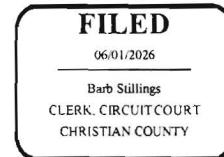


IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

STATE OF MISSOURI, ex. rel.,)
 CREATIVE HOMES BUILT WITH)
 EXCELLENCE, LLC,)
)
 Plaintiff/Relator,)
)
 v.)
)
 CHRISTIAN COUNTY COMMISSION,)
)
 Defendant/Respondent.)

Case No. 25CT-CC00288



ORDER

NOW ON THIS 29th day of May, 2026, the Court considers Plaintiff Creative Homes Built With Excellence, LLC's ("Creative Homes") and Defendant Christian County Commission's Joint Motion to Remand Case Back to the County Commission for Reconsideration (the "Motion"). Plaintiff appears by and through its counsel, Kirk A. Kaczmarek, of the law firm of Evans & Dixon, LLC, and Defendant appears by and through its counsel Austin Fax, of the Office of the Christian County Counselor. The Court finds that Plaintiff and Defendant have stipulated to the Motion, including the following facts:

1. This Court has the authority to remand to the Christian County Commission the matter of whether to approve the application for rezoning submitted by Plaintiff in Case No. 2025-0187 (the "Creative Homes Matter"), as evidence concerning the Creative Homes Matter was improperly excluded from the record, or could not have been produced earlier;
2. The record for review by the Christian County Commission in considering Creative Homes Matter now properly includes the entire record reviewed by the Christian County Commission in considering the application for rezoning submitted by Petro Popesku in Case No. 2025-0196 (the "Popesku Matter");

3. The record for review by the Christian County Commission in considering the Creative Homes Matter also now properly includes the evaluation, contextualization, and comparison of the evidence presented in the Creative Homes Matter and Popesku Matter (collectively, the “Additional Evidence”), including as follows: (i) any discrepancies between the staff report provided to the Christian County Commission in the Creative Homes Matter (the “Creative Homes Staff Report”) and concerns expressed by members of the public at the public hearing on the Creative Homes Matter; and (ii) comparison between the findings of the Christian County Commission in the Creative Homes Matter and Popesku Matter, including comparison of the Creative Homes Staff Report and the staff report provided to the Christian County Commission (the “Popesku Staff Report”), in the context of, and in comparison to, the Christian County Comprehensive Plan; and
4. The Christian County Commission did not consider the Popesku Matter and Additional Evidence as part of the record when considering the Creative Homes Matter, and agrees to consider such additional evidence and factors and reconsider Creative Homes’ application for rezoning in Case No. 2025-0187.

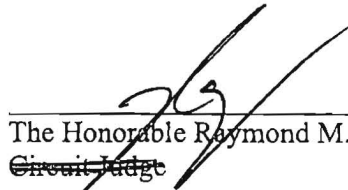
The Court, being duly advised of the premises, finds good cause to remand the Creative Homes Matter to the Christian County Commission for rehearing to rezone, requiring Defendant’s consideration of the Popesku Matter and Additional Evidence, and to stay proceedings in this litigation until such time as said rehearing occurs and the Christian County Commission issues its decision on the Creative Homes Matter rezoning request, which reconsidered rezoning decision may render this litigation moot.

NOW, THEREFORE, IT IS ORDERED, that:

1. The Creative Homes Matter is hereby remanded to the Christian County Commission for rehearing and determination of whether to grant Plaintiff's application for rezoning in Case No. 2025-0187 (the "Remand Hearing"), and Defendant's consideration of the Popesku Matter and Additional Evidence;
2. The Remand Hearing shall take place on the earliest date a public hearing of the Christian County Commission to consider such matters may be held, as set forth in the Christian County Planning and Zoning Regulations; and
3. All proceedings in Case No. 25CT-CC00288 are hereby stayed until the Christian County Commission conducts the Remand Hearing and issues its decision to approve or deny Plaintiff's application for rezoning in Case No. 2025-0187, subject to further order of this Court *sua sponte* or by motion of either party, or the agreement of the parties.

SO ORDERED:

Date: 29 May 26


The Honorable Raymond M. Gross
~~Circuit Judge~~