine Law and any other applicable sections of the Missouri Revised Statutes as required for a political subdivision. The Board of Directors shall comply with all reporting provisions of Section 67.1471 RSMo., as amended and

PETITIONER:

The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995
2415 South Campbell Avenue
Springfield, MO 65807
417/881-8308

SIGNER:

Richard H. Scrivener, Trustee

I, Richard H. Scrivener, Trustee of The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995, a living trust of which I am sole trustee do hereby submit this petition to the City of Ozark, Missouri for consideration as requested in the petition. I further represent and warrant that I am authorized to execute this petition on behalf of the owner named immediately above. I further understand that I may not withdraw this petition for any reason after the seventh day it has been submitted to the Municipal Clerk.

Richard H. Scrivener
Richard H. Scrivener, Trustee

11/6/09
Date

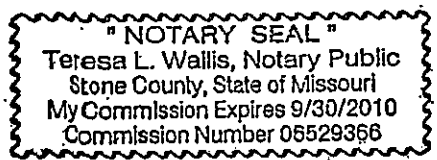
The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995

STATE OF MISSOURI)
 SS)
COUNTY OF GREENE)

Before me personally appeared Richard H. Scrivener, to me personally known to be the individual described in and executed the foregoing instrument, and possessing such documentation as to demonstrate his legal authority to execute this document on behalf of the owner of the real property; The Revocable Living Trust of Richard H. Scrivener, dated January 17, 1995.

WITNESS my hand and official seal this 6th day of November, 2009

Teresa L Wallis



LEGAL DESCRIPTION OF CEVER HWY 14 COMMUNITY
IMPROVEMENT DISTRICT AND LIST OF PROPERTY

THE DISTRICT LEGAL DESCRIPTION:

COUNTY PARCEL # 11-0.2-03-003-010-008.000 ASSESSED Value \$ 197,340

All that part of the Northeast Quarter of the Southwest Quarter in Section 3, Township 27 North, Range 21, West, in Christian County, Missouri, being a part of the lands described in the Affidavit of Scrivener's Error recorded in Book 2008, at Page 7689, in the Christian County Recorder's Office and being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 3, Township 27 North, Range 21 West, in Christian County, Missouri; thence South 87 Degrees 56 Minutes 17 Seconds East along the North line of said Quarter, a distance of 1,372.55 feet to a point in the same; thence departing said North line South 02 Degrees 03 Minutes 43 Seconds West a distance of 39.73 feet to the South Right-of-Way line of Missouri Highway "J", as now established, said point being the POINT OF BEGINNING; thence North 87 Degrees 44 Minutes 11 Seconds East, along the said South Right-of-Way line a distance of 118.12 feet to a point of curvature in the same; thence continuing along said South Right-of-Way line, on a curve to the right having a Radius of 5,690.00 feet, an internal Angle of 02 Degrees 03 Minutes 26 Seconds, and a Length of 204.31 feet to point in the same; thence departing said South Right-of-Way line South 01 Degree 19 Minutes 50 Seconds West, a distance of 180.00 feet to a point; thence South 88 Degrees 43 minutes 44 Seconds East, a distance of 200.06 feet to a point in the West line of a tract of land as described in the Warranty Deed by Limited Liability Company recorded in the Christian County Recorder's Office in Book 372, at Page 603 thence South 01 Degrees 05 Minutes 15 Seconds West along said West line and beyond, along the West line of a tract of land as described in the Corporate Warranty Deed recorded in the Christian County Recorder's Office in Book 2006, at page 12219, a distance of 159.23 feet to the Southwest corner thereof, said point being on the North line of Hopedale Heights Industrial Development, a subdivision in Christian County, Missouri, duly recorded in the Christian County Recorder's Office in Plat Book G, at Page 234; thence North 88 Degrees 28 Minutes 14 Seconds West along the North line of said subdivision, a distance 575.74 feet to the Northwest Corner thereof, said point also being on the East Right-of-way line of North 17th Street, as now established; thence North 01 Degrees 20 minutes 09 Seconds East along the said East Right-of-Way line, a distance of 269.04 feet to a point in the same; thence South 89 Degrees 54 Minutes 15 Seconds East, a distance of 53.00 feet to a point; thence North 01 Degrees 14 Minutes 47 Seconds East, a distance of 52.02 feet to the POINT OF BEGINNING and containing 152,927 square feet of 3.511 acres of land, more or less, EXCEPT any part thereof taken, deeded or used for road or highway purposes. Subject to any easements or restrictions of record.

MISSOURI

DEPARTMENT OF ECONOMIC DEVELOPMENT

COMMUNITY IMPROVEMENT DISTRICT NOTICE OF ESTABLISHMENT

67.1421.6 RSMo. "Upon the creation of a District, the Municipal Clerk shall report in writing the creation of such District to the Missouri Department of Economic Development."

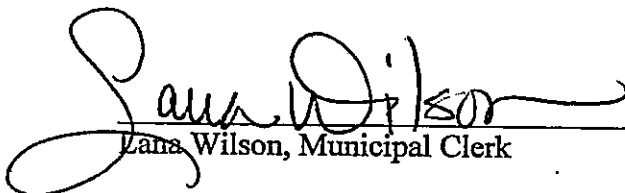
To the Director, Missouri Department Economic Development:
You are officially notified in accordance with Section 67.1421.6 RSMo the

Governing Body of Ozark, Missouri
Has established a Community Improvement District by its adoption of
Ordinance No. 10-015 on the 17th day of May, 2010

Said Community Improvement District is known as:
HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT

And is established and shall be governed in accordance with the laws of the State of
Missouri, specifically Sections 67.1401 through 67.1571 RSMo.

Signed this 24th day of May, 2010


Lana Wilson, Municipal Clerk

of the City of Ozark, Missouri

Send this notice with copy of petition and ordinance creating district to:

Missouri Department of Economic Development
Attn: Community Improvement District Notice of Establishment
P.O. Box 118, 301 West High Street
Jefferson City, MO 65102
FAX: 573-526-8999
Email: cd@ded.mo.gov

For further information or assistance call the incentives Team at 573-526-0748

RESOLUTION 2010-02

LEVYING A SALES TAX ON ALL RETAIL SALES MADE IN THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT (THE "DISTRICT") WHICH ARE SUBJECT TO TAXATION PURSUANT TO SECTIONS 144.010 TO 144.525 RSMO. EXCEPT SALES OF MOTOR VEHICLES, TRAILERS, BOATS OR OUTBOARD MOTORS AND SALES TO PUBLIC UTILITIES WITHIN SUCH DISTRICT; AND ESTABLISHING THE RATES FOR SUCH TAX; PROVIDING FOR THE SUBMISSION OF THE TAX TO THE QUALIFIED VOTERS OF THE DISTRICT FOR THEIR APPROVAL AT THE ELECTION TO BE HELD IN SAID DISTRICT; AND SUBMITTING THE RESOLUTION TO THE CHRISTIAN COUNTY CLERK REQUESTING AN ELECTION BE HELD.

WHEREAS, the Board of Aldermen of the City of Ozark, Missouri (the "City") duly adopted Ordinance No. 10-015 on May 17, 2010 acting on a petition filed by owners of real property (the "Petition") within the Hwy J & 17th Street Community Improvement District (the "District") and approved the creation within the City of the District; and

WHEREAS, the District is a body corporate and political subdivision created under and exercising the authority granted by the Community Improvement District Act contained in Sections 67.1401 to 67.1571, Revised Statutes of Missouri, as amended (the "Act"); and

WHEREAS, the Petition provides for the sales tax of the District (the "Sales Tax"); and

WHEREAS, under the provisions of Section 67.1545 and Section 67.1531 of the Act, this Resolution shall not be final nor shall the Sales Tax levied take effect until the Sales Tax authorized by this Resolution has been submitted to and approved by the affirmative vote of the qualified voters of the District, by mail in ballot; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. Findings. It is hereby found and determined that to accomplish the purposes for which the District was established, it is necessary to impose the Sales Tax set forth in the Petition and authorized by the Act. It is further hereby found and determined that the Agreement is in furtherance of the public purposes of the District under the Petition and as set forth in the Act.

Section 2. Imposition of Sales Tax.

Pursuant to authority granted by and subject to the provisions of Section 67.1545 of the Act, a Sales Tax is imposed on sales made by retail businesses operating in the District for a period of thirty (30) years. The rate of Sales Tax shall be 1% on all retail sales made within the District except sales of motor vehicles, boats or outboard motors and sales to public utilities. The Sales Tax shall become effective as provided in Section 67.1545 of the Act and shall be collected as provided in such statute.

Section 3. Vote. The Sales Tax levied by Section 2 of this Resolution shall be submitted by mail-in ballot to the qualified voters of the District for their consideration and approval, as required by the provisions of Section 67.1545 and 67.1521 of the Act, at the election hereby called and to be held in said District on the 17th day of August, 2010. The ballot shall be in the following form:

**OFFICIAL BALLOT FOR
HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT**

QUESTION NO. 1

SHALL THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT IMPOSE A SALES TAX OF ONE (1%) PERCENT ON ALL RETAIL SALES WITHIN THE DISTRICT FOR A PERIOD OF THIRTY (30) YEARS FROM THE DATE ON WHICH THE TAX IS FIRST IMPOSED FOR THE PURPOSE OF PROVIDING REVENUE TO PAY THE COSTS OF MAKING PUBLIC IMPROVEMENTS, REPAY BONDS OR NOTES ISSUED TO FUND THE COSTS OF PUBLIC IMPROVEMENTS, PLEDGE SUCH REVENUE FOR THE REPAYMENT OF SUCH BONDS OR NOTES, FUND OTHER NECESSARY IMPROVEMENTS WITHIN THE DISTRICT AND TO FUND THE COSTS OF OPERATION OF THE DISTRICT?

_____ YES
_____ NO

INSTRUCTION TO VOTERS

If you are in favor of the question, place an "X" in the box opposite "YES."
If you are opposed to the question, place an "X" in the box opposite "NO."

Section 4. Collection. The Sales Tax, when approved by a majority of the qualified voters, shall be effective on the first day of the second calendar quarter after the Director of the Missouri Department of Revenue receives notice of the adoption of such Sales Tax and the Department of Revenue shall be responsible for the collection of the Sales Taxes and shall pay such tax collected to the District.

Section 5. Approval of Ballot. The District is hereby authorized, pursuant to the Act, to approve an election using a mail-in ballot, in the form of the Questions approved in Section 3 hereof, to all property owners and registered voters in the District for approval of the Sales Tax in the manner provided in the Act.

Section 6. Submission of Resolution and Certification of Election Notice to County Clerk. The Secretary is hereby directed to submit this Resolution fully executed to the County Clerk of Christian County, Missouri and request in writing that a mail-in election be held in accordance Sections 115.650 through 115.660 RSMO "The Mail Ballot Election Act", and submission of a certified copy of the legal Notice of Election in accordance with Section 115.125 (1) of the Missouri Revised Statutes, which is herein attached as Exhibit A of this Resolution. Notice is herein certified by the Board of Directors by adoption of this Resolution.

Section 7. Effective Date. This Resolution shall take effect and be in full force and effect immediately after its adoption by the Board of Directors of the District.

Passed on this 25th Day of May, 2010

Jami Jordan
Chairman

Attested By:
Sean Bungen
Secretary/Treasurer
Vice Chairman

AFFIDAVIT OF PUBLICATION

State of Missouri, County of Christian, ss:

I, Kim Bruce being duly sworn according to law, state that I represent the publisher of the Christian County Headliner News, a weekly newspaper of general circulation in the County of Christian, where located; which has been admitted to the Post Office as periodical matter in the city of Ozark, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050 Revised Statutes of Missouri, 2000. The affixed notice appeared in said newspaper on the following consecutive weeks:

From 8/4, 2010 to 8/11, 2010 both inclusive.

1st insertion, Vol. 49, No. 38, August 4, 2010
2nd insertion, Vol. 49, No. 39, August 11, 2010
3rd insertion, Vol. _____, No. _____, _____, 2010
4th insertion, Vol. _____, No. _____, _____, 2010

Kim Bruce
Kim Bruce

Subscribed and sworn to me this 11 day of August, 2010

MELISSA BURKS
Notary Public - Notary Seal
STATE OF MISSOURI
Polk County - Comm#08503399
My Commission Expires Mar. 13, 2012

Melissa Burk
Notary Public

My commission expires March 13, 2012

Filed and recorded this _____ day of _____, 2010

(Publication Fee, \$ 307.80)

NOTICE OF ELECTION

I, Kay Brown, County Clerk of Christian County, Missouri, Chief Election Authority for the same, do hereby cause to be published in a newspaper of general circulation in accordance with Missouri Revised Statutes 115.127 a notice of a special election to be conducted in accordance with Missouri Revised Statutes 115.650 through 115.660, known as the "Mail in Election" statutes. All qualified voters shall be eligible to vote in said election in accordance with Missouri election laws as herein provided.

NAME OF DISTRICT HOLDING ELECTION: Hwy J & 17th Street Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Hwy J & 17th Street Community Improvement District comprises estimated 3.5 acres of land lying at the southeast corner of the intersection of Missouri Hwy J and North 17th Street in the City of Ozark, Missouri.

TYPE OF TAX: One question will be on the ballot imposing a sales tax.

RATE OF TAX: The sales tax rate is 1%.

DURATION AND PURPOSE OF TAX: The tax shall have a duration of thirty (30) years and shall be used for public improvements within the District, repay bonds or notes issued by the District, be pledged to secure repayment of such bonds or notes, fund other necessary improvements within the District, and fund the cost of operation of the District.

DATE BALLOTS SHALL BE MAILED TO QUALIFIED VOTERS: Ballots shall be mailed August 6, 2010.

DATE OF ELECTION: August 17, 2010

QUALIFIED VOTERS AS DEFINED WILL CONSIST OF EITHER OF THE FOLLOWING:

Registered voters who reside within the District. In order to vote in said election said person must be registered voters pursuant to the records of the election authority and as provided in Section 115.137 subsection 1 of the Missouri Revised Statutes as of the thirtieth day prior to the date of the election. If no such registered voters reside in the District, the owners of real property located within the District pursuant to the tax records of the Christian County Clerk, for real property as of the thirtieth day prior to the date of the election.

The Ballot must be returned to the Election Authority's office in person, or by depositing the Ballot in the United States mail, addressed to the Election Authority's Office and postmarked, not later than the date of the election. Any qualified voter that did not receive a Ballot in the mail or lost the Ballot received in the mail may pick up a mail-in-ballot at the Election Authority's Office after August 6, 2010 until and including the day of the election. Election office location is the Office of County Clerk, at 100 West Church Street, Room 206 in Ozark, Missouri.

**OFFICIAL BALLOT FOR HWY J & 17TH STREET
COMMUNITY IMPROVEMENT DISTRICT**

INSTRUCTIONS TO VOTERS:

If you are in favor of the question, darken the oval opposite "YES."

If you are opposed to the question, darken the oval opposite "NO."

QUESTION NO: 1

SHALL THE HWY J & 17TH STREET COMMUNITY IMPROVEMENT DISTRICT IMPOSE A SALES TAX OF ONE (1%) PERCENT ON ALL RETAIL SALES WITHIN THE DISTRICT FOR A PERIOD OF THIRTY (30) YEARS FROM THE DATE ON WHICH THE TAX IS FIRST IMPOSED FOR THE PURPOSE OF PROVIDING REVENUE TO PAY THE COSTS OF MAKING PUBLIC IMPROVEMENTS, REPAY BONDS OR NOTES ISSUED TO FUND THE COSTS OF PUBLIC IMPROVEMENTS, PLEDGE SUCH REVENUE FOR THE REPAYMENT OF SUCH BONDS OR NOTES, FUND OTHER NECESSARY IMPROVEMENTS WITHIN THE DISTRICT AND TO FUND THE COSTS OPERATION OF THE DISTRICT?

YES

NO

Kay Brown

Kay Brown, County Clerk/Chief Election Official

07/9/2010
Date