

CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ea.

January Session of the January Adjourned

Term. 20¹⁰

County of Boone

In the County Commission of said county, on the

21st

day of January

20¹⁰

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby accept the following certification:

I, Wendy S. Noren, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the attached petitions contain the signatures of the property owners who own property equal to at least two-thirds by area of all real property located within the proposed **Brown Station Sanitary Sewer Neighborhood Improvement District** and no petitioner is delinquent in County real estate taxes.

In testimony whereof, I have hereunto set my hand and affixed the seal of the County of Boone, State of Missouri, this 21st day of **January, 2010**.

/s/ Wendy S. Noren
County Clerk
Boone County, Missouri

(seal)

In that the attached petitions meet the requirements set forth in section 67.457.3 RSMo. and Commission Order #424-91 for the formation of neighborhood improvement districts, the county Commission hereby approves the advisability of the improvement and orders the establishment of the **Brown Station Sanitary Sewer Neighborhood Improvement District** to be described as follows:

Boundary Description of Brown Station Sanitary Sewer Neighborhood Improvement District

Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting therefrom that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records

AND

A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range Twelve (12), Boone county, Missouri, as described by a Survey recorded in Book 501, page 891, Deed Records of Boone County, Missouri, containing 0.91 acres, more or less

AND

CERTIFIED COPY OF ORDER



STATE OF MISSOURI



ea.

January Session of the January Adjourned

Term. 20

County of Boone

10

In the County Commission of said county, on the

21st

day of

January

20

10

the following, among other proceedings, were had, viz:

PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49), RANGE TWELVE (12) IN BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE SET NORTH 16 DEGREES WEST 5.86 CHAINS FROM THE SOUTHEAST CORNER OF SURVEY NO. 2890; THENCE SOUTH 80 DEGREES WEST 4.10 CHAINS TO A STONE; THENCE NORTH 16 DEGREES WEST 2.53 CHAINS TO A STONE; THENCE NORTH 80 DEGREES EAST 4.10 CHAINS TO A STONE; THENCE SOUTH 16 DEGREES EAST 2.53 CHAINS TO THE POINT OF BEGINNING

AND

TRACT TWO (2) OF THE SURVEY MADE BY D. E. HILL AND RECORDED FEBRUARY 18, 1958 IN BOOK 289, PAGE 138, DEED RECORDS OF BOONE COUNTY, MISSOURI, SAID SURVEY BEING LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49) NORTH, RANGE TWELVE (12) WEST, OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, IN BOONE COUNTY, MISSOURI, AND BEING LOCATED IN LOTS NINE (9), TEN (10), ELEVEN (11) AND PART OF TWELVE (12) IN THE VILLAGE OF BROWN'S STATION, MISSOURI

AND

Lot Eight (8) of BROWN'S STATION, being part of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range (12), in Boone County, Missouri.

AND

Tract One (1) of the survey made by D.E. Hill and recorded February 18, 1958 in Book 289, Page 138, Deed Records of Boone County, Missouri, said survey being located in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49) north, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in Boone County, Missouri, being located in Lots Nine (9), Ten (10), Eleven (11) and part of Twelve (12) in the Village of Brown's Station, Boone County, Missouri.

The final cost of the improvement shall not exceed the estimated cost of **\$173,971.37** by more than twenty-five percent (25%). The County Commission hereby orders the County Public Works Director to make plans and specifications for the proposed project and file said plans and specifications with the County Clerk of Boone County, Missouri.

CERTIFIED COPY OF ORDER



STATE OF MISSOURI	} ea.		Term. 20
County of Boone		January Session of the January Adjourned	10
In the County Commission of said county, on the		day of	20
the following, among other proceedings, were had, viz:	21 st	January	10

The Commission further **orders** that the improvement costs shall be assessed equally against each parcel described on Exhibit "A" attached hereto and shall be payable in not more than **twenty (20)** substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone, and the clerk shall prepare an assessment list and notify the property owners of a public hearing on the proposed improvement.

Done this 21st day of January, 2010.

ATTEST:

Wendy S. Noren
 Wendy S. Noren
 Clerk of the County Commission

Kenneth M. Pearson
 Kenneth M. Pearson
 Presiding Commissioner

Karen M. Miller
 Karen M. Miller
 District I Commissioner

Skip Elkin
 Skip Elkin
 District II Commissioner

EXHIBIT A

Current Owner	Robert H. Powell Doris M. Powell
Current Owner's Address	8680 North Brown Station Road Columbia MO 65202
Boone County Tax Parcel #	12-204-10-04-019.00-01
Legal Description	Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting therefrom that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records.
Current Owner	Maria L. Evans, Trustee of The Maria L. Evans Revocable Trust UTA dated 12/10/02
Current Owner's Address	12776 Suncrest Way Greentop, MO 63546-2140
Boone County Tax Parcel #	12-204-10-04-013.00-01
Legal Description	A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range Twelve (12), Boone county, Missouri, as described by a Survey recorded in Book 501, page 891, Deed Records of Boone County, Missouri, containing 0.91 acres, more or less.
Current Owner	William D. Nichols Jr. Cheryl Kay Nichols
Current Owner's Address	8611 North Brown Station Drive Columbia MO 65202
Boone County Tax Parcel #	12-204-10-04-011.00-01
Legal Description	PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49), RANGE TWELVE (12) IN BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE SET NORTH 16 DEGREES WEST 5.86 CHAINS FROM THE SOUTHEAST CORNER OF SURVEY NO. 2890; THENCE SOUTH 80 DEGREES WEST 4.10 CHAINS TO A STONE; THENCE NORTH 16 DEGREES WEST 2.53 CHAINS TO A STONE; THENCE NORTH 80 DEGREES EAST 4.10 CHAINS TO A STONE; THENCE SOUTH 16 DEGREES EAST 2.53 CHAINS TO THE POINT OF BEGINNING.
Current Owner	Raymond Biggerstaff Cheryl A. Biggerstaff
Current Owner's Address	8650 North Brown Station Drive
Boone County Tax Parcel #	12-204-10-04-004.00-01
Legal Description	TRACT TWO (2) OF THE SURVEY MADE BY D. E. HILL AND RECORDED FEBRUARY 18, 1958 IN BOOK 289, PAGE 138, DEED RECORDS OF BOONE COUNTY, MISSOURI, SAID SURVEY BEING LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49) NORTH, RANGE TWELVE (12) WEST, OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, IN BOONE COUNTY, MISSOURI, AND BEING LOCATED IN LOTS NINE (9), TEN (10), ELEVEN (11) AND PART OF TWELVE (12) IN THE VILLAGE OF BROWN'S STATION, MISSOURI.
Current Owner	Larry Lorton Sharon Lorton
Current Owner's Address	8640 North Brown Station Road Columbia MO 65202
Boone County Tax Parcel #	12-204-10-04-005.00-01

Legal Description	Lot Eight (8) of BROWN'S STATION, being part of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range (12), in Boone County, Missouri	
Current Owner	Jessica L. Gasperson Trimble	John Allen Trimble
Current Owner's Address	8670 North Brown Station Road Columbia MO 65202	
Boone County Tax Parcel #	12-204-10-04-003.00	
Legal Description	Tract One (1) of the survey made by D.E. Hill and recorded February 18, 1958 in Book 289, Page 138, Deed Records of Boone County, Missouri, said survey being located in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49) north, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in Boone County, Missouri, being located in Lots Nine (9), Ten (10), Eleven (11) and part of Twelve (12) in the Village of Brown's Station, Boone County, Missouri.	

**SECOND AMENDED
PETITION FOR THE CREATION OF A
NEIGHBORHOOD IMPROVEMENT DISTRICT**

To the County Commission of Boone County, Missouri:

The undersigned, being the owners of record of more than two-thirds (2/3) by area of all real property within the hereinafter described neighborhood improvement district, do hereby petition and request that the Boone County Commission create a neighborhood improvement district as described herein and incur indebtedness and issue general obligation bonds of the County to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed against the real property within said district benefited by such improvements, under the authority of Sections 67.453 to 67.475, inclusive, RSMo. (the "Neighborhood Improvement District Act").

A. The project name for the proposed improvements is:

Brown Station Sanitary Sewer Neighborhood Improvement District

- B. The general nature of the improvements proposed to be made is as follows: design and construction of publicly maintained wastewater treatment and collection system complete with individual low pressure pump station on each lot. Includes connection to the individual low pressure pump station at the outflow of the home plumbing system, up line from the current treatment system and electrical work to make the connection. Cost does not include any electrical upgrades in the home if required. Cost also includes the design and construction of a wastewater treatment facility sufficient to treat the collected wastewater all for the purpose of conveying the proposed construction of the publicly maintained treatment and collection system to the Boone County Regional Sewer District for public ownership and maintenance.
- C. The estimated cost of the proposed improvements is **\$ 173,971.37**. The final cost of such improvements assessed against the property within the district (and the amount of general obligation bonds of the County issued therefore) shall not exceed such estimated cost by more than 25%. Property owners in the district shall also be responsible for a monthly service, usage and maintenance fee.
- D. The special assessments will be assessed in substantially equal annual installments over a period of twenty (20) years. The special assessments shall be a lien on the property against which they are assessed to the same extent as a tax upon real property. Upon foreclosure of any such lien, the entire assessment on that property will become due and payable and will be recoverable in the foreclosure proceeding.
- E. The cost of maintenance of the proposed improvements during the term of the bonds or notes issued to pay the costs of such improvements will not be assessed against the

owners of the property within the proposed district. The cost of system maintenance shall be paid by the operator of the system and charged to the customers of the system as a part of its monthly user fees under its customer rate structure.

- F. A boundary description and map of the proposed neighborhood improvement district are attached hereto as **Exhibit A and Exhibit B**. The district is located entirely within Boone County, Missouri, and is not located in whole or in part within the limits of an incorporated city.
- G. Notwithstanding anything herein to the contrary, this project is contingent on receipt of approval for grant funding for this project through the American Recovery and Reinvestment Act, which will have the effect of reducing the “total cost” figure assessed against the six (6) lots as set out below. The grant funding approval must be in excess of Seventy Thousand Dollars (\$70,000.00) for a Notice to Proceed to be issued on this proposed project.
- H. The proposed method of assessment is as follows: The final improvement costs shall be assessed equally on a per lot/tract assessment.

Following completion of the Improvements, one-sixth (1/6) of the final cost shall be assessed to:

Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting therefrom that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records (12-204-10-04-019.00-01)

AND

One-sixth (1/6) of the final cost shall be assessed to:

A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range Twelve (12), Boone county, Missouri, as described by a Survey recorded in Book 501, page 891, Deed Records of Boone County, Missouri, containing 0.91 acres, more or less (12-204-10-04-013.00-01)

AND

One-sixth (1/6) of the final cost shall be assessed to:

PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49), RANGE TWELVE (12) IN BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE SET NORTH 16 DEGREES WEST 5.86 CHAINS FROM THE SOUTHEAST CORNER OF SURVEY NO. 2890; THENCE SOUTH 80 DEGREES WEST 4.10 CHAINS TO A STONE; THENCE NORTH 16 DEGREES WEST 2.53

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AND

One-sixth (1/6) of the final cost shall be assessed to:

TRACT TWO (2) OF THE SURVEY MADE BY D. E. HILL AND RECORDED FEBRUARY 18, 1958 IN BOOK 289, PAGE 138, DEED RECORDS OF BOONE COUNTY, MISSOURI, SAID SURVEY BEING LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49) NORTH, RANGE TWELVE (12) WEST, OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, IN BOONE COUNTY, MISSOURI, AND BEING LOCATED IN LOTS NINE (9), TEN (10), ELEVEN (11) AND PART OF TWELVE (12) IN THE VILLAGE OF BROWN'S STATION, MISSOURI (12-204-10-04-004.00-01)

AND

One-sixth (1/6) of the final cost shall be assessed to:

Lot Eight (8) of BROWN'S STATION, being part of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range (12), in Boone County, Missouri (12-204-10-04-005.00-01).


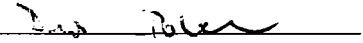
AND

One-sixth (1/6) of the final cost shall be assessed to:

Tract One (1) of the survey made by D.E. Hill and recorded February 18, 1958 in Book 289, Page 138, Deed Records of Boone County, Missouri, said survey being located in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49) north, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in Boone County, Missouri, being located in Lots Nine (9), Ten (10), Eleven (11) and part of Twelve (12) in the Village of Brown's Station, Boone County, Missouri. (12-204-10-04-003.00).

The entire assessment may be paid at the time it is made, or it may be paid in 20 annual installments, with interest in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone.

THE UNDERSIGNED WAIVES THEIR RIGHT TO WITHDRAW THEIR SIGNATURE TO THIS PETITION.

PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD	SIGNATURE OF OWNER(S) OF RECORD*	PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT
Robert H. Powell		Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting therefrom that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records.
Doris M. Powell 8680 North Brown Station Road Columbia MO 65202		12-204-10-04-019.00-01

***Persons signing on behalf of a corporation or other legal entity or as a representative of the owner must attach documentation of the signer's authority.**

THE UNDERSIGNED WAIVES THEIR RIGHT TO WITHDRAW THEIR SIGNATURE TO THIS PETITION.

PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD

Maria L. Evans, Trustee
The Maria L. Evans Revocable Trust dated 12/10/02

SIGNATURE OF OWNER(S) OF RECORD*



PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT

A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range Twelve (12), Boone county, Missouri, as described by a Survey recorded in Book 501, page 891, Deed Records of Boone County, Missouri, containing 0.91 acres, more or less.

12-204-10-04-013.00-01

12776 Suncrest Way
Greentop, MO 63546-2140

***Persons signing on behalf of a corporation or other legal entity or as a representative of the owner must attach documentation of the signer's authority.**

THE UNDERSIGNED WAIVES THEIR RIGHT TO WITHDRAW THEIR SIGNATURE TO THIS PETITION.

PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD

SIGNATURE OF OWNER(S) OF RECORD*

PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT

William D. Nichols, Jr.



PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49), RANGE TWELVE (12) IN BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE SET NORTH 16 DEGREES WEST 5.86 CHAINS FROM THE SOUTHEAST CORNER OF SURVEY NO. 2890; THENCE SOUTH 80 DEGREES WEST 4.10 CHAINS TO A STONE; THENCE NORTH 16 DEGREES WEST 2.53 CHAINS TO A STONE; THENCE NORTH 80 DEGREES EAST 4.10 CHAINS TO A STONE; THENCE SOUTH 16 DEGREES EAST 2.53 CHAINS TO THE POINT OF BEGINNING.

Cheryl Kay Nichols



12-204-10-04-011.00-01

8611 North Brown Station Drive
Columbia MO 65202

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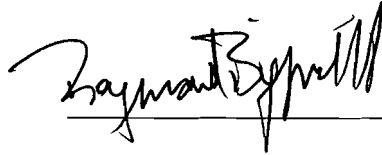
THE UNDERSIGNED WAIVES THEIR RIGHT TO WITHDRAW THEIR SIGNATURE TO THIS PETITION.

PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD

SIGNATURE OF OWNER(S) OF RECORD*

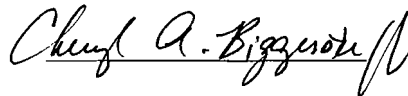
PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT

Raymond Biggerstaff



TRACT TWO (2) OF THE SURVEY MADE BY D. E. HILL AND RECORDED FEBRUARY 18, 1958 IN BOOK 289, PAGE 138, DEED RECORDS OF BOONE COUNTY, MISSOURI, SAID SURVEY BEING LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST (NW ¼) OF SECTION TEN (10), TOWNSHIP FORTY-NINE (49) NORTH, RANGE TWELVE (12) WEST, OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, IN BOONE COUNTY, MISSOURI, AND BEING LOCATED IN LOTS NINE (9), TEN (10), ELEVEN (11) AND PART OF TWELVE (12) IN THE VILLAGE OF BROWN'S STATION, MISSOURI.

Cheryl A. Biggerstaff



12-204-10-04-004.00-01

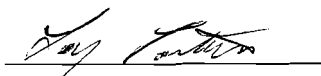
8650 North Brown Station Drive
Columbia MO 65202

***Persons signing on behalf of a corporation or other legal entity or as a representative of the owner must attach documentation of the signer's authority.**

THE UNDERSIGNED WAIVES THEIR RIGHT TO WITHDRAW THEIR SIGNATURE TO THIS PETITION.


PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD	SIGNATURE OF OWNER(S) OF RECORD*	PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT
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Larry Lorton



Lot Eight (8) of BROWN'S STATION, being part of the Northwest Quarter (NW ¼) of Section Ten (10), Township Forty-nine (49), Range (12), in Boone County, Missouri

Sharon Lorton

 12-204-10-04-005.00-01

8640 North Brown Station Road
Columbia MO 65202

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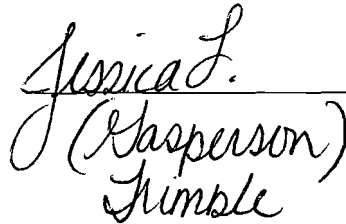
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PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD

SIGNATURE OF OWNER(S) OF RECORD*

PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT

Jessica L. Gasperson



Jessica L. Gasperson
Humble

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John Allen Trimble



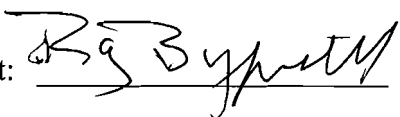
12-204-10-04-003.00

8670 North Brown Station Road
Columbia MO 65202

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AFFIDAVIT OF CIRCULATOR

I, Ray Biggerstaff, a property owner of record of the proposed neighborhood improvement district herein, being first duly sworn, hereby say that the above and foregoing signed this petition and each of them signed his/her name thereto personally in my presence; I believe that each has accurately stated his/her name and property location, and that each signer is a property owner of record of the proposed neighborhood improvement district herein described.

Signature of Affiant: 

Printed Name & Address of Affiant: Ray Biggerstaff
8650 N. Brown Station Dr.
Columbia MO 65202

Subscribed to and sworn to me this 19th day of January, 2010.

Signed:  (Notary Seal)
Andy Lister, Notary Public

My Commission expires: 4/20/2012

Notary Certificate:

ANDY LISTER
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires April 20, 2012
Commission # 08518060

COUNTY CLERK'S RECEIPT OF PETITION:

This Petition was filed in my office on _____, 20____.

(SEAL)

County Clerk

CERTIFICATE OF AREA OWNED BY PETITIONERS

I, County Clerk of Boone County, Missouri, hereby certify as follows:

- 1) I have examined the Petition requesting the creation of a neighborhood improvement district for the proposed amended **Brown Station Sanitary Sewer Neighborhood Improvement District** filed in my office on January 20, 2010.
- 2) ~~At least seven days have passed since said Petition was filed and none of the signers have withdrawn their names from the Petition.~~ *NA*
- 3) The total area of all real property within the proposed amended neighborhood improvement district is 5.07 acres, more or less.
- 4) The total area owned by the signers of the Petition is 5.07 acres.

DATED: _____, 20_____.

(SEAL)

Wendy S. Noren
County Clerk
Boone County, Missouri

EXHIBIT A

Boundary Description of Brown Station Sanitary Sewer Neighborhood Improvement District

Lot Eighteen (18) and that part of Lot Nineteen (19) that lies South of the road leading to the Baptist Church, all in Brown Station, Missouri and being a part of the Northwest Quarter of Section Ten (10), Township Forty-nine (49) Range Twelve (12). Excepting therefrom that part thereof conveyed to the State of Missouri for Highway B by deed recorded in Road Book 2, Page 426 of Boone County Records

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AND

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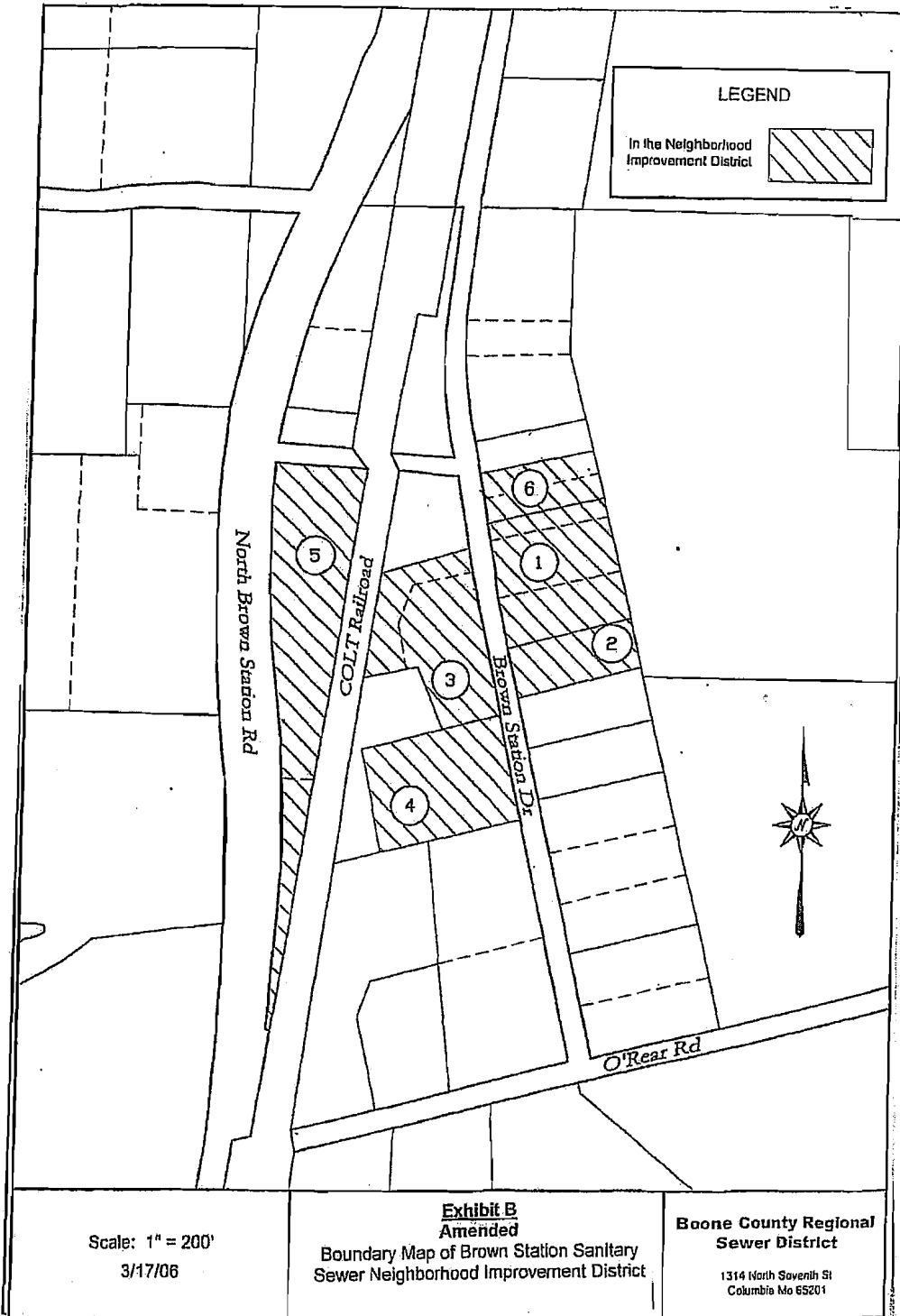
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EXHIBIT B



29 -2010

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

January Session of the January Adjourned

Term. 20 10

In the County Commission of said county, on the 21st day of January 20 10


the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize the issuance of \$179,900.00 Principal amount of general obligation bonds (State of Missouri – Direct Loan Program – ARRA) series 2010 of Boone County, Missouri for the purpose of installing and extending sanitary sewer systems in the Brown Station and Country Squires subdivisions; Prescribing the form and details of the bonds and the agreements made by the County to facilitate and protect their payment; and prescribing other related matters.

Done this 21st day of January, 2010.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission


Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner

RESOLUTION AND ORDER

OF

BOONE COUNTY, MISSOURI

PASSED JANUARY 21, 2010

AUTHORIZING:

NOT TO EXCEED \$179,900

**GENERAL OBLIGATION BONDS
(STATE OF MISSOURI – DIRECT LOAN PROGRAM – ARRA)
SERIES 2010**

RESOLUTION AND ORDER

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A RESOLUTION AND ORDER AUTHORIZING THE ISSUANCE OF \$179,900 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS (STATE OF MISSOURI – DIRECT LOAN PROGRAM – ARRA) SERIES 2010 OF BOONE COUNTY, MISSOURI FOR THE PURPOSE OF INSTALLING AND EXTENDING SANITARY SEWER SYSTEMS IN THE BROWN STATION AND COUNTRY SQUIRES SUBDIVISIONS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE AGREEMENTS MADE BY THE COUNTY TO FACILITATE AND PROTECT THEIR PAYMENT; AND PRESCRIBING OTHER RELATED MATTERS

WHEREAS, Boone County, Missouri (the “County”), is a first-class county and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the constitution and laws of the State of Missouri; and

WHEREAS, the County is authorized under the provisions of Article VI, Section 26 of the Constitution of Missouri, 1945, as amended, and Section 108.010 *et seq.*, of the Revised Statutes of Missouri, as amended (the “General Obligation Bond Law”), to incur indebtedness and issue and sell general obligation bonds of the County to evidence such indebtedness for lawful purposes, upon obtaining the approval of at least four-sevenths of the qualified electors of the County voting on the question to incur indebtedness at a general election; and

WHEREAS, pursuant to the General Obligation Bond Law, an election was duly held in the County at the general election on November 4, 1997 (the “Election”), on the question whether to issue the general obligation bonds of the County in the amount of \$5,500,000 for the purpose of constructing, installing and extending main and lateral storm water drains and sanitary sewer systems and appurtenances thereto; and

WHEREAS, the votes cast at the Election were duly canvassed as provided by law, and it was found and declared that more than four-sevenths of the qualified voters of the County voting at the Election on the question voted in favor of the issuance of the bonds, the vote on the question having been 8,131 votes for the issuance of the bonds and 2,874 votes against the issuance of the bonds; and

WHEREAS, the Boone County Regional Sewer District, a common sewer district and political subdivision of the State of Missouri (the “District”), has been formed to operate and maintain a revenue producing sewerage system serving the District, its inhabitants and others within its service area, including connected and related appurtenances and facilities and extensions, improvements, additions and enlargements made or acquired by the District (the “System”); and

WHEREAS, the County and the District have entered into the Cooperative Agreement Neighborhood Improvement District Projects dated November 17, 2009 (the “NID Cooperative Agreement”), pursuant to which (i) the County has agreed to establish neighborhood improvement districts (“NIDs”) and finance the construction, installation and extension of main and lateral storm water drains and sanitary sewer systems and appurtenances thereto within the NIDs, and (ii) the District has agreed to design, construct, reconstruct, repair, improve, own, operate and maintain the systems within the NIDs financed by the County, constituting the Neighborhood Improvement District Public Sanitary Sewer Improvement Program; and

WHEREAS, the County has issued \$280,000 principal amount of the bonds authorized at the Election, pursuant to a resolution and order of the County passed on May 2, 2000, and \$1,700,000 principal

amount of the bonds authorized at the Election, pursuant to a resolution and order of the County passed on December 9, 2008, and now desires to issue an additional maximum principal amount of \$179,900 (the "Maximum Principal Amount") of the bonds so authorized at the Election, consisting of the General Obligation Bonds (State of Missouri – Direct Loan Program – ARRA) Series 2010 (the "Bonds"); and

WHEREAS, the County has duly authorized and undertaken the Brown Station Subdivision Neighborhood Improvement District Project (the "Brown Station Project"), consisting of the construction of a re-circulating sand filter treatment system for the Brown Station Subdivision and elimination of the existing septic systems in the Brown Station Subdivision, at an estimated cost of at least \$182,000; and

WHEREAS, the County has duly authorized and undertaken the Country Squires Subdivision Neighborhood Improvement District Project (the "Country Squires Project," collectively with the Brown Station Project, the "Project"), consisting of the construction of a collection system from the Country Squires Subdivision to the Oberlin Valley Subdivision collection system and elimination of the existing two-cell lagoon in the Country Squires Subdivision, at an estimated cost of at least \$177,000; and

WHEREAS, the estimated cost of the Project, plus costs of issuing the Bonds, is not less than the sum of the Maximum Principal Amount and the initial maximum amount of the grant (\$180,062) as described in the Grant Agreement (defined below); and

WHEREAS, pursuant to the NID Cooperative Agreement the County Commission and the Board of Trustees of the District have approved the Project; and

WHEREAS, the County desires to participate in the State of Missouri Direct Loan Program (the "Direct Loan Program") of the Missouri Department of Natural Resources ("DNR") and the Clean Water Commission of the State of Missouri (the "Commission") to provide for the most cost-effective financing of the Project; and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the County and of its inhabitants at this time to authorize the issuance and delivery of the Bonds pursuant to the General Obligation Bond Law, to sell the Bonds to DNR under the Direct Loan Program, and to provide the remainder of the estimated costs which may be required from subsequent issues of bonds or funds of the County otherwise available;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF BOONE COUNTY, MISSOURI, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 101. Definition of Words and Terms. Capitalized words and terms not otherwise defined in this Resolution have the meanings set forth in the Purchase Agreement and the Escrow Agreement (each as identified below). In addition to the foregoing and words and terms defined in the Recitals and elsewhere in this Resolution, capitalized words and terms have the following meanings in this Resolution:

"Administrative Expense Fund" means the fund designated as such and established by Section 4 of the Escrow Agreement. The Administrative Expense Fund does not constitute part of the Direct Loan Program.

“Administrative Fee” means the annual administrative fee of DNR equal to 0.50% of the aggregate amount of the Bonds Outstanding as of each Administrative Fee Calculation Date (including the final maturity date of the Bonds), payable to the Paying Agent within 30 days after the County’s receipt of a statement from the Paying Agent for deposit to the Administrative Expense Fund and subsequent transfers to DNR as described in Section 9 of the Escrow Agreement.

“Administrative Fee Calculation Date” means the Business Day preceding each Principal Payment Date, commencing on the Business Day preceding April 1, 2012.

“Authority” means the State Environmental Improvement and Energy Resources Authority, a body corporate and politic and a governmental instrumentality of the State.

“Authorized Representative” means the representative of the County designated as such by the County in accordance with the Regulations.

“Bond Debt Service” means the amount of the principal of and interest due on the Bonds on the date of calculation required in this Resolution.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Paying Agent.

“Bonds” means the General Obligation Bonds (State of Missouri – Direct Loan Program – ARRA) Series 2010 authorized and issued under this Resolution.

“Closing Date” means the date of the initial issuance and delivery of the Bonds.

“Construction Fund” means the Construction Fund established by Section 4 of the Escrow Agreement.

“Costs of Issuance” means the costs of issuance of the Bonds as certified by the County on the date of issuance of the Bonds.

“County Debt Service Fund” means each of the County Debt Service Fund – Brown Station Project and County Debt Service Fund – Country Squire Project created or ratified and confirmed by Section 401, collectively, the “County Debt Service Funds”.

“Cumulative Principal Amount Outstanding” means the sum of (i) the purchase price of the Bonds paid by the Owner to the Paying Agent on the Closing Date in accordance with the Purchase Agreement and deposited into the funds pursuant to Section 403, and (ii) each additional Purchase Price Installment, as notated on the Bonds by the Paying Agent, less the principal amount redeemed pursuant to Article III.

“Debt Service Fund” means the Debt Service Fund established by Section 4 of the Escrow Agreement.

“Defeasance Securities” means:

- (a) Federal Securities;

(b) obligations of the Resolution Funding Corporation or any successor, but only if the use of the obligations to pay and discharge Bonds pursuant to Article X will cause the discharged Bonds to be rated in the highest long-term category by the Rating Agency; or

(c) obligations of any state of the United States of America or of any agency, instrumentality or local government unit of any state that:

(i) are not callable at the option of the obligor prior to maturity or for which irrevocable instructions have been given by the obligor to call on the date specified in the instructions, and

(ii) are fully secured as to principal, redemption premium and interest by a fund, consisting of cash or Federal Securities, that:

(A) may be applied only to the payment of principal, redemption premium and interest on the obligations, and

(B) is sufficient, as verified by an independent certified public accountant, to pay the principal, redemption premium and interest on the obligations.

“Escrow Agreement” means the Escrow Trust Agreement dated as of January 1, 2010, between the County and the Paying Agent, as supplemented, modified or amended in accordance with its terms, related to the Bonds.

“Federal Securities” means any direct obligation of, or obligation the timely payment of the principal of and interest on which is unconditionally guaranteed by, the United States of America and backed by its full faith and credit.

“Funds Transfer Method” means electronic transfer in immediately available funds, automated clearing house (ACH) funds, or other method approved by DNR at the written request of the County with written notice to the Paying Agent.

“Grant Agreement” means the Financial Assistance Agreement dated on or prior to the Closing Date, between the County and DNR, in the maximum amount of \$180,062 (or such higher amount as may be approved by the Commission and DNR), together with all related attachments, as supplemented, modified or amended by the County and DNR.

“Interest Payment Date” means each April 1 and October 1, commencing October 1, 2010.

“Interest Period” means each six-month period from April 1 through September 30 and October 1 through March 31.

“Interest Rate” means the annual rate equal to 30% of the Revenue Bond Index as published in The Bond Buyer most recently prior to the Closing Date, rounded up to the nearest 0.01%.

“Investment Securities” means any of the following securities that are legal for the investment of funds of the County at the time of purchase:

(a) Federal Securities;

(b) Direct and general obligations of the State, the payment of the principal of and interest on which the full faith and credit of the State is pledged;

(c) Obligations of the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Financing Bank, the Federal Intermediate Credit Corporation, Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Farmers Home Administration and Federal Home Loan Mortgage Corporation;

(d) Deposits which are either (1) continuously and fully insured by the Federal Deposit Insurance Corporation, or (2) continuously and fully secured by such securities as are described above in clauses (a) through (c), which shall have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such certificates of deposit or time deposits, in one or more of the following institutions: banks, trust companies or savings and loan associations (including without limitation, the Paying Agent or any bank affiliated with the Paying Agent) organized under the laws of the United States of America or any state thereof;

(e) Money market mutual funds that are invested in Federal Securities and repurchase agreements that are collateralized with Federal Securities; and

(f) Any other securities or investments that are lawful for the investment of moneys held in such funds or accounts under the laws of the State of Missouri.

“Outstanding” means, as of the date of determination, all Bonds issued and delivered under this Resolution, except:

(1) Bonds canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(2) Bonds for the payment of the principal or redemption price of and interest on which money or Defeasance Securities are held under Section 1001;

(3) Bonds in exchange for which, or in lieu of which, other Bonds have been registered and delivered pursuant to this Resolution; and

(4) Bonds allegedly mutilated, destroyed, lost, or stolen and paid under Section 208.

“Owner” means DNR or any assignee, successor or transferee of DNR under the Direct Loan Program or the SRF Leveraged Program.

“Paying Agent” means UMB Bank, N.A., the paying agent and escrow agent, and its successors and assigns acting at any time as Paying Agent and Escrow Agent under this Resolution and the Escrow Agreement.

“Principal Payment Date” means each April 1, commencing April 1, 2011, and any date on which the Bonds are optionally redeemed in accordance with Section 301.

“Purchase Agreement” means the Purchase Agreement dated as of January 1, 2010, among the County, the District and DNR, as supplemented, modified or amended in accordance with its terms, related to the Bonds.

“Purchase Price Installment” means the amount paid by DNR from time to time in accordance with Section 3.3 of the Purchase Agreement and deposited in the Construction Fund or otherwise in accordance with Section 403.

“Rating Agency” means Moody’s Investors Service, Inc. or Standard & Poor’s Ratings Services.

“Record Date” for the interest payable on any Interest Payment Date means the 25th day (whether or not a Business Day) of the calendar month next preceding the applicable Interest Payment Date.

“Repayment Fund” means the Repayment Fund established by Section 4 of the Escrow Agreement.

“Resolution” means this Resolution and Order as from time to time amended in accordance with its terms.

“SRF Leveraged Program” means the Missouri Leveraged State Drinking Water Revolving Fund Program and the Missouri Leveraged State Water Pollution Control Revolving Fund Program.

“State” means the State of Missouri.

“Stated Maturity” means April 1, 2029, the final maturity date of the Bonds.

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds. The Bonds are authorized and directed to be issued in the Maximum Principal Amount subject to the terms and for the purposes of this Resolution. Upon the Completion of Funding pursuant to the Purchase Agreement, the principal amount of the Bonds issued under this Resolution will be the Cumulative Principal Amount Outstanding as of the Completion of Funding plus the principal amount previously redeemed pursuant to Article III. The remaining voted authorization, if any, will be the voted amount less the amount issued as calculated pursuant to the preceding sentence.

Section 202. Security for the Bonds. The Bonds are general obligations of the County payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the County. The full faith, credit and resources of the County are irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 203. Description of Bonds. The Bonds consist of registered bonds without coupons, numbered from R-1 consecutively upward, in the denomination of \$100 or any integral multiple of \$0.01 in excess thereof. The Bonds will be issued in substantially the form of Exhibit A and will be registered, transferred and exchanged as provided in Section 206. The Bonds are dated the Closing Date. The Bonds will mature and become due on the Stated Maturity (subject to optional and mandatory redemption prior to Stated Maturity as provided in Article III). The Bonds will bear interest on the Cumulative Principal Amount Outstanding at the Interest Rate from the Closing Date and the date of receipt of each Purchase Price Installment by the Paying Agent pursuant to the Purchase Agreement (as set forth on Schedule A to a Bond) or from the most recent Interest Payment Date to which interest has been paid or provided for. Interest is computed on the basis of a 360-day year of twelve 30-day months and is payable on each Interest Payment Date.

Section 204. Designation of Paying Agent. The County has designated the Paying Agent as the County's paying agent for the payment of the principal of and interest on the Bonds, bond registrar for the registration, transfer and exchange of Bonds and escrow agent with respect to the funds established with the Paying Agent under the Escrow Agreement.

Section 205. Method and Place of Payment of Bonds.

(a) Payment of the Bonds will be made with any coin or currency that is legal tender for the payment of debts due the United States of America on the payment date.

(b) The payment of the principal of and redemption premium, if any, payable on each Bond at Stated Maturity or upon earlier redemption and the interest payable on each Bond on any Interest Payment Date will be made by check or draft mailed by the Paying Agent to the address of the Owner shown in the Bond Register. The principal of and redemption premium, if any, and interest on the Bonds is payable by electronic transfer in immediately available federal funds to a bank in the continental United States of America pursuant to instructions from any Owner received by the Paying Agent prior to the Record Date.

(c) Payments of principal on the Bonds pursuant to Article III may be made directly to the Owner without surrender of any Bond to the Paying Agent. Accordingly, any transferee of a Bond should verify with the Paying Agent the principal of the Bond outstanding prior to such purchase or transfer, and the records of the Paying Agent shall be conclusive for such purposes.

(d) The Paying Agent will keep a record of payment of principal of, redemption premium, if any, and interest on all Bonds and, at least annually at the request of the County, will forward a copy or summary of the record of payments to the County.

(e) The Bonds will be held by the Paying Agent in trust for each Owner, unless the Paying Agent is otherwise directed in writing by an Owner.

Section 206. Registration, Transfer and Exchange of Bonds.

(a) The County will cause the Paying Agent to keep the Bond Register. Each Bond when issued will be registered in the name of the Owner on the Bond Register. Bonds will be transferred and exchanged only upon the Bond Register.

(b) Upon surrender of any Bond at the payment office of the Paying Agent in St. Louis, Missouri (or other office designated by the Paying Agent), the Paying Agent will transfer or exchange the Bond for a new Bond or Bonds in any authorized denomination of the same maturity and in the same aggregate principal amount as the Bond which was presented for transfer or exchange. All Bonds presented for transfer or exchange must be accompanied by a written instrument of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Owner or by the Owner's authorized agent. All Bonds presented for transfer or exchange must be surrendered to the Paying Agent for cancellation.

(c) For every exchange or transfer of Bonds the County or the Paying Agent may levy a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid for the exchange or transfer. The person requesting the exchange or transfer must pay the charge. Payment of the charge is a condition precedent to the exchange or transfer. If any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against the

Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Internal Revenue Code of 1986, as amended, this amount may be deducted by the Paying Agent from amounts payable to the Owner under the Resolution and the Bonds.

(d) The County and the Paying Agent will treat the person in whose name any Bond is registered on the Bond Register as the absolute owner of the Bond, whether or not payment of the Bond is overdue, for the purpose of receiving payment of the principal of, redemption premium, if any, and interest on the Bond and for all other purposes. All payments made to any Owner or upon the Owner's order will be valid and effectual to satisfy and discharge the County's liability for payment of the Bond to the extent of the sum or sums paid. Neither the County nor the Paying Agent will be affected by any notice to the contrary.

(e) At reasonable times and under reasonable rules established by the Paying Agent, the Owners of 25% or more in principal amount of the Outstanding Bonds, or their representative designated in a manner satisfactory to the Paying Agent, may inspect and copy the Bond Register.

Section 207. Execution, Authentication and Delivery of Bonds.

(a) Each Bond must be signed by the manual or facsimile signature of the Presiding Commissioner and attested by the manual or facsimile signature of the County Clerk, and have the official seal of the County affixed or imprinted. If any officer whose manual or facsimile signature appears on any Bond ceases to be an officer before the delivery of any Bond signed by the officer, the manual or facsimile signature on the Bond will be valid and sufficient for all purposes of this Resolution.

(b) The Presiding Commissioner and the County Clerk are directed to prepare and execute the Bonds as specified in this Article, and to cause the Bonds to be registered in the office of the Clerk of the County Commission, and, when executed and registered, to deliver the Bonds to the Paying Agent for authentication. Upon authentication, the Paying Agent will deliver the Bonds to the Owner, upon payment of the purchase price for the Bonds. Each Bond will be authenticated by any authorized signatory of the Paying Agent. No Bond is entitled to any security or benefit under this Resolution or is valid or obligatory for any purpose until authenticated by the Paying Agent.

(c) Prior to the Completion of Funding, promptly upon the receipt by the Paying Agent of each Purchase Price Installment paid by the Owner in accordance with the Purchase Agreement, an authorized signatory of the Paying Agent will endorse Schedule A to a Bond with the date of receipt of the Purchase Price Installment, the amount of the Purchase Price Installment and the resulting Cumulative Principal Amount Outstanding. No further entries to Schedule A will be made after the Completion of Funding.

Section 208. Mutilated, Destroyed, Lost and Stolen Bonds.

(a) If (i) any mutilated Bond is surrendered to the Paying Agent, or the County and the Paying Agent receive evidence to their satisfaction of the mutilation, destruction, loss or theft of any Bond, and (ii) there is delivered to the County and the Paying Agent security or indemnity as required by them, in the absence of notice to the County or the Paying Agent that the Bond has been acquired by a bona fide purchaser, the County will execute and the Paying Agent will register and deliver, in exchange for or in lieu of any mutilated, destroyed, lost or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount. If the Bond has become or is about to become due, the County may pay the Bond instead of issuing a new Bond.

(b) Upon the issuance of any new Bond under this Section, the County or the Paying Agent may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge imposed and any other expenses (including the fees and expenses of the Paying Agent) connected with the issuance of the Bond.

(c) Every new Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost or stolen Bond will constitute a replacement of the prior obligation of the County, whether or not the mutilated, destroyed, lost or stolen Bond is enforceable by anyone at any time, and will be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds.

Section 209. Cancellation and Destruction of Bonds Upon Payment. All Bonds which have been paid or redeemed or which have otherwise been surrendered to the Paying Agent, either at or before Stated Maturity, will be canceled immediately upon the payment or redemption and the Paying Agent's receipt of the Bonds. The Paying Agent will periodically destroy canceled Bonds. The Paying Agent will execute a certificate in duplicate describing the destroyed Bonds and file an executed counterpart of the certificate with the County.

Section 210. Sale of the Bonds; Authorization and Execution of Documents.

(a) The Bonds will be sold to the Owner at the purchase price of 100% of the initial Purchase Price Installment paid on the Closing Date plus each Purchase Price Installment made by the Owner thereafter pursuant to Section 3.3 of the Purchase Agreement, without accrued interest.

(b) The County is authorized to enter into the Purchase Agreement and the Escrow Agreement, in substantially the forms presented to the County Commission. The Presiding Commissioner is authorized to execute the Purchase Agreement and the Escrow Agreement for and on behalf of and as the act and deed of the County, with changes approved by the Presiding Commissioner, which approval will be conclusively evidenced by the Presiding Commissioner's signature. The Presiding Commissioner is further authorized and directed to execute other documents, certificates and instruments that are necessary or desirable to carry out the intent of this Resolution. The County Clerk is authorized and directed to attest the execution of the Purchase Agreement and the Escrow Agreement and any other documents, certificates and instruments that are necessary or desirable to carry out the intent of this Resolution.

Section 211. Administrative Fee and Paying Agent's Fee. Subject to annual appropriation by the County, the County will pay to the Paying Agent, within 30 days after receipt of a statement from the Paying Agent, (i) the Administrative Fee, and (ii) an amount equal to the Paying Agent's fees and expenses as provided in the Escrow Agreement.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Optional Redemption. At the option of the County, with the prior written consent of the Owner, Bonds may be called for redemption and payment prior to Stated Maturity in whole or in part at any time, at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the date of redemption.

Section 302. Mandatory Redemption Provisions.

(a) The Bonds are subject to mandatory sinking fund redemption in part, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date, on the Principal Payment Dates and in the principal amounts as set forth on Exhibit B.

(b) If upon the Completion of Funding, the Cumulative Principal Amount Outstanding is less than the Maximum Principal Amount (disregarding any scheduled redemptions above that have occurred prior to the Completion of Funding), the principal amount for each Principal Payment Date following the Completion of Funding will be reduced on a proportionate basis (to the nearest \$0.01). The Owner will provide a replacement Exhibit B reflecting the reductions to the principal amounts to the Paying Agent and the County, which will be binding on the County absent manifest error and will replace the previous Exhibit B without any further action on the part of the County. The revised Exhibit B is subject to such verification requirements as may be reasonably established by the Paying Agent.

Section 303. Selection of Bonds to Be Redeemed. The redemption of the Bonds in part will be reflected in the records maintained by the Paying Agent.

Section 304. Notice and Effect of Call for Redemption.

(a) No notice of the mandatory redemption of Bonds is required to be given. If the Bonds are being optionally redeemed, notice of redemption will be given in the manner described below. Unless waived by any Owner of Bonds to be redeemed, the Paying Agent, on behalf of the County, will give notice by mailing a redemption notice by registered or certified mail, at least 15 days, but not more than 30 days, prior to the date fixed for redemption to the State Auditor of Missouri and the Owner of Bonds to be redeemed at the address shown on the Bond Register.

(b) All redemption notices will be dated and include the following information:

(1) the redemption date,

(2) the redemption price, consisting of the principal amount, redemption premium, if any, and interest to the redemption date,

(3) if less than all Outstanding Bonds are to be redeemed, the identification number, Stated Maturity and, in the case of partial redemption of any Bond, the respective principal amounts of the Bonds to be redeemed,

(4) a statement that on the redemption date the redemption price will become due and payable upon each Bond or portion of a Bond called for redemption, and that interest ceases to accrue on the redeemed amount from and after the redemption date, and

(5) the address of the principal office of the Paying Agent where the Bonds must be surrendered for payment of the redemption price.

(c) If notice of redemption has been given or waived, the Bonds or portions to be redeemed will become due and payable on the redemption date at the redemption price specified in the notice. From and after the redemption date (unless the County defaults in the payment of the redemption price), the called Bonds will cease to bear interest. Upon the surrender of Bonds for payment of the redemption price in accordance with the notice, the Paying Agent will pay the redemption price to the applicable Owners.

ARTICLE IV

ESTABLISHMENT OF FUNDS AND ACCOUNTS

Section 401. Establishment of Funds and Accounts.

(a) The separate funds known as the County Debt Service Fund – Brown Station Project and County Debt Service Fund – Country Squire Project have been established in the treasury of the County and are held and administered by the County Treasurer.

(b) The County hereby establishes the following special funds and accounts with the Paying Agent under the Escrow Agreement:

- (1) the Debt Service Fund;
- (2) the Construction Fund;
- (3) the Repayment Fund consisting of the Principal Account and the Interest Account; and
- (4) the Administrative Expense Fund.

Section 402. Administration of Funds and Accounts. The County Debt Service Fund described in Section 401(a) will be maintained and administered by the County under this Resolution while any of the Bonds are outstanding. The funds and accounts described in Section 401(b) will be maintained and administered by the Paying Agent pursuant to the Escrow Agreement while the Bonds remain Outstanding.

Section 403. Deposit of Bond Proceeds.

(a) The proceeds received from the sale of the Bonds on the Closing Date will be deposited upon the delivery of the Bonds into the Construction Fund and the Administrative Expense Fund as provided in the Escrow Agreement. Thereafter, each Purchase Price Installment will be deposited into the Construction Fund.

(b) Moneys in the Construction Fund will be disbursed to the County for the sole purpose of paying the Eligible Costs of the Project in accordance with the plans and specifications prepared by the Consulting Engineer, previously approved by the Governing Body and DNR and on file in the office of the County Clerk, including any alterations in or amendments to the plans and specifications approved by the Governing Body and DNR with the advice of the District.

(c) Requisitions will be submitted for funding of the Purchase Price Installments and resulting withdrawals from the Construction Fund in accordance with Article III of the Purchase Agreement. Funds will be disbursed from the Administrative Expense Fund as provided in the Escrow Agreement.

ARTICLE V

APPLICATION OF MONEYS

Section 501. County Debt Service Funds. The County covenants that all amounts paid and credited to the County Debt Service Funds will be used by the County for the sole purpose of paying the principal of and interest on the Bonds as and when the same become due. The County Treasurer is authorized and directed to withdraw from the County Debt Service Funds sums as provided in Section 502.

Section 502. Application of Moneys in Funds and Accounts. The County will apply moneys in the County Debt Service Funds on the dates, in the amounts (from the applicable County Debt Service Fund as determined by the County Treasurer) and in the order, by the Funds Transfer Method to the Paying Agent for credit to the Interest Account and the Principal Account, as follows:

(a) on each March 20 and September 20, commencing September 20, 2010, to the Interest Account the amount of interest due on the Bonds on the next Interest Payment Date, with the balance in the Debt Service Fund and the Interest Account on an Interest Payment Date after the payment of the principal of and interest due on the Bonds on the Interest Payment Date to be credited against the next succeeding semiannual payment; provided that prior to the Completion of Funding,

(1) the investment earnings on the Construction Fund for the preceding Interest Period will be credited against the next semiannual payment, and

(2) the interest due on the next Interest Payment Date will be calculated by the Paying Agent based upon Purchase Price Installments funded at least two Business Days prior to the semiannual payment date calculated so that the amount on deposit in the Interest Account after receipt of the semiannual payment will equal interest payable on the Bonds on the Interest Payment Date; and

(b) on each March 20, commencing March 20, 2011, to the Principal Account the principal due on the Bonds on the next succeeding Principal Payment Date, whether at Stated Maturity or upon mandatory sinking fund redemption.

Section 503. Transfer of Funds to Paying Agent. The Presiding Commissioner or the County Treasurer is authorized and directed to make the payments to the Principal Account and the Interest Account as provided in Section 502 and sums sufficient to pay the Bonds when due, and to forward amounts to the Paying Agent by the Funds Transfer Method which ensures the Paying Agent will have sufficient available funds on or before the second Business Day immediately preceding the dates when payments on the Bonds are due. Upon the payment of all principal and interest on the Bonds, the Paying Agent will return any excess funds to the County. Except as otherwise provided in the Escrow Agreement, all moneys deposited by the County with the Paying Agent are subject to the provisions of this Resolution.

Section 504. Business Days. If any date for the payment of principal of, or redemption premium, if any, or interest on the Bonds or the taking of any other action hereunder is not a Business Day, then such payment shall be due, or such action shall be taken, on the first Business Day thereafter with the same force and effect as if made on the date fixed for payment or performance.

ARTICLE VI

DEPOSIT AND INVESTMENT OF MONEYS

Section 601. Investment of Moneys.

(a) Moneys held in any fund or account held by the Paying Agent shall be invested as provided in Section 11 of the Escrow Agreement. Moneys in each of the other funds and accounts created or ratified and confirmed by this Resolution may be invested by the County in Investment Securities as may be permitted by law, but no investment will be made for a period extending longer than the date when the moneys invested may be needed. All earnings on any investments held in any fund or account will accrue to the applicable fund or account. In determining the amount held in any fund or account under this Resolution, obligations will be valued at the lower of cost or market value. If the amount in any fund or account held within the Treasury of the County is greater than the required amount, the County may transfer the excess to the County Debt Service Funds, as allocated between the County Debt Service Funds by the County Treasurer.

(c) No investment shall be made for a period extended longer than the date when the money invested may be needed for the purpose for which such fund or account was created. All earnings on any investments held in any fund or account shall accrue to and become a part of such fund or account. In determining the amount held in any fund or account under any of the provisions of this Resolution, obligations shall be valued at the lower of the cost or the market value thereof.

(d) All moneys held in the funds and accounts created in the Treasury of the County by this Resolution shall be kept separate and apart from all other moneys of the County so that there shall be no commingling of such moneys with any other moneys of the County.

ARTICLE VII

LEVY OF ANNUAL TAX; PARTICULAR COVENANTS OF THE COUNTY

Section 701. Levy and Collection of Annual Tax.

(a) For the purpose of providing for the payment of the principal of and interest on the Bonds as the same become due, there is levied upon all of the taxable tangible property, real and personal, within the County a direct ad valorem tax sufficient to produce the amounts necessary for the payment of such principal and interest as the same becomes due and payable in each year.

(b) The taxes referred to in paragraph (a) will be extended upon the tax rolls in each of the several years, respectively, and will be levied and collected at the same time and in the same manner as the other ad valorem taxes of the County are levied and collected. The proceeds derived from the taxes will be deposited in the applicable County Debt Service Fund, will be kept separate and apart from all other funds of the County and will be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the other amounts payable under Section 502(a).

(c) If at any time the taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Presiding Commissioner or the County Treasurer is authorized and directed to pay the principal or interest on the Bonds from general funds of the County and to reimburse the general funds for money so expended when the taxes are collected.

Section 702. Annual Budget. Within 30 days after the end of the current Fiscal Year, the County Auditor or the County Treasurer will mail a copy of the County's budget to the Owner.

Section 703. Annual Audit.

(a) Promptly after the end of each Fiscal Year, the County will cause an audit of its funds and accounts for the preceding Fiscal Year to be made by a certified public accountant or firm of certified public accountants employed for that purpose.

(b) As soon as possible after the completion of the annual audit, the Governing Body will review the annual audit, and if the annual audit reveals any breach of this Resolution, the County agrees to promptly cure the breach.

(c) Within 30 days after the acceptance of the audit by the County Commission, a copy of the annual audit will be filed in the office of the County Clerk, and a copy of the audit will be mailed to the Owner. The annual audit will be open to examination and inspection during normal business hours by any taxpayer, the Owner, or anyone acting for or on behalf of the taxpayer or the Owner.

(d) The County acknowledges its undertakings set forth in Section 2.2(t) of the Purchase Agreement.

ARTICLE VIII

DEFAULT AND REMEDIES

Section 801. Event of Default. If (i) the County defaults in the payment of the principal of or interest on any of the Bonds, or (ii) the County or its Governing Body or any of its officers, agents or employees fails or refuses to comply with any provision of this Resolution, the Constitution or statutes of the State, the Purchase Agreement or the Escrow Agreement and default continues for a period of 60 days after written notice specifying the non-payment default has been given to the County by the Owner of any Bond then Outstanding, at any time thereafter and while the default continues, the County shall pay to DNR the penalties assessed by DNR in accordance with the Regulations.

Section 802. Remedies.

(a) The provisions of this Resolution constitute a contract between the County and the Owners of the Bonds. The Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(1) by any proceeding at law or in equity to enforce the rights of the Owner or Owners against the County and its officers, agents and employees, and to compel the performance by the County of its duties and obligations under this Resolution, the Constitution and the laws of the State;

(2) by any proceeding at law or in equity to require the County, its officers, agents and employees to account as if they were the trustees of an express trust; and

(3) by any proceeding at law or in equity to enjoin any act or thing which is unlawful or in violation of the rights of the Owners of the Bonds.

(b) Any amounts paid on the Bonds to the Owners will be applied first to interest and second to principal, to the extent due and payable.

Section 803. Limitation on Rights of Owners. No Owner has any right in any manner whatever by the Owner's action to affect, disturb or prejudice the security granted and provided for in, or enforce any right under, this Resolution, except in the manner provided in this Resolution. All proceedings at law or in equity will be for the equal benefit of all Owners.

Section 804. Remedies Cumulative. No remedy conferred upon the Owners is intended to be exclusive of any other remedy. Each remedy is in addition to every other remedy and may be exercised without exhausting any other remedy conferred under this Resolution. No waiver by any Owner of any default or breach of duty or contract of the County under this Resolution will affect any subsequent default or breach of duty or contract by the County or impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default will impair any right or power or will be construed to be a waiver of any default. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Resolution may be enforced and exercised from time to time and as often as may be expedient. If any Owner discontinues any proceeding or the decision in the proceeding is against the Owner, the County and the Owners of the Bonds will be restored to their former positions and rights under this Resolution.

ARTICLE IX

DEFEASANCE

Section 901. Defeasance. When all of the Bonds shall have been paid and discharged, then the requirements contained in this Resolution and the pledge of revenues made hereunder and all other rights granted hereby shall terminate. Bonds shall be deemed to have been paid and discharged within the meaning of this Resolution if there shall have been deposited with the Paying Agent, or other bank or trust company located in the State of Missouri, having full trust powers and meeting the requirements of a successor Paying Agent (as set forth in the Escrow Agreement) impressed with a first lien to the Paying Agent for the benefit of the Owners, at or prior to the Stated Maturity or redemption date of said Bonds, in trust for and irrevocably appropriated thereto, moneys and/or non-callable Defeasance Securities (the "Defeasance Escrow") which, together with the interest to be earned on any such obligations, will be sufficient for the payment of the principal of said Bonds and interest to accrue to the date of maturity or redemption, as the case may be, or if default in such payment shall have occurred on such date, then to the date of the tender of such payments, provided, however, that if any such Bonds shall be redeemed prior to the maturity thereof, (i) the County shall have elected to redeem such Bonds, and (ii) either notice of such redemption shall have been given or the County shall have given irrevocable instructions to the Paying Agent to redeem such Bonds; and provided further, however, there shall be filed with the County, the Owner and the Paying Agent an opinion of Bond Counsel to the effect that the conditions for the defeasance of the Bonds pursuant to this Section 1001 have been complied with and, if the payment of the Bonds at maturity or upon redemption will occur more than 90 days after the deposit of the Defeasance Escrow and interest on the Defeasance Escrow is to be used to pay debt service on the Bonds, the written report of an independent certified public accountant evidencing the sufficiency of the Defeasance Escrow. Any moneys and obligations which at any time shall be deposited with the Paying Agent, or other bank by or on behalf of the County, for the purpose of paying and discharging any of the Bonds shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge of this Resolution. All moneys deposited with the Paying Agent or other bank shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution.

ARTICLE X
AMENDMENTS

Section 1001. Amendments.

(a) Any provision of the Bonds or of this Resolution may be amended by a resolution with the prior written consent of the Owners. Consent must be evidenced by an instrument executed by the Owners, acknowledged or proved in the manner of a deed to be recorded, and filed with the County Clerk.

(b) No amendment will be effective until (i) the County has delivered to the Owners and the Paying Agent an opinion of Bond Counsel stating that the amendment is permitted by this Resolution and the Act, complies with their respective terms and is valid and binding upon the County in accordance with its terms, and (ii) the County Clerk has on file a copy of the amendment and all required consents.

ARTICLE XI
MISCELLANEOUS PROVISIONS

Section 1101. Further Authority. The officers of the County, including the Presiding Commissioner and the County Clerk, are authorized and directed to execute all documents and take the actions as are necessary or advisable in order to carry out and perform the purposes of this Resolution and to make ministerial changes in the documents approved by this Resolution which they may approve. The execution of any document or taking of any related action constitutes conclusive evidence of the necessity or advisability of the action or change.

Section 1102. Electronic Transactions. The transactions described in this Resolution and the Bonds may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 1103. Severability. If any section or other part of this Resolution is for any reason held invalid, the invalidity will not affect the validity of the other provisions of this Resolution.

Section 1104. Governing Law. This Resolution is governed by and will be construed in accordance with the laws of the State.

Section 1105. Effective Date. This Resolution is in full force and effect from and after its passage by the County Commission.

PASSED by the County Commission of Boone County this ____ day of January, 2010.

Presiding Commissioner

(Seal)
ATTEST:

EXHIBIT A
FORM OF BOND

[THIS BOND IS TRANSFERABLE ONLY TO ANY SUCCESSOR TO THE
MISSOURI DEPARTMENT OF NATURAL RESOURCES OR ITS ASSIGNS]

Registered
No. R- _____

Registered
Not to exceed \$179,900

UNITED STATES OF AMERICA
STATE OF MISSOURI

BOONE COUNTY, MISSOURI

GENERAL OBLIGATION BOND
(STATE OF MISSOURI – DIRECT LOAN PROGRAM)
SERIES 2010

Dated Date

Interest Rate

Maturity Date

April 1, 2029

REGISTERED OWNER:

**PRINCIPAL AMOUNT: NOT TO EXCEED ONE HUNDRED SEVENTY NINE THOUSAND
NINE HUNDRED DOLLARS**

The BOONE COUNTY, MISSOURI, a first-class county and political subdivision of the State of Missouri (the “County”), for value received, hereby promises to pay to the Owner shown above, or registered assigns, the Cumulative Principal Amount Outstanding set forth on **Schedule A** to this Bond on the Maturity Date shown above, and to pay interest thereon at the Interest Rate per annum shown above, on each Interest Payment Date (as defined in the below-defined Resolution), from the date shown on **Schedule A** or from the most recent Interest Payment Date to which interest has been paid or duly provided for, computed on the basis of a 360-day year of twelve 30-day months. Terms not otherwise defined in this Bond have the respective meanings as set forth in the Resolution.

The principal of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered on the Bond Register at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the payment office of UMB BANK, N.A. in the City of St. Louis, Missouri (the “Paying Agent”). The payment of the principal of and redemption premium, if any, payable on this Bond at maturity or upon earlier redemption and the interest payable on this Bond on any Interest Payment Date will be made by check or draft mailed by the Paying Agent to the address of the Owner shown in the Bond Register. The principal of and redemption premium, if any, and interest on the Bonds is payable by electronic transfer in immediately available federal funds to a bank in the continental United States of America pursuant to instructions from any Owner received by the Paying Agent prior to the Record Date. The principal of and interest on this Bond shall be payable in lawful money of the United States of America.

This Bond is one of a duly authorized series of bonds of the County designated "General Obligation Bonds (State Revolving Fund – Direct Loan Program) Series 2010" aggregating the principal amount of \$179,900 (the "Bonds"), issued by the County for the purpose of financing the Project described in the Resolution, under the authority of and in full compliance with the Constitution and laws of the State of Missouri, and pursuant to an election duly held in the County and a resolution and order duly passed and proceedings duly and legally had by the County Commission (the "Resolution").

At the option of the County, the Bonds may be called for redemption and payment prior to maturity in whole or in part as provided in the Resolution.

The Bonds are subject to mandatory redemption and payment prior to maturity pursuant to the mandatory redemption requirements of the Resolution, at a redemption price equal to 100% of the principal amount plus accrued interest to the redemption date.

Except as otherwise provided in the Resolution, notice of redemption, unless waived, is to be given by the Paying Agent by mailing an official redemption notice by registered or certified mail at least 15 days, but not more than 30 days, prior to the date fixed for redemption, to the Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such Owner to the Paying Agent. Notice of redemption having been given or waived as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest.

The Bonds constitute general obligations of the County payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the County. The full faith, credit and resources of the County are irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

The Bonds are issuable in the form of fully registered Bonds without coupons in the denomination of \$100 or any integral multiple of \$0.01 in excess thereof.

This Bond may be transferred or exchanged, as provided in the Resolution, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Paying Agent duly executed by the Owner or the Owner's duly authorized agent, and thereupon a new Bond or Bonds in any authorized denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges therein prescribed. The County and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes.

The proceedings relating to the issuance of the Bonds have been presented to and filed with the State Auditor of Missouri, who has examined the same and has issued a certificate that such proceedings comply with the laws of the State of Missouri and that the conditions of the contract under which the Bonds were ordered to be issued have been complied with.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Paying Agent.

IT IS HEREBY CERTIFIED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the Bonds have existed, happened and been performed in due time, form and manner as required by law; that direct annual tax upon all taxable tangible property situated in the County has been levied for the purpose of paying the principal of and interest on the Bonds when due; and that the total indebtedness of the County, including this Bond and the series of which it is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, Boone County, Missouri has executed this Bond by causing it to be signed by the manual signature of its Presiding Commissioner and attested by the manual signature of its County Clerk, and its official seal to be affixed hereto.

(SEAL)

BOONE COUNTY, MISSOURI

ATTEST:

County Clerk

By _____
Presiding Commissioner

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue described in the within-mentioned Resolution.

Registration Date: _____

UMB BANK, N.A., Paying Agent

By _____
Authorized Signatory

RECORD OF PRINCIPAL PAYMENTS AND PREPAYMENTS

Under the provisions of the Resolution, payments of the principal installments of this Bond and partial prepayments of the principal of this Bond may be made directly to the Owner without surrender of this Bond to the Paying Agent. Accordingly, any purchaser or other transferee of this Bond should verify with the Paying Agent the principal of this Bond outstanding prior to such purchase or transfer, and the records of the Paying Agent shall be conclusive for such purposes.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

Print or Type Name of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints UMB Bank, N.A. agent to transfer the within Bond on the books kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The name of the Owner must correspond with the name that appears upon the face of the within Bond in every particular.

SCHEDULE A

**BOONE COUNTY, MISSOURI
GENERAL OBLIGATION BOND
(STATE OF MISSOURI – DIRECT LOAN PROGRAM – ARRA)
SERIES 2010**

CUMULATIVE PRINCIPAL AMOUNT OUTSTANDING

<u>Date⁽¹⁾</u>	<u>Purchase Price Installment</u>	<u>Principal Amount Redeemed⁽²⁾</u>	<u>Cumulative Principal Amount Outstanding</u>	<u>Authorized Signatory of Paying Agent</u>

(1) Date constitutes date of registration with respect to such portion of the Bond.
 (2) Commencing with first Principal Payment Date if prior to Completion of Funding.

EXHIBIT B

MANDATORY SINKING FUND REDEMPTION SCHEDULE

<u>Redemption Date</u>	<u>Principal Amount</u>	<u>Redemption Date</u>	<u>Principal Amount</u>
April 1, 2011	\$ 100	April 1, 2021	\$10,000
April 1, 2012	8,400	April 1, 2022	10,200
April 1, 2013	8,600	April 1, 2023	10,400
April 1, 2014	8,700	April 1, 2024	10,700
April 1, 2015	8,900	April 1, 2025	10,900
April 1, 2016	9,100	April 1, 2026	11,100
April 1, 2017	9,300	April 1, 2027	11,300
April 1, 2018	9,500	April 1, 2028	11,500
April 1, 2019	9,600	April 1, 2029	11,800
April 1, 2020	9,800		

† Maturity

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

January Session of the January Adjourned

Term. 20 10

In the County Commission of said county, on the 21st day of January 20 10

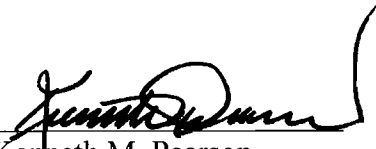
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Wednesday, January 27, 2010, at 1:30 p.m. The meeting will be held in Room 243 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by 610.021 (1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Done this 21st day of January, 2010.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission


Kenneth M. Pearson
Presiding Commissioner


Karen M. Miller
District I Commissioner


Skip Elkin
District II Commissioner

DATE: 1/21/2010

TO: Ken Pearson, Presiding Commissioner, Boone County
Karen M. Miller, District I Commissioner, Boone County
Skip Elkin, District II Commissioner, Boone County

FROM: Andy Lister *AML*

SUBJECT: Brown Station Sanitary Sewer Neighborhood Improvement District (NID)

In September of 2006, following receipt of a petition with 100% of the signatures of the Five participants, the County Commission formed the Brown Station Sanitary Sewer Neighborhood Improvement District (NID) by Commission Order 382-2006. In October of 2006, the Commission issued an order to proceed with the project Commission Order 409-2006.

In January 7th, 2010, bids were opened for the Brown Station Sanitary Sewer NID project. Since the time of formation of this NID, several things have happened that have an impact on this project:

- Bids for this project were higher than expected.
- An additional property owner has asked to be included.
- This project qualified for ARRA (stimulus) funding.

On January 2010, an amended Petition was circulated and signed by 100% of the property owners in the NID, which not only added the sixth participant, but would also increase the petition estimate to reflect the higher than expected costs and add a contingency requiring approval of ARRA grant funding for this project.

The generation of the new petition was done under the direction of the County Counselor.

The original and new proposed costs are summarized in the tables below.

The original and proposed revised numbers are summarized in the table below:

Original Petition	
Original Petition Estimate	\$102,074.30
Estimated cost for each of 5 properties	\$ 20,414.86
Plus 25% = maximum cost per property.	\$ 25,518.58

Proposed Revised Petition	
Apparent low bidder	\$119,654.61
Incurred & anticipated non-construction costs	\$ 54,315.87
Revised Petition Estimate	\$173,970.48
Revised estimated cost for each of 6 properties	\$ 28,995.08
Plus 25% = maximum cost per property	\$ 36,243.85
Ineligible incurred & anticipated non-const. costs	\$ 3,579.29
Maximum cost per property with 50% ARRA grant	\$ 19,911.05

If you are in favor of this petition, a new Order to Create the Brown Station Sanitary Sewer Neighborhood Improvement District (NID) is attached. I am happy to answer any questions you might have. Thank you for your attention to this matter.

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

January Session of the January Adjourned

Term. 20 10

In the County Commission of said county, on the 21st day of January 20 10

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the organizational use of the Commission Chambers in Boone County Government Center by Daniel Howell and the Constitution Party of Missouri, on May 22nd from 8:00am to 10:00 pm.

Done this 21st day of January, 2010.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission

Kenneth M. Pearson
Kenneth M. Pearson
Presiding Commissioner

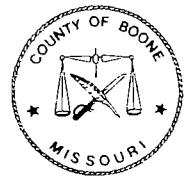
Karen M. Miller
Karen M. Miller
District I Commissioner

Skip Elkin
Skip Elkin
District II Commissioner

Kwa 1/20/2010

31-2010

Ken Pearson, Presiding Commissioner
Karen M. Miller, District I Commissioner
Skip Elkin, District II Commissioner



Roger B. Wilson
Boone County Government Center
801 East Walnut Room 245
Columbia, MO 65201-7732
573-886-4305 • FAX 573-886-4311

Boone County Commission

APPLICATION FOR ORGANIZATIONAL USE OF BOONE COUNTY FACILITIES

The undersigned organization hereby applies for a permit to use the Boone County Courthouse Grounds and/or Roger B Wilson Government Center or Centralia Satellite Office as follows:

Description of Use: Meeting of Constitution Party (Business)

Date(s) of Use: May 22nd 2010 (only)

Time of Use: From: 8:00 a.m./p.m. thru 10:00 a.m./p.m. All day. Probably not that long

Facility requested: Courthouse Grounds - Courtyard Square - Chambers - Rm220 - Rm208 - Rm139
Centralia Office

The undersigned organization agrees to abide by the following terms and conditions in the event this application is approved:

1. To notify the Columbia Police Department and Boone County Sheriff's Department of time and date of use and abide by all applicable laws, ordinances and county policies in using Courthouse grounds or designated rooms.
2. To remove all trash or other debris that may be deposited (by participants) on the courthouse grounds and/or in rooms by the organizational use.
3. To repair, replace, or pay for the repair or replacement of damaged property including shrubs, flowers or other landscape caused by participants in the organizational use of courthouse grounds and/or carpet and furnishings in rooms.
4. To conduct its use of courthouse grounds and/or rooms in such a manner as to not unreasonably interfere with normal courthouse and/or Boone County Government building functions.
5. To indemnify and hold the County of Boone, its officers, agents and employees, harmless from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature including costs, litigation expenses, attorney fees, judgments, settlements on account of bodily injury or property damage incurred by anyone participating in or attending the organizational use on the courthouse grounds and/or use of rooms as specified in this application.
6. Organizations and user groups must provide any and all equipment needed for their event or presentation (i.e.; TV, projector, microphones, etc.)
7. Boone County reserves the right to cancel or alter your meeting schedule due to an emergency or any conflicts in scheduling for governmental use. If this should occur we would make every effort to contact you in ample time.

Name of Organization/Person: Constitution Party of Missouri / Daniel Howell

Organization Representative/Title: Chairperson Ninth Congressional District

Address/Phone Number: 2312 Katy Lane, Columbia, MO 65203 H.P. 440-6615 C.P. 529-9036

Date of Application: 1/20/2010

PERMIT FOR ORGANIZATIONAL USE OF BOONE COUNTY FACILITIES

The County of Boone hereby grants the above application for permit in accordance with the terms and conditions above written. The above permit is subject to termination for any reason by duly entered order of the Boone County Commission.

ATTEST:

BOONE COUNTY, MISSOURI

Wendy S. Noren KS
County Clerk

[Signature]
County Commissioner

DATE: 1-21-2010

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

January Session of the January Adjourned

Term. 20 10

In the County Commission of said county, on the 21st day of January 20 10

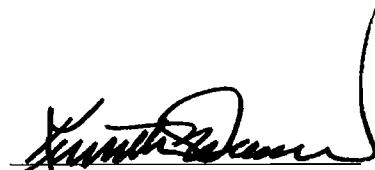
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve and authorize the Presiding Commissioner to sign the Certificate of Approval for the Phoenix Programs, Inc., project. The terms of this certificate are stipulated in the attached document.

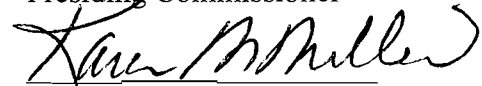
Done this 21st day of January, 2010.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission



Kenneth M. Pearson
Presiding Commissioner



Karen M. Miller
District I Commissioner



Skip Elkin
District II Commissioner

CERTIFICATE OF APPROVAL

ISSUER: The Industrial Development Authority of Boone County, Missouri

GOVERNMENTAL UNIT: Boone County, Missouri

AMOUNT OF BONDS REQUESTED: \$2,000,000

PROJECT OBLIGOR: Phoenix Programs, Inc., a nonprofit corporation

PROJECT DESCRIPTION: The issuance of the Issuer's revenue bonds in an amount not to exceed \$2,000,000, to provide funds to make a loan to the Project Obligor for the purposes set forth in the attached notice of public hearing.

PUBLIC HEARING DATE: January 20, 2010

PUBLICATION DATE: January 6, 2010

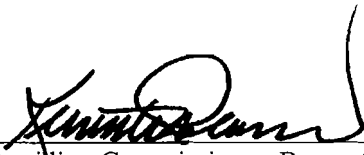
NEWSPAPER: *Columbia Tribune*

I, the undersigned, Presiding Commissioner of Boone County, Missouri, the governmental unit having jurisdiction over the above-named Issuer, certify that I am the chief elected executive officer of Boone County, Missouri.

I have been informed by the Issuer that a public hearing was held at the Boone County Government Center, Columbia, Missouri, on the above-stated public hearing date, concerning the request by the above-named Project Obligor that the Issuer issue its revenue bonds to finance costs of the above-described Project. *Attached hereto* is an affidavit of publication which shows that notice of the hearing was published in the above-referenced newspaper on the date set forth above.

Based on the foregoing, the issuance of revenue bonds by the Issuer to finance costs of the Project is approved in accordance with Section 147(f) of the Internal Revenue Code. This approval does not impose any liability on Boone County, Missouri or in any way involve the County in the issuance of the bonds or the proposed Project, but is an accommodation by the County to satisfy the requirements of the Internal Revenue Code.

DATED: January 21, 2010



Presiding Commissioner, Boone County, Missouri

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI) ss.
County of Boone)

I, Michelle Cunningham, being duly sworn according to law, state that I am one of the publishers of the Columbia Daily Tribune, a daily newspaper of general circulation in the County of Boone, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Columbia, Missouri, 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, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper on the following consecutive issues:

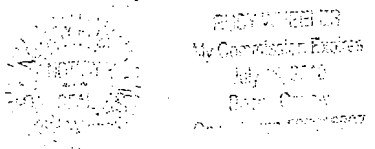
- 1st Insertion _____ January 6, 2010
- 2nd Insertion _____
- 3rd Insertion _____
- 4th Insertion _____
- 5th Insertion _____
- 6th Insertion _____
- 7th Insertion _____
- 8th Insertion _____
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- 17th Insertion _____
- 18th Insertion _____
- 19th Insertion _____
- 20th Insertion: _____
- 21st Insertion: _____
- 22nd Insertion: _____

\$47.17
Printer's Fee

By: Michelle Cunningham
Michelle Cunningham

Subscribed & sworn to before me this 6 day of January, 2010

Notary Public



NOTICE OF PUBLIC HEARING

The Industrial Development Authority of Boone County, Missouri (the "Authority"), will hold a public hearing in the County Commission Chambers in the Boone County Government Center, 801 East Walnut, Columbia, Missouri, on Wednesday, January 20, 2010, at 7:00 p.m., regarding the proposed issuance by the Authority of its revenue bonds in a principal amount not to exceed \$2,000,000. The proceeds of the bonds will be loaned by the Authority to Phoenix Programs, Inc., a Missouri nonprofit corporation, to provide a portion or all of the funds necessary to finance the costs of acquiring, constructing, furnishing and equipping an approximately 28,000 square foot office building located at 90 East Leslie Lane, Columbia, Missouri 65202, and pay certain costs related to the issuance of the bonds.

The hearing will be open to the public. The hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. All interested persons may attend the hearing and will have an opportunity to express their views with respect to the above-described issuance. Prior to the date of the hearing, written comments may be submitted to the President of the Authority at the above address.

Dated: January 6, 2010.

The Industrial Development
Authority of
Boone County, Missouri
Thomas M. Schneider,
Counsel for the Authority
on behalf of
J. Scott Christianson, President
INSERTION DATE: January 6, 2010.