

JUNE 22, ELECTION CERTIFICATION

Official results of the June 22, 2010 Mail-In Election by the Clever Highway 14 Community Improvement District, located 675 feet west of the intersection of Highway P and Highway 14 in Clever, Missouri.

Number of Ballots Cast	1
Number of Ballots Voting "Yes"	1
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 June 22, 2010.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on this 22nd day of June, 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 22nd day of June, 2010.

Kay Brown
Kay Brown, Christian County Clerk/Election Authority



**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

To vote, darken in the oval completely next to your choice, like this . If you are in favor of any question submitted upon this ballot, darken the oval to the left of the word "YES". If you are opposed to any question submitted upon this ballot, darken the oval to the left of the word "NO". If you tear, deface, or make a mistake and wrongfully mark any ballot, you must return it to the election judges and receive a new ballot.

QUESTION NO. 1

SHALL THE CLEVER HWY 14 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

**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: Clever Hwy 14 Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Clever Hwy 14 Community Improvement District comprises estimated 1.98 acres of land lying north of Hwy 14 an estimated 675 feet west of the intersection of Hwy P and Hwy 14 containing an estimated 200 feet along Hwy 14 and an estimated 432 feet deep located in the City of Clever, 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 June 10, 2010.

DATE OF ELECTION: June 22, 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 June 10, 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, County Clerk
Chief Election Official**

Date

**EXHIBIT B
COPY OF RESOLUTION 2010-02
RESOLUTION 2010-02**

LEVYING A SALES TAX ON ALL RETAIL SALES MADE IN THE CLEVER HWY 14 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 LEVYING A TAX ON REAL ESTATE LOCATED WITHIN THE DISTRICT; ESTABLISHING THE RATES FOR SUCH TAXES; PROVIDING FOR THE SUBMISSION OF THE TAXES 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 Clever, Missouri (the "City") duly adopted Ordinance No. 399 acting on a petition filed by owners of real property (the "Petition") within the Clever Hwy 14 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 a tax on real estate located within the District (the "Real Estate Tax") (the Sales Tax and the Real Estate Tax collectively herein the "CID Taxes"); 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 or the Real Estate Taxes levied take effect until the Sales Tax and the Real Estate Tax respectively authorized by this Resolution have 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 CLEVER HWY 14 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 CID Taxes 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 CID Taxes.

(a) 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.

(b) Pursuant to authority granted by and subject to the provisions of Section 67.1531 of the Act, a Real Estate Tax is levied on real property and businesses operating in the District. The rate of Real Estate Tax shall be \$1.00 per one hundred dollars of assessed valuation for a period of thirty (30) years on all real estate located within the District. The Real Estate Tax shall become effective as provided in Section 67.1531 of the Act and shall be collected as provided in such statute.

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

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH 2°47'36" EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET; THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING; CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

To vote, darken in the oval completely next to your choice, like this
If you are in favor of any question submitted upon this ballot, darken the oval to the left of the word "YES". If you are opposed to any question submitted upon this ballot, darken the oval to the left of the word "NO"

SHALL THE CLEVER HWY 14 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

RESOLUTION 2010-02

LEVYING A SALES TAX ON ALL RETAIL SALES MADE IN THE CLEVER HWY 14 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 LEVYING A TAX ON REAL ESTATE LOCATED WITHIN THE DISTRICT; ESTABLISHING THE RATES FOR SUCH TAXES; PROVIDING FOR THE SUBMISSION OF THE TAXES 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 Clever, Missouri (the "City") duly adopted Ordinance No. 399 acting on a petition filed by owners of real property (the "Petition") within the Clever Hwy 14 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 a tax on real estate located within the District (the "Real Estate Tax") (the Sales Tax and the Real Estate Tax collectively herein the "CID Taxes"); 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 or the Real Estate Taxes levied take effect until the Sales Tax and the Real Estate Tax respectively authorized by this Resolution have 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 CLEVER HWY 14 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 CID Taxes 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 CID Taxes.

(a) 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.

Gross & Associates



8270 West Farm Road 160 ♦ Republic, MO 65738

Email grossasc@mowisp.netDarrell Gross – Office/Cell – 417-425-9460
888-790-1288 FAX

April 12, 2010

Kay Brown
Christian County Clerk
100 West Church Street, Room 206
County Court House
Ozark, MO 65721

RE: MAIL-IN-ELECTION-CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT

Dear Mr. Powers,

Enclosed, please find a resolution and request by the Board of Directors of the Clever Hwy 14 Community Improvement District for a mail-in-ballot election for a combined sales tax and property tax within the District. The District was created by the City of Clever on February 8, 2010. I have listed the documents which I have enclosed. I am sure you are familiar with mail-in-ballot elections, but for your convenience I have enclosed copies of state statues and the code of state regulations governing them. I also have prepared a sample mail in election plan. You may already have one or wish to change this one.

1. RESOLUTION OF BOARD REQUESTING ELECTION.& CERTIFIED NOTICE OF ELECTION
2. ORIGINAL COPY OF NOTICE OF ELECTION
3. COPY OF ORDINANCE ESTABLISHING CID WITH PETITION ATTACHED
4. LIST OF PROPERTY OWNERS WITH ADDRESSES AND LEGAL DESCRIPTION.
5. COPY OF MAIL-IN-ELECTION PLAN PREPARED FOR CHRISTIAN COUNTY
6. COPY OF CODE OF STATE REGULATIONS GOVERNING MIL-IN-ELECTIONS
7. COPY OF STATE STATUES GOVERNING MAIL-IN-ELECTIONS

The Election date is set for June 22, 2010 based on the ten weeks required from notice. Following is a list of dates and actions that will be required.

1. May 22, 2010: Confirm ownership of property within District.
2. Publish week of June 7th and week of June 14th notice of election.
3. June 10 mail out ballots.
4. June 22 conduct election.

Please be advised that the District will be responsible for all election cost, thus please bill the District. The address is 2400 McFarland Drive, West Plains, MO 65775. I am the Executive Director of the District and have consulted on several CID's around the State. If you have any question please feel free to call me. If you would like copies of any of the above information and forms sent to you electronically please email me with you email address and I will forward them to you.

Sincerely,

Darrell Gross.

Enclosures



FAX

Date: 4/13/2010

Pages including cover sheet: 8

To:	
	Christian County Clerk
Phone	
Fax Number	+1 (417) 581-8331

From:	Darrell Gross
	Gross & Associates
	3225 South Farm Road 87
	Republic
	MO 65738
Phone	+1 (417) 425-9460
Fax Number	+1 (888) 790-1288

NOTE:

Dear MS Brown, attached please find a resolution and letter setting and requesting a mail in ballot election for the Clever Hwy 14 Community Improvement District. I have emailed Sharon the information and will be sening you hard copies.

Thank you
Call me if any question.
Darrell Gross
425-9460

~~P.O. Box~~
8270 West
Farm Road 160
Republic, Mo.
65738

10, 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, County Clerk
Chief Election Official

Date

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. If a majority of the qualified voters approve the Real Estate Tax, the County Collector of Christian County, Missouri shall collect the Real Estate Tax in the same manner and with the other real estate taxes collected in Christian County, Missouri. The collector having collected Real Estate Taxes shall, on or before the fifteenth day of each month (after deducting reasonable and actual costs of such collection but not to exceed one percent of the total amount collected remit such collections to the District prior to the first day of the month. The District shall receipt for and deposit the collections in the District's Depository.

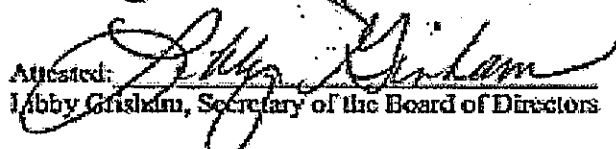
Section 5. Approval of Ballot. The District is hereby authorized, pursuant to the Act, to approve an election using a mail-in ballot, in the form of the Questions approved in Section 3 hereof, to all property owners and registered voters in the District for approval of the CID Taxes in the manner provided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

Approve at organizational meeting on April 5, 2010


 Rod Hamby, Chairman of the Board of Directors

Attested: 
 Abby Griskin, Secretary of the Board of Directors

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."


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Approved at organizational meeting on April 5, 2010


Rod Hamby, Chairman of the Board of Directors

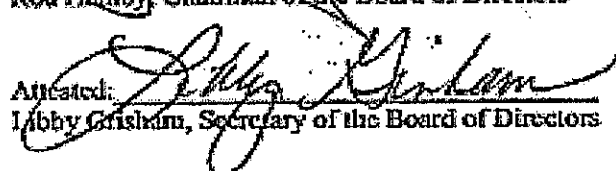
Attested: 
Abby Griskin, Secretary of the Board of Directors

EXHIBIT A
NOTICE OF ELECTION

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

To vote, darken in the oval completely next to your choice, like this
If you are in favor of any question submitted upon this ballot, darken the oval to the left of the word "YES". If you are opposed to any question submitted upon this ballot, darken the oval to the left of the word "NO"

SHALL THE CLEVER HWY 14 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

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: Clever Hwy 14 Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Clever Hwy 14 Community Improvement District comprises estimated 1.98 acres of land lying north of Hwy 14 an estimated 675 feet west of the intersection of Hwy P and Hwy 14 containing an estimated 200 feet along Hwy 14 and an estimated 432 feet deep located in the City of Clever, 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 June 10, 2010.

DATE OF ELECTION: June 22, 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 on 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 June 10, 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
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

SHALL THE CLEVER HWY 14 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."

Kay Brown, County Clerk/Chief Election Official

05/19/2010

Date



FAX

Date: 5/11/2010

Pages including cover sheet: 6

To:	
	Christian County Clerk
Phone	
Fax Number	+1 (417) 581-8331

From:	Darrell Gross
	Gross & Associates
	3225 South Farm Road 87
	Republic
	MO 65738
Phone	+1 (417) 425-9460
Fax Number	+1 (888) 790-1288

NOTE:

Dear Kay, Attached please find a copy the revised Official Ballot for the Clever Hwy 14 CID as well as the legal description of the District. Please consider this an official written conformation of the ballot. The Board of Directos are meeting this week with the intent of withdrawing their request for a real estate tax election. As you know the statutory deadlines for notice has expired for a real estate tax. You will be receiving an official resolution of the Board of Directors withdrawing the request. The Board still desires to proceed with the sales tax election.

I have also attached a revised notice of election. This notice, or any revised form thereof, including publishing the legal description, if you deem such needed is all that would be required to be published as proper notice of election.

Thank You

Darrell Gross
Executive Director
Clever Hwy 14 CID



FAX

Date: 5/21/2010

Pages including cover sheet: 10

To:	Kay Brown
	Christain County Clerk
Phone	
Fax Number	+1 (417) 581-8331

From:	Darrell Gross
	Gross & Associates
	3225 South Farm Road 87
	Republic
	MO 65738
Phone	+1 (417) 425-9460
Fax Number	+1 (888) 790-1288

NOTE:

Kay, attached please find the resolution of the Board withdrawing their request for a real estate tax election. I believe you will find the resolution proper and official in stating the Boards intent to only withdraw the request for a real estate tax and not withdraw the request for a sales tax election. The new resolution leaves in place all regeust for a sales tax election as per Resolution 2010-02 but makes corrections to the ballot questions. Please let me know if you desire anything further.

I did get you estimate for the election for \$171.91. I will have a check sent to you within the next week.

Thanks

Darrell Gross
 Executive Director
 Clever Hwy 14 CID

RESOLUTION 2010-03

RESCINDING CERTAIN SECTIONS OF RESOLUTION 2010-02 OF THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT AND AMENDING CERTAIN SECTIONS IN ORDER TO WITHDRAW THE REQUEST FOR AN ELECTION FOR A TAX ON REAL ESTATE LOCATED WITHIN THE DISTRICT AND CORRECTING THE BALLOT FOR THE JUNE 22ND ELECTION; AND SUBMITTING THE RESOLUTION TO THE CHRISTIAN COUNTY CLERK.

WHEREAS, the Board of Aldermen of the City of Clever, Missouri (the "City") duly adopted Ordinance No. 399 acting on a petition filed by owners of real property (the "Petition") within the Clever Hwy 14 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 Board of Directors of the District passed Resolution 2010-02 which requested the Christian County Clerk to hold an election on June 22, 2010 posing two questions, one for the passage of a sales tax and one for the passage of a real estate tax; and

WHEREAS, under the provisions of Section 67.1551 (2) the Board of Directors may rescind the request for an election for a real estate tax the Board of Directors desire to withdraw the request only for the real estate tax, but retain their request for a sales tax election, thus they desire to make amendments to Resolution 2010-2 which are needed to make such corrections.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. Rescission of Section 2 (b) Resolution 2010-02 of the Clever Hwy 14 Community Improvement District:

The Board of Directors hereby rescinds Section 2 (b) of Resolution 2010-02. The following language is repealed "(b) Pursuant to authority granted by and subject to the provisions of Section 67.1531 of the Act, a Real Estate Tax is levied on real property and businesses operating in the District. The rate of Real Estate Tax shall be \$1.00 per one hundred dollars of assessed valuation for a period of thirty (30) years on all real estate located within the District. The Real Estate Tax shall become effective as provided in Section 67.1531 of the Act and shall be collected as provided in such statute." The Christian County Clerk is hereby directed to not proceed with the request for a real estate tax election for the District in accordance with 67.1551 (2) of the Missouri Revised Statutes.

Section 2. Amending Certain Other Sections of Resolution 2010-02 Pertaining to Real Estate Tax:

- a. Amendment of Section 3 of Resolution 2010-02:** Section 3 is hereby amended to repeal the word "Taxes" and replacing it with the words "Sales Tax" to reflect only a sales tax and to further approve the official ballot as follows:

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT
QUESTION**

SHALL THE CLEVER HWY 14 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."

b. **Amendment of Section 4 of Resolution 2010-02.** Section 4 is hereby amended to remove all instructions and directions pertaining to the collection of real estate taxes. Section 4 shall now read as follows: "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"

c. **Amendment of Section 5 of Resolution 2010-02.** Section 5 is hereby amended to remove the word "Taxes" and replacing it with Sales Tax.

Section 3. Submission of Resolution to County Clerk. The Secretary is hereby directed to submit this Resolution fully executed to the County Clerk of Christian County, Missouri and request that the request for a real estate tax election scheduled to be held on June 22, 2010 be rescinded by passage and directions of this Resolution and advise the County Clerk that the request for a sales tax is still binding and to accept the amended official ballot as stated within the Resolution and accept amended 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 4. Attachment of Resolution 2010-02 Exhibit B to this Resolution: It is hereby approved and directed that a copy of Resolution 2010-02 be attached as Exhibit B of this Resolution in order that any and all persons may make references to the Resolution which is amended.

Section 5. 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.

Approve at organizational meeting on May 14, 2010


Rod Hamby, Chairman of the Board of Directors

Attested: 
Libby Graham, Secretary of the Board of Directors

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

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH 2° 47' 36" EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET; THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING; CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

RESOLUTION 2010-02

LEVYING A SALES TAX ON ALL RETAIL SALES MADE IN THE CLEVER HWY 14 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 LEVYING A TAX ON REAL ESTATE LOCATED WITHIN THE DISTRICT; ESTABLISHING THE RATES FOR SUCH TAXES; PROVIDING FOR THE SUBMISSION OF THE TAXES 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 Clever, Missouri (the "City") duly adopted Ordinance No. 399 acting on a petition filed by owners of real property (the "Petition") within the Clever Hwy 14 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 a tax on real estate located within the District (the "Real Estate Tax") (the Sales Tax and the Real Estate Tax collectively herein the "CID Taxes"); 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 or the Real Estate Taxes levied take effect until the Sales Tax and the Real Estate Tax respectively authorized by this Resolution have 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 CLEVER HWY 14 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 CID Taxes 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 CID Taxes.

(a) 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.

(b) Pursuant to authority granted by and subject to the provisions of Section 67.1531 of the Act, a Real Estate Tax is levied on real property and businesses operating in the District . The rate of Real Estate Tax shall be \$1.00 per one hundred dollars of assessed valuation for a period of thirty (30) years on all real estate located within the District. The Real Estate Tax shall become effective as provided in Section 67.1531 of the Act and shall be collected as provided in such statute.

Section 3. Vote. The CID Taxes 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 22nd day of June, 2010. The ballot shall be in the following form:

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

QUESTION NO. 1

SHALL THE CLEVER HWY 14 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."

QUESTION NO 2

SHALL THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT IMPOSE A TAX ON REAL ESTATE IN THE DISTRICT FOR A PERIOD OF THIRTY (30) YEARS FROM THE DATE ON WHICH THE TAX IS FIRST IMPOSED OF ONE (\$1.00) DOLLAR PER ONE (\$100.00) HUNDRED DOLLARS ASSESSED VALUATION ON ALL REAL ESTATE LOCATED WITHIN THE DISTRICT 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."

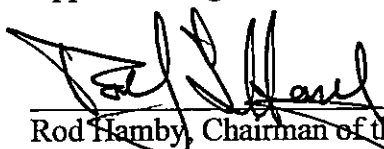
Section 4. Collection. The Sales Tax, when approved by a majority of the qualified voters, shall be effective on the first day of the second calendar quarter after the Director of the Missouri Department of Revenue receives notice of the adoption of such Sales Tax and the Department of Revenue shall be responsible for the collection of the Sales Taxes and shall pay such tax collected to the District. If a majority of the qualified voters approve the Real Estate Tax, the County Collector of Christian County, Missouri shall collect the Real Estate Tax in the same manner and with the other real estate taxes collected in Christian County, Missouri. The collector having collected Real Estate Taxes shall, on or before the fifteenth day of each month (after deducting reasonable and actual costs of such collection but not to exceed one percent of the total amount collected remit such collections to the District prior to the first day of the month. The District shall receipt for and deposit the collections in the District's Depository.

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 CID Taxes 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.

Approve at organizational meeting on April 5, 2010


Rod Hamby, Chairman of the Board of Directors

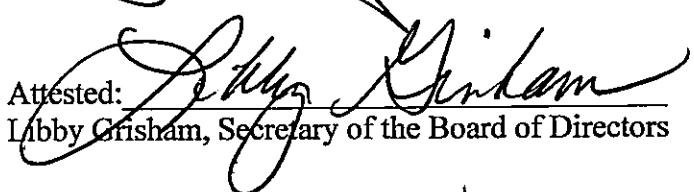
Attested: 
Libby Grisham, Secretary of the Board of Directors

EXHIBIT A
NOTICE OF ELECTION

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: Clever Hwy 14 Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Clever Hwy 14 Community Improvement District comprises estimated 1.98 acres of land lying north of Hwy 14 an estimated 675 feet west of the intersection of Hwy P and Hwy 14 containing an estimated 200 feet along Hwy 14 and an estimated 432 feet deep located in the City of Clever, Missouri.

TYPE OF TAX: Two Questions will be on the ballot, one for imposing a sales tax and one for imposing a real property tax.

RATE OF TAX: The sales tax rate is 1 % and the property tax rate is \$1.00 per \$100 of assessed value.

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 June 10, 2010.

DATE OF ELECTION: June 22, 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 June 10, 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, County Clerk
Chief Election Official

Date

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

QUESTION NO. 1

SHALL THE CLEVER HWY 14 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."

QUESTION NO 2

SHALL THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT IMPOSE A TAX ON REAL ESTATE IN THE DISTRICT FOR A PERIOD OF THIRTY (30) YEARS FROM THE DATE ON WHICH THE TAX IS FIRST IMPOSED OF ONE (\$1.00) DOLLAR PER ONE (\$100.00) HUNDRED DOLLARS ASSESSED VALUATION ON ALL REAL ESTATE LOCATED WITHIN THE DISTRICT 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"

June 1, 2010

RE: Clever Hwy 14 Community Improvement District / June 22, 2010 Mail-In Election

Overland Properties, LLC
Attn: Rodney Hamby.
1598 Imperial Court, Suite 2001
West Plains, MO. 65775

Dear Mr. Hamby,

Enclosed please find your ballot for the June 22, 2010, Clever Hwy 14 Community Improvement District Election.

Cast your vote per the instructions on the ballot.
Place it in the small secrecy envelope enclosed and seal.
Place the Secrecy envelope in the larger self-addressed and pre-stamped envelope and mail back to:

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

It must arrive in my office by 7:00 pm on June 22, 2010, to be counted. There will be no absentee Saturday voting due to the type of election. However if you find that you must hand deliver your ballot, please give my office a call at 417-581-6360, and I will make arrangements to keep the office open on Saturday June 20th, for your delivery.

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

Sincerely,



Kay Brown
Christian County Clerk/Election Authority

CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT
SALES TAX ISSUE

June 22, 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 Clever Hwy 14 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 Clever Hwy 14 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 _____	

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, MO. 65721

For Office Use Only

Date Application Received _____

Date replacement
ballot was mailed
or delivered _____

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: Clever Hwy 14 Community Improvement District.

GENERAL BOUNDARIES OF THE DISTRICT: The Clever Hwy 14 Community Improvement District comprises estimated 1.98 acres of land lying north of Hwy 14 an estimated 675 feet west of the intersection of Hwy P and Hwy 14 containing an estimated 200 feet along Hwy 14 and an estimated 432 feet deep located in the City of Clever, 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 June 10, 2010.

DATE OF ELECTION: June 22, 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 on 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

**LEGAL DESCRIPTION OF CLEVER HWY 14 STREET COMMUNITY
IMPROVEMENT DISTRICT AND LIST OF PROPERTY**

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH 2°47'36" EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET; THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING, CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

CURRENT OWNERSHIP OF PROPERTY: ALL PROPERTY WITHIN THE DISTRICT IS OWNED BY ONE PROPERTY OWNER:

Overland Properties, LLC
1598 Imperial Court, Suite 2001
West Plains, MO 65775

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 June 10, 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
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

SHALL THE CLEVER HWY 14 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."

Kay Brown, County Clerk/Chief Election Official

05/19/2010
Date

Gross & Associates



8270 West Farm Road 160 ♦ Republic, MO 65738

Email grossasc@mowisp.net

Darrell Gross -- Office/Cell - 417-425-9460
888-790-1288 FAX

April 12, 2010

7451 State Highway 14 West

RECEIVED

APR 19 2010

KAY BROWN
COUNTY CLERK

Kay Brown
Christian County Clerk
100 West Church Street, Room 206
County Court House
Ozark, MO 65721

RE: MAIL-IN-ELECTION-CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT

Dear Mr. Powers,

Enclosed, please find a resolution and request by the Board of Directors of the Clever Hwy 14 Community Improvement District for a mail-in-ballot election for a combined sales tax and property tax within the District. The District was created by the City of Clever on February 8, 2010. I have listed the documents which I have enclosed. I am sure you are familiar with mail-in-ballot elections, but for your convenience I have enclosed copies of state statues and the code of state regulations governing them. I also have prepared a sample mail in election plan. You may already have one or wish to change this one.

1. RESOLUTION OF BOARD REQUESTING ELECTION.& CERTIFIED NOTICE OF ELECTION
2. ORIGINAL COPY OF NOTICE OF ELECTION
3. COPY OF ORDINANCE ESTABLISHING CID WITH PETITION ATTACHED
4. LIST OF PROPERTY OWNERS WITH ADDRESSES AND LEGAL DESCRIPTION.
5. COPY OF MAIL-IN-ELECTION PLAN PREPARED FOR CHRISTIAN COUNTY
6. COPY OF CODE OF STATE REGULATIONS GOVERNING MAIL-IN-ELECTIONS
7. COPY OF STATE STATUES GOVERNING MAIL-IN-ELECTIONS

The Election date is set for June 22, 2010 based on the ten weeks required from notice. Following is a list of dates and actions that will be required.

1. May 22, 2010: Confirm ownership of property within District.
2. Publish week of June 7th and week of June 14th notice of election.
3. June 10 mail out ballots.
4. June 22 conduct election.

Please be advised that the District will be responsible for all election cost, thus please bill the District. The address is 2400 McFarland Drive, West Plains, MO 65775. I am the Executive Director of the District and have consulted on several CID's around the State. If you have any question please feel free to call me. If you would like copies of any of the above information and forms sent to you electronically please email me with you email address and I will forward them to you.

Sincerely,


Darrell Gross.

Enclosures

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

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH $87^{\circ}48'08''$ WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH $2^{\circ}47'36''$ EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH $87^{\circ}47'02''$ WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH $2^{\circ}47'36''$ EAST, 432.00 FEET; THENCE SOUTH $87^{\circ}45'09''$ EAST, 200.00 FEET; THENCE SOUTH $2^{\circ}47'36''$ WEST, 431.89 FEET TO THE POINT OF BEGINNING; CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

**OFFICIAL BALLOT FOR
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT**

To vote, darken in the oval completely next to your choice, like this
If you are in favor of any question submitted upon this ballot, darken the oval to the left of the word "YES". If you are opposed to any question submitted upon this ballot, darken the oval to the left of the word "NO"

SHALL THE CLEVER HWY 14 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

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

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH 2°47'36" EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET; THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING; CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

**LEGAL DESCRIPTION OF CLEVER HWY 14 STREET COMMUNITY
IMPROVEMENT DISTRICT AND LIST OF PROPERTY**

THE DISTRICT LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 675.92 FEET; THENCE NORTH 2°47'36" EAST, 40.23 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00 FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET; THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING, CONTAINING 1.98 ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

CURRENT OWNERSHIP OF PROPERTY: ALL PROPERTY WITHIN THE DISTRICT IS OWNED BY ONE PROPERTY OWNER:

Overland Properties, LLC
1598 Imperial Court, Suite 2001
West Plains, MO 65775

BILL01-10

ORDINANCE 399

AN ORDINANCE OF THE CITY OF CLEVER, MISSOURI CREATING THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT WITHIN A CERTAIN AREA OF THE CITY OF CLEVER IN ACCORDANCE WITH THE PETITION OF THE PROPERTY OWNERS WITHING THE PROPOSED DISTRICT

WHEREASE, all property owners within the proposed Clever Hwy 14 Community Improvement District had signed and filed a Petition for Creation with the City Clerk of the City of Clever, Missouri on November 26, 2009 requesting that the District be formed, and

WHEREAS, the Board of Aldermen finding no reason not to approve the creation of the District, and rather finding that the creation will enhance the redevelopment and improvement of the area which will benefit the property owners and the City as a whole.

NOW, THEREFORE, be it ordained by the Board of Alderman of the City of Clever, Missouri as follows:

The creation of the Clever Hwy 14 Community Improvement district is herein approved in accordance with the attached Petition for Creation, attached as Exhibit A; and all powers and authority requested in said petition shall be granted and all board members are appointed as therein requested.

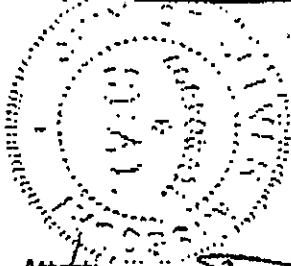
This Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING HELD ON THIS 19TH DAY OF JANUARY, 2010.

SECOND READING AND FINAL PASSAGE HERE ON THIS 8TH DAY OF FEBRUARY, 2010.

	Aye	Nay
Alderman KING	X _____	_____
Alderman MONTGOMERY	X _____	_____
Alderman BACON	_____	X _____
Alderman GILMORE	X _____	_____
Mayor _____ (in case of tie)	_____	_____

Trisha Elam
TRISHA ELAM, Mayor



Attest:

Kristy Stewart
KRISTY STEWART, City Clerk

EXHIBIT A
PETITION FOR CREATION

PETITION FOR CREATION

OF A

COMMUNITY IMPROVEMENT DISTRICT

UNDER MISSOURI REVISED STATUTES 67.1401 TO 67.1571 AS AMENDED

PETITION SUBMITTED TO: City of Clever, Missouri

DATE OF PETITION: November 10, 2009

NAME OF THE PROPOSED DISTRICT: Clever Hwy 14 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 Clever, 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 Clever, 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 Clever Hwy 14 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: Clever Hwy 14 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.

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 Clever, 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. R. B Grisham	Two-Year Term
b. Libby Grisham	Two-Year Term
c. Bruce Grisham	Four-Year Term
d. Danny Williams	Two-Year Term
e. Rod Hamby	Four-Year Term

8. TOTAL ASSESSED VALUE OF ALL REAL PROPERTY OF THE DISTRICT: The assessed value of the property has not been split out be the County Assessor at this time, being the property was part of a larger tract of land. The property has no improvements at this time and the assessed value is estimated at \$5,000. The County Assessor will provide an assessed value to the City upon request.
9. SEEKING BLIGHTED STATUS: The petitioners are not seeking a blighting status for the district.
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 Clever Hwy 14 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.

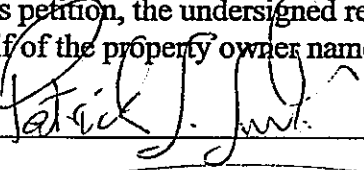
The Petitioners herein request that the Board of Aldermen of the City of Clever, Missouri authorize the creation of the Clever Hwy 14 Community Improvement District as herein requested and grant it the powers and authority as provided for under Missouri Revised Statutes 67.1401 to 67.1571 as amended and as provided in this Petition.

PETITIONER:

Legal Description and Map Attached as Exhibit A of the Petition: Patrick S. & Jazell A. Smith, husband and wife, the recorded owner of the herein described property, all real property within the proposed Clever Hwy 14 Community Improvement District do hereby submit this Petition to the Board of Aldermen of the City of Clever, Missouri for consideration as requested. Petitioners do herein attest that a contract is executed to sell said property to Overland Properties, LLC, a Missouri Limited Liability Company, which is the selected developer of the property by Dollar General. We further represent and warrant that I have appointed all of the herein listed board members as my representatives on all matters relating to this petition and the Community Improvement District. We further understand that I may not withdraw my signature from this Petition for any reason after the seventh day after it has been submitted to the City Clerk.

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

SIGNATURE: _____



Patrick S. Smith

SIGNATURE: _____



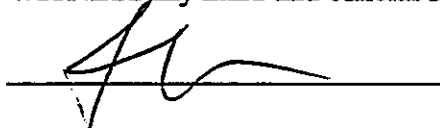
Jazell A. Smith

Patrick S. & Jazell A. Smith
Husband & Wife
12304 West State Hwy 174
Republic, MO 65738
417-732-1236

STATE OF MISSOURI)
)SS.
COUNTY OF Greene)

Before me personally appeared Patrick S. & Jazell A. Smith, 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 as owner of the real property described within this Petition.

WITNESS my hand and official seal this 20 day of November, 2009



Commission Expires 3-8-2011

Notary Public

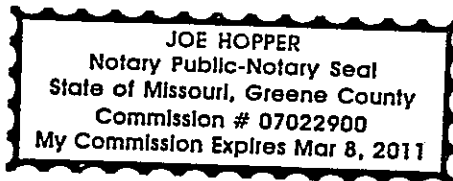


EXHIBIT A

**LEGAL DESCRIPTIONS OF PROPOSED CLEVER HWY 14 COMMUNITY
IMPROVEMENT DISTRICT**

*SOURCE OF PARENT TRACT DESCRIPTION: DEED BOOK 376, PAGE 1978, CHRISTIAN COUNTY
RECORDER'S OFFICE, OZARK, MISSOURI.*

DESCRIPTION OF TRACT A

*A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17,
TOWNSHIP 27 NORTH, RANGE 23 WEST, CHRISTIAN COUNTY, MISSOURI BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF SECTION 17; THENCE NORTH 87°48'08" WEST ALONG THE SOUTH LINE THEREOF A
DISTANCE OF 675.92 FEET; THENCE NORTH 2°47'36" EAST, 40.23 FEET TO THE POINT OF
BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 87°47'02" WEST ALONG
THE NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 A DISTANCE OF 200.00
FEET; THENCE NORTH 2°47'36" EAST, 432.00 FEET; THENCE SOUTH 87°45'09" EAST, 200.00 FEET;
THENCE SOUTH 2°47'36" WEST, 431.89 FEET TO THE POINT OF BEGINNING, CONTAINING 1.98
ACRES MORE OR LESS, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF
RECORD.*

EXHIBIT B

MAP OF THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT



DISTRICT BOUNDARIES IN BOLD YELLOW

EXHIBIT C

FIVE YEAR PLAN OF THE CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT

FIVE YEAR DEVELOPMENT PLAN

CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT

OBJECTIVES AND PURPOSE OF DISTRICT:

The Clever Hwy 14 Community Improvement District comprises estimated 1.98 acres lying north of Hwy 14 and an estimated 675 feet west of the intersection of Hwy P and Hwy 14 containing an estimated frontage of 200 feet along Highway 14 and an estimated 432 feet deep located in the City of Clever, Missouri. The address of the property is 7451 State Hwy 14 West, Billings, MO 65610. The land is currently undeveloped. It is proposed to construct a new commercial building which will be leased on a long term basis to Dollar General for operations as a new retail location estimated at 9,100 square feet. The land owners finds that the cost of developing the property to meet the requirements of Dollar General to be excessive and can not afford to make all of the public improvements needed to serve the property. It is proposed that the Clever Hwy 14 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 and other site cost eligible. The project will cost an estimated \$822,800 with an estimated \$261,700 in public site improvements and cost. The land owner proposes to provide all funds for the project and seek to be reimbursed by the Clever Hwy 14 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.

ESTIMATED COST OF IMPROVEMENTS:

Site Engineering	\$12,500
ALTA Survey of District Boundaries	\$8,000
Permits & Zoning fees	\$8,500
Utility Tap	\$8,000

Environmental Audit	\$2,200
Impact Fees	\$5,000
Utilities Extension	\$25,000
Demolition/Excavation/Fill/Grading	\$52,500
Storm Drainage-Detention Pond	\$5,000
Paving-Parking lot-Curbs-Sidewalks	\$72,000
Landscaping	\$9,500
Site lighting	\$32,500
Professional fees	\$18,500
Election Cost & Public Notices	\$2,500
TOTAL	\$261,700

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 improvements. 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 submit an annual report to the City of Clever 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 Clever. 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

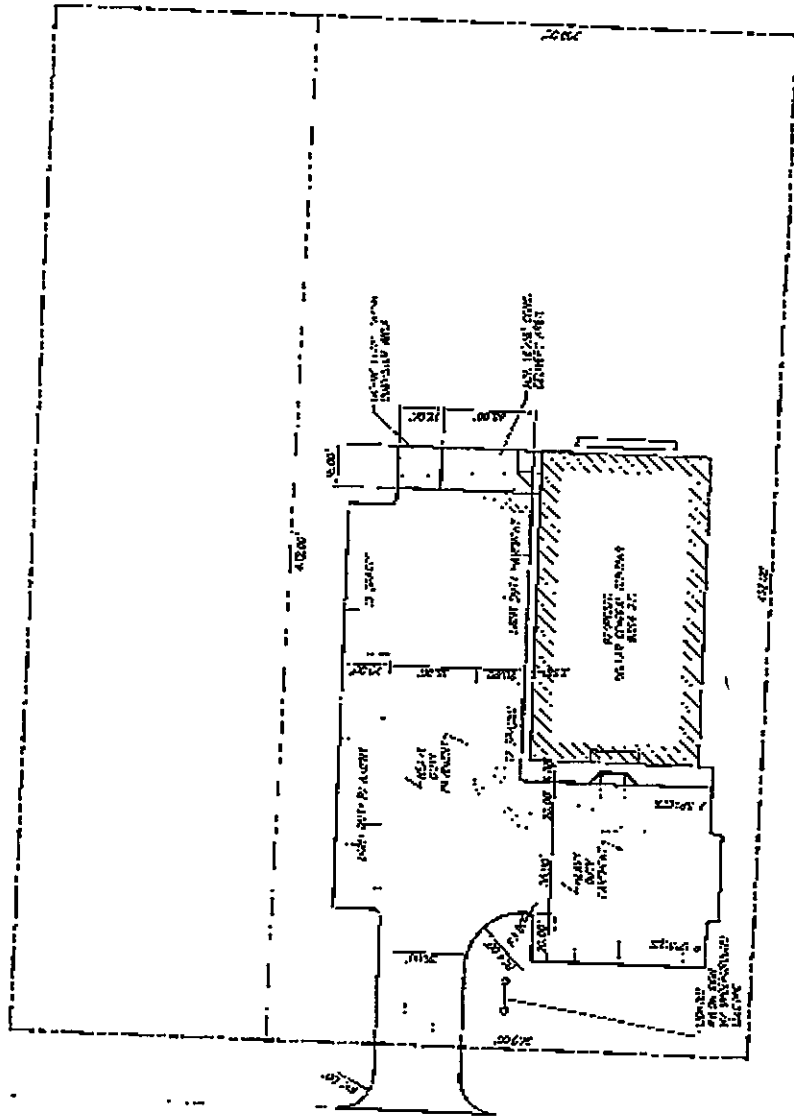
The District projects revenue and expenses for the first five years of operation based on the proposed Dollar General Store only. No other businesses are proposed at this time within the District.

FIVE YEAR PROFORMA:	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CID SALES TAX	\$10,000	\$10,000	\$10,000	\$11,000	\$11,000
CID PROPERTY TAX	\$2,500	\$2,500	\$2,500	\$2,600	\$2,600
TOTAL PROJECTED REVENUE	\$12,500	\$12,500	\$12,500	\$13,600	\$13,600
PROJECTED OPERATING EXPENSES:					
ADMINISTRATION	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200
LEGAL	\$400	\$400	\$400	\$400	\$400
AUDIT EXPENSE	\$1,400	\$1,400	\$1,400	\$1,400	\$1,400
TOTAL OPERATING EXPENSES	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
NET AVAILABLE FOR CAPITAL IMPROVEMENTS REIMBURSEMENTS	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500

10
11
12

PROJECT SITE PLAN

CLEVER, MO		
R		
0.01477.1E1	GRISHAM PROP.	GREAT RIVER LND. b/s/08
1.5R	TRICOT GRISHAM	RUSTY GOSS.
46	47-283-EE/8	77-256-RI/3C



WESTERN ROAD 14





Image# 004379850012 Type: LAN
Recorded: 12/21/2009 at 11:57:36 AM
Total Amt: \$57.00 Page 1 of 12
Christian County Recorder
Roy Meadows Recorder of Deeds
File# 2009-00017882

BK **2009** PG **17713**



-
- 1. **TITLE OF DOCUMENT:** Deed of Trust
 - 2. **DATE OF DOCUMENT:** December 18, 2009
 - 3. **GRANTOR(S):** OVERLAND PROPERTIES, LLC
 - 4. **GRANTEE(S):** The Bank of Missouri
 - 5. **STATUTORY MAILING ADDRESS(ES):**
 - GRANTOR'S ADDRESS:
1598 IMPERIAL CENTER, WEST PLAINS, MO 65776
 - GRANTEE'S ADDRESS:
Ozark Branch, 1503 W State Highway J, Ozark, MO 65721-7425
 - RECORDATION REQUESTED BY:
The Bank of Missouri, Ozark Branch, 1503 W State Highway J, Ozark, MO 65721-7425
 - WHEN RECORDED MAIL TO:
The Bank of Missouri, P.O. Box 309, Perryville, MO 63775
 - 6. **LEGAL DESCRIPTION:**
Legal description of the property is set out in EXHIBIT A.
 - 7. **REFERENCE BOOK AND PAGE(S):**

**DEED OF TRUST
(Continued)**

Loan No: 130072

Trustee. The word "Trustee" means Kim R. Moore, whose address is 112 W Ste. Maries St., Suite 8, Perryville, MO 63776 and any substitute or successor trustees.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

OVERLAND PROPERTIES, LLC

By: [Signature]
RODNEY L HAMBY, Manager of OVERLAND PROPERTIES, LLC

By: [Signature]
ROBERT BRUCE GRISHAM, Member of OVERLAND PROPERTIES, LLC

CORPORATE ACKNOWLEDGMENT

STATE OF Missouri)
County of Howell) SS
)

On this 18 day of December, 20 09, before me appeared RODNEY L HAMBY and ROBERT BRUCE GRISHAM, to me personally known, who, being by me duly sworn, did say that they are Manager of OVERLAND PROPERTIES, LLC and Member of OVERLAND PROPERTIES, LLC, respectively, and that on behalf of said corporation, by authority of its board of directors, said RODNEY L HAMBY and ROBERT BRUCE GRISHAM acknowledged said Deed of Trust to be the free act and deed of said corporation and that said corporation has no corporate seal.

[Signature]
Notary Public (SEAL)

My Commission expires:
8/25/2012

DEBORAH K. YORK
Notary Public - Notary Seal
STATE OF MISSOURI
Greene County
Commission # 08559484
My Commission Expires: Aug. 25, 2012

11

CHRISTIAN COUNTY

MISSOURI PROPERTY INDEX CARD

MAP NUMBER

MISSOURI UNIFORM PARCEL NUMBER

COUNTY I.D. NUMBER

TSP	AREA	SECT	1/4SC	BLOCK	PARCEL	
09	0.4	17	000	000	028.001	99

OWNERS NAME AND ADDRESS

PARCEL LOCATION

OVERLAND PROPERTIES LLC
2201 OCTOBER LANE

WEST PLAINS MO 65775-0000

SCHOOL	MISCELLANEOUS	DISTRICTS
R5	C2	CV
	JC	FIR5

LOT DIMENSIONS

ACQUISITION REFERENCE				ASSESSED		
BOOK/PAGE	DATE	BOOK/PAGE	DATE	DEED	ACREAGE	CALCULATED
2009-017631	12/18/2009			2009-017631	1.98	1.98

PROPERTY DESCRIPTION

PARCEL LOCATED IN	SECTION	TOWNSHIP	RANGE
	17	27	23

DESCRIBED AS:

TR A BEG 675-NSEC SE4 SW4 TH W 200, N432, E20
0 S432 TO POB.

State of Missouri



Robin Carnahan
Secretary of State

CERTIFICATE OF ORGANIZATION

WHEREAS,

Overland Properties, LLC
LC0939040

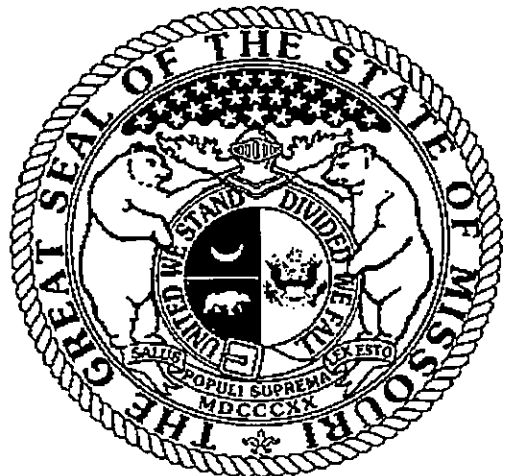
filed its Articles of Organization with this office on the January 5, 2009, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the January 5, 2009, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this January 5, 2009.

Robin Carnahan

Secretary of State





State of Missouri
Robin Carnahan, Secretary of State

File Number: 200900590344

LC0939040

Date Filed: 01/05/2009

Robin Carnahan

Secretary of State

Articles of Organization

1. The name of the limited liability company is:

Overland Properties, LLC

2. The purpose(s) for which the limited liability company is organized:

The transaction of any lawful business for which a limited liability company may be organized under the Missouri Limited Liability Company Act, Chapter 347 RSMo.

3. The name and address of the limited liability company's registered agent in Missouri is:

Jacob W. Stauffer

Name

204 West Main Street, West Plains MO 65775

Address

4. The management of the limited liability company is:

Manager

Member

5. The duration (period of existence) for this limited liability company is:

Perpetual

5. The name(s) and street address(es) of each organizer:

Jacob Stauffer, 204 West Main Street, West Plains MO 65775

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

Jacob Stauffer

(Organizer Name)

Missouri Secretary of State, Robin Carnahan

Important Notice:

The business services portals will be temporarily unavailable on Wednesday, May 5, 2010 from 5:00 p.m. to 7:00 p.m. for system maintenance. We apologize for any inconvenience this may cause.

SOS Home :: Business Services :: Business Entity Search

Search

- By Business Name
- By Charter Number
- By Registered Agent
- For New Corporations
Verify
- Verify Certification
Registration Report
- File Online
File Fictitious Name
Registration
- File Online
- Renew Online
File LLC Registration
- File Online
Online Orders
- Register for Online
Orders
- Order Good Standing
- Order Certified Documents

Filed Documents

Date: 5/3/2010 (Click above to view filed documents that are available.)

Business Name History

Name	Name Type
Overland Properties, LLC	Legal

Limited Liability Company - Domestic - Information

Charter Number: LC0939040
Status: Active
Entity Creation Date: 1/5/2009 12:22:10 PM
Expiration Date: Perpetual

Registered Agent

Agent Name: Stauffer, Jacob W.
Office Address: 204 West Main Street
 West Plains MO 65775

Mailing Address:

Organizers

Name: Jacob Stauffer
Address: 204 West Main Street
 West Plains MO 65775

Advertising Invoice

Community Publishers, Inc.

PO BOX 330
BOLIVAR, MO 65613

Phone: (417)326-7636

Fax: (417)326-7643

URL: <http://ozarksnewsstand.com>

4

CHRISTIAN COUNTY CLERK
KAY BROWN
100 W CHURCH RM 206
OZARK, MO 65721

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Date: 05/28/2010
Due Date: 06/12/2010
Invoice #: 167741
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00120794	PN-CLEVER NOTICE OF EL	05/26/2010	05/26/2010	1	152.00	0.00	152.00

RECEIVED

JUN 02 2010

KAY BROWN
COUNTY CLERK

*Main In Election
for Clever May 14
Community Dec.
Kay Brown*

Thank you for doing business with our newspapers.

Please return a copy with payment

Total Due

152.00

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: Clever Hwy. 14 Community Improvement District

GENERAL BOUNDARIES OF THE DISTRICT: The Clever Hwy. 14 Community Improvement District comprises estimated 1.98 acres of land lying north of Hwy. 14 an estimated 675 feet west of the intersection of Hwy. P and Hwy. 14 containing an estimated 200 feet along Hwy. 14 and an estimated 432 feet deep located in the City of Clever, 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 June 10, 2010.

DATE OF ELECTION: June 22, 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 persons 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 June 10, 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
CLEVER HWY 14 COMMUNITY IMPROVEMENT DISTRICT
QUESTION

SHALL THE CLEVER HWY 14 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, darken the oval opposite "YES".
If you are opposed to the question, darken the oval opposite "NO".

Kay Brown
Kay Brown, County Clerk/Chief Election Official

05/19/2010
Date