



Christian County Commission

100 West Church St, Room 100
Ozark, MO 65721

<http://ChristianCountyMO.iqm2.com>

July Term

~ Minutes ~

Thursday, September 3, 2015

8:50 AM

The Christian County Courthouse

I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter

| Attendee Name | Title | Status | Arrived |
|------------------|------------------------|---------|---------|
| Ray Weter | Presiding Commissioner | Present | 8:50 AM |
| Bill Barnett | Western Commissioner | Present | 8:50 AM |
| Sue Ann Childers | Eastern Commissioner | Present | 8:50 AM |
| Kay Brown | County Clerk | Present | 8:50 AM |
| Cheryl Mitchell | Assistant | Present | 8:50 AM |

II. Agenda

Motion/Vote - 8:50 AM Christian County Commission

Discussion - Approve Agenda

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell and the Commissioners.

Presiding Commissioner Ray Weter entertained a motion to approve the agenda.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sue Ann Childers, Eastern Commissioner |
| SECONDER: | Bill Barnett, Western Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 8:55 AM Kay Brown-County Clerk

Minutes & Financials Approval - Approve Minutes & Financials

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell and the Commissioners.

There were no financials presented.

Presiding Commissioner Ray Weter entertained a motion to approve the closed session minutes for August 24, 26, and the 27, 2015.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sue Ann Childers, Eastern Commissioner |
| SECONDER: | Bill Barnett, Western Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 8:55 AM

- Approve the Minutes for August 26, 2015

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell and the Commissioners.

Presiding Commissioner Ray Weter entertained a motion to approve the open session minutes for August 26, 2015.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 9:00 AM Christian County Commission

Agreement - Revision of Agreement with Christian County Health Department

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell and the Commissioners.

Presiding Commissioner Ray Weter opened the discussion regarding an \$18,000.00 grant that the Christian County Health Department is seeking. Commissioner Weter said if this grant is obtained the funds would go to general revenue. The grant would require a documented minute by minute log of all the activities that are done on a daily basis by the Christian County Emergency Management Department specifically for the Christian County Health Department. Commissioner Weter said this may be an excessive burden to be placed on Emergency Management. Commissioner Weter said they have drafted a letter to the Christian County Health Department to be discussed for a final review before submitting to the County Counselor for approval.

Commissioner Childers said we want to assist the Health Department in every way possible but we need a new agreement because Emergency Management does not run on a clock.

Presiding Commissioner Ray Weter entertained a motion to forward the letter to the County Counselor with further action pending his approval.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sue Ann Childers, Eastern Commissioner |
| SECONDER: | Bill Barnett, Western Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 9:30 AM Todd Wiesehan-Planning & Development

Right of Way Dedication - Right of Way-Shire Circle-Stoneshire Special

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, Todd Wiesehan Planning and Development Director and the Commissioners.

Mr. Wiesehan presented to the County Commission a Right-of-Way Deed for Shire Circle that is located in the Stoneshire Special Road District.

Mr. Dick Essick is donating the easement located at the Corner of HH Highway and Shire Circle to the Stoneshire Special Road District

Presiding Commissioner Ray Weter entertained a motion accept the right-of-way deed to transfer easement to the Stoneshire Special Road District.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 9:35 AM Todd Wiesehan-Planning & Development

Right of Way Dedication - Right of Way-Carter Road C-1

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, Todd Wiesehan Planning and Development Director and the Commissioners.

Mr. Wiesehan presented to the County Commission a Right-of-Way Deed for Carter Road located in the Common 1 Road District, owned by Joe T. Humble and Jenise Ray Humble. Mr. Wiesehan said this is associated with a minor subdivision and is a dedication of insufficient right-of-way to the Common 1 Road District.

Presiding Commissioner Ray Weter entertained a motion to approve the acquisition of the additional right-of-way on Carter Road.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sue Ann Childers, Eastern Commissioner |
| SECONDER: | Bill Barnett, Western Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 9:40 AM Todd Wiesehan-Planning & Development

Right of Way Dedication - Right of Way-Hummingbird Road C-1

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, Todd Wiesehan Planning and Development Director, Common 2 Road District Supervisor Brent Young, and the Commissioners.

Mr. Wiesehan presented to the County Commission a Right-of-Way Deed for Hummingbird Road located in the Common 1 Road District.

Mr. Wiesehan presented to the Commission a Right-of-Way Deed for Hummingbird Road. If approved, the county's would obtain an additional 600 feet on the North side of Hummingbird Road located in the Common 1 Road District. The property was donated by Fern K. Hardestyor. Mr. Wiesehan said this is associated with a minor subdivision and is a dedication of insufficient right-of-way to bring the easement to a full 25 feet for the Common 1 Road District.

Presiding Commissioner Ray Weter entertained a motion to approve the acquisition of the additional right-of-way on Hummingbird Road.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sue Ann Childers, Eastern Commissioner |
| SECONDER: | Bill Barnett, Western Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 9:45 AM Christian County Commission & Ozark Bank

Agreement - Note Extension Agreement

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, County Auditor Lacey Hart, Treasurer Karen Matthews and Amelia Wigton of the Christian County Headliner News.

Commissioner Weter said the Stonehollow Neighborhood Improvement Development maturity date has come and gone without the work being completed. The note is \$ 360,000.00. The Ozark Bank has agreed to extend the note to December 15, 2015. The interest amount was \$2,042.00 and the Treasurer said it has been paid to Ozark Bank.

Presiding Commissioner Ray Weter said Blevins would like to wait until spring to make sure the asphalt cures completely. Commissioner Weter said the over lying issue is that we eliminated some providers due to the two coats of asphalt specification.

County Auditor Lacy Hart asked with the impending weather coming will it be possible to have another extension and what is the time frame to meet publication requirement if the project is to bid again?

Commissioner Childers said there will have to be paper work prepared by County Counselor Housley to be presented to the Ozark Bank.

Commissioner Weter said the other option would be to cash in the performance bond.

Presiding Commissioner Ray Weter entertained a motion to approve the agreement between Christian County and Ozak Bank regarding a note extension to December 15, 2015, for the Stonehollow Neighborhood Improvement District project.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - Great River & Associates & Miranda Beadles Highway Engineer

Contract - Mayberry Road Repair Contract

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, Common 2 Road District Supervisor Brent Young, County Road Assistant Jason Stutesman, Great River Engineers: Steve Brown and James Sutton, Rachel and Travis Smith owners of A.T. Urban Development Incorporated and the Commissioners

Great River Engineer James Sutton presented to the Commission the pre-construction conference outline for the Mayberry low water crossing. Mr. Sutton reviewed all the sections of the outline particularly the following:

- * When is payroll run
- * All employees must have the OSCA ten hour training cards
- * Road will not be closed but will have a detour.
- * All change orders have to be signed by all parties.
- * Project is required to be completed within 21 days or pay liquid damages.
- * The contract needs signatures of all three Commissioners.
- * A survey must be run.

Rachel Smith, Owner A.T. Urban Development said they plan to start the project next week and it should be completed in 21 calendar days.

Steve Brown said all change orders have to signed by all parties. Mr. Brown said they have a change order to expand the ride fro 15 to 20 feet wide.

The contracts were signed by the Commissioners and attested by the County Clerk.

Steve Brown said there was an Addendum to the change order for the width of the bridge to increase from 15 to 20 feet would be approximately \$ 8,721.00.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 10:00 AM

- Approve the Change Order for Mayberry Road

The meeting was attended by County Clerk Kay Brown, Administrative Secretary Cheryl Mitchell, Common 2 Road District Supervisor Brent Young, County Road Assistant Jason Stutesman, Great River Engineers: Steve Brown and James Sutton, Rachel and Travis Smith owners of A.T. Urban Development Incorporated and the Commissioners.

Presiding Commissioner Ray Weter entertained a motion to approve the change order to expand the width of the bridge deck from 15 to 20 feet for an additional cost of \$ 8,721.00.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - Brad Erwin-Paragon Architecture

Discussion - Architect Services Discussion

The meeting was attended by Citizens Task Force Members: Judy Dollarhite, Lynn Kempen, Doug Twigger, Brad Erwin and Jeremy Younglove from Paragon Architecture,

Andrew Pitt from Treanor Architects and Amelia Wigton reporter for the Christian County Headliner News.

Brad Erwin said there were several alternatives to anticipate for the remodel of the existing court room that would affect the other offices that are on the second floor. There should be space allocated for jury rooms, lawyer client rooms, and the judge's office and office space for his clerk. In addition, the Auditor and Treasurer would be relocated to the break room or another area.

Brad Erwin discussed the option of converting the Prosecutor's office into a court room and having a stand alone office for the Prosecutor close to the Justice Center for the Prosecutor designed and constructed to be the cornerstone for a larger complex.

Brad Erwin if we look at this building there are many elements to consider such as security and the process and how the parts and pieces can be moved and how it sets the future growth.

Ray Weter said in the Justice Center there are no Attorney/Client consultation rooms and there are sewer back up problems that have existed since the beginning.

Brad Erwin said a view scope must be used to determine the condition of the existing sewer pipe to know what is needed to fix it.

Commissioner Weter said the ability to do this project when there is such a short timeline to complete will be a challenge.

Brad Erwin said to build a structure in 15 months for the Prosecutor would be tight on time but it can be done with hopes that House Bill 799 will be passed out of the veto session. In the short term everyone would have to relocate until we can build additional space.

Brad Erwin said he spoke with Judge Johnson and she said the jury box needs to be addressed and an overall renovation of the court room.

Brad Erwin said they will give a flat fee for their services up front after everything is determined. Brad said the timeline and the scope of the project is a moving target.

Commissioner Childers said the Citizens Task Force had interest in the FASCO building but she thought that it would be better suited as a manufacturing plant and the Prosecutor does not want to relocate to that building.

Mr. Erwin said the information from four years ago will give a very good baseline and when we meet with department heads to affirm with them and what the task force has found it should give them a lot of good points and costs and a long term solution.

Commissioner Weter said there is money available to purchase the two additional parcels but don't want to purchase additional properties without a plan for future growth.

Brad said the two streets in consideration are not used for utilities other than to the Lots themselves.

Commissioner Weter said the first thing is to have an agreement prepared and we can consider that and once we review that and sign on it and then you can begin looking at all the options and prepare a plan.

Commissioner Childers said we could conduct a study of the FASCO building to determine the feasibility of acquiring and remodeling the structure.

Commissioner Weter said we would like to know a preliminary cost to renovate the FASCO but we could spend months doing a preliminary study of FASCO with a limited amount of time.

Brad Erwin said the estimates 4-6 week to do a feasibility of all the different components.

Judy Dollarhite suggested that Brad Erwin meet with the citizens task force.

Commissioner Weter suggested getting the sketch that was done by the task force.

Brad Erwin said that will provide a scope, dollars, and time line.

Andrew Pitt previously there was discussion of transporting defendants to trial to this building by placing a sky walk between the two buildings and that would be very expensive. Mr. Pitt said you will have to decide what types of trials can be hold in the historic court room.

Judy Dollarhite said if you relocate the Auditor and the Treasurer to the break room where will the Veterans room be located. She said she thought the county was required to have a room for the Veterans per state statutes.

Presiding Commissioner Ray Weter entertained a motion to proceed to get a proposal from Paragon Archecture.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bill Barnett, Western Commissioner |
| SECONDER: | Sue Ann Childers, Eastern Commissioner |
| AYES: | Ray Weter, Bill Barnett, Sue Ann Childers |

Motion/Vote - 2:00 PM New World Systems

Discussion - Accounting Software Demonstration

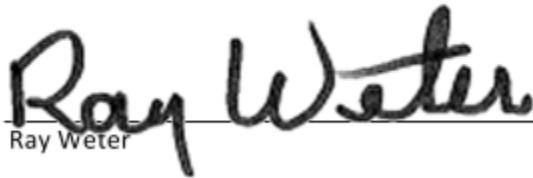
The meeting was attended by Administrative Secretary Cheryl, Chief Pay Roll Clerk Paula Brumfield, Treasurer Karen Matthews, County Auditor Lacy Hart, Recorder Kelly Hall and Assessor Danny Gray.

The County Commission previewed a demonstration and presentation of a new accounting system from New World Systems.

III. Adjournment

The meeting was closed at 4:25 PM

The meeting was adjourned at 4:25 p.m.


Ray Weter

Presiding Commissioner, Ray Weter


Bill Barnett

Western Commissioner, Bill Barnett


Sue Ann Childers

Eastern Commissioner, Sue Ann Childers



Recording Date/Time: 09/04/2015 at 02:13:53 PM

Instr #: 2015L11169

Book: 2015 Page: 11073

Pages: 5

Fee: \$36.00 S 20160011064



Kelly Hall
Recorder of Deeds

STONESHIRE SPECIAL ROAD DISTRICT

RIGHT OF WAY DEED

#2015-0188

THIS DEED is made and entered into this 21 day of July, 2015 by and between Dick Essick of Christian County, Missouri, hereinafter referred to as "Grantor", and **CHRISTIAN COUNTY, MISSOURI**, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee."

WITNESSETH, that the **Grantor**, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said **Grantee**, and unto to its successors and assigns forever; the **Grantor** further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein; that the premises are fee and clear of any encumbrances done or suffered by **Grantor** or those under whom **Grantor** claims; and that said **Grantor** will warrant and defend the title to the said premises unto the said **Grantee** and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

Shire Circle - Stoneshire Special

Christian County, Missouri

Attachment: 2015 Shire Circle-Stoneshire Right of Way (2475 : Right of Way-Shire Circle-Stoneshire Special)

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

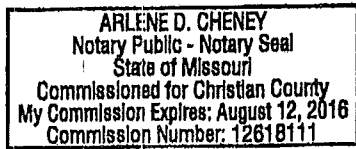
IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

Dick Essick

STATE OF MISSOURI)
) SS
COUNTY OF CHRISTIAN)

On this 21st day of July, 2015, before me personally appeared Dick Essick, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.



Arlene D Cheney
Notary Public
Arlene D Cheney
(Printed Name)

My Commission Expires: 8-12-16

The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 3rd day of Sept., 2015.

Ray Weter
Ray Weter, Presiding Commissioner
Auelyn Childers
Eastern Commissioner
Bill Barnett
Bill Barnett, Western Commissioner

ATTEST:

Kay Brown
County Clerk

Attachment: 2015 Shire Circle-Stoneshire Right of Way (2475 : Right of Way-Shire Circle-Stoneshire Special)

ADDITIONAL R/W: A STRIP OF LAND FOR RIGHT-OF-WAY PURPOSES BEING A PART OF THE EAST ONE-HALF (E½) OF SECTION 6, TOWNSHIP 25N, RANGE 21W, THE BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS 5.00 FEET ON THE EAST SIDE OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SHIRE CIRCLE (AS IT NOW EXISTS) AND MISSOURI STATE HIGHWAY "HH" (AS IT NOW EXISTS); THENCE S 04°06'11" W, ALONG EASTERLY RIGHT-OF-WAY LINE OF SAID SHIRE CIRCLE 381.55 FEET TO AN IRON PIN; THENCE S 02°03'06" E, ALONG SAID EAST RIGHT-OF-WAY LINE 151.57 FEET; THENCE S 05°34'46" E, ALONG SAID EAST RIGHT-OF-WAY LINE, 97.90 FEET; THENCE S 17°46'46" E, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 18.69 FEET TO AN IRON PIN FOR A POINT OF TERMINUS. ALL IN CHRISTIAN COUNTY, MISSOURI.

Attachment: 2015 Shire Circle-Stoneshire Right of Way (2475 : Right of Way-Shire Circle-Stoneshire Special)

STONESHIRE [REDACTED] RESOLUTION OF THE SPECIAL ROAD DISTRICT

SUBJECT: Acceptance of Conveyance of Right of Way within the boundaries of the Stoneshire Special Road District

WHEREAS, DICK ESSICK, the owner of record of certain real property in Christian County, Missouri has executed a Right of Way deed to Christian County, Missouri (grantee),

WHEREAS, the conveyance of right-of-way conveyed an interest in certain land lying within Christian County, Missouri and the Stoneshire Special Road District, legally described on Exhibit "A" attached hereto, for the purpose of establishing and maintaining public roads on said land,

WHEREAS, the Stoneshire Special Road District maintains control and jurisdiction over all public highways within the district,

NOW, THEREFORE, it is hereby agreed and resolved by the Stoneshire Special Road Commission that the Christian County Commission should accept this conveyance of right-of-way to be recorded in the Christian County Recorder of Deeds Office.

Approved this 19 day of August, 2015.

Signatures of Gary L Smith (President), Raymond Krapf (Vice President), and Dennis Bellamy (Commissioner)

ATTEST:

JAMES, JEFF W & JENNIFER R (TRU
21030600000002003

MOORE, THETIS L & LORRAINE C
21030600000004000

TATE, JOSHUA & ARLISA
21030600000003000

JAMES, JEFF W & JENNIFER R (TRUST)
21030600000002000

MEESE, EDDIE LEYON (TRUST)
21030600000002002

Sec: 6
Twn: 25
Rng: 21

RANTZ, JOSEPH & SHANN
21030600000002004

MOELLER, THERESA ANN
210306000000048000



STATE HIGHWAY (HH)

MOELLER, THERESA ANN
210306000000049000

SHIRE CIR

METTLER FAMILY HOME PLACE FOUNDATIO
210306000000067000

MOELLER, THERESA ANN
210306000000051000

HOMPSON, DOUG & PAMELA
210306000000054000

COURTIER, DOROTHY (TRUST)
210306000000055000

Attachment: 2015 Shire Circle-Stoneshire Right of Way (2475 : Right of Way-Shire Circle-Stoneshire Special)

STONESHIRE SPECIAL

Recorded in Christian County, Missouri



Recording Date/Time: 09/14/2015 at 01:47:08 PM

Instr #: 2015L11478

Book: 2015 Page: 11379

Pages: 4

Fee: \$33.00 \$ 20150011392

COURTHOUSE CHRISTIAN COUNTY MISSOURI



RIGHT OF WAY DEED

#2015-0207

JOE T. HUMBLE
THIS DEED is made and entered into this 11th day of August, 2015, by and between Joe T. Humble, JENISE RAY HUMBLE Christian County, Missouri, hereinafter referred to as "Grantor", and CHRISTIAN COUNTY, MISSOURI, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee." 100 W. Church Street, Room 100 Ozark, Mo. 65721

WITNESSETH, that the Grantor, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said Grantee, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said Grantee, and unto to its successors and assigns forever; the Grantor further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the Grantee herein; that the premises are fee and clear of any encumbrances done or suffered by Grantor or those under whom Grantor claims; and that said Grantor will warrant and defend the title to the said premises unto the said Grantee and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

Carter Road - C-1

Christian County, Missouri

1/4

Attachment: 2015 Carter Rd C1 Right of Way (2476 : Right of Way-Carter Road C-1)

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

Joe T. Humble
Jenise Ray Humble

STATE OF MISSOURI)
) SS
COUNTY OF CHRISTIAN)

On this 11th day of August, 2015, before me personally appeared Joe T. and Jenise Ray Humble, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.



Kristina D Humble
Notary Public
Kristina D Humble
(Printed Name)

My Commission Expires:

Oct. 26, 2018

The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 3rd day of Sept, 2015.

Ray Weter
Ray Weter, Presiding Commissioner
Sue Ann Childers
Sue Ann Childers, Eastern Commissioner
Bill Barnett
Bill Barnett, Western Commissioner

ATTEST:

Kay Brown
County Clerk

Christian County, Missouri

Attachment: 2015 Carter Rd C1 Right of Way (2476 : Right of Way-Carter Road C-1)

EXHIBIT A

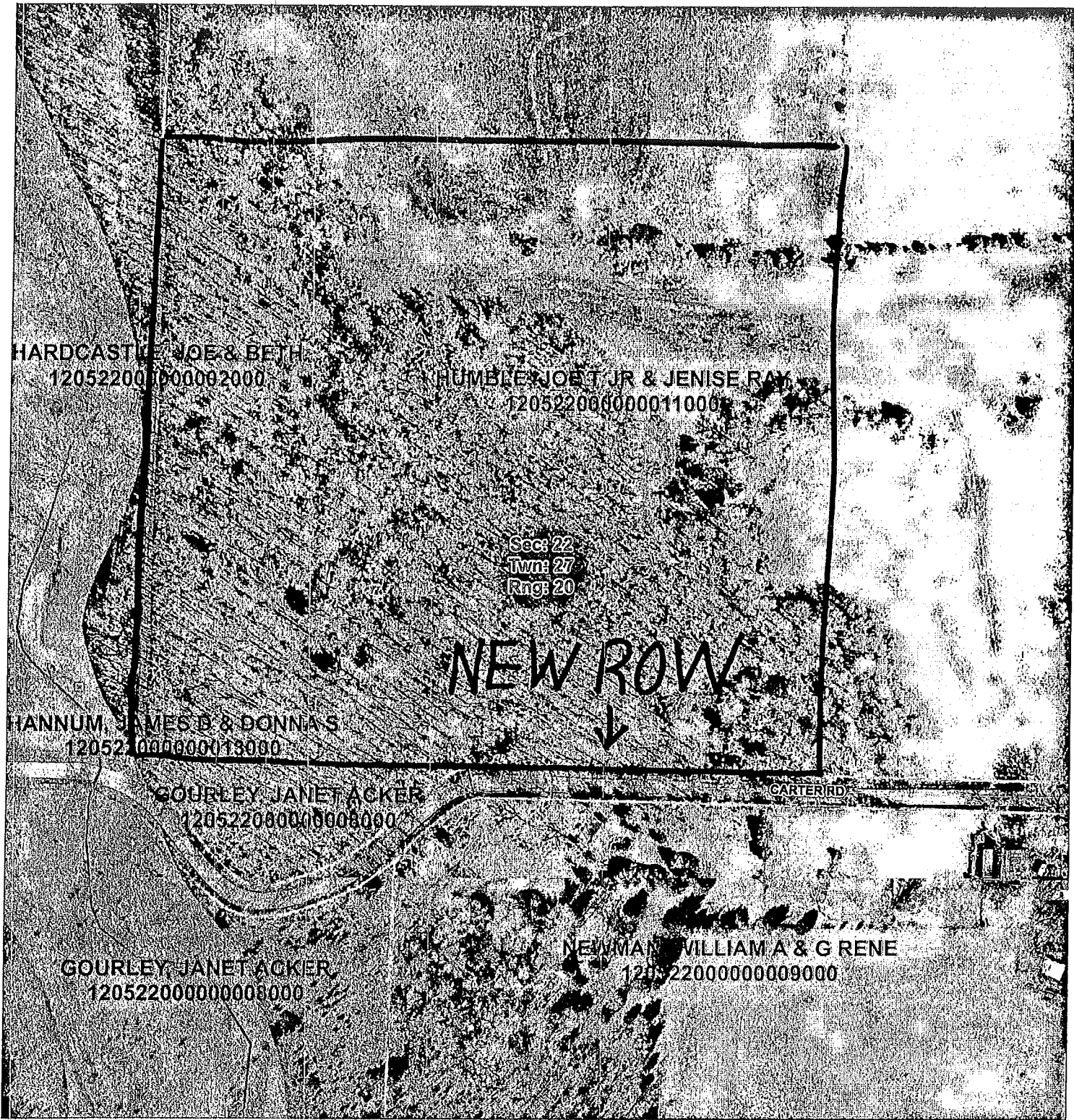
RIGHT-OF-WAY DESCRIPTION (0.115 ACRES):

A PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-SEVEN NORTH (T27N), RANGE TWENTY WEST (R20W) OF THE FIFTH P.M. IN CHRISTIAN COUNTY, MISSOURI DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN MONUMENT AT THE SOUTHEAST CORNER OF THE SE1/4 OF THE NE1/4, SAID SEC. 22, THENCE N 88°21'38" W ALONG THE SOUTH LINE OF THE SE1/4 OF THE NE1/4, SAID SEC. 22, 665.60 FEET TO A COTTON PICKER SPINDLE AND SAID MONUMENT MARKS THE TRUE POINT OF BEGINNING; THENCE CONTINUING N 88°21'38" W ALONG SAID SOUTH LINE, 295.81 FEET; THENCE ALONG A CURVE WITH A RADIUS OF 112.77 FEET, TURNING TO THE RIGHT WITH A DELTA ANGLE OF 31°28'41", WITH AN ARC LENGTH OF 61.96 FEET; THENCE S 88°54'07" E, 236.95 FEET; THENCE S 01°13'13" W, 19.39 FEET TO THE ABOVE MENTIONED TRUE POINT OF BEGINNING. SAID RIGHT-OF-WAY TRACT CONTAINS 0.115 ACRES SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD. SAID RIGHT-OF-WAY TRACT IS SHOWN ON SURVEY JOB No. 15-0505-1 BY BRADLEY N. MACKAY, PLS-2002014103, AND IS INCORPORATED FULLY HEREIN BY REFERENCE.

Attachment: 2015 Carter Rd C1 Right of Way (2476 : Right of Way-Carter Road C-1)

Christian County, Missouri

3



Attachment: 2015 Carter Rd C1 Right of Way (2476 : Right of Way-Carter Road C-1)

COMMON ONE

Christian County, Missouri

4/4

Recorded in Christian County, Missouri



Recording Date/Time: 09/04/2015 at 12:56:13 PM
Instr #: 2015L11145
Book: 2015 Page: 11049



Pages: 4
Fee: \$33.00 S 20150011037

COURTHOUSE CHRISTIAN COUNTY MISSOURI

Kelly Hall
Recorder of Deeds

RIGHT OF WAY DEED

#2015-0210

THIS DEED is made and entered into this 14 day of August, 2015 by and between Jerome K. Hardisty of Christian County, Missouri, hereinafter referred to as "Grantor", and **CHRISTIAN COUNTY, MISSOURI**, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee."
100 West Church St. Room 100, Ozark, Mo. 65721

WITNESSETH, that the **Grantor**, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said Grantee, and unto to its successors and assigns forever; the **Grantor** further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein; that the premises are fee and clear of any encumbrances done or suffered by **Grantor** or those under whom **Grantor** claims; and that said **Grantor** will warrant and defend the title to the said premises unto the said **Grantee** and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

Hummingbird Road - C-1

Christian County, Missouri

Attachment: 2015 Hummingbird Rd C1 Right of Way (2477 : Right of Way-Hummingbird Road C-1)

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

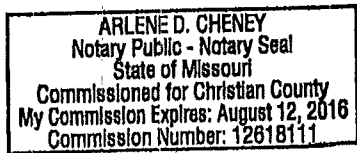
IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

Fern K. Hardesty

STATE OF MISSOURI)
) SS
COUNTY OF CHRISTIAN)

On this 14th day of August, 2015, before me personally appeared Fern Hardesty, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.



Arlene D. Cheney
Notary Public
Arlene D. Cheney
(Printed Name)

My Commission Expires: 8-12-16

The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 3rd day of September, 2015.

Ray Weber
Ray Weber, Presiding Commissioner

Sue Ann Childers
Sue Ann Childers, Eastern Commissioner

Bill Barnett
Bill Barnett, Western Commissioner

ATTEST:

Kay Brun
County Clerk

Attachment: 2015 Hummingbird Rd C1 Right of Way (2477 : Right of Way-Hummingbird Road C-1)

DETONI DALE D & CONNIE SUE
180725000000003000

GULLEY SHANE & EMILY
180725000000002006

SNAPP REX IRVIN & PHOEBE
180725000000002001

PEACE, JOSEPH
180725000000003005

GULLEY SHANE & EMILY
180725000000002011

Sec: 25
Twn: 26
Rng: 21

HARDESTY, FERN K (TRUST)
180725000000006000

HARDESTY DONALD G & ESTHER
180725000000007000

MOBLEY & SONS LLC
180725000000004000

HARDESTY FERN K (TRUST)
180725000000006000

HARDESTY RONALD W
180725000000005000

HARDESTY FERN K (TRUST)
180725000000008000

Sec: 36
Twn: 26
Rng: 21

BELL DONALD & MARION
180725000000006001

BUSH BRIAN K & DAWN IV
180736000000004000

BELL DONALD F & MARION EMALKMUS BRIAN & DEBORAH
180736000000003000 180736000000002000

NEW ROW

HUMMINGBIRD RD

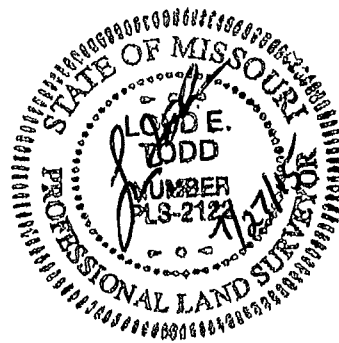
Attachment: 2015 Hummingbird Rd C1 Right of Way (2477 : Right of Way-Hummingbird Road C-1)

COMMON ONE

EXHIBIT " A "

REGARDING HUMMINGBIRD ROAD

A 25 FOOT WIDE RIGHT-OF-WAY lying on the right side of (West of, then North of) the following described centerline: Commencing at the Northwest corner of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 26N, Range 21W, Christian County, Missouri; thence along the North line of said Southwest Quarter of the Southeast Quarter S87°24'29"E 310.10 feet to the centerline of a county road for a true point of beginning; Thence along said centerline the following courses: S17°25'51"W 183.21 feet; thence along a curve to the right with a radius of 323.76 feet a distance of 241.97 feet; thence S60°15'08"W 279.91 feet; thence along a curve to the right with a radius of 441.57 feet a distance of 227.01 feet; thence S89°42'25"W 53.10 feet; thence along a curve to the left with a radius of 58.58 feet a distance of 69.01 feet for an end to said centerline.



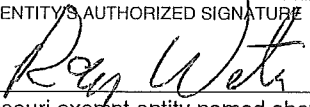
Attachment: 2015 Hummingbird Rd C1 Right of Way (2477 : Right of Way-Hummingbird Road C-1)



MISSOURI DEPARTMENT OF REVENUE
DIVISION.....
PROJECT EXEMPTION CERTIFICATE

FORM
5060
 (REV. •1-2008)

**TO BE GIVEN TO
 YOUR CONTRACTOR**

| | | | |
|---|---------------------------|-------------------------------|------------------|
| NAME OF EXEMPT ENTITY ISSUING THE CERTIFICATE | | MISSOURI TAX EXEMPTION NUMBER | |
| County of Christian | | <u>1 2 4 9 5 5 6 5</u> | |
| ADDRESS | CITY | STATE | ZIP |
| 100 W Church St., Room 100 | Ozark | MO | <u>6 5 7 2 1</u> |
| BEGIN DATE FOR PROJECT | PROJECTED COMPLETION DATE | PROJECT NUMBER | |
| <u>09/03/2015</u> | <u>09/30/2015</u> | | |
| DESCRIPTION OF PROJECT | | | |
| Replacement of Low Water Crossing on Mayberry Road over Branch of Troy Creek | | | |
| PROJECT LOCATION | | EXPIRATION DATE | |
| Mayberry Road over Branch of Troy Creek | | <u>10/30/2015</u> | |
| THIS EXEMPTION DOES NOT APPLY TO THE PURCHASE OR RENTAL OF MACHINERY, EQUIPMENT, OR TOOLS BY THE CONTRACTOR OR SUB-CONTRACTOR. | | | |
| Give a signed copy of this certificate, along with a copy of your Missouri Sales/Use Tax Exemption Letter to each contractor and/or subcontractor who will be purchasing tangible personal property for use in this project. It is your responsibility to ensure the validity of the certificate. You must issue a new certificate if any of the information changes. | | | |
| EXEMPT ENTITY'S AUTHORIZED SIGNATURE | | DATE | |
|  | | <u>09/03/2015</u> | |
| The Missouri exempt entity named above hereby authorizes the purchase, without sales tax, of tangible personal property to be incorporated or consumed in the construction project identified herein and no other, pursuant to Section 144.062, RSMo. I also declare under penalties of perjury that I employ no illegal or unauthorized aliens as defined under federal law and that I am not eligible for any tax exemption, credit or abatement if I employ such aliens. | | | |
| NAME OF PURCHASING CONTRACTOR | | | |
| ADDRESS | CITY | STATE | ZIP |
| | | | |
| Contractors present this to your supplier in order to purchase the necessary materials tax exempt. | | | |
| NOTE: COMPLETE AND SIGN BOTTOM PORTION IF EXTENDING CERTIFICATE TO YOUR SUBCONTRACTOR. | | | |
| NAME OF PURCHASING SUBCONTRACTOR | | | |
| ADDRESS | CITY | STATE | ZIP |
| | | | |
| SIGNATURE OF CONTRACTOR | | DATE | |
| | | ___/___/___ | |

CHANGE ORDER

Sheet No. 1 of 1

Change Order No. One
 County Christian
 Route Mayberry Road

To: A.T Urban Development, Inc. 6891 Highway 125 South, Chadwick, MO 65629
 You are hereby directed to make the following changes from the contract.

Job No. GRE 3537

1. Description and Reason for Change (Attach Supplemental Sheets if Required)

Line 3- Concrete - Overrun- the County wished to increase the slab width to 20feet.

2. Estimate of Cost of work Affected by this Change Order.

| (A) EST. LINE NO. | (B) CONTRACT ITEM NO. | (C) ITEM DESCRIPTION | (D) UNITS PREVIOUSLY PROVIDED FOR | (E) UNITS TO BE CONSTRUCTED | (F) UNITS OVERRUN, UNDERRUN, CONTINGENT | (G) CONTRACT OR AGREED UNIT PRICE | (H) AMOUNT OF OVERRUN OR PLUS CONTINGENT | (I) AMOUNT OF UNDERRUN OR MINUS CONTINGENT |
|----------------------------|--------------------------------|-------------------------|---|--------------------------------------|---|--|--|--|
| 3 | 703 | 8" Concrete | 170 SY | 227 SY | 57 sy | \$ 153.00 | \$ 8,721.00 | |
| | | | | | | | | |
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| | | | | | | | | |
| | | | | | | TOTALS | \$ 8,721.00 | |

3. Settlement for Cost of the above Change to be made at Contract Unit Price Except as Noted:

| | | | |
|--------------------------|-------------|--------------|--|
| 1. CONTRACT AMOUNT | | \$ 63,777.00 | The Terms of Settlement outlined above are hereby agreed to. <i>A.T. Urban Development Inc</i> CONTRACTOR by: <i>Rachel Smith</i> 8-25-15 Date |
| 2. OVERRUN THIS ORDER | \$ 8,721.00 | | |
| 3. OVERRUN PREVIOUS | \$ 0.00 | | |
| 4. TOTAL OVERRUN TO DATE | \$ 8,721.00 | | |
| 5. TOTAL | | \$ 72,498.00 | |

M. Brown
 SUBMITTED ENGINEER

8/26/15
 DATE

Ray Kelly
 APPROVAL RECOMMENDED LOCAL AGENCY

8/3/15
 DATE

Attachment: 2015 Mayberry Rd Change Order Job#GRE3537 (2478 : Mayberry Road Repair Contract)



County: Christian

Project No.: 3537

Bridge No.: N/A

Date: September 3rd, 2015

Location: Ozark

Preconstruction Conference Outline

Introduction of those present

- Ensure that all have given name, company, telephone number and email address on sign-in sheet.

Contact Information (Name, Company, Telephone Number, Email) / Role

County "Responsible Charge"

Miranda Beadles P: 417-872-4326

County Daily Inspector

Brent Young P: 417-840-7514

Contractor Contact:

Travis Smith C: 417-230-7968 W: 417-634-0070

Consultant Contact/Inspector/Certified Tester:

JAMES SUTTON Jr.
 (417) 886-7171 (WORK)
 (417) 840-4843 (CELL)
 jsutton@greatriv.com

Landowner Contacts: (No Additional Right of way Taken)

Attachment: 2015MayberryRd GRE Preconstruction Outline (2478 : Mayberry Road Repair Contract)

UTILITY Discussion

- See Bridge plan cover sheet for Names and Contacts: **Century Link Bill Tolliver**
- The contractor shall call One Call and verify that no other utilities are present or have been installed. One-Call # 1-800-344-7483
- If it is determined that other utilities have been installed within the project limits, the Contractor shall notify the consultant contact immediately.

Materials

- Material Certifications- **Handout**
- All Material tickets must show Job number and County name.

Labor Compliance

- Labor Poster Board –will be checked on day one and once a month thereafter- **Handout**
- Labor interviews – first week and every two weeks thereafter.
- Labor records –Certified payroll copies of each weekly payroll within 7 days of the payment date. Includes Subcontractors. Must be approved prior to processing pay request.
- OSHA 10 HR Training- contractor and subcontractors shall provide documentation to demonstrate that all on-site employees have completed OSHA 10 HR Training.

Inspections

Traffic Control

- The contractor shall place the traffic control measures prior to construction activities. The road shall remain closed during the construction period, with special attention given to the barricades.

Erosion Control

- Must be inspected on a regular schedule and within 48 hours following a runoff event.
- Must use Erosion Control Inspection Report must be completed once every seven days. **Handout**
- Any deficiencies noted during weekly inspection shall be corrected with 7 calendar days.

Grounds to issue a stop work order:

- Failure to maintain Traffic Control Measures
- Failure to Correct Deficiencies in Erosion Control within seven calendar days of notification.
- Failure to follow Engineer's Direction, Plans and or Specifications.

Call for inspection to consultant contact.

- The contractor must notify the consultant contact by 8:00 a.m. on the day prior to carrying out any construction as noted in the contract. For work to be performed on Saturday the Contractor shall notify the consultant contact by 3:00 pm on the preceding Thursday. Additionally, for work to be performed on Monday the Contractor shall notify the Engineer/Inspector by 12:00 p.m. (noon) the preceding Friday.
- Failure to give the consultant contact proper notification before completing any of these operations may result in rejecting or replacing the work.

Activities which require contractor to notify consultant contact:

- **Initial layout**
- Removal of existing structure
- Any blasting operations
- Utility relocation
- **Footing excavation (if Applicable)**
- Reinforcing steel placement
- **All concrete operations**
- Embankment fill and compaction
- Rock Blanket Placement
- Seeding and Mulching

Daily construction observation will be by [redacted] - forms shall be submitted to the consultant contact no later than 24 hours after work has been performed.

Pay Request

Monthly Progress Report

- County should tell what times they issue checks or processing time required. [redacted]
- These reports will be processed by the consultant monthly
- A copy of this report will be forwarded to the Contractor, the Owner, and as appropriate.
- Any objections concerning the information contained within the report shall be submitted to the consultant in written form.
- The Contractor is planning to submit pay request around the [redacted] of each month. This pay request will then be processed during the County's regular pay schedules, the Contractor shall submit all pay request to consultant contact for verification 10 working days prior to County's regular pay schedules.
- **No payments** will be made for materials not yet incorporated into the work.
- Several bid items require a material certification. If a required material certification is not on file with the consultant, no payment will be processed for that bid item.

Tax Exempt form- Landowner

Change Order & Deviations

- The contractor shall not perform any portion of the work associated with a Change Order until that particular Change Order has been approved in writing by all parties involved including the appropriate MODOT representatives.
- Earthwork-Quantities are not change order eligible.
- The contractor shall coordinate his work with the adjoining property owners.

Right of way & Easements

- The Contractor shall stay within designated ROW or Temporary Easements unless they independently reach a deal with Landowner.
- Any deals made between Landowner and Contractor is between them. No additional payment will be made.
- Any request for changes to Plans or Additional work Initiated by Landowner shall be directed to Engineer before changes are made.

Note: Landowner has NO Authority to change design or scope of Project.

- Contractor may make request to Engineer to leave healthy mature trees within Clearing and Grubbing Limits in place for purpose of bank protection. No additional compensation shall be granted, and approval is on a case by case basis.
- The contractor shall make a good faith effort respectful of all property owners.

Notifying the proper authority

- The County Commissioners will notify the local authorities (**911, School District, Post Office and News Paper**) that the road will be closed to traffic.
- Upon completion of the project, the County Commissioners will notify the local authorities of the road opening.

Contractor Project Schedule

- The contractor stated that he will mobilize equipment end of the week and start work on [redacted]

Project Requirements

- Number of Calendar days [redacted] 21
- Working days stop on December 15, 2103 and start back up on March 17, 2014 per MoDOT standard specifications.
- Liquidated Damages [redacted] \$ 200

Notice to Proceed

- The notice to Proceed will be issued on [redacted] for this project.
- Completion Date [redacted]

County comments

None

Execute the Contracts

Distribution of Contract Docs

- Contractor (1)
- County (1)
- GRE (1)

Distribution of Plans

- Contractor (2)
- County (1)

Attachment: 2015MayberryRd GRE Preconstruction Outline (2478 : Mayberry Road Repair Contract)