

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI

} ea.

November Session of the October Adjourned Term. 20 04

County of Boone

In the County Commission of said county, on the

9<sup>th</sup> day of November 20 04

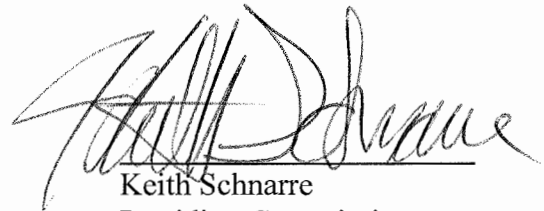
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the following budget amendment:

DEPARTMENT ACCOUNT AND TITLE	AMOUNT INCREASE
2510-91210: Sheriff Training Fund – Training/Schools	\$5,000.00

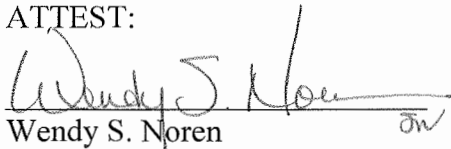
Said budget amendment is to increase the expenditure account for training.

Done this 9<sup>th</sup> day of November, 2004.



Keith Schnarre  
Presiding Commissioner

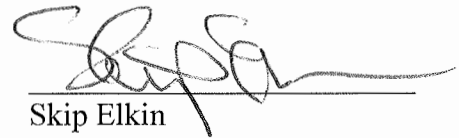
ATTEST:



Wendy S. Noren  
Clerk of the County Commission



Karen M. Miller  
District I Commissioner



Skip Elkin  
District II Commissioner

# REQUEST FOR BUDGET AMENDMENT

1<sup>st</sup> read 10/28  
2<sup>nd</sup> read 11/09

## BOONE COUNTY, MISSOURI

OCT 25 2004

10-25-04

EFFECTIVE DATE

BOONE COUNTY AUDITOR

FOR AUDITORS USE

470-2004

(Use whole \$ amounts)

Department				Account				Department Name	Account Name	Decrease	Increase	
2	5	1	0	3	7	2	1	0	Sheriff Training Fund	Training/Schools		5000.00

Describe the circumstances requiring this Budget Amendment. Please address any budgetary impact for the remainder of this year and subsequent years. (Use attachment if necessary): To increase expenditure account to expected expense level.

Requesting Official

### TO BE COMPLETED BY AUDITOR'S OFFICE

- A schedule of previously processed Budget Revisions/Amendments is attached.
- A fund-solvency schedule is attached.
- Comments:

Auditor's Office

PRESIDING COMMISSIONER

DISTRICT I COMMISSIONER

DISTRICT II COMMISSIONER

**BUDGET AMENDMENT PROCEDURES**

- County Clerk schedules the Budget Amendment for a first reading on the commission agenda. A copy of the Budget Amendment and all attachments must be made available for public inspection and review for a period of at least 10 days commencing with the first reading of the Budget Amendment.
- At the first reading, the Commission sets the Public Hearing date (at least 10 days hence) and instructs the County Clerk to provide at least 5 days public notice of the Public Hearing. **NOTE: The 10-day period may not be waived.**
- The Budget Amendment may not be approved prior to the Public Hearing.

**Fund 251: Sheriff Training**  
**Solvency Analysis**  
**Prepared by Auditor's Office**  
**10-26-2004**

Fund Balance (Unreserved) 1-1-2004 (Account 2913) 12,658.47

Plus: Actual Revenues 2004

Interest (through Aug)	51.37	
Charges for Services	13,930.00	
Intergovernmental Revenue (POST Fund)	<u>8,441.87</u>	
Total		22,423.24

Less: Budgeted Expenditures 2003

	<u>Current</u>	<u>Budget Revision/ Amendment</u>	<u>Total</u>	<u>Actual YTD Expenditures + Encumbrances</u>	<u>Remaining Budget</u>	
Class 1	0.00		0.00	0.00	0.00	
Class 2	0.00		0.00	0.00	0.00	
Class 3	26,300.00	5,000.00	31,300.00	23,048.79	8,251.21	
Class 4	0.00		0.00	0.00	0.00	
Class 5	0.00		0.00	0.00	0.00	
Class 6	0.00		0.00	0.00	0.00	
Class 7	0.00		0.00	0.00	0.00	
Class 8	0.00		0.00	0.00	0.00	
Class 9	0.00		0.00	0.00	0.00	
	<u>26,300.00</u>	<u>5,000.00</u>		<u>(31,300.00)</u>	<u>23,048.79</u>	<u>8,251.21</u>

Anticipated Fund Balance 12-31-2004

3,781.71

10/26/2004

FY 2004  
Budget Amendments/Revisions  
**Sheriff Training (2510)**

<u>Index #</u>	<u>Date Recd</u>	<u>Account</u>	<u>Account Name</u>	<u>\$Increase</u>	<u>\$Decrease</u>	<u>Reason/Justification</u>
1	10/25/2004	37210	Training/Schools	5,000		Increase expenditure budget

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STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned Term. 20 04

In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

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

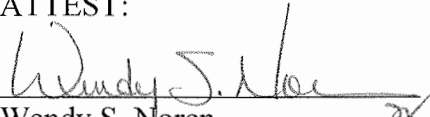
Now on this day the County Commission of the County of Boone does hereby approve the following budget amendment:

DEPARTMENT ACCOUNT AND TITLE	AMOUNT INCREASE
2010-22500: Assessor's Office – Subscriptions/Publications	\$18,000.00

Said budget amendment is for the purchase of NADA software for the Assessor's Office.

Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission

  
 Keith Schnarre  
 Presiding Commissioner

  
 Karen M. Miller  
 District I Commissioner

  
 Skip Elkin  
 District II Commissioner

# REQUEST FOR BUDGET AMENDMENT

1st 10/26  
2nd 11/09

## BOONE COUNTY, MISSOURI

October 20, 2004  
**EFFECTIVE DATE**

**FOR AUDITORS USE**

471-2004

Department				Account					Department Name	Account Name	(Use whole \$ amounts)	
											Decrease	Increase
2	0	1	0	2	2	5	0	0	Assessor's Ofc	Subscriptions /Publications		18,000

Describe the circumstances requiring this Budget Amendment. Please address any budgetary impact for the remainder of this year and subsequent years. (Use attachment if necessary): **This will cover the Product Evaluation Agreement for the NADA Vin # prefix solution...this is to upgrade our personal property taxation system, so we are more in line in valuations per model of vechile.**

  
**Requesting Official**

**TO BE COMPLETED BY AUDITOR'S OFFICE**

- A schedule of previously processed Budget Revisions/Amendments is attached.
- A fund-solvency schedule is attached.
- Comments:

*agenda*

  
**Auditor's Office**

  
**PRESIDING COMMISSIONER**

  
**DISTRICT I COMMISSIONER**

  
**DISTRICT II COMMISSIONER**

**BUDGET AMENDMENT PROCEDURES**

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- At the first reading, the Commission sets the Public Hearing date (at least 10 days hence) and instructs the County Clerk to provide at least 5 days public notice of the Public Hearing. **NOTE: The 10-day period may not be waived.**
- The Budget Amendment may not be approved prior to the Public Hearing.

## PRODUCT EVALUATION AGREEMENT

This Product Evaluation Agreement ("Agreement") is entered into this 8 day of Sept, 2004, by and between the NADA Services Corporation, d/b/a the N.A.D.A. Official Used Car® Guide Company ("NADASC") and Boone County Assessor ("Licensee"). The purpose of this Agreement is to describe and define the conditions under which Licensee shall be given access to NADASC's proprietary software and data bases.

### 1. License Grant

Subject to the conditions herein, NADASC grants to Licensee a nonexclusive, non-transferable license to use for its own internal purposes and not for resale the NADASC Product(s) shown on Exhibit A hereto (the "NADASC Product"), commencing on the date set forth above and continuing for the period shown in Exhibit A. Within five (5) days of (i) the close of such period; or (ii) Licensee's receipt from NADASC of a request for return of the NADASC Product, Licensee shall comply with Section 5.d. of this Agreement.

### 2. Scope of Use

Licensee's use of the NADASC Product is limited to the authorized use defined in Exhibit A. Licensee agrees to make no other use of the NADASC Product or any portion thereof or any of the related materials and documentation furnished by NADASC to Licensee. Licensee shall not at any time incorporate all or any portion of the NADASC Product into any other work or product, unless specifically authorized pursuant to Exhibit A.

### 3. Fees

Licensee shall pay to NADASC all fees due under this Agreement, as stated in Exhibit A, within thirty (30) days of receipt of invoices therefore.

### 4. Definition of "NADASC Product"

For purposes of this Agreement, "NADASC Product" shall mean the NADA-supplied proprietary software (including any proprietary software supplied by third parties and integrated therein), updates, data bases (including data bases containing used vehicle valuation information contained in the N.A.D.A. Official Used Car Guide® and other N.A.D.A. valuation guides), files, user manuals, technical documentation and proprietary codes for vehicle definition.

### 5. Obligations of Licensee

a. *Acknowledgment of Title and Copyright.* Licensee acknowledges that title to the NADASC Product delivered to Licensee under this Agreement shall at all times remain with NADASC, and that the NADASC Product is subject to a valid copyright.

b. *Restrictions on Use.* (i) Except as specifically authorized in Exhibit A, Licensee shall not directly or indirectly disclose, display, provide, transfer or otherwise make available all or any part of the NADASC Product to any person or entity at any time during the period in which Licensee has access to the NADASC Product or thereafter, unless Licensee has received prior written permission from NADASC.

(ii) Licensee shall not make copies of the NADASC Product except as are reasonably necessary to facilitate the authorized use described in Exhibit A. Any copy of the NADASC Product or portion thereof shall reproduce NADASC's copyright notice and proprietary legend.

(iii) At no time and under no circumstances shall Licensee reverse engineer, decompile or disassemble the NADASC Product.

(iv) At no time shall valuation information contained in the NADASC Product be used as a data source from which a new valuation data base or valuation system may be created.

(v) Licensee agrees that neither Licensee nor any sublicensee shall use the NADASC Product to interrogate and encode Vehicle Identification Number ("VIN") information for any purpose other than

valuing used cars and trucks. This restriction includes but is not limited to using the NADASC Product to generate motor vehicle registration, title statistics or vehicle population statistics derived from motor vehicle information.

c. *Location Restriction.* For N.A.D.A. Valu Guide® users, the NADASC Product shall not be removed from its principal place of business, as identified below, without NADASC's prior written permission.

d. *Return.* In accordance with Section 1 of this Agreement, Licensee agrees to return to NADASC all NADASC Product(s) and other materials of any nature whatsoever provided by NADASC to Licensee. Upon the request of NADASC, an officer of Licensee shall certify in writing that all such NADASC Product(s) and materials have been returned to NADASC. In addition, Licensee agrees to erase, delete or destroy any notes, documents, magnetic media or other computer storage, including system backups, which contain any copies of the NADASC Product(s), or are derived from the NADASC Product(s).

**6. Nature of Obligation**

Licensee acknowledges that NADASC, because of the proprietary nature of the NADASC Product, would suffer irreparable harm in the event that Licensee breaches its obligation under this Agreement in that monetary damages would be inadequate to compensate NADASC for such a breach. The parties agree that in such circumstances, NADASC shall be entitled, in addition to monetary relief, to injunctive relief as may be necessary to restrain any continuing or further breach by Licensee, without showing or proving any actual damages sustained by NADASC.

**7. Use of NADASC Trademarks**

Nothing in this Agreement shall give Licensee any interest or license in any trademark, logo or trade name owned or licensed by NADASC or the National Automobile Dealers Association, and Licensee specifically agrees to refrain from using any such trademark(s) without the express written approval of NADASC.

**8. Disclaimer of Warranties**

**THE NADASC Product PROVIDED HEREUNDER IS LICENSED "AS IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

**9. Limitation of Liability**

**NADASC ASSUMES NO LIABILITY FOR LICENSEE'S USE OF THE LICENSED SOFTWARE PROVIDED HEREUNDER. IN NO EVENT SHALL NADASC BE LIABLE TO LICENSEE OR THIRD PARTIES FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION, LOST PROFITS, INDIRECT OR SPECIAL DAMAGES ARISING OUT OF THE PERFORMANCE OF THIS AGREEMENT, EVEN IF NADASC WAS AWARE OF THE POSSIBILITY OF SUCH DAMAGES.**

**10. Waiver; Assignment**

No waiver or modification of this Agreement or any of its terms shall be valid or enforceable unless reduced to writing and signed by both parties to this Agreement. Licensee shall not assign or otherwise transfer any rights conferred upon Licensee by this Agreement without the prior written consent of NADASC.

**11. Relationship of Parties**

Licensee and NADASC agree that each is an independent contractor of the other and neither shall represent to any third party that it is the agent or representative of the other.

**12. Entire Agreement; Applicable Law**

This Agreement contains the full and complete understanding of the parties with respect to the subject matter of this Agreement and supersedes all prior representations and understandings whether



oral or written. This Agreement shall be governed by and enforced according to the laws of the Commonwealth of Virginia.

**13. Survival of Licensee's Obligations**

All obligations of Licensee under this Agreement shall survive the termination of this Agreement.

**AGREED AND ACCEPTED:**

**NADA Services Corporation, d/b/a N.A.D.A. Official Used Car Guide® Company**

By: Tracy Redmon

Title Lead Personal Property Clerk

**Licensee Name:**

Company: Boone County Assessor

By: Tracy Redmon

Title Lead Personal Property Clerk

Address 801 E. Walnut St Rm 143  
Columbia MO 65201-7733

## EXHIBIT A

### I. DESCRIPTION OF THE NADASC PRODUCT

The NADASC Product subject to this Agreement is indicated below:

\_\_\_\_\_ **N.A.D.A. Guide 2000®, NADA-X Toolbox for Windows®:** a software package containing linkage structures, file layouts and files for integrating the vehicle valuation function and NADASC values with other commercial software. It is intended for use by Microsoft® application developers, and supports Microsoft® Active X control functions.

\_\_\_\_\_ **N.A.D.A. Guide 2000®, N.A.D.A. e-Valuator Application Program Interface (API) for Vehicle Appraisal Application Development :** The N.A.D.A. e-Valuator API provides application developers access to the NADASC valuation data base through a set of NADASC-developed function calls.

✓ 1 \_\_\_\_\_ **NADA VIN Prefix Solution:** The VIN Prefix File is a flat ASCII file that contains records that have the first 10 positions of the VIN and an associated proprietary N.A.D.A. Vehicle Identification Code (V.I.C.). The file also contains a 3-character proprietary NADA Vehicle Accessory Code (V.A.C.) in instances where the model number in the prefix indicates that the vehicle has 4-wheel drive. For trucks only, the file contains a Gross Vehicle Weight (GVW) and the Ton Rating. The file may not contain VIN's for all vehicles contained in the N.A.D.A. Official Used Car Guide®, the N.A.D.A. Official Older Car Guide, the N.A.D.A. Official Commercial Truck Guide® and the N.A.D.A. Official Motorcycle/Snowmobile/ATV/Personal Watercraft Appraisal Guide (only Motorcycle values), or all possible VIN combinations. The file contains VIN prefixes for 1981 through current model year passenger vehicles and light duty trucks.

\_\_\_\_\_ **N.A.D.A. Guide 2000® COM (Component Object Model) Server for Vehicle Appraisal Web Application Development (COM Server):** The N.A.D.A. COM Server tool provides application developers access to the NADASC valuation database through a set of NADASC-developed interfaces. The COM Server queries the database for information including N.A.D.A. Vehicle Values, Accessory Processing, Mileage Adjustments, and VIN Decoding. The COM Server product is based on Microsoft's COM technology model for software development and uses a standard binary interface and database driver to access the data.

\_\_\_\_\_ **N.A.D.A. Web Application Program Interface (API) for Vehicle Appraisal Web Application Development:** The N.A.D.A. Web API is our latest development tool that allows you to integrate our services into your own web-based application. The Web API is an XML based service that provides a transparent XML layer on top of our existing COM based business layer. This integration provides real-time access to N.A.D.A. data hosted by our servers, while eliminating the burden of maintaining current versions of the N.A.D.A. database and valuation engine on your own network.

\_\_\_\_\_ **N.A.D.A.-ALG Mapping Table:** The N.A.D.A.-ALG mapping correlates the copyrighted and proprietary used automotive value data from the N.A.D.A. Official Used Car Guide to the residual value data and related materials for new and used leased automobiles from Automotive Lease Guide (ALG).

When provided with the required vehicle definition codes, the NADASC Product provides N.A.D.A. Official Used Car Guide® "Retail", "Trade-In" and "Loan" values, as well as MSRP (Manufacturer's Suggested Retail Price), vehicle weight, the mileage adjustment amount and necessary equipment values for each item specified on input. The NADASC Product returns information messages and error codes as appropriate for the transaction and processing environment. The number of model-years valued: 19.

II. TERM OF LICENSE

The license granted under this Agreement shall commence on the date shown on the face of the Agreement and shall continue for the following period:

- 30 days
- 60 days
- 90 days

III. DESCRIPTION OF AUTHORIZED USE BY LICENSEE

Evaluation of the NADASC Product to determine whether to enter into N.A.D.A.'s standard license agreement.

Provide programming services to third parties desiring to integrate the NADASC Product into existing software programs and/or systems, as described below:

Company Name:

\_\_\_\_\_

Description of existing software system/program:

AS400 Application evaluating using make, model, and year from State Tax Commission and NADA guides.

IV. FEES

**FEES FOR LICENSED PROGRAM REVIEW:**

**N.A.D.A. VIN Prefix Solution and Guide 2000® Data Files :** \$750.00 per system - Company Check or Credit Card number included.

**N.A.D.A. NADAX Toolbox for Windows and e-Valuator API :** \$1,000.00 per system - Company Check or Credit Card number included.

**N.A.D.A. Guide 2000® COM Server, Web API:** \$2,500.00 Company Check or Credit Card number included.

V. N.A.D.A. LICENSED PROGRAM VERSION

- |   |   |
|---|---|
| <input type="checkbox"/> NADAX Toolbox                  | <input type="checkbox"/> N.A.D.A. e-Valuator API    |
| <input type="checkbox"/> COM Server                     | <input type="checkbox"/> Web API                    |
| <input checked="" type="checkbox"/> VIN Prefix Solution | <input type="checkbox"/> N.A.D.A.-ALG Mapping Table |



# Memorandum

N.A.D.A. Official Used Car Guide® Company

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From : NADA Development Staff  
To : Potential Developers integrating N.A.D.A. valuation information  
Subject : Developers' Tools Overview

N.A.D.A. offers the following developer tools for outside programmers to use in integrating the N.A.D.A. valuation process into their own application for internal use or resale. For IBM mainframe applications, a Valu Guide Toolbox is also available; please see your account executive for details and specifications on this product.

- N.A.D.A. e-Valuator API (current release: Version 3.0)
- NADAX Toolbox (current release: Version 4.5)
- N.A.D.A. COM Server (current release: Version 2.3)
- N.A.D.A. Guide 2000 Data Files (current release: 4.0)
- N.A.D.A. Vin Prefix Solution (current release: 4.0)
- N.A.D.A. Web API/XML Services (current release: Version 1.0, supporting COM Server 2.x)

The e-Valuator API and NADAX Toolbox are both designed for “desktop-level” Win32 development (Win32 meaning Windows 95/98/ME and NT4/2000/XP). They are intended for single-PC or small- to mid-size LAN, interactive valuation applications.

- **NADAX Toolbox**

The NADAX Toolbox is an ActiveX object that provides the programmer with approximately a dozen on-screen controls to be added to a Visual Basic or other ActiveX-compatible project. The NADAX control allows for very rapid development, but provides only for the N.A.D.A. defined “look and feel”. All of the controls are tied together via object “properties” and the valuation is performed via a single program call.

The NADAX is designed for very rapid development in Microsoft Visual Basic and/or Visual C++. For example, a valuation screen can easily be written in less than 10 minutes after installing and viewing the documentation on the NADAX Toolbox. It is intended for use by development teams who only need to add an N.A.D.A. valuation form to their program (rather than integrating the N.A.D.A. values as a core of the software.) *Note: Due to the way Microsoft Access implements ActiveX functionality, the NADAX Toolbox does not work in that environment.*

- **N.A.D.A. e-Valuator API**

The N.A.D.A. e-Valuator API is a Win32 DLL file and data files providing a true “black box” interface to the N.A.D.A. valuation system as presented in the N.A.D.A. e-Valuator application series. The programmer is thereby given more flexibility in terms of user interface and program flow, but must build and populate all on-screen controls through code which they must write.

The e-Valuator API provides definitions and function calls allowing the programmer to pass information to the N.A.D.A. code in the N.A.D.A. DLL and retrieve specific information back from the DLL (via function calls).

This product provides much greater flexibility than the NADAX tool, but requires additional coding work on the part of the developer, since the control interface (on-screen controls) isn't provided.

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Developers attempting to access the lower-level routines in the NADAX Toolbox should instead simply bypass the Toolbox and integrate using the e-Valuator API, which is the primary underlying code used by the NADAX Toolbox. N.A.D.A. does not support accessing the NadaEngine DLL (the second DLL used by the NADAX) directly rather than via the NADAX controls.

- N.A.D.A. COM Server

The N.A.D.A. COM Server is a 32-bit COM object designed for Internet and 'standard' client-server development. The data is imported into the user's existing database server, such as SQL Server, Oracle, etc, and is accessed by either ASP code on Internet/Intranet applications using Microsoft's Internet Information Services, or through a client-server application written in Visual Basic or Visual C++.

Designed with the Internet in mind from the beginning, this tool provides a very easy to integrate API which allows for rapid application development, and provides for client-based or server-side accessory and mileage processing. VIN processing is provided just as in the N.A.D.A. E-Valuator API.

The N.A.D.A. COM Server is provided with data from both the N.A.D.A. Official Used Car Guide and N.A.D.A. Official Older Used Car Guide, or the N.A.D.A. Official Commercial Truck Guide data.

Much as the N.A.D.A. e-Valuator API is the engine behind N.A.D.A. e-Valuator, the N.A.D.A. COM Server is the engine behind N.A.D.A.'s online valuation application, located at [www.nada.com/b2b](http://www.nada.com/b2b).

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N.A.D.A. also offers two "data only" solutions for development environments where our Windows-based tools are not appropriate. This could be for mainframe or mid-size computer environments (Unisys, AS/400, etc) or to the other extreme of handheld devices (Palm Pilot, Windows CE). The existing Windows-based development tools are also not designed for enterprise-level development, involving hundreds of users, wide-area access, or Internet technology.

Providing the source "raw data" rather than a "valuation black box", or code, removes the restrictions imposed by our Win32 toolboxes. Specifically it allows for other operating systems or database products to be used, rather than specifying a Windows-based interface.

- Guide 2000 Data Files

The raw data that is used in our PC applications' data is distributed to the developer, who is responsible for creating a database out of the data, as well as for writing the valuation code. The data is provided as flat-file ASCII text databases, and provides the N.A.D.A. vehicle definitions and values, accessory definitions and values, and mileage adjustments.

N.A.D.A. provides, in addition to the actual source data, file layouts and data descriptions, which will allow the end developer to devise a "data model" fitting their specific application requirements. For instance, developers for handheld devices, with limited storage and slow processors, would need to optimize the data for storage space and speed of processing. Web developers, with huge data storage capability and multi-processor servers, would instead optimize the data for retrieval and display to a web page.

- ( ) ▪ N.A.D.A. VIN Prefix Solution

This product adds VIN processing data files to the 'vehicle' files from the Guide 2000 Data Files product. Data is provided to allow you to look up the internal N.A.D.A. vehicle key based on the first ten digits of a vehicle's VIN, called the 'prefix.' VIN-indicated accessory data is provided where available.

The VIN Prefix Solution is available with data from the Used Car Guide/Older Used Car Guide, or the Commercial Truck Guide. Motorcycle data is also available, but is in a different file format than is used for the car and truck data.

The N.A.D.A. VIN Prefix Solution data is also distributed via an Access .MDB database file containing the same data and data structures as the text data files.

▪ **N.A.D.A. Web API / XML Services**

The newest developer tool from N.A.D.A. is the N.A.D.A. Web API. This is an XML Service which runs on the NADA.COM web server. It provides an XML interface to the COM Server subsystem running on the N.A.D.A. web server. This allows the developer to tie into the N.A.D.A. online valuation system without having to provide the data processing and monthly database updating. It also allows for the use of non-Windows interfaces, as all of the Windows-required functionality is provided on the N.A.D.A. side of the XML interface.

The Web API currently provides an XML interface to the online Used Car/Older Used Car Guide application and to the online Commercial Truck Guide application. An XML interface to the N.A.D.A. COM Server function calls and valuation process is provided, so any system which can generate, receive, and interpret XML documents across the Internet can be used to access this system.

## *Summary*

Developer Tool	Windows-based	Target application type	Interface	Data provided	Database
<b>NADAX</b>	Yes	Desktop/interactive, internal application	Windows ActiveX control (OCX)	UCG	Proprietary
<b>e-Valuator API</b>	Yes	Desktop or LAN, interactive, internal or resale application	Windows DLL	UCG	Proprietary
<b>COM Server</b>	Yes	Intranet, Internet, or other client-server	Windows COM DLL	UCG CTG	Server-based ODBC data source
<b>XML Services</b>		Intranet, Internet, client-server, data via Internet connection to NADA.COM	XML interface to N.A.D.A. COM Server	UCG CTG	SQL Server residing on NADA.COM
<b>Data Files</b>		Any	Any	UCG CTG	Data provided via ASCII text
<b>VIN Prefix Solution</b>		Any	Any	UCG CTG Motorcycles	Data provided via ASCII text

**Key to "Data Provided" column:**

- UCG: Data for the N.A.D.A. Official Used Car Guide and N.A.D.A. Official Older Used Car Guide
- CTG: Data for the N.A.D.A. Official Commercial Truck Guide
- Motorcycles: Motorcycle and ATV data from the NADA Motorcycle / Snowmobile / ATV / Personal Watercraft Appraisal Guide

## N.A.D.A. Developers' Tools

### Overview – PC-related products

Toolbox Type:	NADAX	e-Valuator API	Vin Prefix Solution	COM Server	XML Services
<b>Application Types</b>					
Desktop	X	X	X		
Client-Server			X	X	X
Internet/intranet			X	X	X
Mainframe or Handheld			X		X
<b>Development Platforms</b>					
Windows 9x/NT	X	X	X	X	X
Unix/Linux			X		X
Other			X		X
<b>Database Support</b>					
DAO / Jet / Access 97			X <sup>1</sup>		Data resides on NADA.COM web server
ODBC: SQL Server, Oracle, DB2, Sybase, etc			X <sup>1</sup>	X <sup>2</sup>	
Custom / Text-based	X <sup>6</sup>	X <sup>6</sup>	X <sup>1</sup>		
<b>Provides 'look and feel'</b>	X				
<b>Provides 'API' engine</b>		X		X	X
<b>VIN Processing</b> <sup>3</sup>	X	X	X	X	X
<b>Batch Processing capability</b> <sup>7</sup>		X	X	X	X
<b>Data sets available:</b>					
<b>N.A.D.A. Official Used Car Guide:</b> 7 model years of domestic/import cars and light trucks, with Retail, Trade-In and Loan values	X	X	X	X	X
<b>N.A.D.A. Official Older Used Car Guide:</b> Next 12 model years <sup>4</sup> of domestic/import cars and light trucks, with Retail, Trade-In and Loan values	X	X	X	X	X
<b>N.A.D.A./ATD Official Commercial Truck Guide:</b> 10 model years of heavy trucks, with Retail, Wholesale and Loan values			X	X	X
<b>Motorcycle and ATV data from the N.A.D.A.</b> Motorcycle / ATV / Snowmobile / Personal Watercraft Appraisal Guide			X <sup>5</sup>		

**Notes:**

1 – The Vin Prefix Solution is shipped as fixed-length ASCII text data files. The data can be imported into your choice of database systems, or used 'as is'. The data is also shipped as a pre-imported Access .MDB database file.

2 – The COM Server data is shipped in an Access database, but must be imported into an ODBC-compliant database management system like SQL Server, Oracle, DB2, etc.

3 – Our current developer tools convert the first 10 positions of a VIN (the VIN 'prefix') into the internal N.A.D.A. VIC key (make, year, series and bodystyle.) VIN-indicated accessories (engine, 4WD/AWD, Single/Dual Rear Axle) are typically provided when the VIN clearly indicates the presence of these options.

4 – As of July 2004 the Used Car Guide has vehicles from model years 1997 - 2004, with used vehicle values for model years 1997- 2003 The Older Used Car Guide has data for vehicles from model years 1985- 1996.

5 – The data for motorcycles is in a different layout than is used for the Used Car Guide, Older Used Car Guide and Commercial Truck Guide data.

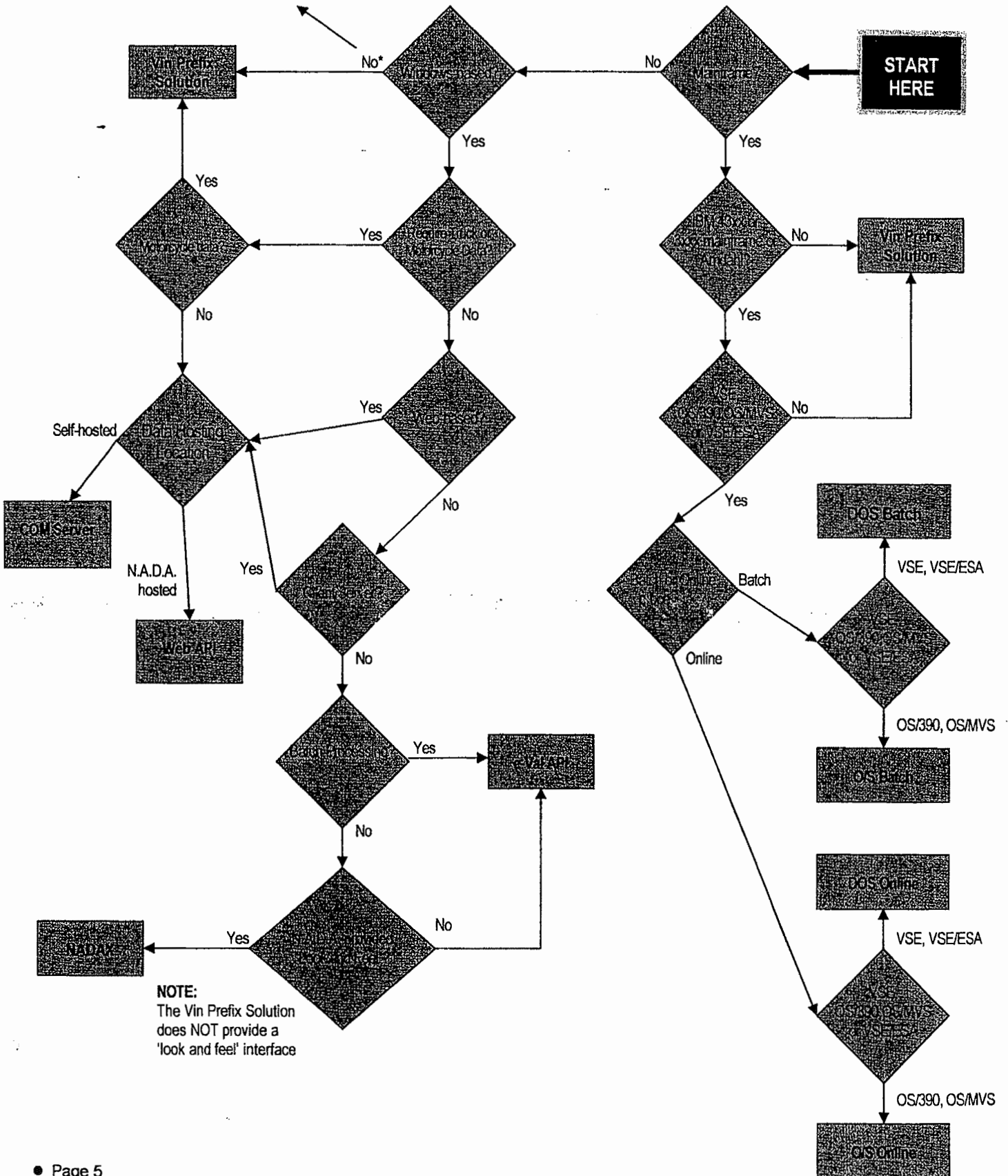
6 – Data for these products is provided using the proprietary format used in the N.A.D.A. e-Valuator application series.

7 – Batch processing code is not provided; however, the developer can easily provide a method of serial valuation calls to handle this requirement. Batch processing (for large batches) is not suggested for the XML Service due to timeout concerns.

### N.A.D.A. Developers' Tools checklist:

Note: Except where noted, the VIN Prefix Solution can be used for any of the options listed below in addition to the listed solution. Furthermore, if an Internet connection is present and motorcycle data isn't needed, the Web API can be used.

\*: If Internet connection will be present, may also consider Web API



**NOTE:**  
The Vin Prefix Solution does NOT provide a 'look and feel' interface





Mobility bey

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**VIN Prefix Solution (VPS)**

When you want N.A.D.A. values but need a non-Win32 data solution, N.A.D.A. VIN (VPS) is your answer. Whether you're working with a database management system Unix or any other system, choose VPS for your VIN processing needs.

Consisting of linked data files (ASCII text files with record layout documentation), VF developers the ability to utilize N.A.D.A. used vehicle values in an existing dbms or i application that you build to suit your needs. The data files are linked together basec VIC (Vehicle Identification Code) and provide limited VIN look-up capability with the digit VIN prefix. Choose values from the N.A.D.A. Official Used Car Guide", the N.A. Used Car Guide, the ATD/N.A.D.A. Official Commercial Truck Guide® and/or selecte files.

Drawing values from the Official Used Car Guide and the Official Older Used Car Gt application can take any VIN that you input and, using the VPS's representative VIN vehicle identification code to pull make, series and body style, plus mileage class, M weight. Using this data, you can then determine N.A.D.A. retail, trade-in and loan va mileage; and value available accessories.

NOTE: VPS may not include VIN's for all vehicles contained in N.A.D.A. vehicle val all possible VIN combinations.

**Technical Requirements:**

System or platform must be able to read:

- DOS-formatted high-density 3.5" disks and CD-ROMs
- ASCII text files

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2002      2003

80000      A-77665

27000

---

107700      T-26,713

---

104378

2200      C-2314

---

9900      106,692

*Official & Older  
does it cover both?*

10/20/04

FY 2004  
Budget Amendments/Revisions  
Assessment (2010)

Index #	Date Recd	Account	Account Name	\$Increase	\$Decrease	Reason/Justification	Comments
1	6/22/04	91100 86800	Furniture & Fixtures Emergency	400	400	Replace broken chair	See spreadsheet for 2004 Budget and YTD Actuals
2	9/2/04	92301 86800	Computer Hardware Emergency	1,520	1,520	Replace computer	Account 92301 Replc Computer Hardware - 2004 Budget \$10,295 YTD Actual \$10,295 Class 9 Fixed Assets - 2004 Budget \$10,695 YTD Actual \$10,295 Account 86800 Emergency - 2004 Original Budget \$5,000 YTD Actual \$400 Class 8 Other - 2004 Budget \$9,023 YTD Actual \$973.73
3	10/20/04	22500	Subscriptions/Publications	18,000		Cover Product Evaluation Agreement for the NADA Vin # prefix solution	See attached spreadsheet

LEDGER YEAR	DEPT	ACCOUNT CLASS	ACCOUNT	ACCOUNT NAME	BUD	TLEXP	BUD-ACT
2004	2010	20000	22000	POSTAGE	35,000	10,436.62	24,563.38
2004	2010	20000	22500	SUBSCRIPTIONS/PUBLICATION	3,020	2,694.03	325.97
2004	2010	20000	23000	OFFICE SUPPLIES	3,100	1,183.90	1,916.10
2004	2010	20000	23001	PRINTING	9,000	1,426.31	7,573.69
2004	2010	20000	23017	COMPUTER PAPER	5,000	341.36	4,658.64
2004	2010	20000	23018	PRINTER SUPPLIES	3,600	172.34	3,427.66
2004	2010	20000	23022	MAPPING SUPPLIES	3,500	3,305.93	194.07
2004	2010	20000	23050	OTHER SUPPLIES	500	332.45	167.55
2004	2010	20000	23850	MINOR EQUIPMENT & TOOLS	250	.00	250.00
TOTAL					62,970	19,892.94	43,077.06

\* \* \* E N D O F R E P O R T \* \* \*

10/20/04

2005 BUDGET FUND SOLVENCY COMPUTATION

<u>FUND</u>	<u>2004 ESTIMATED FUND BALANCE</u>		<u>2005 REVENUE BUDGET</u>	<u>2005 EXPENDITURE BUDGET</u>	<u>2005 REVENUES - EXPENDITURES</u>	<u>ESTIMATED 2005 FUND BALANCE</u>	<u>PREMISE</u>
201	880,045	CORE	1,018,886	969,535	49,351	929,396	Budgeted Revenues/Expenditures are accurate
		CORE + SUPPLEMENTALS	1,018,886	1,201,485	-182,599	697,446	Budgeted Revenues/Expenditures are accurate
							See * for Beg Fund Balance computation
	<u>2004 ESTIMATED ENDING FUND BALANCE</u>		<u>2004 BEGINNING FUND BALANCE</u>	<u>2004 REVENUES ANNUALIZED/ PROJECTED</u>	<u>2004 EXPENDITURES ANNUALIZED/ PROJECTED</u>		
*	880,045		806,977	969,750	896,682		Projected Revenues/Expenditures are accurate

Conclusion: If 2004 revenues are as projected or greater and expenditures are as annualized/ projected and the 2005 core or core + supplementals budget is adopted, Fund 201 will remain solvent.

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned Term. 20 04

In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

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

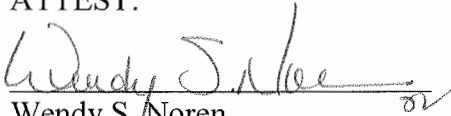
Now on this day the County Commission of the County of Boone does hereby approve the following budget revision:

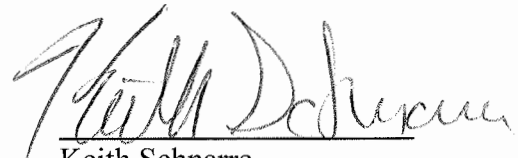
DEPARTMENT ACCOUNT AND TITLE	AMOUNT DECREASE	AMOUNT INCREASE
1123-86800: Emergency	\$3,000.00	
1280-71101: Medical Examiner – Professional Services		\$3,000.00

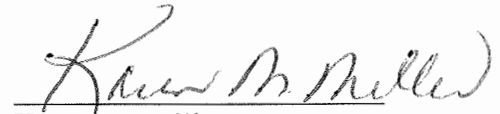
Said budget revision is to cover expenses for the increase in the number of autopsies as a result of new medical examiner's practice.

Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission

  
 Keith Schnarre  
 Presiding Commissioner

  
 Karen M. Miller  
 District I Commissioner

  
 Skip Elkin  
 District II Commissioner

# REQUEST FOR BUDGET REVISION

## BOONE COUNTY, MISSOURI

### RECEIVED

10/18/04

**EFFECTIVE DATE**

OCT 21 2004

**FOR AUDITORS USE**

472-2004

Department				BOONE COUNTY AUDITOR					Account Name		(Use whole \$ amounts)	
											Transfer From	Transfer To
				Account					Department Name		Decrease	Increase
1	2	8	0	7	1	1	0	1	Medical Examiner	Professional Svcs		\$3000
1	1	2	3	8	6	8	0	0	Emergency & Cont	Emergency	\$3000	

Describe the circumstances requiring this Budget Revision. Please address any budgetary impact for a remainder of this year and subsequent years. (Use an attachment if necessary): **Increase in autopsies as a result of new medical examiner's practice.**

Do you anticipate that this Budget Revision will provide sufficient funds to complete the year?  YES  NO  
 If not, please explain (use an attachment if necessary):

*Keith Schumane*  
 \_\_\_\_\_  
 Requesting Official

-----  
**TO BE COMPLETED BY AUDITOR'S OFFICE**

- A schedule of previously processed Budget Revisions/Amendments is attached.
- Unencumbered funds are available for this budget revision.
- Comments:

*[Signature]*  
 \_\_\_\_\_  
 Auditor's Office

*Keith Schumane*  
 \_\_\_\_\_  
 PRESIDING COMMISSIONER

*Karen B. Miller*  
 \_\_\_\_\_  
 DISTRICT I COMMISSIONER

*[Signature]*  
 \_\_\_\_\_  
 DISTRICT II COMMISSIONER

## *Fountain Enterprises, Inc.*

*Jo Fountain  
5609 St. Charles Rd.  
Columbia, Mo. 65202-3029*

*I-70 at Lake of the Woods Exit*

*Phone(573) 474-8161  
Fax (573) 474-6763*

September 8, 2004

**RE: Budget Increase**

Dear Commissioners,

The 2004 Budget was prepared in September of 2003, as you well know. At that time, we were doing an average of 70 autopsies per year for Boone County. In the past, when we have been over budget on autopsies I have absorbed the extra cost and not billed for them but they only amounted to 3 or 4, and there had been years in the past we had been under that number, so I felt it all evened out. But in March when the new Medical Examiner was hired we had only done 16 autopsies. With her increase in numbers of autopsies, we had done 80 autopsies by the end of July. With this increase in numbers, my cost went up considerably in extra autopsy supplies, additional water expense, electricity and bio medical waste removal. My actual cost per autopsy has been \$400/autopsy for several years but my charge to the counties has been only \$300. I had not increased the amount due to the conservativeness of Dr. Dix. He was always consciences of saving the county money.

I spoke to Skip Elkin shortly after the new Medical Examiner was hired, and expressed to him my concern of being way over budget by the end of the year. Mr. Elkin told me at that time, that I should not have to absorb any additional cost in operation and that I should submit a bill to the county for the additional charges, which I did. Nothing was mentioned at that time about the University planning on taking over my contract.

I am requesting and additional \$3000 for the ten autopsies that were over budget.

Thank you for your due consideration.

Respectfully,



Jo Fountain  
Fountain Enterprises, Inc.

**From:** Skip Elkin  
**To:** JPitchford.GC-GWPO.BC-GWDOM  
**Date:** 10/17/04 8:29AM  
**Subject:** Re: Additional Autopsy Request from Jo Fountain

Sounds fine with me. Thanks JP

Skip Elkin  
Northern (District II) Commissioner  
Boone County Government Center  
801 E. Walnut, Room 245  
Columbia, MO 65201-7732  
1.573.886.4305  
selkin@boonecountymo.org  
>>> June Pitchford 10/15/04 5:12 PM >>>

Skip,

I took a look at the Medical Examiner's budget and I think we will need a budget revision from Emergency to cover the \$3,000 in additional autopsy expense that Jo is requesting. I'll have Meta prepare it. ( 1123-86800) We'll forward it to Shawna , requesting her to schedule it as soon as possible. I assume you will handle this item on the agenda and I won't need to attend. Is this correct?

I doubt that we will have money left over in the Testing account. In fact, it looks like we may need a budget revision to complete the year because testing expenses are up significantly from prior years. I guess that the increase in the number of autopsies performed has increased the testing expenses as well. We'll wait until later in the year to determine if a budget revision for testing will be needed.

June

**CC:** MKanago.GC-GWPO.BC-GWDOM, KFrederick.GC-GWPO.BC-GWDOM, SVictor.GC-GWPO.BC-GWDOM



2004 Emergency Fund  
1123-86800

<u>DATE</u>	<u>DEPARTMENT</u>	<u>DEPT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>BALANCE</u>	<u>DESCRIPTION</u>
1/1/2004	Original budget			650,000	650,000	Original budget
4/20/2004	Commission Office	1121	91100	(1,335)	648,665	Commission chambers desk
6/4/2004	Human Resources	1115	92100	(650)	648,015	chair for HR director
6/17/2004	Non-Departmental	1190	71100	(1,140)	646,875	real estate appraisal
7/29/2004	County Counselor	1126	10100	(1,600)	645,275	Increase pos #664 Secretary from .5 FTE to .6 FTE
8/31/2004	County Counselor	1126	71105	(10,000)	635,275	Additional legal services
9/24/2004	Insurance & Safety	1191	71008	(8,610)	626,665	Tail insurance coverage for Dr. Allan
10/12/2004	Jury Services & Court Costs	1230	92301	(4,700)	621,965	Purchase unbudgeted Codec 6000 (video conference equip)
10/14/2004	Non-Departmental	1190	71101	(3,000)	618,965	Real estate appraisal
10/22/2004	Medical Examiner	1280	71101	(3,000)	615,965	Increase in autopsies due to new medical examiner
			<b>Total Revisions</b>	<u>(34,035)</u>		

10/23/2004

FY 2004  
Budget Amendments/Revisions  
Medical Examiner (1280)

<u>Index #</u>	<u>Date Recd</u>	<u>Account</u>	<u>Account Name</u>	<u>\$Increase</u>	<u>\$Decrease</u>	<u>Reason/Justification</u>
1	10/21/2004	1123-86800	Emergency		3,000	Increase in autopsies due to new medical examiner
		1280-71101	Professional Services	3,000		

1280 - Authorized Signatures

Payment Requisition	Purchase Requisitions	Journal Entries	Budget Rev/ Amendments	Personnel Action Forms	Payroll Requisitions
02/14/03					
Cathy D Richards	Cathy D Richards	Cathy D Richards	Cathy D Richards		
Keith Schnarre	Keith Schnarre	Keith Schnarre	Keith Schnarre		
03/29/04					
Cathy D Richards	Cathy D Richards	Cathy D Richards	Cathy D Richards		
Keith Schnarre	Keith Schnarre	Keith Schnarre	Keith Schnarre		

June

How do you want this budget revision handled. Who should sign? ~ K

RECEIVED

OCT 21 2004

BOONE COUNTY AUDITOR

to skip: are we paying - the full amount thought skip was going to break into a reduced rate?? ~~1500~~

June -

I don't know if there are any un-answered questions on this sheet, so I left it attached.

Karen J.

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned Term. 20 04

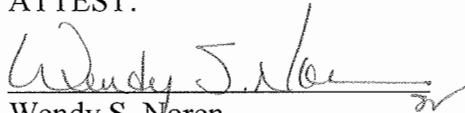
In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

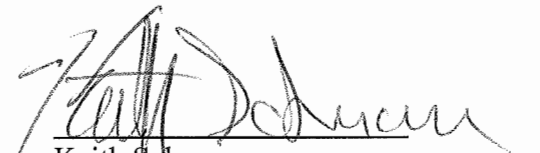
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the Medical Provider Services Agreement with Columbia Surgical Associates, Inc. It is further ordered that the Presiding Commissioner be hereby authorized to sign said agreement.

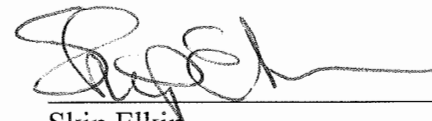
Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission

  
 Keith Schnarre  
 Presiding Commissioner

  
 Karen M. Miller  
 District I Commissioner

  
 Skip Elkin  
 District II Commissioner

## Medical Provider Services Agreement

473-2004

This agreement, dated the 9 day of Nov, 2004, is made by and between Boone County, Missouri, through its County Commission (hereafter "County"), the Sheriff of Boone County, Missouri (hereafter "Sheriff") and Columbia Surgical Associates, Inc., (hereafter "Provider").

Whereas, Sheriff operates a jail pursuant to the requirements of state law as described in chapter 221 of the Missouri Revised Statutes, with such operation funded by County; and

Whereas, the Sheriff is responsible for arranging for medical care for persons who are in the custody of the Sheriff, to assure that the serious or imminent medical needs of these individuals are not neglected while they are in custody; and

Whereas, the Sheriff provides physician and nursing services at the County Jail through its annual general fund appropriations established by County to address the routine medical needs of inmates; and

Whereas, these on-site services at the County Jail may not meet the needs of inmates who require surgery and related services; and

Whereas, Provider provides certain medical services required by the Sheriff; and

Whereas, the Sheriff and County believe it is in the interests of the citizenry to establish a consistent approach for addressing the provision of certain medical services to inmates by the Provider, specifically including the payment for these services;

Now Therefore, Sheriff, County, and Provider enter into this agreement (hereafter "Agreement"), which applies to medical services that are provided to individuals who are in the custody of the Sheriff (hereafter "Patients"). It is understood and agreed as follows:

1. If the Sheriff or his designee advises the Provider that a Patient has private insurance or is a beneficiary of the Medicare, Medicaid or other government health insurance program, or if there is good reason to believe that a Patient has sufficient financial resources to make payment directly, then the Provider will assume responsibility for billing the appropriate insurer for the surgical services that the Provider has provided to the Patient. The Provider will make best efforts to collect for the cost of the Provider's services from the Patient or applicable third party payer.
2. If a Patient does not have any type of medical insurance, if a Patient is indigent and does not have the ability to pay, or if the Provider is unable to collect for the Patient's medical services from the Patient or third party payers, despite making best efforts to collect from these sources, the County will compensate the Provider for Patient services in accordance with the following understandings.
  - a. The Provider will bill the Sheriff, and the County will compensate the Provider, based upon the current Medicare fee schedule for billed charges for medical services that are provided to Patients, subject to the annual appropriations that are made available for these purposes.

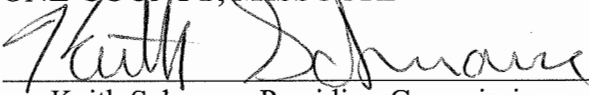
- 120 ~~30~~
- b. Provider agrees to bill Sheriff within ~~60~~ days of service on form HCFA 1500 or any other form approved by the Medicare Program
  - c. This rate will apply to services provided in Fiscal Year 2003 and in the future, while this Agreement is in effect and until such time as it is modified or terminated.
3. It is understood that the amount that is billed to Sheriff and paid by County for Patient services that are provided by the Provider will not exceed the usual and customary rate that is billed to other third party payers for the same services, including either government or private payers.
4. It is understood that this Agreement applies only to the medical services that are provided by the Provider upon authorization of the Sheriff's Medical Director or physician under contract with County, or his designee, or private physician approved and authorized by Sheriff to obtain these services.
5. Either the County or the Provider may terminate or seek to modify this Agreement at any time upon providing reasonable advance written notice to the other party. It will be assumed that thirty days' notice is reasonable notice.

**COLUMBIA SURGICAL ASSOCIATES, INC.**

by: 

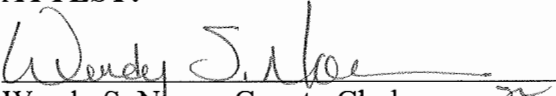
date: 10/27/04

**BOONE COUNTY, MISSOURI**

by:   
Keith Schnarre, Presiding Commissioner  
Boone County Commission

date: 9 NOVEMBER 2004

**ATTEST:**

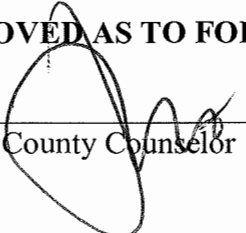
  
Wendy S. Noren, County Clerk

**SHERIFF OF BOONE COUNTY, MISSOURI**

by:   
Ted Boehm, Sheriff

date: 10-19-04

**APPROVED AS TO FORM:**

  
County Counselor

\_\_\_\_\_ date

**AUDITOR CERTIFICATION**

*Term & Supply - No Encumbrance Required*  
County Auditor  
(Term and Supply, no encumbrance required)

*11/3/2004* *AF*  
\_\_\_\_\_ date

# CERTIFIED COPY OF ORDER



STATE OF MISSOURI }  
County of Boone } ea.

November Session of the October Adjourned Term. 20 04

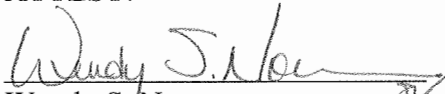
In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

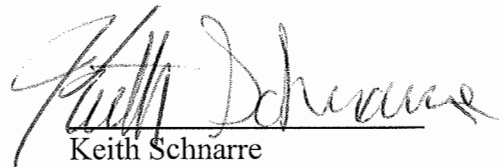
the following, among other proceedings, were had, viz:

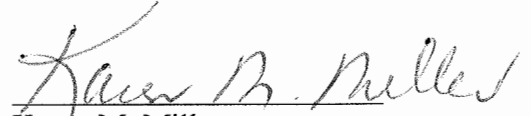
Now on this day the County Commission of the County of Boone does hereby accept and acknowledge the Judgment and Order Granting Petition for the Formation of a Transportation Development District for the Shoppes at Stadium Transportation Development District pursuant to Section 238.216.6 of the Missouri Transportation Development District Act.

Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

  
Keith Schnarre  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Skip Elkin  
District II Commissioner



**VAN MATRE AND HARRISON, P.C.**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
1103 EAST BROADWAY, SUITE 101  
POST OFFICE BOX 1017  
COLUMBIA, MISSOURI 65201

OCT 19 2004

CRAIG A. VAN MATRE  
THOMAS M. HARRISON

EVERETT S. VAN MATRE  
(1922-1998)

(573) 874-7777  
TELECOPIER (573) 875-0017  
E-MAIL [Robert@vanmatre.com](mailto:Robert@vanmatre.com)

CARLA K. WILLIAMS  
MATTHEW S. VOLKERT\*  
GARRETT S. TAYLOR  
ROBERT N. HOLLIS  
HARRIET F. FRANCIS, OF COUNSEL  
\*Admitted in Missouri and Illinois

October 19, 2004

Wendy Noren  
Clerk Boone County Commission  
**Boone County Government Bldg.**  
801 E. Walnut Street  
Columbia, Missouri 65201  
**Via Hand Delivered**

Re: The Shoppes at Stadium Transportation Development District ("District") /  
Official election results relating to imposition of TDD Tax

Dear Wendy:

Pursuant to section 238.216 of the Missouri Transportation Development District Act, Sections 238.200 to 238.275 of the Revised Statutes of Missouri, as amended (the "Act"), and a Judgment and Order granting a Petition for the formation of a Transportation Development District entered by the Honorable Gary Oxenhandler, Circuit Judge, on September 27, 2004 (the "Order"), the Board of Directors of the Shoppes at Stadium Transportation Development District caused an election to be held among the owners of all real property located within the boundaries of the District regarding the creation of the proposed district, the development of the Transportation Projects (as defined in the Petition submitted to the court) and the imposition of a district-wide sales tax. I have enclosed a copy of the Order for your records.

I also enclose a certified copy of the Petition of Property Owner, which was filed and entered upon the records of the Boone County Circuit Court on October 19, 2004. Pursuant to Section 238.216(6) of the Act, we ask that you file this certified copy of the results and cause it to be spread upon the records of Boone County.

**VAN MATRE AND HARRISON, P.C.**

Wendy Noren, Boone County Commission Clerk

October 19, 2004

Page 2

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

**VAN MATRE AND HARRISON, P.C.**

By:



CAVM/tew  
Enclosures

IN THE CIRCUIT COURT OF THE COUNTY OF BOONE  
STATE OF MISSOURI

IN RE: )  
 The formation of the Shoppes at Stadium )  
 Transportation Development District )  
 )  
 TKG BISCAYNE, L.L.C. )  
 a Missouri limited liability company )  
 )  
 Petitioner )  
 )  
 vs. )  
 )  
 MISSOURI HIGHWAYS AND TRANSPORTATION )  
 COMMISSION, )  
 )  
 and )  
 )  
 THE CITY OF COLUMBIA, MISSOURI, )  
 )  
 Respondents. )

Case No. 04CV168817

**JUDGMENT AND ORDER  
GRANTING PETITION FOR THE FORMATION OF A  
TRANSPORTATION DEVELOPMENT DISTRICT**

The Court hereby enters this Judgment and Order pursuant to the Missouri Transportation Development District Act, Sections 238.200 to 238.275 of the Revised Statutes of Missouri, as amended (the "Act"), granting the Petitioner's Petition for the formation of a Transportation Development District known as the **Shoppes at Stadium Transportation Development District** (the "District"). Based on the record before the Court, the Court hereby makes the following determinations and findings of fact, i.e., the Court finds and determines that:

1. Petitioner (hereinafter referred to as the "Owner") constitutes the only owner of the real property within the District.
2. The Owner of all of the property within the District has joined in the Petition for the formation of the District.

3. Respondent Missouri Highways and Transportation Commission (the "Commission") is the constitutional authority responsible for constructing and maintaining the Missouri highway system and is a necessary party under Section 238.207.4(2) of the Act and that Respondent City of Columbia, Missouri (the "City"), a constitutional charter city in which the proposed District will be located, is the "local transportation authority" within the meaning of Section 238.202.1(4) of the Act, and is a necessary party under Section 238.207.4(2) of the Act.

4. The record reflects that no objections to the Petition, timely or otherwise, have been filed.

5. The proposed District is composed of contiguous land and consists of land on which there are no residential structures, and there are no persons eligible to be registered voters residing within the proposed District. A legal description of the property to be included in the proposed District is attached as "Exhibit A" and shown on the map attached as "Exhibit B." The Court finds and determines that the District will not be an undue burden on the Owner of the property within the District and is not unjust or unreasonable.

6. The purpose of the District is to carry out and complete certain projects relating to transportation as set forth on "Exhibit C" hereto (collectively referred to as the "Transportation Projects").

7. The Petition is not legally defective and that the Respondents have been duly served with process in this action or otherwise properly appeared in this action.

8. The proposed District is neither illegal nor unconstitutional.

9. The District is established as a political subdivision pursuant to and in accordance with the Act for the sole purpose of funding the Transportation Project and the payment of the Costs (as defined in the Petitioner's Petition) through the imposition of a TDD Sales Tax (as hereinafter defined).

10. A portion of the proposed Transportation Projects is intended to be merged into the state highways and transportation system under the Commission's jurisdiction (the "State Portion of the Transportation Project") and that other portions of the Transportation Project are not intended to be so merged (the "Local Portion of the Transportation Projects") for which approval authority vests with the City subject to all necessary permitting requirements of the Commission for

connections of the Local Portion of the Transportation Project to the state highways and transportation system. The Commission has no direct interest in the Local Portion of the Transportation Projects.

11. The Transportation Projects will be funded from the proceeds of Transportation Development District bonds, notes, or other obligations (the "TDD Obligations") which will be secured by revenues resulting from the imposition by the District of a Transportation Development District Sales Tax (the "TDD Sales Tax") not to exceed one percent (1%). Furthermore:

a. TDD Obligations will not be issued in a principal amount greater than the amount required to fund the cost of the Transportation Projects, plus the cost of issuing the TDD Obligations and establishing reasonable reserves for the repayment thereof.

b. Under the Act, the District may impose a TDD Sales Tax upon approval of the qualified voters of the proposed District in increments of one-eighth of one percent up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the District imposing such tax.

c. The board of directors of the District will seek voter approval for the imposition of a TDD Sales Tax in a maximum amount of one percent (1%) of all retail sales made in the District that are subject to taxation under Section 238.235.1(1) RSMo., to provide revenues sufficient to pay Transportation Project costs.

d. The TDD Sales Tax shall be imposed for such period of time as may be required to retire the TDD Obligations. In no event, however, shall the TDD Sales Tax extend beyond the period reasonably necessary to retire the TDD Obligations. The District shall not increase the TDD Sales Tax beyond one percent (1%), or impose any other tax, assessment, toll or charge whatsoever without the prior written consent of the City of Columbia and the Owner of all the real property located within the District.

e. All proceeds of the TDD Sales Tax collected on all transactions subject to a sales tax imposed in the District pursuant to Section 238.235 of the Act will be deposited into a special fund created for such purpose and applied solely to the payment of: (i) costs of the Transportation Projects; (ii) the costs of filing and defending the Petition as authorized by Section 238.217 of the Act; (iii) payment of the principal of, premium, if any and interest

on the TDD Obligations; and (iv) the District's reasonable and actual cost of administering, collecting, enforcing, and operating the District as provided in the Act, including costs incurred pursuant to Sections 238.222, 238.252, 238.255, and 238.272 of the Act.

f. Except for costs of enforcing the collection of the TDD Sales Tax, the District shall not incur more than Fifty Thousand Dollars (\$50,000.00) in costs pursuant to subparagraph 3, (iv) above, in either the first two (2) full fiscal years after the date of entry of this Judgment and Order authorizing the formation of the District, or more than Twenty-Five Thousand Dollars (\$25,000.00) in such costs (or such lesser amount as may be agreed to pursuant to written agreement between the District and the City) in any fiscal year thereafter without the prior written consent of the City's Finance Director and City Manager (but without further action by the City Council of the City); provided that: (1) such consent shall not be unreasonably withheld if the District demonstrates that the expenditures serve a legitimate District purpose; (2) such expenses shall be deemed approved if the Finance Director and the City Manager do not specifically disapprove of such expenses in writing within thirty (30) calendar days following the delivery of information by the District evidencing that the expenditures serve a legitimate District purposes; and (3) the District shall not be obligated to reimburse the City for costs the City incurs pursuant to any such request.

12. The District will not incur any liabilities or debt or issue any obligations other than the TDD Obligations that are issued to finance or refinance the Transportation Project. The District will maintain its existence until all TDD Obligations have been paid in full, at which time the District, through its board of directors, will take and diligently pursue to conclusion all such actions as shall be necessary under Section 238.275 of the Act to abolish the District.

13. The District is properly, duly, and lawfully organized.

14. The proposed funding method and mechanism is neither illegal nor unconstitutional and is certified for qualified voter approval pursuant to Section 238.210.2 of the Act.

Based on the above findings of fact and conclusions of law, it is the JUDGMENT AND ORDER of this Court that:

A. The District is hereby organized;

B. The board of directors of the District shall be composed of five (5) members. The terms of office of the initial members of the board of directors of the District shall be staggered, the two members receiving the highest number of votes will have an initial three-year term, the two members receiving the next highest number of votes will have an initial two-year term, and the member receiving the fewest number of votes will have an initial one-year term. After the initial terms, all members of the board of directors of the District shall be elected for three-year terms. The Commission shall appoint one or more advisors to the board of directors of the District as provided in Section 238.220.5 of the Act. The City shall appoint at least one but not more than three advisors to the board of directors of the District as provided in Section 238.220.5 of the Act;

C. The District shall keep accurate records of revenues received and costs incurred, and such records shall be open to inspection by the City at all reasonable times;

D. The District shall not exercise any powers or undertake any action authorized under the Act other than those powers and actions expressly set forth in this Judgment and Order, without the prior written consent of the City;

E. Before construction or funding of the State Portion of the Transportation Project, the District shall submit the State Portion of the Transportation Project, together with the proposed plans and specifications, to the Commission for its approval and that, upon submission of the State Portion of the Transportation Project, if the Commission finds that the State Portion of the Transportation Project will improve or is a necessary or desirable extension of the state highways and transportation system, the Commission may approve the State Portion of the Transportation Project, subject to the District making any revisions in the plans and specifications required by the Commission and the District, and the Commission entering into a mutually satisfactory agreement regarding development and future maintenance of the State Portion of the Transportation Project;

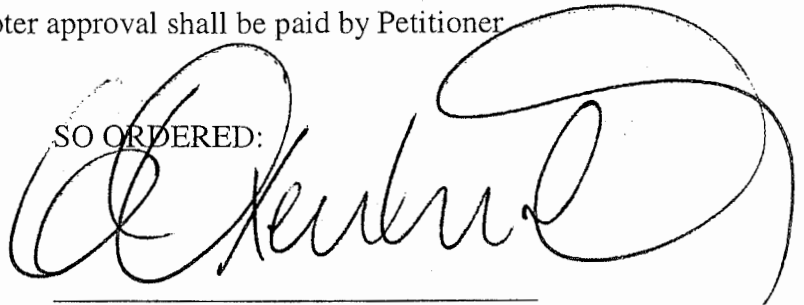
F. The City shall be designated as the "local transportation authority" within the meaning of the Act for the Local Portion of the Transportation Project, subject to all necessary permitting requirements of the Commission for connections of the Local Portion of the Transportation Project to the state highways and transportation system and subject to the District and the City developing the Local Portion of the Transportation Project in a manner compatible with the future development of the state highway system; and,

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G. Upon their completion, all portions of the Transportation Project which are not within the control and jurisdiction of the Commission shall be and remain under the control and jurisdiction of the City as provided in Section 238.270 of the Act.

THEREFORE, it is further the JUDGMENT AND ORDER of this Court that: (1) pursuant to Section 238.220.2(1), a meeting of the owners of record of the property within the District is hereby called at                      3:00 p.m. on September 30, 2004, in the Mezzanine Conference Room, City Offices, 701 East Broadway, Columbia, Missouri, to elect a chairman and secretary of the meeting to conduct the election of the initial directors of the District; (2) following adoption by the board of directors of the District of a resolution imposing a sales tax and submitting a proposal relating thereto to the qualified voters of the District, the funding method for the Transportation Project is certified for voter approval wherein the Owner shall submit to the Boone County Circuit Clerk a unanimous petition (substantially in the form set forth as "Exhibit D" hereto) approving the imposition of a sales tax not to exceed one percent (1%) by the District for a period no longer than that period of time reasonably required to retire the TDD Obligations, each Owner receiving one vote per acre owned; (3) the Boone County Circuit Clerk shall verify the authenticity of all signatures on the unanimous petition by certifying that all signatures have been duly notarized; (4) the results of the election shall be entered upon the records of this Circuit Court and a certified copy shall be filed with the City Clerk's office to be reflected in the records of the City of Columbia; and (5) the costs of filing and defending the petition and all publication and incidental costs incurred in obtaining this Court's certification of the Petition for voter approval shall be paid by Petitioner

SO ORDERED:



Honorable Gary Oxenhandler, Judge  
Division II, Circuit Court of Boone County, MO

Dated: 9.27.4 1227PM



**EXHIBIT A  
TO  
JUDGMENT AND ORDER  
GRANTING PETITION FOR THE FORMATION OF  
THE SHOPPES AT STADIUM TRANSPORTATION DEVELOPMENT DISTRICT  
TKG BISCAYNE, L.L.C., PETITIONER, AND  
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,  
AND THE CITY OF COLUMBIA, RESPONDENTS**

**Legal Description**

A tract consisting of 32.36 acres shown and described on the Plat of Biscayne Heights, Plat No. 3, as shown on the Plat dated September 3, 2002, recorded as Document No. 31820 in Plat Book 36 at Page 74, of the records of Boone County, Missouri.

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**EXHIBIT B  
TO  
JUDGMENT AND ORDER  
GRANTING PETITION FOR THE FORMATION OF  
THE SHOPPES AT STADIUM TRANSPORTATION DEVELOPMENT DISTRICT  
TKG BISCAAYNE, L.L.C., PETITIONER, AND  
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,  
AND THE CITY OF COLUMBIA, RESPONDENTS**

Map

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**EXHIBIT C  
TO  
JUDGMENT AND ORDER  
GRANTING PETITION FOR THE FORMATION OF  
THE SHOPPES AT STADIUM TRANSPORTATION DEVELOPMENT DISTRICT  
TKG BISCAZYNE, L.L.C., PETITIONER, AND  
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,  
AND THE CITY OF COLUMBIA, RESPONDENTS**

**Transportation Projects**

- 1 Those improvements to Stadium Boulevard (Missouri Highway 740), Worley Street, and Ash Street as are designed and specified by Respondents as the project design for the widening, improvement of, and construction of additional lanes, medians, and appurtenant structures for Highway 740;
- 2 Acquisition of right of way along west side of Missouri Highway 740 from Petitioner that is necessary for the improvements to Highway 740 as designed and approved by Respondents;
- 3 Construction of a new access point to the Shoppes at Stadium Shopping Center approximately midway between Ash Street and Worley Street on the west side of Highway 740 pursuant to the terms and conditions of a proposed separate "Highway Entrance Agreement" dated September \_\_\_\_, 2004, between Missouri Highways and Transportation Commission and TKG Biscayne, L.L.C., including the payment of the costs of all improvements and matters reasonably comprehended by said agreement, as said agreement is finally agreed to (the "Access Agreement");
- 4 Construction of a median on Worley Street which will prevent left turns into and out of the Shoppes at Stadium Shopping Center for the length thereof, all as designed and specified by Respondents;
- 5 Reimbursement to Petitioner for costs expended in anticipation of or in connection with the design of the above-referenced improvements prior to the formation of this Transportation Development District;
- 6 Any other costs or expenditures allocated to this Transportation Development District by Respondents with respect to other portions of the Highway 740 project, and related and appurtenant improvements, which are not directly adjacent to the real property which will be part of the Transportation Development District but which nevertheless are an integral part of the Highway 740 improvement project, including improvements to the Interstate 70 overpass, on ramps and off ramps, drives, easements, rights of way and other improvements and costs agreed upon between the Board of Directors of the Transportation Development District and the Respondents;

- 7 Widening of Highway 740 and construction of new access points, drives, turn lanes, traffic signals, and related transportation improvements needed to connect the Shoppes at Stadium Shopping Center to Worley and Ash Streets;
- 8 Construction of right-in/right-out islands, curbing, medians, turn lanes, and related improvements for the Stadium Boulevard entrance into the Shoppes at Stadium Shopping Center and appurtenant drives, driveways, and access points;
- 9 Construction of intersections, grade changes, road realignments, traffic signalization, and other related transportation structures comprehended by the foregoing;
- 10 Construction of surface water drainage structures made reasonably necessary by the roadway improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, intersections, and transportation improvements, including mitigation costs, retaining walls, channel preservation devices, bridges, abutments, and related structures;
- 11 Payments for necessary rights-of-way acquisitions, easements, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to implement the plans of Respondent Missouri Highways and Transportation Commission for the widening and improvement of Stadium Boulevard (Highway 740) and as they are related to the above-described roadways and transportation improvements;
- 12 Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the foregoing traffic related improvements;
- 13 Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act; and
- 14 Payment of and reimbursement for any costs or expenses associated with the liquidation of this District in connection with the assumption of the obligations of this District by a "Master Transportation Development District" created by the Respondent, The City of Columbia, Missouri, if same is ever created in such a manner as to permit it to assume the obligations of this District.

**EXHIBIT D  
TO  
JUDGMENT AND ORDER  
GRANTING PETITION FOR THE FORMATION OF  
THE SHOPPES AT STADIUM TRANSPORTATION DEVELOPMENT DISTRICT  
TKG BISCAYNE, L.L.C., PETITIONER, AND  
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION,  
AND THE CITY OF COLUMBIA, RESPONDENTS**

**Petition of Property Owners**

The undersigned entity constitutes the only owner of Real Property within the area described on Exhibit 1 hereto, and hereby approves of the formation of a transportation development district within said area to be known as the "Shoppes at Stadium Transportation Development District" (the "District") for the purposes of developing the following Transportation Projects:

Those improvements to Stadium Boulevard (Missouri Highway 740), Worley Street, and Ash Street as are designed and specified by Respondents as the project design for the widening, improvement of, and construction of additional lanes, medians, and appurtenant structures for Highway 740;

Acquisition of right of way along west side of Missouri Highway 740 from Petitioner that is necessary for the improvements to Highway 740 as designed and approved by Respondents;

Construction of a new access point to the Shoppes at Stadium Shopping Center approximately midway between Ash Street and Worley Street on the west side of Highway 740 pursuant to the terms and conditions of a proposed separate "Highway Entrance Agreement" dated September \_\_\_\_, 2004, between Missouri Highways and Transportation Commission and TKG Biscayne, L.L.C., including the payment of the costs of all improvements and matters reasonably comprehended by said agreement, as said agreement is finally agreed to (the "Access Agreement");

Construction of a median on Worley Street which will prevent left turns into and out of the Shoppes at Stadium Shopping Center for the length thereof, all as designed and specified by Respondents;

Reimbursement to Petitioner for costs expended in anticipation of or in connection with the design of the above-referenced improvements prior to the formation of this Transportation Development District;



Any other costs or expenditures allocated to this Transportation Development District by Respondents with respect to other portions of the Highway 740 project, and related and appurtenant improvements, which are not directly adjacent to the real property which will be part of the Transportation Development District but which nevertheless are an integral part of the Highway 740 improvement project, including improvements to the Interstate 70 overpass, on ramps and off ramps, drives, easements, rights of way and other improvements and costs agreed upon between the Board of Directors of the Transportation Development District and the Respondents;

Widening of Highway 740 and construction of new access points, drives, turn lanes, traffic signals, and related transportation improvements needed to connect the Shoppes at Stadium Shopping Center to Worley and Ash Streets;

Construction of right-in/right-out islands, curbing, medians, turn lanes, and related improvements for the Stadium Boulevard entrance into the Shoppes at Stadium Shopping Center and appurtenant drives, driveways, and access points;

Construction of intersections, grade changes, road realignments, traffic signalization, and other related transportation structures comprehended by the foregoing;

Construction of surface water drainage structures made reasonably necessary by the roadway improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, intersections, and transportation improvements, including mitigation costs, retaining walls, channel preservation devices, bridges, abutments, and related structures;

Payments for necessary rights-of-way acquisitions, easements, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to implement the plans of Respondent Missouri Highways and Transportation Commission for the widening and improvement of Stadium Boulevard (Highway 740) and as they are related to the above-described roadways and transportation improvements;

Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the foregoing traffic related improvements;

Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act; and

Payment of and reimbursement for any costs or expenses associated with the liquidation of this District in connection with the assumption of the obligations of this District by a "Master Transportation Development District" created by the Respondent, The City of Columbia, Missouri, if same is ever created in such a manner as to permit it to assume the obligations of this District.

The undersigned further approves of (hereby votes and responds in the affirmative to) the following proposition:

"Shall the Shoppes at Stadium Development District impose a transportation development district-wide sales tax at the rate of one percent (1%) for a period not to exceed the shorter of: (1) 30 years from the date on which such tax is first imposed; or (2) such period of time as may be required, but in no event extending beyond the period required, to retire any bonds, notes, or other obligations that are issued to finance the above-described Transportation Project?"

**TKG Biscayne, L.L.C., ("Owner")**

By: \_\_\_\_\_  
E. Stanley Kroenke, Member and Authorized Agent

State of Missouri     )  
  (ss.  
County of Boone     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared E. Stanley Kroenke, who upon his oath and upon being duly sworn, did state, affirm, and acknowledge that he is a member of TKG Biscayne, L.L.C., a Missouri limited liability company, that he executed this document on behalf of said limited liability company, as the free act and deed of said limited liability company, and pursuant to the authority vested in him to execute this document by the members of said limited liability company, that the foregoing document is binding in all respects upon said limited liability company, and that said limited liability company is duly empowered by its operating agreement to enter into this document.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my seal at my office in \_\_\_\_\_, Missouri, the day and year first above written.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
Commissioned in \_\_\_\_\_ County, MO

My commission expires October 21, 20\_\_\_\_.



**EXHIBIT 1  
TO THE FORM OF PETITION**

**Legal Description**

A tract consisting of 32.36 acres shown and described on the Plat of Biscayne Heights, Plat No. 3, as shown on the Plat dated September 3, 2002, recorded as Document No. 31820 in Plat Book 36 at Page 74, of the records of Boone County, Missouri.

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## PETITION OF PROPERTY OWNER

The Undersigned entity constitutes the only owner of Real Property within the area described on Exhibit 1 hereto, and hereby unanimously approves the formation of a transportation development district within said area to be known as The Shoppes at Stadium Transportation Development District (the "District") for the purpose of developing the following Transportation Projects:

- 1 Those improvements to Stadium Boulevard (Missouri Highway 740), Worley Street, and Ash Street as are designed and specified by the Missouri Highways and Transportation Commission ("MoDOT") as the project design for the widening, improvement of, and construction of additional lanes, medians, and appurtenant structures for Highway 740;
- 2 Acquisition of right of way along west side of Missouri Highway 740 from Petitioner that is necessary for the improvements to Highway 740 as designed and approved by MoDOT;
- 3 Construction of a new access point to the Shoppes at Stadium Shopping Center approximately midway between Ash Street and Worley Street on the west side of Highway 740 pursuant to the terms and conditions of a separate "Missouri Highways and Transportation Commission Shoppes at Stadium Transportation Development District Cooperative Agreement" dated October 15, 2004, between MoDOT and the District, including the payment of the costs of all improvements and matters reasonably comprehended or required to be expended by said agreement, as said agreement is finally agreed to (the "Access Agreement");
- 4 Construction of a median on Worley Street which will prevent left turns into and out of the Shoppes at Stadium Shopping Center for the length thereof, all as designed and specified by the City of Columbia ("City");
- 5 Reimbursement to the Property Owner for costs expended in connection with the design of the above-referenced improvements or for right of way needed by this Transportation Development District;
- 6 Any other costs or expenditures allocated to this Transportation Development District by MoDOT or the City with respect to other portions of the Highway 740 project, and related and appurtenant improvements, which are not directly adjacent to the real property which will be part of the Transportation Development District but which nevertheless are an integral part of the Highway 740 improvement project, including improvements to the Interstate 70 overpass, on ramps and off ramps, drives, easements, rights of way and other improvements

and costs agreed upon between the Board of Directors of the Transportation Development District and MoDOT and the City;

- 7 Widening of Highway 740 and construction of new access points, drives, turn lanes, traffic signals, and related transportation improvements needed to connect the Shoppes at Stadium Shopping Center to Worley and Ash Streets;
- 8 Construction of right-in/right-out islands, curbing, medians, turn lanes, and related improvements for the Stadium Boulevard entrance into the Shoppes at Stadium Shopping Center and appurtenant drives, driveways, and access points;
- 9 Construction of intersections, grade changes, road realignments, traffic signalization, and other related transportation structures comprehended by the foregoing;
- 10 Construction of surface water drainage structures made reasonably necessary by the roadway improvements described above, including all environmental protection measures required in order to avoid environmental damage as a result of surface water drainage from roads, roadway ditches, intersections, and transportation improvements, including mitigation costs, retaining walls, channel preservation devices, bridges, abutments, and related structures;
- 11 Payments for necessary rights-of-way acquisitions, easements, breaks-in-access, aesthetic improvements, signage, traffic signals, and specialty lighting reasonably required in order to implement the plans of MoDOT for the widening and improvement of Stadium Boulevard (Highway 740) and as they are related to the above-described roadways and transportation improvements;
- 12 Payment of and reimbursement for necessary civil engineering fees, professional fees, permit costs, and costs of obtaining federal and state licenses and permits reasonably required for the construction of the foregoing traffic related improvements;
- 13 Payment of and reimbursement for all other professional fees, licenses, and costs reasonably related to and authorized to be paid in connection with the construction of the foregoing improvements, as well as the establishment and operation of the District, and as permitted by the Act; and
- 14 Payment of and reimbursement for any costs or expenses associated with the liquidation of this District in connection with the assumption of the obligations of this District by a "Master Transportation Development District" created by the City, if same is ever created in such a manner as to permit it to assume the obligations of this District.

The Transportation Projects also shall include the following costs, to the extent related to the above improvements: (1) costs for demolition, earth work, utility construction and relocation; (2) right-of-way and other land acquisition costs required for the above improvements; (3) the costs associated with the operation and maintenance of the Transportation Projects; (4) costs for replacement of existing roadway surfaces, curbs and gutters or replacement or installation of sidewalks, traffic/pedestrian signalization, signage, street lighting and landscaping; (5) costs for professional fees, financing costs and insurance; and (6) the administrative, legal, and accounting costs associated with the creation and continuation of the District.

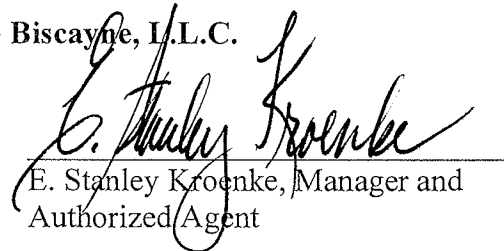
The Undersigned further unanimously approves the following measure:

"Shall The Shoppes at Stadium Transportation Development District impose a transportation development district wide sales tax at the rate of one-half of one percent (0.5%) for such period of time as may be required, but in no event extending beyond the period required to retire any bonds, notes or other obligations that are issued to finance the above-described Transportation Projects?"

IN WITNESS WHEREOF, the undersigned Property Owner has executed this consent and does hereby vote to approve of the foregoing in all respects, including the Transportation Development District tax measure recited above.

TKG Biscayne, L.L.C.

By:

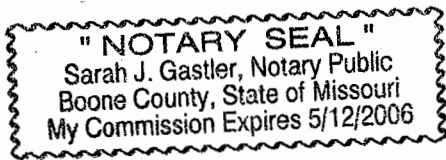
  
E. Stanley Kroenke, Manager and  
Authorized Agent

**ACKNOWLEDGMENT**

State of Missouri     )  
  (ss.  
County of Boone     )

On this 18<sup>th</sup> day of October, 2004, before me personally appeared E. Stanley Kroenke, who upon his oath and upon being duly sworn, did state, affirm, and acknowledge that he is the manager and authorized agent of TKG Biscayne, L.L.C., a Missouri limited liability company, that he executed the within Petition on behalf of said limited liability company, as the free act and deed of said limited liability company, and pursuant to the authority vested in him to execute the within Petition by the members of said limited liability company, that the within Petition is binding in all respects upon said limited liability company, and that said limited liability company is duly empowered by its operating agreement to enter into the within Petition.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my seal at my office in Columbia, Missouri, the day and year first above written.



*Sarah J. Gastler*  
\_\_\_\_\_, Notary Public  
Commissioned in \_\_\_\_\_ County, MO

My commission expires \_\_\_\_\_.

**EXHIBIT 1 TO THE FORM OF PETITION**

**LEGAL DESCRIPTION OF THE PROPERTY**

A tract consisting of 32.36 acres shown and described on the Plat of Biscayne Heights, Plat No. 3, as shown on the Plat dated September 3, 2002, recorded as Document No. 31820 in Plat Book 36 at Page 74, of the records of Boone County, Missouri.

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ea.

November Session of the October Adjourned Term. 20 04

County of Boone

In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

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

Now on this day the County Commission of the County of Boone does hereby accept and acknowledge the Certificate of Unanimous Petition for the Stadium Corridor Transportation Development District pursuant to Section 238.216.6 of the Missouri Transportation Development District Act.

Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

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

Keith Schnarre  
Keith Schnarre  
Presiding Commissioner

Karen M. Miller  
Karen M. Miller  
District I Commissioner

Skip Elkin  
Skip Elkin  
District II Commissioner

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI  
THIRTEENTH JUDICIAL CIRCUIT

FILED  
BOONE COUNTY  
OCT 26 2004  
CHERYL WHITMARSH  
CLERK CIRCUIT COURT, COLUMBIA, MO

IN THE MATTER OF )  
 ) Case No. 04 CV 164907  
STADIUM DRIVE CORRIDOR )  
TRANSPORTATION DEVELOPMENT ) Div. I  
DISTRICT A. ) Honorable Gene Hamilton,  
 ) Presiding Judge

**NOTICE OF FILING OF  
UNANIMOUS PETITION OF PROPERTY OWNERS  
TO ESTABLISH A ONE-HALF PERCENT SALES TAX FOR  
STADIUM CORRIDOR TRANSPORTATION DEVELOPMENT DISTRICT A**

COMES NOW the Stadium Corridor Transportation Development District A, by and through its attorneys, and herewith files with the Clerk of the Court, under and pursuant to Sec. 238.216.1(3), RSMo 2000, the attached executed original "Unanimous Petition of Property Owners to Establish One-Half Percent Sales Tax for Stadium Corridor Transportation Development District A" and, further, requests that the Clerk of the Court verify the authenticity of all signatures thereon as provided under Sec. 238.216.1(3), RSMo 2000.

A form of verification for the Clerk of the Court's consideration and convenience is being provided contemporaneously herewith.

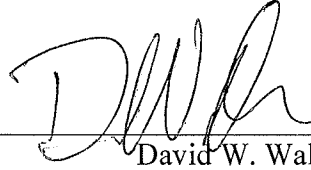
SPENCER FANE BRITT & BROWNE LLP

By James W. Grice, Esq.  
James W. Grice, Esq.  
Missouri Supreme Court No. 41644

1000 Walnut Street, Suite 1400  
Kansas City, MO 64106  
(816) 474-8100  
(816) 474-3216 (Facsimile)



FORD, PARSHALL & BAKER, L.L.C.



David W. Walker, Esq.  
Missouri Supreme Court No. 56670

609 E. Walnut, P.O. Box 1097  
Columbia, Missouri 64205  
Telephone: 573-449-2613  
Facsimile: 573-875-8154


ATTORNEYS FOR PETITIONERS

**Certificate of Service**

The undersigned hereby certifies that true and correct copies of the above and foregoing Notice of Filing of Unanimous Petition of Property Owners for Establish a One-Half Percent Sales Tax for Stadium Corridor Transportation Development District were hand delivered; mailed by first class mail, postage prepaid; or transmitted by facsimile, as indicated, this 25th day of October, 2004, to:

Bryce D. Gamblin, Esq. (By Facsimile to 314-340-4249)  
Missouri Highways and Transportation Commission  
1590 Woodlake Drive  
Chesterfield, MO 63017-5712  
Attorney for Respondent Missouri Highways and Transportation Commission

Fred Boeckmann, Esq. (By Facsimile to 573-874-7539)  
City Counselor  
P. O. Box 6015  
Columbia MO 65205-6015  
Attorney for Respondent City of Columbia, Missouri

  
\_\_\_\_\_  
Attorney for Petitioner

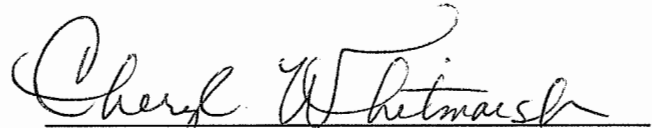
FILED  
 BOONE COUNTY  
 OCT 26 2004  
 CHERYL WHITMARSH  
 CLERK CIRCUIT COURT, COLUMBIA

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI  
 THIRTEENTH JUDICIAL CIRCUIT

IN THE MATTER OF )  
 ) Case No. 04 CV 164907  
 STADIUM DRIVE CORRIDOR )  
 TRANSPORTATION DEVELOPMENT ) Div. I  
 DISTRICT A. ) Honorable Gene Hamilton  
 ) Presiding Judge

**VERIFICATION OF AUTHENTICITY OF SIGNATURES  
 ON UNANIMOUS PETITION FOR SALES TAX  
 FOR TRANSPORTATION DEVELOPMENT DISTRICT**

CHERYL WHITMARSH, Clerk of the Circuit Court of Boone County, Missouri, Thirteenth Judicial Circuit, at Columbia, hereby verifies, under and pursuant to Sec. 238.216.1(3), RSMo 2000, the authenticity of the signatures upon the "Unanimous Petitions of Property Owners to Establish One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A" filed with the Court by the Stadium Corridor Transportation Development District A on October 25, 2004.



Cheryl Whitmarsh, Clerk of the Court  
 Circuit Court of Boone County, Missouri  
 Thirteenth Judicial Circuit  
 at Columbia, Missouri


**VERIFICATION**

COUNTY OF BOONE )  
 ) ss.  
 STATE OF MISSOURI )

On this 26<sup>th</sup> day of October, 2004, before me, David W. Walker, a Notary

Public in and for said state, personally appeared Cheryl Whitmarsh, Clerk of the Circuit Court of

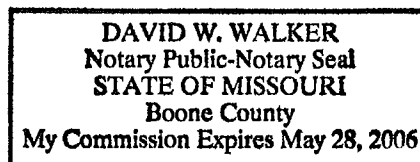
Boone County, Missouri, Thirteenth Judicial Circuit, at Columbia, known to me to be the person who executed the above and foregoing Verification of Authenticity of Signatures on Unanimous Petitions for Sales Tax for Transportation Development District, and who verified to me that she has examined the signatures set forth on the above-described "Unanimous Petitions of Property Owners to Establish One-Half Percent Sales Tax for Stadium Corridor Transportation Development District A" and, further, who verified to me that the signatures thereon are authentic.

  
\_\_\_\_\_  
Notary Public

Printed Name: David W. Walker

My Commission Expires:

May 28, 2006



### Certificate of Service

The undersigned hereby certifies that copies of the above and foregoing Authentication of Signatures on Unanimous Petitions for Sales Tax for Transportation Development District were hand-delivered, sent by facsimile, or mailed by first class mail, postage prepaid, as indicated this day of \_\_\_\_\_, 2004, to the following:

Bryce D. Gamblin, Esq.  
Missouri Highways and Transportation Commission  
1590 Woodlake Drive  
Chesterfield, MO 63017-5712  
Attorney for Respondent Missouri Highways and Transportation Commission

Fred Boeckmann, Esq.)  
City Counselor  
P. O. Box 6015  
Columbia MO 65205-6015  
Attorney for Respondent City of Columbia, Missouri

James W. Grice, Esq.

**CERTIFICATE OF TRUE COPY**

I, Cheryl Whitmarsh, Clerk of Circuit Court, within and for the county of Boone, State of Missouri, do certify that the foregoing is a true copy of an original document remaining on file and recorded in my office.

Witness my hand and SEAL of said Court this 26 day of Oct 2004.

Cheryl Whitmarsh, Circuit Clerk

BY:

Crista Kinsley  
Deputy Clerk

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI  
THIRTEENTH JUDICIAL CIRCUIT

FILED  
BOONE COUNTY  
OCT 26 2004  
CHERYL WHITMARSH  
CLERK CIRCUIT COURT, COLUMBIA, MO

IN THE MATTER OF )  
 )  
STADIUM DRIVE CORRIDOR ) Case No. 04 CV 164907  
 )  
TRANSPORTATION DEVELOPMENT ) Div. I  
 ) Honorable Gene Hamilton,  
DISTRICT A. ) Presiding Judge

ORIGINAL

**UNANIMOUS PETITION OF PROPERTY OWNERS  
TO ESTABLISH A ONE-HALF PERCENT SALES TAX  
FOR STADIUM CORRIDOR  
TRANSPORTATION DEVELOPMENT DISTRICT A**

COME NOW petitioners, by and through their attorneys, and pursuant to the Missouri Transportation Development District Act, Secs. 238.200, *et seq.*, RSMo 2000 (the "Act") herewith present and file this Unanimous Petition of Property Owners to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A ("Unanimous Sales Tax Petition") and in support of their Unanimous Sales Tax Petition state as follows:

1. On February 7, 2004, petitioners filed their Petition for Formation of Transportation Development District with the Circuit Court of Boone County, Missouri (the "Court"), praying for, among other things, the Court's certification that the Stadium Corridor Transportation Development District A (the "District") is properly, duly and lawfully organized pursuant to the Act and in fact and in law forming the District.

2. The District was created on October 4, 2004 by the Court's entry of its "Judgment and Order Granting Petition for the Formation of a Transportation Development District" ("Judgment") under and pursuant to the Act.

3. Pursuant to Sec. 238.235, RSMo 2000, of the Act, the District may impose a sales tax on all retail sales within the District upon the approval of the qualified voters of the District.

4. Pursuant to the Judgment, the Petitioners, being the owners of all real property within the District, have had submitted to them the question of whether to approve a one-half percent (1/2 %) sales tax on all retail sales within the District ("Sales Tax").

5. Petitioners' submission of this Unanimous Sales Tax Petition approving the imposition of the Sales Tax shall constitute an election as required under Section 238.235, of the Act, upon the verification of the authenticity of the signatures hereon by the Clerk of the Circuit Court of Boone County, Missouri, based upon the following:

- (a) Petitioners are the owners of all real property within the District;
- (b) Petitioners' representatives, addresses and telephone numbers are as set forth on Exhibit A, attached to this Unanimous Petition; and
- (c) Each of the representatives of the Petitioners executing this Unanimous Sales Tax Petition is duly authorized to sign this Unanimous Sales Tax Petition on behalf of the respective Petitioner.

6. The Petitioners herewith petition for and vote "yes" to the following question:

Shall the Stadium Corridor Transportation Development District A impose a transportation development district-wide sales tax at the rate of a one-half percent (1/2%) for a period of 25 years from the date on which such tax is first imposed for the purpose of paying the cost of the formation and operation of the Stadium Corridor Transportation Development District A and the financing, design and construction of the following projects:

The Transportation Project (the "Project"), consists of upgrading the Stadium Boulevard (Missouri Route 740) Corridor and adjacent side streets between and including the I-70 North Frontage Road and West Broadway Street ("Adjacent Side Streets") for the purpose of reducing traffic congestion along Stadium Boulevard and Adjacent Side Streets, thereby reducing delays and hazards, while improving safety and access for ingress and egress. The upgrades for Stadium Boulevard and Adjacent Side Streets will include roadway widening and reconstruction as well as the enhancements associated with urban roadway construction. Traffic operational improvements will be added for better motor vehicle and pedestrian progression. Right of way and easement acquisition will be required to upgrade the roadway facilities. Utilities that are within the limits of construction and require relocation will be included in the Project.

The Project will include but not be limited to, the following individual components and such reasonable extensions and enlargements

of such components (including but not limited to all Engineering, Architecture, Legal, and other consulting services related to such components) the scheduling of which will likely be staggered to some degree based on available funding and the need for coordination of efforts between the District, the City, and the Commission:

(i) Transportation Systems Management from I-70 to Broadway - Scope of project includes the upgrade and improvement of traffic surveillance and control equipment, computerized signal systems and motorist information systems to provide an integrated traffic control system and such other improvements as reasonably necessary to achieve the purpose of the project. Purpose of project is to provide congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Project costs and scope include engineering, legal, and traffic studies, all signal installations and associated hardware, lighting, signage, pavement marking, cost of utilities, maintaining traffic during construction, utility relocations and computer hardware and software upgrades for the operation system;

(ii) Worley Street Improvements east of Stadium Drive - Scope of project includes widening Worley Street from Stadium Drive east to Bernadette Drive and reconstructing entrances to properties in-between and such other improvements as reasonably necessary to achieve the purpose of the project. Purpose of project is to provide congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Project costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction, necessary acquisition and other items incidental to complete construction of the proposed improvement;

(iii) Improvements for Ash Street Intersection at Stadium Drive Scope of project includes reconstructing the Ash Street intersection and constructing a new frontage road access connection to Stadium Drive and such other improvements reasonably necessary to achieve the purpose of the project. The existing west frontage road connects to Ash Street within the functional limits of the intersection. The current location of this connection severely inhibits access to and from several properties as well as creating unsafe conditions for the west approach of the intersection. A solution to this problem is to remove the existing frontage road connection and construct a new connection from Stadium Drive that is well beyond the functional limits of the intersection. Widening Ash Street to provide additional storage for turning lanes is also proposed. Purpose of project is to provide

congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction necessary acquisitions and other items incidental to complete construction of the proposed improvement;

(iv) Improvements to Stadium Drive at the I-70 Interchange – Scope of project includes widening and upgrading Stadium Drive, entrance and exit ramps and side-road intersections between and including the north frontage road and south frontage roads at I-70 and such other improvements as reasonably necessary to achieve the purpose of the project. Purpose of project is to provide congestion mitigation and improved safety and air quality.

Project costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction, necessary acquisition, and other items incidental to complete construction of the proposed improvement.

(v) Improvements to Stadium Drive and Bernadette Drive Intersection – Scope of project includes widening and upgrading Stadium Drive at the intersection of Bernadette Drive, reconstructing and widening Bernadette Drive between Hutchens Drive and Beverly Drive and reconstructing and realigning entrances within the limits of the Bernadette Drive reconstruction and such other improvements as reasonably necessary to achieve the purpose of the project. Purpose of project is to provide congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Project costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction, necessary acquisition, and other items incidental to complete construction of the proposed improvement.

(vi) Improvements to Stadium Drive and Worley Street Intersection – Scope of project includes widening and upgrading Stadium Drive at the intersection of Worley Street and reconstructing and widening approximately 1200' of Worley Street west of Stadium Drive and such other improvements as reasonably necessary to achieve the purpose of the project. Reconstructing entrances within the limits of the Worley Street reconstruction are also included. Purpose of project is to



provide congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Project costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction, necessary acquisition, and other items incidental to complete construction of the proposed improvement.

(vii) Improvements to Stadium Drive and West Broadway Intersection – Scope of project includes widening and upgrading Stadium Drive at the intersection of West Broadway and reconstructing and widening West Broadway to provide sufficient storage lanes for turning traffic and such other improvements as reasonably necessary to achieve the purpose of the project. Reconstruction of some entrances along West Broadway will be required. Purpose of project is to provide congestion mitigation, greater ingress and egress mobility and improved safety and air quality.

Project costs and scope include engineering-related and legal services, grading, drainage, paving, lighting, signing, signal revisions, pavement marking, curb and gutters, storm sewers, utility relocations, landscaping, right of way and easements, maintaining traffic during construction, necessary acquisition, and other items incidental to complete construction of the proposed improvement.

In each such instance as to each project, subject to the availability of funding from the District and such other sources as may be appropriate under law?

Yes  No

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

\* \* \*

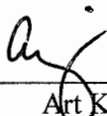
WHEREFORE, all of the Petitioners have executed this Unanimous Petition of Property Owners to Establish a One-Half Percent Sales Tax for Stadium Corridor Transportation Development District A as of October 25<sup>th</sup>, 2004 as set forth on the following five signature pages of this Unanimous Sales Tax Petition.

Walters Acquisitions, Inc.

The undersigned Walters Acquisitions, Inc., on this 25<sup>th</sup> day of October, 2004, an owner of property within the Stadium Corridor Transportation Development District A hereby petitions and votes "Yes," as indicated in the "Yes" box below, for a sales tax at the rate of a one-half percent (1/2%) within the Stadium Corridor Transportation Development District A for a period of twenty-five (25) years as set forth in paragraph 6 of the above and foregoing Unanimous Petition of Property Owners to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A.

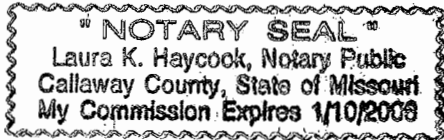
Yes  No

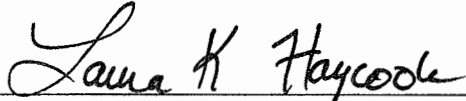
WALTERS ACQUISITIONS, INC.

By:   
Art King  
Vice President

STATE OF Missouri )  
 ) ss.  
COUNTY OF Boone )

On this 25<sup>th</sup> day of October, 2004, before me, a Notary Public in and for said state, personally appeared Art King, who is the Vice President of Walters Acquisitions, Inc., a Missouri corporation, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District on behalf of said Walters Acquisitions, Inc., and acknowledged to me that he executed the same for the purposes therein stated.



  
Notary Public  
Printed Name: Laura K Haycock

My Commission Expires:  
1/10/2006

**Columbia Plaza Shopping Center Joint Venture**

The undersigned Columbia Plaza Shopping Center Joint Venture on this 25<sup>th</sup> day of October, 2004 hereby petitions and votes "Yes," as indicated in the "Yes" box below, for a sales tax at the rate of a one-half percent (1/2%) within the Stadium Corridor Transportation Development District A for a period of twenty-five (25) years as set forth in paragraph 6 of the above and foregoing Unanimous Petition of Property Owners to Establish a One-Half Percent Sales Tax for Stadium Corridor Transportation Development District A.

Yes                       No

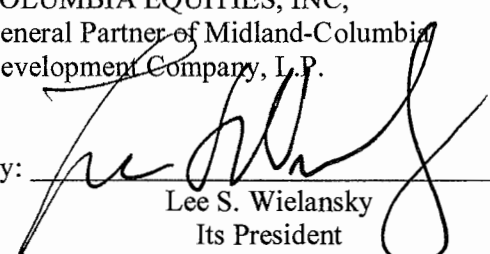
**COLUMBIA PLAZA SHOPPING CENTER JOINT VENTURE**

By: WALTERS ACQUISITIONS, INC. d/b/a  
WALTERS INVESTMENTS,  
Joint Venture Partner of Columbia Plaza Shopping  
Center Joint Venture

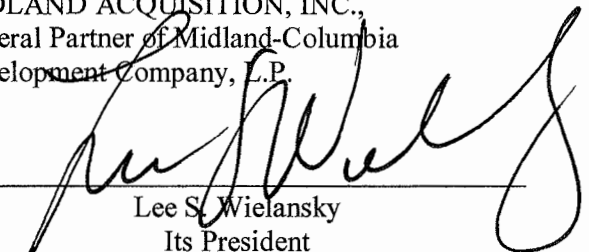
By:   
\_\_\_\_\_  
Art King  
Its Vice President

By: MIDLAND-COLUMBIA DEVELOPMENT  
COMPANY, L.P.,  
Joint Venture Partner of Columbia Plaza Shopping  
Center Joint Venture

By: COLUMBIA EQUITIES, INC,  
General Partner of Midland-Columbia  
Development Company, L.P.

By:   
\_\_\_\_\_  
Lee S. Wielansky  
Its President

By: MIDLAND ACQUISITION, INC.,  
General Partner of Midland-Columbia  
Development Company, L.P.

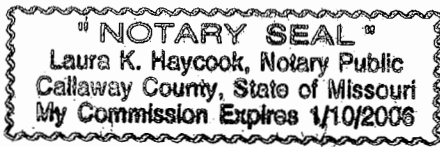
By:   
\_\_\_\_\_  
Lee S. Wielansky  
Its President

BEING ALL THE GENERAL PARTNERS OF  
MIDLAND COLUMBIA DEVELOPMENT  
COMPANY LP

BEING ALL THE JOINT VENTURE PARTNERS OF  
COLUMBIA PLAZA SHOPPING CENTER JOINT VENTURE

STATE OF Missouri )  
 ) ss.  
COUNTY OF Boone )

On this 25<sup>th</sup> day of October, 2004, before me, a Notary Public in and for said state, personally appeared Art King, who is the Vice President of Walters Acquisitions, Inc. d/b/a Walters Investments which is a general partner to Columbia Plaza Shopping Center Joint Venture, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Walters Acquisitions, Inc. d/b/a Walters Investments which is a general partner to Columbia Plaza Shopping Center Joint Venture, and acknowledged to me that he executed the same for the purposes therein stated.



Laura K Haycock  
Notary Public

Printed Name: Laura K Haycock

My Commission Expires:

1/10/2006

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of October, 2004, before me, a Notary Public in and for said state, personally appeared Lee W. Wielansky, who is the President of Columbia Equities, Inc. which is a general partner of Midland-Columbia Development Company, L.P. which is a joint venture partner to Columbia Plaza Shopping Center Joint Venture, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Columbia Equities, Inc. which is a general partners of Midland-Columbia Development Company, L.P. which is a joint venture partner of Columbia Plaza Shopping Center Joint Venture, and acknowledged to me that he executed the same for the purposes therein stated.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_

*See attached duplicate*  
*8*

TATE OF \_\_\_\_\_ )

BEING ALL THE JOINT VENTURE PARTNERS OF  
COLUMBIA PLAZA SHOPPING CENTER JOINT VENTURE

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of October, 2004, before me, a Notary Public in and for said state, personally appeared Art King, who is the Vice President of Walters Acquisitions, Inc. d/b/a Walters Investments which is a general partner to Columbia Plaza Shopping Center Joint Venture, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Walters Acquisitions, Inc. d/b/a Walters Investments which is a general partner to Columbia Plaza Shopping Center Joint Venture, and acknowledged to me that he executed the same for the purposes therein stated.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_

STATE OF Missouri )  
 ) ss.  
COUNTY OF St. Louis )

On this 24 day of October, 2004, before me, a Notary Public in and for said state, personally appeared Lee W. Wielansky, who is the President of Columbia Equities, Inc. which is a general partner of Midland-Columbia Development Company, L.P. which is a joint venture partner to Columbia Plaza Shopping Center Joint Venture, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Columbia Equities, Inc. which is a general partners of Midland-Columbia Development Company, L.P. which is a joint venture partner of Columbia Plaza Shopping Center Joint Venture, and acknowledged to me that he executed the same for the purposes therein stated.

PATRICIA M. PETERSON  
Notary Public - State of Missouri  
County of St. Louis  
My Commission Expires Feb. 10, 2008

Patricia M. Peterson  
Notary Public

Printed Name: Patricia M. Peterson

My Commission Expires:

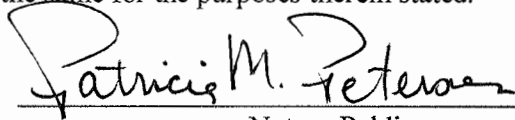
February 10, 2008

STATE OF Missouri )

COUNTY OF St. Louis ) ss.  
 )

On this 26 day of October, 2004, before me, a Notary Public in and for said state, personally appeared Lee W. Wielansky, who is the President of Midland Acquisitions, Inc which is a general partner of Midland-Columbia Development Company, L.P. which is a joint venture partner of Columbia Plaza Shopping Center Joint Venture, known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Midland Acquisitions, Inc which is a general partner of Midland-Columbia Development Company, L.P. which is a joint venture partner of Columbia Plaza Shopping Center Joint Venture, and acknowledged to me that he executed the same for the purposes therein stated.

PATRICIA M. PETERSON  
Notary Public - State of Missouri  
County of St. Louis  
My Commission Expires Feb. 10, 2008

  
\_\_\_\_\_  
Notary Public

Printed Name: Patricia M. Peterson

My Commission Expires:

February 10, 2008

**Crossroads West Shopping Center Ltd,**

The undersigned Crossroads West Shopping Center Ltd. on this 25<sup>th</sup> day of October, 2004 hereby petitions and votes "Yes," as indicated in the "Yes" box below, for a sales tax at the rate of a one-half percent (1/2%) within the Stadium Corridor Transportation Development District A for a period of twenty-five (25) years as set forth in paragraph 6 of the above and foregoing Unanimous Petition of Property Owners to Establish a One-Half Percent Sales Tax for Stadium Corridor Transportation Development District A.

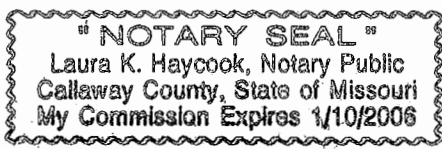
Yes                                       No

CROSSROADS WEST SHOPPING CENTER LTD

By: \_\_\_\_\_  
Printed Name: Art King  
Title: v.p.

STATE OF Missouri                      )  
  ) ss.  
COUNTY OF Boone                    )

On this 25<sup>th</sup> day of October, 2004, before me, a Notary Public in and for said state, personally appeared Art King, who is the Vice President of Crossroads West Shopping Center Ltd., known to me to be the person who executed the within Unanimous Petition to Establish a One-Half Percent Sales Tax for the Stadium Corridor Transportation Development District A on behalf of said Crossroads West Shopping Center Ltd., and acknowledged to me that he executed the same for the purposes therein stated.



\_\_\_\_\_  
Laura K Haycock  
Notary Public  
Printed Name: Laura K Haycock

My Commission Expires:  
1/10/2006

**CERTIFICATE OF TRUE COPY**

I, **Cheryl Whitmarsh, Clerk of Circuit Court**, within and for the county of Boone, State of Missouri, do certify that the foregoing is a true copy of an original document remaining on file and recorded in my office.

Witness my hand and SEAL of said Court this 26 day of oct 2004.

Cheryl Whitmarsh, Circuit Clerk BY: Cystal Kinsley  
Deputy Clerk



**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned Term. 20 04

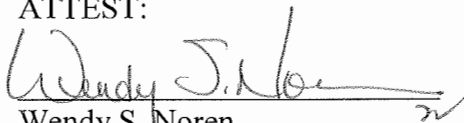
In the County Commission of said county, on the 9<sup>th</sup> day of November 20 04

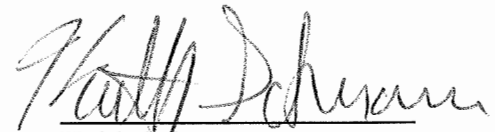
the following, among other proceedings, were had, viz:

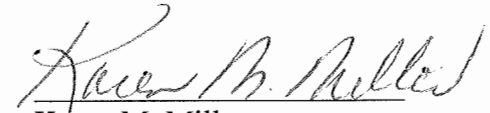
Now on this day, the County Commission of the County of Boone does hereby authorize a closed session on Tuesday, November 9, 2004 immediately following the regularly scheduled meeting at 9:30 a.m. The meeting will be held in the Room 243 of the Roger B. Wilson Boone County Government Center at 801 E Walnut, Columbia, Missouri, as authorized by 610.021(2) RSMo. to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Done this 9<sup>th</sup> day of November, 2004.

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission

  
 Keith Schnarre  
 Presiding Commissioner

  
 Karen M. Miller  
 District I Commissioner

  
 Skip Elkin  
 District II Commissioner