

CHAPTER 1

GENERAL PROVISIONS

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Sec. 1-1. How Code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated "The Code of the City of Jefferson, Missouri" and may be so cited. Such ordinance may also be cited as "Jefferson City Code."

(Code 1977, § 1-1, Code 1983 § 1-1)

Sec. 1-2. Definitions and rules of construction.

In the construction of this Code and of all other ordinances of the city, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided in any section or ordinance, or unless inconsistent with the manifest intent of the city council, or unless the context clearly requires otherwise:

Chief of police. The words "chief of police" or "police chief" shall be deemed to include the word "marshal."

City. The words "the city" or "this city" shall mean the City of Jefferson, Missouri.

City Council. The words "city council" or "the council" shall mean the city council of the City of Jefferson, Missouri.

Code. The "Code" shall mean: The Code of the City of Jefferson, Missouri, as designated in section 1-1 above.

Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is Sunday or a legal holiday, it shall be excluded.

State law reference - Similar provisions, RSMo. § 1.040.

Corporate limits, city limits. Whenever the words "corporate limits," "corporation limits" or "city limits" are used they shall mean the legal boundary of the City of Jefferson.

County. The words "the county" or "this county" shall mean any county in which the city limits lie.

Delegation of authority. Whenever a provision appears requiring the head of a department of the city to do some act or make certain inspections, it is to be construed to authorize the head of the department to designate, delegate and authorize subordinates to perform the required act or make the required inspection unless the terms of the provision or section designate otherwise.

Gender. When any subject matter, party or person is described or referred to by words importing the masculine, females as well as males, and associations and bodies corporate as well as individuals, shall be deemed to be included.

State law reference - Similar provisions, RSMo. § 1.030.

Governor. The words "the governor" shall mean the governor of the State of Missouri.

Interpretation. In the interpretation and application of any provision of this Code, it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than the general provision imposed by the Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Joint authority. All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

State law reference - Similar provisions, RSMo. § 1.050.

Marshal. Wherever the word "marshal" appears in this Code or other ordinances of the city, such word shall mean the chief of police of the city.

May. The word "may" is permissive.

Month. The word "month" shall mean a calendar month.

State law reference - Similar provisions, RSMo. § 1.020(10).

Must. The word "must" is mandatory and not permissive.

Name of officer. Whenever the name of an officer is given it shall be construed as though the words "of the City of Jefferson" were added.

Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number. When any subject matter, party or person is described or referred to by words importing the singular number, the plural and separate matters and persons and bodies corporate shall be deemed to be included.

State law reference - Similar provisions, RSMo. § 1.030.

Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

Official time. United States standard time for the zone in which the city is located shall be the official time of the city, but the official time of the city shall be advanced one hour during such period of each year when daylight saving time shall be in effect throughout the state pursuant to state or federal law or regulation. When reference is made to any time without qualification in any ordinance, resolution or order heretofore passed or which may be passed hereafter by the city council, or in any official notice, advertisement or document of the city, or in any contract to which the city is a party, it shall be understood to refer to the official time of the city as herein described. When the words "daylight saving time" are used, the reference shall be to the advanced time prescribed as the official time during such periods as mentioned in the first sentence of this paragraph.

Or, And. "Or" may be read "and," and "and" may be read "or" if the sense requires it.

Owner. The word "owner," applied to a building, land or personal property, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building, land or personal property.

Person. The word "person" shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law.

State law reference - Similar provisions, RSMo. § 1.020(11).

Personal property. The term "personal property" shall include money, goods, chattels, things in action and evidences of debt.

State law reference - Similar provisions, RSMo. § 1.020(12).

Preceding; following. The words "preceding" and "following" shall mean next before and next after, respectively.
State law reference - Similar provisions, RSMo. § 1.020(14).

Premises. Whenever the word "premises" is used it shall mean place or places.

Property. The word "property" shall include real and tangible and intangible personal property.
State law reference - Similar provisions, RSMo. § 1.020(15).

Public way. The words "public way" shall include any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

Real property. The terms "real property," "premises," "real estate" or "lands" shall be deemed to be coextensive with land, tenements and hereditaments.

State law reference - Similar provisions, RSMo. § 1.020(16).

Residence. The term "residence" shall be construed to mean the place adopted by a person as his place of habitation, and to which, whenever he is absent, he has the intention of returning. When a person eats at one place and sleeps at another, the place where such person sleeps shall be deemed his residence.

State law reference - Similar provisions, RSMo. § 020(13).

Shall. The word "shall" is mandatory, and not permissive.

Sidewalk. The word "sidewalk" shall mean that portion of the street between the curb line or the inside line of any parkway which may be present and the adjacent property line which is intended for use of pedestrians.

Signature. Where the written signature of any person is required, the proper handwriting of such person or his mark shall be intended.

State. The words "the state" or "this state" shall mean the State of Missouri.

Street. The word "street" shall mean and include any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.

Tenant; occupant. The words "tenant" or "occupant," applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

Time. Words used in the past or present tense include the future as well as the past and present.

Week. The word "week" shall be construed to mean seven days; but publication in a newspaper of any notice or other matter indicated to be for a stated number of weeks shall be construed to mean one insertion in each week, unless specifically stated to be for each day of the week or for more than one day in each week; and all publications heretofore made in accordance with the terms of this definition are hereby validated.

Writing. The words "writing" and "written" shall include printing, lithographing or any other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his mark, is intended.

State law reference - Similar provisions, RSMo. § 1.020(21).

Year. The word "year" shall mean a calendar year, unless otherwise expressed, and the word "year" shall be equivalent to the words "year of our Lord."

(Code 1977, §§ 1-2, 1-10)

State law reference - Similar provisions, RSMo. § 1.020(9); construction of statutes generally, RSMo. § 1.010 et seq.

Sec. 1-3. Certain ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall affect any ordinance:

- A. Promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness, or any contract or obligations assumed by the city;
- B. Granting any right or franchise;
- C. Dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way in the city;
- D. Making any appropriation;
- E. Levying or imposing taxes;
- F. Establishing or prescribing grades in the city;
- G. Providing for local improvements and assessing taxes therefor;
- H. Dedicating or accepting any plat or subdivision in the city, or otherwise relating to subdivisions;
- I. Extending or contracting the boundaries of the city;
- J. Prescribing the number, classification, benefits or compensation of any city officers or employees;
- K. Pertaining to zoning;
- L. Which is temporary, although general in effect;
- M. Which is special, although permanent in effect;
- N. The purpose of which has been accomplished;

and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. Such ordinances are on file in the city clerk's office.

Cross references - Personnel rules and pay plan saved from repeal, § 2-107; electrical code saved from repeal, § 8-3; plumbing code not affected by Code, § 8-4; building code saved from repeal, § 8-18; housing code saved from repeal § 8-49; firemen's pension fund not affected by code, § 13-18; fire prevention code saved from repeal, § 13-42; restaurant ordinance not affected by Code, Ch. 28.

Sec. 1-4. Provisions considered continuation of existing ordinances.

The provisions of this Code, so far as they are the same as ordinances existing at the time of adoption of this Code, shall be considered as a continuation thereof and not as new enactments.

(Code 1977, § 1-3)

Sec. 1-5. Code does not affect prior offenses, rights, etc.

A. Nothing in this Code or the ordinance adopting this Code shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Code.

B. The adoption of this Code shall not be interpreted as authorizing or permitting any use or the continuance of any use of a structure or premises in violation of any ordinance of the city in effect on the date of adoption of this Code.

Sec. 1-6. Catchlines of sections.

The catchlines of the several sections of this Code printing in boldface type are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be titles of such sections, or as any part of the sections; nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

(Code 1977, § 1-3)

Sec. 1-7. Effect of repeal of ordinances.

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the ordinance repealed.

(Code 1977, §§ 1-5, 1-6)

Sec. 1-8. Jurisdiction.

Except as otherwise provided, the provisions of this Code shall apply only in the city limits.

Sec. 1-9. Amendments to Code.

All ordinances passed subsequent to this Code, which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion therein, or, in the case of repealed chapters, sections and subsections or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code by omission from reprinted pages affected thereby and the subsequent ordinances as numbered and printed or omitted, in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new code of ordinances by the council.

Amendments to any of the provisions of this Code should be made by amending such provisions by specific reference to the section of this Code in substantially the following language: "That section ____ of the Code of the City of Jefferson, Missouri, is hereby amended to read as follows: (Set out new provisions in full.)"

Sec. 1-10. Supplementation of Code-Generally.

A. By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the city council. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages

which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

B. In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

C. When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

1. Organize the ordinance material into appropriate subdivisions;
2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
3. Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
4. Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ____ to ____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and
5. Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-11. Same--Exclusion of special or temporary ordinances.

Ordinances hereafter adopted which are not of a general or permanent nature shall be numbered consecutively, authenticated, published and recorded in the book of ordinances, but shall not be prepared for insertion in this Code, nor be deemed a part hereof.

Sec. 1-12. Responsibility of officers and employees with respect to assigned copies of Code.

Each city officer or employee assigned a copy of this Code shall be responsible for maintaining the same and for the proper insertion of amendatory pages as received. Each such copy shall remain the property of the city and shall be turned over by the officer having custody thereof, upon expiration of his term of office, to his successor or to the city clerk, in case he shall have no successor.

Sec. 1-13. General penalty; continuing violations.

A. Except as hereinafter provided, whenever in this Code or in any other ordinance of the city or in any rule, regulation or order promulgated pursuant to such Code or other ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or in such other city ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or of any other ordinance of the city or of any rule, regulation or order promulgated pursuant to such Code or other city ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment for a period of not exceeding three (3) months, or by both such fine and imprisonment.

B. Whenever any provision of the Revised Statutes of Missouri or other statute of the state limits the authority of the city to punish the violation of any particular provision of this Code or other city ordinance or rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term than that provided in this section, the violation of such particular provision of this Code or other city ordinance, rule, regulation or order shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized, or by both such fine and imprisonment.

C. Whenever any provision of the Revised Statutes of Missouri or other statute of the state establishes a penalty differing from that provided by this section, for an offense similar to any offense established by this Code or other ordinance, rule, regulation or order of the city, the violation of such city law, ordinance, rule, regulation or order shall be punished by the fine or imprisonment established for such similar offense by such state law.

D. Each day any violation of this Code, or any other city ordinance or rule, regulation or order promulgated pursuant thereto, continues shall constitute a separate offense, unless otherwise provided.

E. Violations of the following listed and described sections of this Code shall be punishable as provided in this section, except that any fine imposed for said violations shall not be less than the amount prescribed for each violation in the following list:

<u>Section</u>	<u>Offense</u>	<u>Fine (in \$)</u>
4-15A(1)	Sale of intoxicating beverages to habitual drunkards	96.50
4-15A(2)	Sale of intoxicating beverages to persons ‘under the influence’	96.50
4-15A(3)	Sale of intoxicating beverages to minors	196.50
4-16	Purchase or possession by minors	146.50
5-14	Inhumane treatment of animals	146.50
18-15	Assault	196.50
18-15	Assault (on police officer)	496.50
18-28	Indecent exposure	146.50
18-70	Tampering	46.50
18-71	Property damage	96.50
18-72	Trespass	46.50
18-73	Tampering with motor vehicle	96.50
18-92	Stealing	196.50
18-114	Unlawful use of weapons	96.50
18-115	Discharge of firearms within city limits	146.50
18-148	Affray	196.50
18-149	Disturbing the peace (generally)	96.50
18-151	Disturbing the peace (religious or other assemblies)	96.50
18-152	Unlawful assembly	196.50
18-153	Rioting	496.50
18-165	False report	146.50
18-166	False bomb report	396.50
18-167	False impersonation	96.50
18-168	Resisting or interfering with arrest	196.50
18-169(a)	Obstructing police	196.50
18-170	Escape from custody	296.50
18-171	Aiding escape of a prisoner	296.50
18-201	Obstructing government operations	96.50
18-216	Use of sound amplifying equipment so as to constitute nuisance	46.50

18-217	Throwing objects from cars (generally)	46.50
18-220	Attaching advertising signs to vehicles	46.50
18-223	Boxing or wrestling matches involving members of the opposite sex	96.50
18-224	Loitering; police order to disperse	96.50
18-225	Posting of bills, notices, etc. on public property	46.50
18-226	Placement or operation of mechanical amusement devices on city property	46.50
19-2	Obedience to traffic law enforcement officials	96.50
19-7	Failure to obey citation	96.50
19-8	Refusing traffic summons	96.50
19-76	Failure to obey traffic signals	96.50
19-97	Careless and reckless driving	116.50
19-98	Driving while intoxicated	496.50
19-100	Driving while drugged	496.50
19-101	Leaving the scene of an accident	146.50
19-102	Operating on right of highway traffic lanes	46.50
19-103	Speed limits	
	From 1-10 miles an hour over the speed limit	56.50
	From 11-15 miles an hour over the speed limit	76.50
	From 16-20 miles an hour over the speed limit.	96.50
	From 1-10 miles an hour over the speed limit in a school zone	76.50
	From 11-15 miles an hour over the speed limit in a school zone	106.50
	From 16-20 miles an hour over the speed limit in a school zone	136.50
19-104	Turns at intersection	46.50
19-105	U-turns	46.50
19-106	Left turns prohibited	46.50
19-107	Following too closely	96.50
19-108	Passing regulations	46.50
19-109	Passing in school crosswalk	96.50
19-110	No passing zone	46.50
19-111	Hand and mechanical signals (obedience)	46.50
19-112	Stop on approach of train	46.50
19-113	Blocking crosswalks	46.50
19-114	One-way roadways	46.50
19-115	Stop on emerging from alleys, driveways or buildings	46.50
19-116	Stop when traffic obstructed	46.50
19-117	Weight limits on bridges	46.50
19-118	Restrictions on use of limit access roadways	46.50
19-119	School buses discharging passengers	146.50
19-120	Duties of other drivers on approach of emergency vehicles	96.50
19-121	Vehicles in unauthorized areas of school grounds	46.50
19-122	Weight limits	46.50
19-128	Right-of-way at intersection	46.50
19-131	Yield signs	46.50
19-298	Following and parking near fire vehicles	46.50
19-299	Crossing fire hose	46.50
19-300	Driving through funeral procession	46.50
19-303	Driving on sidewalk	96.50
19-304	Driving on newly improved roadways and sidewalks	96.50
19-305	Limitation on backing	46.50
19-306	Opening and closing vehicle doors	46.50
19-307	Unattended vehicles	46.50

19-311	Clinging to vehicles	96.50
19-313	Towing vehicles	96.50
19-314	Materials escaping on roadway	46.50
19-316	Driving commercial vehicles on certain streets	46.50
20-8	Contempt of Court	196.50
22-6	Blocking sidewalk/alley	46.50
22-8	Double parking	48.00
22-9	Unauthorized vehicle	48.00
22-18	Expired meter	5.00
22-18	Expired meter (10-hour meter)	12.00
22-18	Overtime Parking (first offense during day)	7.00
22-18	Overtime Parking (second offense during day)	12.00
22-18	Overtime Parking (third and subsequent offenses during day)	25.00
22-20	Ten minute parking	12.00
22-20	Ninety minute parking (first offense during day)	10.00
22-20	Ninety minute parking (second offense during day)	20.00
22-20	Ninety minute parking (third and subsequent offenses during day)	25.00
22-20	One-hour parking	12.00
22-20	Two-hour parking	12.00
22-20	Three-hour parking	10.00
22-20	Four-hour parking	12.00
22-24	Loading zone	27.00
22-26	Parking in bus stop	50.00
22-29	Removal of abandoned or disabled vehicles	46.50
22-30	Leaving wrecked, junked vehicles on private property	96.50
22-31	Removal & disposition of abandoned or disabled vehicles	96.50
22-32	Responsibility of owner for abandoned vehicles violations	96.50
22-50	Parking Disabled - no permit	146.50
22-71	Careless and reckless driving on parking facility premises	116.50
22-135	Signal devices, mufflers, brakes, mirrors, etc.	46.50
30-7(G)	Disposal of solid waste without permission	346.50

(Code 1977, § 1-8; Ord. No. 10598, § 1, 3-3-86; Ord. No. 10726, § 1, 9-15-86; Ord. No. 11867, § 1, 3-2-93; Ord. No. 12561, § 1, 12-16-96; Ord. No. 12795, § 1, 8-17-98; Ord. No. 12995, §2, 11-15-99; Ord. 13421, §1, 8-19-2002; Ord. No. 13559, §1, 6-16-2003; Ord. No. 14355, §2, 5-19-2008; (Ord. 14421, §5, 11-3-2008)

Cross references - Authority of municipal judge to direct abatement of nuisance after conviction of maintaining a nuisance, § 20-10; authority of mayor to remit fines, grant pardons, etc. § 2-153.

State law reference - Penalty for ordinance violations, RSMo. § 77.590.

Sec. 1-14. Prosecution where different penalties exist for same offense.

In all cases where the same offense may be made punishable, or shall be created by different clauses or sections of the ordinances of the city, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense.

Sec. 1-15. Attempts to violate Code; aiding and abetting.

A. It shall be unlawful for any person to attempt to commit any act which is prohibited by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof; and it shall be unlawful for any person to aid or abet another in the commission or attempted commission of any act which is prohibited by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof.

B. It shall be unlawful for any person to attempt to avoid the doing of any act which is required by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof; and it shall be unlawful for any person to aid or abet another in the avoidance or attempted avoidance of any act which is required by this Code or other ordinance or by any rule, regulation, order or notice duly promulgated or given pursuant to authority thereof.

C. A person is guilty of such an attempt to commit an offense when, with the purpose of committing the offense, he does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense. It is no defense to a prosecution under this section that the offense attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such offense could have been committed had the attendant circumstances been as the actor believed them to be. As used in this subsection, the term "offense" means a violation of subsections (a) or (b).

(Code 1977, § 26-5)

State law reference - Attempts, RSMo. § 564.011.

Sec. 1-16. Severability of parts of Code.

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the city council without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

(Code 1977, § 1-4)

Sec. 1-17. City boundaries.

The limits and boundaries of the city are extended, defined and declared to be as follows, in the counties of Cole and Callaway, in the State of Missouri:

BEGINNING in the center of the Missouri River at a point on the northerly extension of the westerly line of Private Survey No. 2680; thence easterly along the center of said Missouri River to the intersection of the northerly prolongation of the west line of Fractional Section 21, Township 44 North, Range 10 West, Cole County, Missouri; thence southerly along the said northerly prolongation of said west line to its intersection with the easterly right-of-way line of Missouri State Route "J", as now established; thence southwesterly and southerly along the said easterly right-of-way line of said Missouri State Route "J" to its intersection with the easterly prolongation of the northerly line of Lake Forest Estates, Section Two, as per plat of record in Plat Book 11, Page 44, of the Cole County Recorder's Office; thence N88°25'52"W, along said easterly prolongation and the northerly line of said Lake Forest Estates, Section Two, to a point 1.00 feet south of and 491.46 feet east of the northwest corner of the Southeast Quarter of the Northeast Quarter of Section 30, Township 44 North, Range 10 West, Cole County, Missouri; thence N01°34'08"E, 1.00 feet, to the north line of said Southeast Quarter of the Northeast Quarter of Section 30; thence N88°25'52"W, along said northerly line of the Southeast Quarter of the Northeast Quarter of said Section 30, 491.46 feet to the northwest corner thereof; thence continuing southerly, southwesterly, and westerly, along the northerly line of said Lake Forest Estates, Section Two on the following courses and distances: S39°16'46"W, 406.56 feet; S74°16'47"W, 1253.61 feet; S89°45'46"W, 422.99 feet, to the northwest corner of Tract 30 of said Lake Forest Estates, Section Two; thence S00°12'50"W, along the west line of said Tract 30, 54.68 feet, to a point on the northerly right-of-way line of U.S. Highway No. 63, said point being the most westerly southwest corner of said Tract 30 and on the northerly extension of the west line of a tract described in the Arthur Carl Mueller, Final

Settlement, in Book 218, Page 283, of the Cole County Recorder's Office; thence continuing S00°12'50"W, along said west line to its intersection with the south line of the Northwest Quarter of said Section 30; thence west along said south line to the southwest corner of said Northwest Quarter, said southwest corner being on the Range Line between Ranges 10 West and 11 West, Township 44 North; thence north along the Range Line to the southeast corner of the Northeast Quarter of Section 25, Township 44 North, Range 11 West, Cole County, Missouri; thence west along the south line of the said Northeast Quarter and along the south line of the Northwest Quarter of said Section 25, to the intersection of said south line of said Northwest Quarter with the westerly right-of-way line of Liberty Road; thence northerly and northwesterly along the westerly right-of-way line of said Liberty Road, to the intersection of said westerly right-of-way line with the southerly right-of-way line of U.S. Route No. 50; thence northwesterly along the southerly right-of-way line of U.S. Route No. 50 to a point on said southerly right-of-way line, at Station 225+00 [Mo. Project F-1 (12)]; thence westerly along the southerly right-of-way line of the aforementioned U.S. Route 50 to the following described point: Beginning at the southwest corner of the northwest quarter of the southwest quarter of Fractional Section 21, Township 44 North, Range 11 West in the County of Cole, Missouri; thence N82°59'50"E, along the quarter quarter section line, 5418.61 feet; thence N31°22'23"W, 47.13 feet; thence N15°44'20"W, 124.39 feet; thence N36°54'15"W, 131.06 feet; thence N50°11'26"W, 125.22 feet; thence S86°24'52"W, 614.70 feet; thence N59°01'55"W, 602.81 feet; thence N03°38'05"E, 206.80 feet to the southerly line of U.S. Route 50 and 63 and the said point of description; thence, S03°38'05"W, 206.80 feet; thence S59°01'55"E, 602.81 feet; thence N86°24'52"E, 614.70 feet; thence S50°11'26"E, 125.22 feet; thence S36°54'15"E, 131.06 feet; thence S15°44'20"E, 124.39 feet; thence S31°22'23"E, 47.13 feet to the quarter quarter section line of the above described Fractional Section 21; thence S82°59'50"W, 4918.61 feet; thence N14°04'13"W, 528.42 feet; thence S82°59'50"W, 410.00 feet to the western section line of the above described Fractional Section 21; thence northerly along the section line to the northeast corner of the southeast quarter of Fractional Section 20, Township 44 North, Range 11 West, in the County of Cole, Missouri; thence S86°18'10"W along the fractional quarter section line of Fractional Section 20, 793.48 feet to the southerly line of Seven Hills Road, as reconstructed in 1989; thence leaving the aforementioned fractional quarter section line on a bearing of S75°08'59"W and along the southerly line of said Seven Hills Road, 75.27 feet; thence continuing westerly along said southerly line the following courses: S71°45'38"W, 328.19 feet; S86°15'15"W, 60.00 feet; S73°39'31"W, 260.06 feet; S86°38'53"W, 1271.21 feet; S87°08'28"W, 429.21 feet; S86°18'10"W, 768.41 feet; N87°39'23"W, 163.29 feet to the east line of the northwest quarter of the southwest quarter of Fractional Section 20, Township 44, Range 11; thence south to the northeast corner of the northwest quarter of the northwest quarter of Section 29, Township 44, Range 11; thence continuing south along the east line of the northwest quarter of the northwest quarter of said Section 29, 660 feet; thence west parallel to the north line of said Section 29 to the center of the Moreau River; thence southerly and westerly along the center of the Moreau River through parts of Sections 29, 32 and 30 in said Township 44 North, Range 11 West, to a point in Section 30, where the center of the Moreau River intersects the easterly line of Missouri State Route "B", Cole County, Missouri; thence northerly along the easterly line of said Route "B" to the west line of said Section 30, on the Range Line; thence southerly along the easterly line of Township 44 North, Range 12 West, to a point 475 feet south of the south line of the North Half of the Northeast Quarter of Section 25, Township 44 North, Range 12 West, Cole County, Missouri; thence westerly parallel to the south line of the North Half of the Northeast Quarter of said Section 25 to the west line of the Southeast Quarter of the Northeast Quarter of said Section 25; thence north along the Quarter Section Line, 475 feet to the southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 25; thence westerly along the southerly line of said Northwest Quarter of the Northeast Quarter, to the southwest corner thereof; thence northerly along the Quarter Section Line, to the north line of said Section 25; thence westerly along the north line of said Section 25 to the southwest corner of Section 24, Township 44, Range 12; thence westerly along the Section Line to the southeast corner of the southwest quarter of the southwest quarter of Section 23, Township 44, Range 12; thence northerly along the east line of the west half of the west half of said Section 23 (the quarter quarter section line) to a point, said point being the intersection of said east line with the southerly line of Lot J of Ridgeview Estates, as per plat of record in Plat Book 11, Page 24, of the Cole County Recorder's Office; thence leaving said east line, and west along said southerly line of Lot J, to the southwest corner thereof; thence northerly along the westerly line of said Lot J, to the northwest corner thereof, said northwest corner being on the southerly line of Foxbar Terrace (formerly known as Eagle's Nest Court); thence easterly along the northerly lines of said Lot

J and Lot K of said Ridgeview Estates, the southerly line of said Foxbar Terrace to a point, said point being the intersection of the said south line with the aforementioned east line of the west half of the west half of said Section 23, Township 44 North, Range 12 West; thence northerly along said east line to a point, said point being the intersection of said quarter quarter section line with the easterly line of Rolling Hills Drive, and said point being 38.45 feet south of the northwest corner of Lot No. 84 of Neutzler's Early American Subdivision, Section One, as per plat of record in Plat Book 10, Page 40, of the Cole County Recorder's Office; thence northerly along the easterly line of said Rolling Hills Drive to the intersection of said easterly line with the northerly line of Lexington Drive; thence easterly along the northerly line of said Lexington Drive to southwest corner of Lot No. 87 of said Neutzler's Early American Subdivision, Section One; thence north along the west line of Lot Nos. 87, 89, 90, 91, 92, and 39 of said Neutzler's Early American Subdivision, Section One, and the northerly extension thereof to a point, said point being the intersection of said west line and the aforementioned quarter quarter section line; thence north along said quarter quarter section line to the north line of Plymouth Rock Drive; thence west along the north line of said Plymouth Rock Drive to the southwest corner of Lot No. 38 of said Neutzler's Early American Subdivision, Section One; thence north along the west line of Lot Nos. 38 and 14 and the northerly extension thereof to a point on the north line of Yorktown Drive, said point being 20.00 feet east of the southwest corner of Lot No. 13 of said Neutzler's Early American Subdivision, Section One; thence westerly along the north right-of-way line of said Yorktown Drive to the easterly right-of-way line of the aforementioned Rolling Hills Drive; thence northwesterly along the easterly right-of-way line of said Rolling Hills Drive to the south line of Section 14, Township 44 North, Range 12 West; thence N85°40'36"W, along the south line of said Section 14, 1133.18 feet to the southwest corner of said Section 14, said corner being common to Sections 14, 15, 22, and 23 of Township 44 North, Range 12 West; thence S00°51'30"W, along the east line of the Northeast Quarter of the Northeast Quarter of said Section 22, 1380.18 feet, to the southeast corner of said quarter quarter section; thence S88°35'43"W, along the south line of said quarter quarter section, 1326.93 feet, to the southwest corner thereof; thence N00°38'04"E, along the west line of said quarter quarter section, 882.36 feet, to the intersection of said west line with the westerly line of Missouri State Highway 179, as per reference plans of Job No. J5U0441G; thence northerly along the westerly line of said Missouri State Highway 179 the following courses: N13°49'27"W, 4.71 feet, to a point 55.451 meters (181.93 feet) right of centerline Station 3+639.091; N00°49'40"E, 209.62 feet, to a point 43.569 meters (142.94 feet) right of centerline Station 3+579.662; N30°33'45"W, 209.69 feet, to a point 70 meters (229.66 feet) right of centerline Station 3+525.000; N01°32'50"E, 301.14 feet, to a point 65 meters (213.25 feet) right of centerline Station 3+439.877; N16°45'34"E, 306.07 feet, to a point 40 meters (131.23 feet) right of centerline Station 3+350.000; N12°16'50"W, 421.75 feet, to a point 70 meters (229.66 feet) right of centerline Station 3+225.000; N12°31'31"E, 418.23 feet to a point 45 meters (147.64 feet) right of centerline Station 3+100.000; N02°35'56"W, 57.90 feet, to the intersection of said westerly line with the north line of the Southwest Quarter of the Southeast Quarter of aforementioned Section 15; thence leaving the said westerly line of Missouri State Highway 179 on a bearing of N89°09'27"E, along the north line of said Southwest Quarter of the Southeast Quarter and the north line of the Southeast Quarter of the Southeast Quarter, all of said Section 15, 1374.67 feet, to the northeast corner of the said Southwest Quarter of the Southeast Quarter of said Section 15, said corner also being the northwest corner of the Southwest Quarter of the Southwest Quarter of aforementioned Section 14; thence S86°10'24"E, along the north line of Southwest Quarter of the Southwest Quarter of said Section 14, 1378.23 feet, to the northeast corner of said quarter quarter section; thence northerly along the east lines of the Northwest Quarter of the Southwest Quarter, the Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Northwest Quarter, all in said Section 14, to the northeast corner of the said Northwest Quarter of the Northwest Quarter, said corner also being the southeast corner of the Southwest Quarter of the Southwest Quarter of Section 11, Township 44 North, Range 12 West; thence northerly along the east line of the said Southwest Quarter of the Southwest Quarter of said Section 11, to the northeast corner of said quarter quarter section; thence westerly along the quarter quarter section lines of Sections 11 and 10 to the northwest corner of a tract described in deed of record in Book 297, Page 954, Cole County Recorder's Office; thence S05°35'43"E, along the west line of said tract, 370.00 feet; thence S27°40'23"E, along the west line of said tract, 1073.81 feet to the south line of Section 10; thence easterly along said south line to the northeast corner of the north half of the northwest quarter of Section 15, Township 44 North, Range 12 West; thence southerly along the quarter section line to the southeast corner of said north half of the northwest quarter of Section 15; thence westerly along the

quarter quarter section line to the southeast corner of the northeast quarter of the northeast quarter of Section 16, Township 44 North, Range 12 West; thence westerly along the south line of the North Half of the Northeast Quarter and the south line of the Northeast Quarter of the Northwest Quarter of said Section 16, to the southwest corner of said Northeast Quarter of the Northwest Quarter, said corner also being the northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 16; thence S06°13'09"E, along the east line of said Southwest Quarter of the Northwest Quarter, 1375.04 feet, to the southeast corner thereof; thence S83°54'01"W, along the south line of said quarter quarter section, the quarter section line, 1409.92 feet, to the southwest corner thereof, said southwest corner also being the west quarter corner of said Section 16 and the east quarter corner of Section 17, Township 44 North, Range 12 West; thence S85°03'23"W, along the south line of said quarter quarter section, the quarter section line, 1358.26 feet, to the southwest corner thereof; thence continuing westerly along the quarter section line of Section 17 to the easterly right-of-way line of Fairgrounds Road; thence southwestwardly along said right-of-way line to its intersection with the westerly line of the northeast quarter of the southwest quarter of Section 17; thence south along the quarter quarter section line to the southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 17, said corner also being the northwest corner of the Northeast Quarter of the Northwest Quarter of Section 20, Township 44 North, Range 12 West; thence S87°37'38"E, along the south line of the Southeast Quarter of the Southwest Quarter of said Section 17, 70.02 feet to the east line of a 70 foot wide Public Street right-of-way known as London Way as per Quit Claim Dedication of Right-of-Way described in Book 386, Page 157, of the Cole County Recorder's Office; thence N01°07'21"E, along the east line of said 70 Foot right-of-way and parallel to the west line of said Quarter Quarter Section, 200.05 feet to a point 200 feet north of the south line of said Quarter Quarter Section; thence S87°37'38"E, along a line 200 feet north of and parallel to the south line of said Quarter Quarter Section, 1310.08 feet to the east line of said Quarter Quarter Section; thence S00°38'33"W, along the east line of said Quarter Quarter Section, 200.09 feet to the southeast corner of said Quarter Quarter Section, said corner also being the northwest corner of the northwest Quarter of the Northeast Quarter of Section 20, Township 44 North, Range 12 West; thence S87°47'01"E, along the north line of the Northwest Quarter of the Northeast Quarter of said Section 20, 1362.58 feet to the northeast corner thereof; thence S00°25'48"W, along the east line of said Quarter Quarter Section, 824.70 feet to a point on the northwesterly line of a sixty (60) foot wide Cole County Public Road right-of-way known as Rock Ridge Road, (formerly Missouri State Highway "C"); thence southwestwardly, along said right-of-way line, the following courses: S28°26'00"W, 224.84 feet; thence southwestwardly, on a curve to the right, having a radius of 1115.92 feet, an arc distance of 299.94 feet (the chord of said curve being S36°08'00"W, 299.03 feet); thence S43°50'00"W, 110.68 feet to a point on the south line of the Northwest Quarter of the Northeast Quarter of said Section 20; thence leaving the northwesterly line of the said Rock Ridge Road right-of-way on a bearing of N87°37'07"W, along the south line of Northwest Quarter of the Northeast Quarter of said Section 20, 1031.58 feet to the southwest corner thereof; thence N88°15'29"W, along the south line of the Northeast Quarter of the Northwest Quarter of said Section 20, 1383.52 feet to the southeast corner thereof; thence S01°32'05"W, along the east line of the Southwest Quarter of the Northwest Quarter of said Section 20, 1368.54 feet to the southeast corner thereof; thence N88°01'04"W, along the south line of said Quarter Quarter Section, 1385.45 feet to the southwest corner thereof; thence N01°32'49"E, along the west line of said Section 20, 1362.73 feet, to the southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence continuing N02°06'00"E, along the west line of said Section 20, 1366.60 feet to the northwest corner of said Section 20, said corner also being the southeast corner of Section 18, Township 44 North, Range 12 West; thence westerly along the south line of said Section 18 to the easterly right-of-way line of South Country Club Drive; thence northerly along said right-of-way line to its point of intersection with the northerly right-of-way line of Scruggs Station Road; thence westerly across South Country Club Drive to the point of intersection of the westerly right-of-way line of South Country Club Drive and the northerly right-of-way line of Scruggs Station Road; thence westerly along the northerly right-of-way line of Scruggs Station Road to its point of intersection with the east line of the northwest quarter of the southeast quarter of Section 18; thence on a bearing of N04°37'W to the southerly property line of Modine Manufacturing Company, Inc., which is also the center line of the abandoned railroad; thence on a bearing of N88°35'39"W for a distance of 695.0 feet; thence on a bearing of N04°34'01"W, to the southerly right-of-way line of Old Lohman Road; thence easterly along said right-of-way line to the western line of Section 17; thence northerly along the section line to the northwest corner of Section 17; said corner also being the southwest corner of Section 8, Township 44 North, Range 12 West; thence N84°41'11"E,

along the south line of said Section 8, 441.13 feet, to a point on the east line of a tract as described in Book 402, Page 974, of the Cole County Recorder's Office; thence N06°51'04"W, along the east line of said tract, 112.21 feet, to the northeast corner thereof; thence S84°12'56"W, along the north line of said tract, 206.23 feet, to the northwest corner of said tract, said corner also being on the east line of a tract as described in Book 401, Page 939, of the Cole County Recorder's Office; thence N06°32'04"W, along the east line of said tract in Book 401, Page 939, 505.92 feet, to the northeast corner thereof; thence N55°48'04"W, along the northerly line of said tract, 309.05 feet, to the northwest corner thereof, said corner being on the west line of said Section 8; thence N06°32'04"W, along the west line of said Section 8, 583.82 feet, to a point 16 feet north of the north line of the Southwest Quarter of the Southwest Quarter of said Section 8; thence N84°36'54"E, on a line 16 feet north of and parallel to the north line of said quarter quarter section, 897.70 feet, to the northwest corner of a tract as described in Book 320, Page 640, of the Cole County Recorder's Office; thence S06°34'18"E, along the west line of said tract in Book 320, Page 640, 104.28 feet, to the southwest corner thereof; thence N84°36'54"E, along the south line of said tract in Book 320, Page 640, 417.12 feet, to the southeast corner thereof, said corner being 30 feet west of the east line of the West Half of the Southwest Quarter of the aforesaid Section 8; thence N06°34'18"W, along the east line of said tract in Book 320, Page 640, 104.28 feet, to the northeast corner of said tract, said corner being 16 feet north of the aforementioned north line of the Southwest Quarter of the Southwest Quarter of said Section 8; thence N84°36'54"E, parallel to said north line, 14.00 feet, to a point on a line 16 feet west of the east line of the aforementioned West Half of the Southwest Quarter of said Section 8; thence S06°34'18"E, along said line being 16 feet west of and parallel to the east line of the aforementioned West Half of the Southwest Quarter of said Section 8, 1398.60 feet, to the aforementioned south line of said Section 8, said line also being the north line of aforementioned Section 17; thence N84°41'11"E, along said north line, 16 feet, to the northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 17; thence south along the east line of said quarter quarter section to the northerly right-of-way line of South Country Club Drive; thence northeasterly along said right-of-way line to the east line of the southeast quarter of the southwest quarter of Section 8; thence northerly along the quarter section line to a point, said point being S06°44'E, 1097.90 feet, more or less, south of the northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 8; thence leaving said quarter section line on a bearing of S66°04'W, 702.1 feet, more or less; thence S84°29'W, 673.45 feet, more or less; thence N06°36'W, 1320 feet, more or less, to the northwest corner of said Northeast Quarter of the Southwest Quarter of said Section 8, said corner also being the southwest corner of Lot No. 41 of "The Meadows By The Club", Section Two, as per plat of record in Plat Book 11, page 571, of the Cole County Recorder's Office ; thence N86°52'23"E along the north line of the Northeast Quarter of the Southwest Quarter of said Section 8, the quarter section line, said line also being the south line of said "Meadows By The Club", Section Two, 935.00 feet to the southeast corner of Lot No. 37 of said "The Meadows By The Club", Section Two; thence N11°55'29"W, 322.58 feet; thence N01°21'04"E, 150.00 feet; thence S87°22'15"W, 219.10 feet; thence southerly on a curve to the left having a radius of 217.74 feet, an arc distance of 67.15 feet (the chord of said curve being S12°38'53"W, 66.88 feet); thence N86°11'12"W, 60.00 feet; thence N42°35'06"W, 276.88 feet; thence N44°37'30"E, 100 feet; thence N36°03'27"E, 100.00 feet; thence N43°52'10"W, 55.00 feet; thence N71°44'32"W, 42.45 feet; thence N24°05'03"E, 162.83 feet; thence N21°11'57"W, 160.00 feet; thence N29°44'45"W, 50.00 feet; thence easterly on a curve to the right having a radius of 273.71 feet, an arc distance of 88.14 feet (the chord of said curve being N69°28'45"E, 87.76 feet); thence N38°18'00"W, 241.62 feet to a point on the southerly right-of-way line of U.S. Highway 50; thence northeasterly along said right-of-way line the following courses: N43°14'40"E, 95.16 feet; thence N39°03'37"E, 372.87 feet; thence N45°24'46"E, 187.41 feet; thence N54°50'14"E, 486.41 feet to a point on the east line of the northeast quarter of the northwest quarter of said Section 8; thence northerly along the quarter section line of Section 8 to the north line of Section 8; thence easterly along the north line of Section 8, said north line also being the south line of Fractional Section 5, to the southeast corner of the West Half of the Southeast Quarter of said Fractional Section 5; thence N04°10'36"W along the east line of said West Half of the Southeast Quarter of said Fractional Section 5, the quarter quarter section line, 1196.02 feet to the intersection of the north line of Terra Bella Drive with said east line, said point of intersection also being the southeast corner of Lot No. 21, as per the amended plat of Charleston Place, Section One, a plat of record in Plat Book 11, Page 891, of the Cole County Recorder's Office; thence westerly along the southerly lines of Lot Nos. 21 thru 25, of said Charleston Place, Section One, the following courses: S88°01'02"W, 147.70 feet; westerly, on a curve to the left, having a radius of

1317.57, an arc distance of 155.93 feet (the chord of said curve being S84°37'37"W, 155.84 feet); S81°14'11"W, 30.90 feet; northeasterly, on a curve to the right, having a radius of 330.91, an arc distance of 225.15 feet (the chord of said curve being N79°16'18"W, 220.83 feet); N59°46'47"W, 108.90 feet, to the southwest corner of said Lot No. 25, said southwest corner also being the intersection of the northerly line of Meeting Street and the easterly line of Catalina Drive; thence S25°04'33"W, 60.24 feet to a point on the south line of said Meeting Street; thence leaving said south line on a bearing of S26°02'28"W, 136.75 feet to a point on the northerly line of Kuebler Subdivision, as per plat of record in Plat Book 12, Page 152, of the Cole County Recorder's Office; thence N57°36'00"W, along the northerly line of said Kuebler Subdivision, 270.37 feet to the most northerly corner thereof; thence N79°12'11"W, 335.33 feet ; thence S03°39'22"E, 350.00 feet to a point on the northerly line of Rainbow Drive; thence northwesterly along the said northerly line of Rainbow Drive, on a curve to the left, having a radius of 958.27 feet, an arc distance of 69.71 feet (the chord of said curve being N63°04'49"W, 69.69 feet); thence leaving the said northerly line of Rainbow Drive on a bearing of N03°39'22"W, 1593.25 feet to a point on the north line of the aforementioned Southeast Quarter of Fractional Section 5, the quarter section line; thence N84°40'02"E, along the quarter section line, 625.00 feet to the northwest corner of Charleston Place, Section Two, as per the plat of record in Plat Book 11, Page 847, of the Cole County Recorder's Office; thence southerly along the westerly line of said Charleston Place, Section Two, the following courses: S12°27'51"W, 378.09 feet; N84°04'30"E, 290.24 feet; S83°13'20"E, 212.11 feet; thence southerly, on a curve to the left, having a radius of 324.54 feet, an arc distance of 36.71 feet (the chord of said curve being S03°32'14"W, 36.69 feet); thence S00°17'48"W, 212.92 feet ; thence southerly, on a curve to the right, having a radius of 499.38 feet, an arc distance of 231.59 feet (the chord of said curve being S13°34'56"W, 229.52 feet); S26°52'04"W, 48.00 feet; thence leaving said westerly line on a bearing of S63°07'56"E, 60.00 feet to the northwest corner of Lot No. 34, of said Charleston Subdivision, Section Two; thence S62°55'26"E, along the northerly line of said Lot No. 34, 125.32 feet to the northeast corner thereof, said corner also being on the westerly line of Lot No. 33, of said Charleston Subdivision, Section Two; thence N25°33'03"E, along the westerly line of said Lot No. 33, 9.00 feet to the northwest corner thereof; thence S72°08'34"E, along the northerly lines of said Lot No. 33 and Lot No. 32 of said Charleston Subdivision Section Two, 284.28 feet to the northeast corner of said Lot No, 32, said corner being on the aforementioned east line of the West Half of the Southeast quarter of Fractional Section 5; thence northerly along said east line, the quarter quarter section line, 1110.98 feet to the northwest corner of the northeast quarter of the southeast quarter of Fractional Section 5; thence easterly along the quarter section line to the northwest corner of the southwest quarter of Fractional Section 4; thence east along the north line of the southwest quarter of said Fractional Section 4, said north line also being the south line of the northwest fractional quarter of said Fractional Section 4 to a point on the east line of Scott Station Road, said point being the southwest corner of a tract as described in Book 60, Page 224, of the Cole County Recorder's Office, said point being 919.05 feet (1392 1/2 links), more or less, west of the southeast corner of the northwest fractional quarter of said Fractional Section 4; thence northerly along the east line of said Scott Station Road, said line also being the west line of said tract in Book 60, Page 224, the following courses: deflecting 141°00' left with the south line of said northwest fractional quarter, a distance of 350.13 feet (530 1/2 links); thence deflecting 13°25' right, a distance of 95.37 feet (144 1/2 links); thence deflecting 06°10' right, a distance of 150.15 feet (227 1/2 links) to the northwest corner of said tract in Book 60, Page 224; thence leaving the east line of said Scott Station Road, deflecting 121°25' right and along the north line of said tract in Book 60, Page 224, a distance of 688.05 feet (1042 1/2 links) to the northeast corner thereof; thence deflecting 89°45' right and along the east line of said tract in Book 60, Page 224, a distance of 423.94 feet (642 1/3 links) to the southeast corner thereof, said corner being on the aforementioned south line of the northwest fraction quarter of said Fractional Section 4; thence east along the said south line of the said northwest fractional quarter, a distance of 640.2 feet (970 links) to the southeast corner of said northwest fractional quarter, said southeast corner also being the northwest corner of the southeast quarter of said Fractional Section 4; thence continuing east along the north line of the southeast quarter of said Fractional Section 4 to the northwest corner of the northeast quarter of the southeast quarter of said Fractional Section 4; thence north along the quarter quarter section line to the north line of said Fractional Section 4; thence easterly along the northerly line of said Fractional Section 4 to the northeast corner thereof on the Township line; thence N84°23'05"E, along the Township line between Townships 44 and 45, 305.99 feet; thence N05°12'06"W, 682.31 feet to the northwest corner of the south one-half of the southeast quarter of the southeast quarter of Section 33, Township 45 North, Range 12 West;

thence N85°01'11"E, along the north line of said south half of the southeast quarter of the southeast quarter of said Section 33 to a point 793.50 feet west of the northeast corner of Forest Gate Subdivision, Section One, per plat of record in Plat Book 11, Page 209, Cole County Recorder's Office; thence N24°16'11"E, 446.19 feet; thence S65°33'19"E, 515.37 feet; thence S52°17'07"W, 251.71 feet; thence N85°01'11"E, to the westerly line of Section 34, Township 45 North, Range 12 West; thence northerly along the westerly line of Section 34, to the northwest corner of the Southwest Quarter of said Section 34, said corner also being the northeast corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 45 North, Range 12 West; thence S52°17'W, along the northerly line of a tract as described in Book 304, Page 572, of the Cole County Recorder's Office, 444.4 feet, to the easterly line of Schumate Chapel Road; thence northwesterly along the easterly line of said Schumate Chapel Road, to the intersection of said easterly line with the west line of the East Half of the East Half of the Northeast Quarter of said Section 33; thence north along the said west line, to the northwest corner of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 33; thence east along the north line of said quarter quarter section, said north line also being the Section Line between Sections 33 and 28 of Township 45 North, Range 12 West, to the center of Grays Creek; thence southeasterly along the center of Grays Creek, to the aforementioned westerly line of Section 34, Township 45 North, Range 12 West; thence north along said westerly line, to the northwest corner of said Section 34, said corner also being the southwest corner of Section 27, Township 45 North, Range 12 West; thence north along the west line of said Section 27, to the northerly right-of-way line of Missouri State Highway Route 179; thence southeasterly along said northerly highway right-of-way line to the northerly right-of-way line of the Missouri Pacific Railroad Main Line; thence easterly along the northerly right-of-way line of the Missouri Pacific Railroad Main Line to the northerly line of the south half of Section 35, Township 45, Range 12; thence east along said quarter section line and the extension thereof to the center of the Missouri River on the county line between Cole County and Callaway County; thence southeasterly along and with the center of the Missouri River to a point on a line that lies perpendicular to the centerline of the Missouri River which extends to the intersection of the north bank of the Missouri River and the east bank of Turkey Creek (formerly Cedar Creek); thence perpendicular to the centerline of the Missouri River to the intersection of the north bank of the Missouri River and the east bank of Turkey Creek (formerly Cedar Creek); thence northerly and easterly along the east and south banks of Turkey Creek (formerly Cedar Creek) to its intersection with the south bank of the Halifax Diversion Channel; thence southeasterly along the south bank of the Halifax Diversion Channel to its intersection with the easterly line of the former M. K. & T. Railroad right-of way, said intersection being situate in the Northeast Quarter of Section 9, Township 44 North, Range 11 West, in Callaway County, Missouri; thence northwesterly, along the easterly line of said former railroad right-of-way to a point, said point being the intersection of said easterly line and a line that is 250 feet east of and parallel to the west line of the Southeast Quarter of the Southeast Quarter of Section 4, Township 44 North, Range 11 West, Callaway County, Missouri; thence north on said line that is 250 feet east of and parallel to the west line of the Southeast Quarter of the Southeast Quarter of said Section 4, 525 feet; thence northeasterly in a direct line to the northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence east along the easterly extension of the north line of said Southeast Quarter of the Southeast Quarter, 150 feet, to a point situate in the Southwest Quarter of the Southwest Quarter of Section 3, Township 44 North, Range 11 West, in Callaway County, Missouri; thence south on a line parallel to the north/south section line between said Sections 3 and 4, to the northerly line of a County Road, known as Oil Well Road; thence southwest, along the northerly line of said County Road to a point, said point being the intersection of said northerly line and a line 370 feet west of and parallel to the east line of said Section 4; thence south on said line that is 370 feet west of and parallel to the east line of said Section 4, to the aforementioned south bank of the aforementioned Halifax Diversion Channel; thence southeasterly along said south bank to its intersection with the toe of the bluff, said intersection being approximately 300 feet east of the centerline of U.S. Route 54 and approximately 900 feet north of the center line of the M. K. & T. Railroad; thence continuing southeasterly along the toe of the bluff, to the north-south quarter quarter section line in the west half of Section 11, Township 44 North, Range 11 West; thence southerly along said quarter quarter section line to a point on the south line of said Section 11, said point being the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 11 and the northwest corner of the East Half of the Northwest Quarter of Section 14, Township 44 North, Range 11 West, Callaway County, Missouri; thence south along the west line of the East Half of the Northwest Quarter of said Section 14, to the intersection of said west line with the northerly line of Missouri State

Supplementary Route D(94), Project No. S-546(14); thence easterly along the northerly line of said Missouri State Supplementary Route D(94), to the intersection of said northerly line with the north prolongation of the west line of a tract conveyed to Gary and Janice Sines, husband and wife and as described in Book 313, Page 866, of the Callaway County Recorder's Office; thence south along the west line of said tract in Book 313, Page 866, to the southwest corner of said tract, said corner being on the south line of the Northeast Quarter of said Section 14; thence east along the said south line of the Northeast Quarter of Section 14, said line also being the south line of said tract in Book 313, Page 866, to the southeast corner thereof, said corner also being the east quarter corner of said Section 14; thence south along the east line of the Southeast Quarter of said Section 14, to the southeast corner of said Section 14, said corner also being the northeast corner of said Section 23, Township 44 North, Range 11 West, Callaway County, Missouri; thence south along the east line of the Northeast Quarter of said Section 23 to the intersection of said east line with the south line of Mokane Road (formerly Missouri State Supplementary Route "D" or Old Route 94); thence westerly along the south line of said Mokane Road to the intersection of said south line with the west line of the Northeast Quarter of the Northwest Quarter of said Section 23, said line also being the east line of the West Half of the Northwest Quarter; thence south along the east line of the said West Half of the Northwest Quarter and along the east line of the West Half of the Southwest Quarter of said Section 23, to the centerline of the Missouri River; thence southeasterly along and with the centerline of the Missouri River to the POINT OF BEGINNING.

Excepting therefrom the following described parcels:

Excepted Parcel No. 1:

Part of Private Survey No. 2701, Township 44 North, Range 11 West, Cole County, Missouri; being more particularly described as follows: BEGINNING at the northeast corner of Lot No. 3, Wakoda Woods, Section One, as per plat of record in Plat Book 11, Page 644, Cole County Recorder's Office, said corner being on the on the west line of Wakoda Drive and also on the northerly extension of the westerly line of Private Survey No. 2680; thence N06°18'26"W, along the said northerly extension of the westerly line of Private Survey No. 2680, 128.61 feet, to a point on the westerly line of a tract as described in Book 382, Page 708, of the Cole County Recorder's Office; thence S27°33'08"E, along said westerly line, 87.99 feet to the southwest corner of said tract, said corner also being on the aforementioned westerly line of Wakoda Drive; thence southwesterly along said westerly line on a curve to the left, having a radius of 50.00 feet, an arc distance of 60.00 feet (the chord of said curve being S28°04'13"W, 56.46 feet) to the POINT OF BEGINNING. Containing in all, 0.039 acres.

Excepted Parcel No. 2:

All that part of the East Half of the Northwest Quarter of Section 14, Township 44 North, Range 11 West, Callaway County, Missouri that lies south of the south line of Missouri State Supplementary Route D(94), Project No. S-546(14); being more particularly described as follows: BEGINNING at the southeast corner of the Northwest Quarter of said Section 14, the center of the section; thence west along the south line of the Northwest Quarter of said Section 14, to the southwest corner of the said East Half of said Northwest Quarter; thence north along the west line of said East Half, to the intersection of said west line with the south line of said Missouri State Supplementary Route D(94); thence southeasterly along said south line, to the intersection of said south line with the east line of the aforementioned Northwest Quarter of Section 14; thence south along the east line of said Northwest Quarter to the POINT OF BEGINNING.

(A) The City's boundaries shall also include the following parcel:

A tract of land being part of Section 20, Township 44 North, Range 12 West, within the County of Cole, Missouri; and all being a part of the property described in Book 372, Page 464 of the Cole County Recorder of Deeds lying north of the State Route C, and west of Rock Ridge Road, in the County of Cole, Missouri, more particularly described as follows:

Beginning at the Southwest Corner of the Northeast quarter of the Northwest quarter of Section 20, Township 44 North, Range 12 West, said point being the true POINT OF BEGINNING; thence southerly along the west line of the property described in Book 372, Page 464 of the Cole County Recorder of Deeds to the point of intersection with the north right of way line of Vintage Court; thence easterly along the north right of way line of Vintage Court to the point of intersection with the north right of way line of State Route C; thence northeasterly along the north right of way line of State Route C to the point of intersection with the east line of the property described in Book 372, Page 464 of the Cole County Recorder of Deeds; thence northerly along the east line of the property described in Book 372, Page 464 of the Cole County Recorder of Deeds to the point of intersection with the south line of Covington Gardens Subdivision Number 2; thence westerly along the south line of Covington Gardens Subdivision Number 2 to the point of intersection with the south line of Covington Gardens Subdivision Number 1; thence westerly along the south line of Covington Gardens Subdivision Number 1 to the POINT OF BEGINNING. Excepting a 110 foot by 150 foot rectangular tract of land which lies along the State Route C right of way and as recorded in Book 398, Page 543 of the Cole County Recorder of Deeds. An area comprising 82 Acres, more or less.

(B) The City's boundaries shall also include the following parcel:

All of the Southwest Quarter of the Southwest Quarter of Section 11, Township 44 North, Range 12 West, in the County of Cole, Missouri, that lies northerly of the northerly right-of-way line of WEST EDGEWOOD DRIVE. The above description includes QUARRY VIEW SUBDIVISION as recorded in Plat Book 11, page 837, Cole County Recorder's Office.

Except that part described in Book 398, page 678, Cole County Recorder's Office.

All of the Southeast Quarter of Section 10, Township 44 North, Range 12 West, in the County of Cole, Missouri, that lies northerly of the northerly right-of-way line of WEST EDGEWOOD DRIVE.

All of the Southwest Quarter of the Southeast Quarter of Section 10, Township 44 North, Range 12 West, in the County of Cole, Missouri, that lies easterly of the easterly right-of-way line of MISSOURI STATE HIGHWAY 179 as described in Box 402, page 394, Cole County Recorder's Office.

(C) The City's boundaries shall also include the following parcel:

All of the Southwest Quarter of the Northwest Quarter of Section 25; Part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter and the North Half of the Southwest Quarter of the Southwest Quarter of Section 25, lying north and west of the Moreau River; All of the Northeast Quarter of the Southeast Quarter of Section 26; All of the Southeast Quarter of the Northeast Quarter of Section 26; Part of the Northeast Quarter of the Northeast Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 26 lying east of Missouri State Highway 54, all of Township 44 North, Range 12 West, all being in Cole County, State of Missouri, being more particularly described as follows: BEGINNING at the Northwest Corner of Section 25 of Township 44 North, Range 12 West; thence in a southerly direction along the west section line of said Section 25 to the northerly Right-of-way of Christy Drive of the Missouri State Highway 179, Route B at Highway 54 project, as per reference plans of Job Number J5U0441J; thence N80d47'00"E, 115.03 meters (377.39 feet) to a point 50 meters (164.042 feet) right of centerline Station 0+375.000 of said Christy Drive; thence S 87d42'23"E, 50 meters (164.04 ft.) to a point 50 meters (164.04 ft.) right of centerline Station 0+325.000; thence S 69d59'54"E, 98.63 meters (323.59ft.) to a point 20 meters, (65.62ft.) right of centerline Station 0+230.480; thence N 61d07'35" E, 63.69 meters (208.96ft.) to a point 35 meters (114.83ft.) right of centerline Station 0+150.000; thence S 44d52'48"E, 134.52 meters (441.34ft.) to the southerly Right-of-way of said Christy Dr. where the easterly line of the quarter quarter section line of the Southwest Quarter of the Northwest Quarter of Section 25, Township 44 North, Range 12 West, Intersects, thence along property described in Book 163 pg. 322 of Cole County Recorders Office, deeded to the Missouri Association of Christian Churches, Inc.; in a southerly direction

along said quarter quarter line to the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 25; then in an easterly direction along the quarter section line to the Northeast Corner of the Southwest Corner of Section 25; thence in a southerly direction along the easterly line of the Southwest Quarter of said Section 25, to the Moreau River; thence in a westerly and southerly direction along said Moreau River to a point which is the southerly line of the North Half of the Southwest Quarter of the Southwest Quarter of said Section 25; thence along said half quarter section line in a westerly direction to a point that intersects the west section line of said Section 25; thence along said Section 25 section line in a northerly direction to a point on said section line that is the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 26, Township 44 North, Range 12 West; thence in a westerly direction along the quarter quarter section line to the southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 26; thence in a northerly direction along the quarter quarter line to a point on the southerly and easterly right-of-way of said Christy Dr. which is 45 meters (147.64ft.) left of centerline Station 0+967.42; thence N 39d33'59"W, 81.46meters (267.26ft.) to a point on the northerly and westerly Right-of-way of said Christy Dr. which is 35.57meters(116.7ft.) right of centerline Station 0+979.46; thence along existing property line of the Missouri Association of Christian Churches, Inc., N 61d11'38"W, 54.77meters (179.69ft.) to a point on the easterly Right-of-way line of Missouri State Highway 54, 62.69meters (205.68ft.) left of centerline Station 6+134.59; thence to the westerly Right-of-way of said Highway 54 to a point 41.148meters (130ft.) right of centerline Station 6+197.399; thence continuing on the westerly Right-of-way line N 19d09'46"E,24.44meters (80.18ft.) to a point 55meters (180.45ft.) right of centerline Station 6+175.000 of said Highway 54; thence N 56d52'23"E,47.22meters (154.92ft.) to a point 50 meters (164.04ft.) right of centerline Station 6+125.000 of said Highway 54; thence N 17d53'58"E,51.96meters (170.47ft.) to a point 75meters(246.06ft.) right of centerline Station 6+075.000 of said Highway 54; thence N23d44'57"E,46.54meters(152.69ft.) to a point 90meters (295.28ft.) right of centerline Station 6+025.000 of said Highway 54; thence N5d31'55"E, 97.24meters (319.03ft.) to a point 140meters (459.32ft.) right of centerline Station 5+925 of said Highway 54; thence N27d40'06"E, 95.35meters (312.83ft.) to a point 139.541meters (457.81ft.) right of centerline Station 5+805.642 of said Highway 54 and right of centerline Station 6+175.000, 50meters (164.04ft.) of Missouri State Highway 179; thence N64d16'59"W, 72.89meters (239.14ft.) to a point 35meters (114.83ft.) right of centerline Station 6+100.000 of said Highway 179; thence S76d5'44"W, 95.79meters (314.27ft.) to a point 41meters (134.51ft.) right of centerline Station 6+000.000 of said Highway 179; thence N85d29'33"W, 9.22meters (30.18 ft.) to a point where Right-of-way intersects the north section line of Section 26, Township 44 North, Range 12 West; thence east along said section line to the Point of Beginning. Containing in all, 242 acres, more or less.

(D) The City's boundaries shall also include the following parcel:

Part of the Southeast Quarter of the Southeast Quarter of Section 10, Township 44 North, Range 12 West, Cole County, Missouri more particularly described as follows:

From the southeast corner of said Section 10 thence S83°51'58"W, along the Section Line, 125.00 feet to the northwest corner of Lot No. 22 of FAINWOOD SUBDIVISION, THIRD ADDITION, as per plat of record in Plat Book 11, page 258, Cole County Recorder's Office and the POINT OF BEGINNING for this description; thence continuing S83°51'58"W, along the Section Line, 1220.23 feet to the southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10; thence N5°40'59"W, along the Quarter Quarter Section Line, 68.66 feet to the present southerly line of the Edgewood Drive right-of-way, said being the northerly line of the vacated right-of-way of Edgewood Drive as per City Ordinance No. 12814; thence, along said right-of-way line the following courses: N57°59'40"E, 388.21 feet; thence Easterly, on a curve to the right, having a radius of 1387.39 feet, an arc distance of 255.21 feet, (the chord of said curve being N79°27'05"E, 254.85 feet); N84°43'16"E, 623.27 feet to a point intersecting the northerly extension of the westerly line of the aforesaid Lot No. 22 of FAINWOOD SUBDIVISION, THIRD ADDITION; thence leaving the southerly line of said Edgewood Drive right-of-way, S4°31'32"E, along said extended line, 248.47 feet to the PONT OF BEGINNING.
Containing 6.30 acres

(E) The City's boundaries shall also include the following parcel:

Lot 29, Chapel Hill Commons Section 4, a plat of record in Plat Book 12, Page 348, Cole County Recorder's Office, located in Fractional Section 4, Township 44 North, Range 12 West, Cole County, Missouri.

(F) The City's boundaries shall also include the following parcel:

Lots No. 22 and 23, Fainwood Subdivision, 3rd Addition, per Plat of Record in Plat Book 11, Page 258, Cole County Recorder's Office, Said Fainwood Subdivision 3rd Addition, per Plat of Record in Plat Book 11, Page 258, Cole County Recorder's Office; Said Fainwood Subdivision 3rd Addition, Being a Subdivision of Part of the Northeast Quarter of the Northeast Quarter of Section 15, Township 44 North, Range 12 West. Subject to Easements and Restrictions of Record.

(G) The City's boundaries shall also include the following parcel:

Part of the Southeast Quarter of the Southeast Quarter of Section 10, Township 44 North, Range 12 West, Cole County, Missouri, more particularly described as follows:

BEGINNING at the southeast corner of said Section 10, thence S83°51'58"W, along the Section Line, 125.00 feet to the northwest corner of Lot No. 22 of FAINWOOD SUBDIVISION, THIRD ADDITION, as per plat of record in Plat Book 11, page 258, Cole County Recorder's Office; thence N4°31'32"W, along the northerly extension of the westerly line of said Lot No. 22, 248.47 feet to a point intersecting the present southerly line of the Edgewood Drive right-of-way, said being the northerly line of the vacated right-of-way of Edgewood Drive as per City Ordinance No. 12814; thence N84°43'16"E, along said present right-of-way line, 24.10 feet; thence S70°18'21"E, along said present right-of-way line, 106.75 feet to a point interesting the east line of the aforesaid Section 10; thence S5°31'20"E, along the Section Line 201.52 feet to the POINT OF BEGINNING. Containing 0.65 of an acre.

Subject to terms, conditions, restrictions and reservations of record, if any.

(H) The City's boundaries shall also include the following parcel:

Lot No. 4 of Fainwood Subdivision, 1st Addition, per Plat of Record in Plat Book 8, Page 61, Cole County Recorder's Office; Said Fainwood Subdivision, 1st Addition Being a Subdivision of Part of the Northeast Quarter of the Northeast Quarter of Section 15 and Part of the Northwest Quarter of the Northwest Quarter of Section 14, All in Township 44 North, Range 12 West.

Also: Part of the Southwest Quarter of the Southwest Quarter of Section 11, Township 44 North, Range 12 West, Cole County, Missouri, More Particularly Described as Follows:

Beginning at the Southwest Corner of Said Section 11; Thence North along the Section Line, 141.7 Feet; Thence South 80 Degrees 09 Minutes East, 152.23 Feet; Thence South 115.7 Feet to the Northeasterly Corner of Lot No. 4, of Fainwood Subdivision, 1st Addition, per Plat of Record in Plat Book 8, Page 61, Cole County Recorder's Office; Thence along the Northerly Line of Said Lot No. 4, in a Westerly Direction, 150 Feet to the Beginning Point of this Description.

AND

Part of the SW ¼ of the SW ¼ of Section 11, T44N, R12W, as described as follows;

Beginning at the Southwest Corner of Said Section 11, thence N5° 48' 44"W along the Section Line 201.52 feet, thence easterly on a curve to the right having a radius of 1719.63 feet, an arc distance of 151.56 feet, thence southerly 195.6 feet to the Northeast corner of Lot 4 of Fainwood Subdivision per plat of record in Plat Book 8, Page 61, Cole County Recorder's Office, thence westerly along the North Line of said Lot 4, 150 feet to the point of beginning.

Except that part conveyed in Book 305, Page 938, Cole County Recorder's Office

(I) The City's boundaries shall also include the following parcel:

Part of the Southeast quarter of the Southeast quarter of Section 28, Township 45, North, Range 12 West, Cole County, Missouri more particularly described as follows:

Beginning at the southeast corner of said Section 28; thence North 2 degrees 16 minutes east along the Section line, 961 feet to the center of the Missouri Pacific Railroad tracks; thence along the center of said railroad tracks on the following course and distance; North 69 degrees 45 minutes west, 417.38 feet; thence North 71 degrees 40 minutes west, 292.6 feet; thence North 76 degrees 09 minutes west, 244.54 feet; thence North 82 degrees 20 minutes west, 76.6 feet; thence leaving the center of said railroad tracks, South 10 degrees 00 minutes east, 183 feet, more or less, to the center of Gray's Creek; thence along the center of said creek on the following courses and distances; North 36 degrees 19 minutes east, 74.5 feet; thence South 78 degrees 27 minutes east, 242.33 feet; thence South 61 degrees 57 minutes east, 303.33 feet; thence South 3 degrees 49 minutes west, 610 feet; thence South 28 degrees 12 minutes east, 380.01 feet to the south line of said Section 28; thence leaving the center of Gray's Creek, South 87 degrees 26 minutes east along the Section line, 225 feet to the beginning point of this description.

Containing 9.3 acres, more or less.

EXCEPT that part which lies within the Missouri Pacific Railroad right of way.

(J) The City's boundaries shall also include the following parcel:

Lot 25, Fainwood 3rd Addition Subdivision, per plat of record in Plat Book 11, Page 258, Cole County Recorder's Office, located in Section 15, Township 44, Range 12, Cole County, Missouri.

AND

Lot No. 26 of Fainwood Subdivision 3rd Addition, per plat of record in Plat Book 11, Page 258, Cole County Recorder's Office; said Fainwood Subdivision 3rd Addition being a subdivision of part of the Northeast quarter of the northeast quarter of Section 15, Township 44 North, Range 12 West, Cole County, Missouri.

Except that part of Lot No. 26 of Fainwood Subdivision 3rd Addition, per plat of record in Plat Book 11, Page 258, Cole County Recorder's Office, conveyed to Arthur L. Conover and wife, by deed of record in Book 300, Page 36, Cole County Recorder's Office.

Subject to easements and restrictions of record.

AND

PARTS OF LOTS NOS. 1 AND 2 OF FAINWOOD SUBDIVISION, 1ST ADDITION, PER PLAT OF RECORD IN PLAT BOOK 8, PAGE 61, COLE COUNTY RECORDER'S OFFICE; SAID FAINWOOD SUBDIVISION, 1ST ADDITION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, ALL IN TOWNSHIP 44 NORTH, RANGE 12 WEST; SAID PART OF LOTS NOS. 1 AND 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF LOT NO. 2, WHICH IS 10 FEET EASTERLY FROM THE SOUTHWESTERLY CORNER THEREOF; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT NO. 2, TO THE NORTH LINE THEREOF; THENCE EASTERLY ALONG THE NORTHERLY LINE OF LOTS NOS. 2 AND 1, 207.5 FEET; THENCE IN A SOUTHERLY DIRECTION TO A POINT ON THE SOUTHERLY LINE OF SAID LOT NO. 1, WHICH IS 170 FEET EASTERLY FROM THE POINT OF BEGINNING, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOTS NOS. 1 AND 2, 170 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENT AND RESTRICTIONS OF RECORD.

(K) The City's boundaries shall also include the following parcel:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 44 NORTH, RANGE 12 WEST, COLE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SECTION 11; THENCE NORTH 85 DEGREES 12 MINUTES 30 SECONDS EAST ALONG THE SECTION LINE, 310 FEET TO THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH 5 DEGREES 19 MINUTES 39 SECONDS WEST, 174.56 FEET TO THE NORTH LINE OF A TRACT CONVEYED IN BOOK 305, PAGE 566, COLE COUNTY RECORDER'S OFFICE; THENCE WITH SAME ON A CURVE TO THE RIGHT AND HAVING A RADIUS OF 1719.63 FEET, A DISTANCE OF 130 FEET; (THE CHORD OF SAID CURVE BEING SOUTH 82 DEGREES 28 MINUTES EAST, 129.98 FEET); THENCE SOUTH 80 DEGREES 18 MINUTES 07 SECONDS EAST, 101.22 FEET; THENCE SOUTH 56 DEGREES 17 MINUTES 29 SECONDS EAST, 24.08 FEET; THENCE SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 962.33 FEET, AN ARC DISTANCE OF 108.64 FEET; (THE CHORD OF SAID CURVE BEING SOUTH 6 DEGREES 27 MINUTES 49 SECONDS WEST, 108.59 FEET), TO A POINT ON THE SOUTH LINE OF SAID SECTION 11; THENCE SOUTH 85 DEGREES 12 MINUTES 30 SECONDS WEST ALONG THE SECTION LINE 221 FEET TO THE POINT OF BEGINNING.

(L) The City's boundaries shall also include the following parcel:

Part of Section 22, Township 44, Range 11, Cole County, Missouri described as follows: Beginning at the southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 22; thence running easterly 220 feet; thence in a northwesterly direction to a point that is 220 yards north of the point of beginning; thence southerly to the point of beginning.

Subject to and together with an easement for ingress and egress from U.S. Highway 50 to the above described property, said easement commencing on the south side of U.S. Highway 50 at the location in the Southwest Quarter of the Southeast Quarter of Section 22, Township 44, Range 11, where there is access to U.S. Highway 50; thence over and along a strip of land 120 feet wide, lying on the right or south side of, parallel to and adjoining the right of

way line of U.S. Highway 50, as described in paragraph 18.40 of Report of Commissioners of record in Book 169, Page 8, Cole County Recorder's Office, and being across part of LePage's Subdivision, per plat of record in Plat Book 6, Page 3, Cole County Recorder's Office; and thence in a generally southerly direction over and along a strip of land 60 feet wide, the centerline of which is the centerline of an existing roadway to the property herein above described.

(Being all the property conveyed by Sheriff's deed of record in Book 271, Page 495, Cole County Recorder's Office)

AND

All that part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-two (22), Township Forty-four (44), Range Eleven (11), Cole County, Missouri, which lies southerly of U.S. Route No. 50, as shown by Report of Commissioners of record in Book 169, Page 8, Cole County Recorder's Office. (Included in the above is part of Blocks Nos. 2, 3, 4 and 5, and all of Tracts "A", "B", "C" and "D" in LEPAGE'S SUBDIVISION, per plat of record in Plat Book 6, Page 3, Cole County Recorder's Office.)

(Being all that property conveyed by Warranty Deed of record in Book 277, page 918, Cole County Recorder's Office.)

The boundary of the above described property being more particularly described as follows:

BEGINNING at the southwest corner of the Southwest Quarter of the Southeast Quarter of Section 22, Township 44 North, Range 11 West, Cole County, Missouri; thence N2°56'00"E, along the Quarter Section Line, 1177.82 feet to a point intersecting the southerly line of the U.S. Highway 50/63 Right-of-way as described in paragraph 18 of Report of Commissioners of record in Book 169, Page 8, Cole County Recorder's Office; thence Easterly, along the southerly line of said U.S. Highway 50/63 Right-of-way, the following courses: S75°46'19"E, 568.66 feet; thence S63°57'58"E, 856.46 feet; thence S71°00'29"E, 32.70 feet to a point intersecting the east line of the Southwest Quarter of the Southeast Quarter of the aforesaid Section 22; thence leaving the southerly line of the aforesaid U.S. Highway 50/63, S1°48'50"W, along the Quarter Quarter Section Line, 671.35 feet to the southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 22; thence N89°07'58"W, along the Section Line, 1390.88 feet to the POINT OF BEGINNING.

(M) The City's boundaries shall also include the following parcel:

Part of the South Half of the Southwest Quarter of the Southeast Quarter of Section 33, Township 45 North, Range 12 West, Cole County, Missouri being part of that property described by deed of record in Book 419, page 861, Cole County Recorder's Office, more particularly described as follows: From a point on the south line of Section 33, Township 45 North, Range 12 West said point being the northeast corner of Section 4, Township 44 North, Range 12 West; thence along the south line of the aforesaid property described in Book 419, page 861, S88E26'31"W, along the Township Line, 52.92 feet to the POINT OF BEGINNING for this description; thence continuing along the south line of the aforesaid property described in Book 419, page 861, S88E26'31"W, along the Township Line, 349.86 feet; thence leaving the south line of the aforesaid property described in Book 419, page 861, N1E33'41"W, 159.98 feet; thence S88E26'19"W, 13.34 feet; thence N1E46'28"W, 200.37 feet; thence N88E13'32"E, 41.50 feet; thence N1E46'28"W, 324.17 feet to the north line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 33; thence N88E21'27"E, along the north line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 33, 340.00 41.50 feet;

thence leaving the north line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 33, S1E46'28"E, 324.65 feet; thence S88E13'32"W, feet; thence S1E46'28"E, 140.37 feet; thence N88E26'19"E, 23.42 feet; thence S1E33'41"E, 220.00 feet to the POINT OF BEGINNING. Containing 5.41 acres.

(N) Highway 179 Area

Part of the Northeast quarter of Section 22 and part of the Northwest quarter of section 22, and part of the Southeast quarter of Section 15, and part of the Northeast quarter of Section 15, and part of the Northwest quarter of Section 15, and part of the Southwest quarter of Section 14, and part of the Northwest quarter of Section 14, and part of the Southwest quarter of the Southwest quarter of Section 11, and part of the Southeast quarter of Section 10, and part of the Southeast quarter of the Southwest quarter of Section 10, all in the Township 44 North, Range 12 West, in the County of Cole, State of Missouri and more particularly described as follows:

Beginning at the Southwest corner of the Northeast quarter of the Northeast quarter of Section 22, Township 44 North, Range 12 West; thence North 00 degrees 38'04" East, along the quarter quarter section line, 882.36 feet, to the intersection with the westerly line of Missouri State Highway 179, as per reference plans of Job No. J5U0441G; thence northerly along the westerly line of said Missouri State Highway 179, the following courses: North 13 degrees 49'27" West, 4.71 feet, to a point 55.451 meters (181.93 feet) right of centerline station 3+639.091; thence North 00 degrees 49'40" East, 209.62 feet, to a point 43.569 meters (142.94 feet) right of centerline station 3+579.662; thence North 30 degrees 33'45" West, 209.62 feet, to a point 70 meters (229.66 feet) right of centerline station 3+525.000; thence North 01 degrees 32'50" East, 301.14 feet, to a point 65 meters (213.25 feet) right of centerline station 3+439.872; thence North 16 degrees 45'35" East, 306.07 feet, to a point 40 meters (131.23 feet) right of centerline station 3+350.000; thence North 12 degrees 16'50" West, 421.75 feet, to a point 70 meters (229.66 feet) right of centerline station 3+225.000; thence North 12 degrees 31'31" East, 418.23 feet, to a point 45 meters (147.64 feet) right of centerline station 3+100.000; thence North 02 degrees 35'36" West, 57.90 feet to the intersection of said westerly right of way line with the north line of the Southwest quarter of the Southeast quarter of said Section 15; thence leaving the said westerly right of way line on a bearing of North 89 degrees 09'27" East, along the north line of said Southwest quarter of the Southeast quarter and the north line of the Southeast quarter of the Southeast quarter of said Section 15, 1374.67 feet, to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 15; thence South 86 degrees 10'24" East, along the north line of the Southwest quarter of the Southwest quarter 1378.23 feet, to the northeast corner of said quarter quarter section; thence North 05 degrees 57'37" East, along the east quarter quarter section line of the Northwest quarter of the Southwest quarter of Section 14, 1367.51 feet, to a point that is the Southeast corner of the west half of the Northwest quarter of Section 14; thence North 05 degrees 21'14" East, 2716.12 feet, to the southerly right of way of West Edgewood Drive; thence continuing along said quarter quarter section line to the north line of Section 14; thence North 06 degrees 00'26" West, along the east line of the quarter quarter section line of the Southwest quarter of the Southwest quarter of Section 11, 1180.27 feet, thence leaving said quarter quarter section line, South 37 degrees 34'10" East, 133.279 feet, thence South 00 degrees 00'50" West, 9.90 feet; thence South 53 degrees 00'57" West, 204.59 feet; thence South 10 degrees 09'10" East, 907.059 feet, to the northerly right of way of said West Edgewood Drive; thence in a westerly direction along the northerly right of way of said West Edgewood Drive, on a curve to the right having a radius of 1392.39 feet, a length of 170.43 feet, (having a chord North 83 degrees 24'25" West., 170.32 feet); thence North 79 degrees 54'05" West, 257.93 feet; thence North 10 degrees 05'55" West, 45 feet; thence North 79 degrees 54'05" West, 116.49 feet; thence South 10 degrees 05'55" West, 40.00 feet; thence North 79 degrees 54'05" West, 385.21 feet; thence along a curve to the left having a radius of 1477.39 feet, an arc distance of 300.24 feet, (the chord of said curve being North 85 degrees 43'24" East, 299.72 feet), to a point where the northerly right of way of said West Edgewood Drive intersects the section line between Section 11 and Section 10: thence on a curve to the left having a radius of 1477.39 feet an arc distance of 96.27 feet (the chord of said curve being South 86 degrees 35'17" West, 96.26 feet); thence South 84 degrees 43'16" East, 22.91 feet; thence leaving said northerly right of way of West

Edgewood Drive, South 04 degrees 31'29" East, 90.00 feet to the southerly right of way of said West Edgewood Drive; thence South 04 degrees 31'29" East, 248.47 feet, to the south line of Section 10; thence South 83 degrees 51'58" West, 1220.17 feet, to the southwest corner of the Southeast quarter of the Southeast quarter of said Section 10; thence North 05 degrees 40'59" West, 418.47 feet, along the quarter quarter section line, to a point that is the easterly right of way of Missouri State Highway 179, as per reference plans of Job No. J5U0441D, that is left of centerline station 1+709, 130.041 meters(426.64 feet); thence along the easterly right of way of said Highway 179 to a point that is left of centerline station 1+640, 66 meters (216.54 feet); thence to a point that is left of centerline station 1+530, 84 meters (275.59 feet); thence to a point that is left of centerline station 1+457.564, 52 meters (170.60 feet); thence northwesterly to a point where the easterly right of way of said Highway 179 intersects the north line of Southwest quarter of the Southeast quarter of Section 10; thence along said quarter quarter section line South 82 degrees 21'12" West, 733.19 feet, to the northeast corner of the South half of the Southwest quarter of Section 10; thence South 82 degrees 23'31" West, 1000.01 feet; thence South 05 degrees 35'43" East, 370.00 feet; thence South 27 degrees 40'23" East, 1073.81 feet, thence North 82 degrees 39'49" East, 600.00 feet, to a point that is the Southeast corner of the Southeast quarter of the Southwest quarter of section 10; thence South 05 degrees 27'44" East, 1377.35 feet, along the quarter section line to the Southeast corner of the Northeast quarter of the Northwest quarter of Section 15; thence South 04 degrees 30' East, along the quarter section line 535.17 feet, to the northerly line of county road (know as Frog Hollow Road); thence across county road to a tract of property conveyed to Maple Leaf Properties, LLC as per Book 448 Page 241 of Cole County Recorders Office, of which is the northwest corner of a 15 foot wide tract; thence in a southerly direction along the westerly side of said 15 foot wide parcel, 830 feet more or less, to the quarter section line; thence in an easterly direction along said quarter section line, 15 feet, to the southeast corner of the Northwest quarter of Section 15; thence in a southerly direction along the quarter section line to the south quarter corner of said Section 15; thence in a westerly direction along the section line, 66 feet; thence in a southerly direction to a point that is 20 feet perpendicular to the centerline of a private road at station 1+92.8 as recorded in Book 153, Page 525 Cole County Recorders Office; thence across said road to the east side of 40 foot right of way, 20 feet southeast of station 1+92.8; thence southerly and southwesterly along the easterly right of way of said private road to a point where the easterly right of way of said private road intersects the northerly line of Lot #1 of Williams Subdivision, Plat Book 12, Page 135, recorded in Cole County Recorders Office; thence North 90 degrees 00'00" East, 195.72 feet; thence South 00 degrees 58'20" East, 233.97 feet, thence North 87 degrees 53'49" West, 185.25 feet, to a point where the property line intersects the easterly right of way of said Valley Hi Road; thence in a southerly direction along said right of way to intersect the northerly property line of tract of property described in Book 251, Page 319, of Cole County Recorders Office; thence in a southeasterly direction to the easterly line of said parcel; thence South 04 degrees 33'52" East, 143.84 feet; thence in a northwesterly direction to the easterly right of way of said Valley Hi Road; thence southeasterly along said easterly right of way of Valley Hi Road described in Book 434, Page 979, Exhibit 'A' of Cole County Recorders Office, to a point of intersection with the north right of way conveyed to the State of Missouri as Route 'C', (presently named as Rock Ridge Road); thence in an easterly direction along said Route 'C', 145 feet; thence North parallel with the west line of the Southwest quarter of the Northeast quarter of Section 22, 1000 feet, to the north line of said quarter quarter section; thence in an easterly direction along the south line of the Northwest quarter of the Northeast quarter of said Section 22, to the point of beginning, EXCEPTING the following described lots or parcels of land all located in the State of Missouri, County of Cole: Lot 4, Fainwood 1st Addition as recorded in book 6, page 61 of the Cole County Recorder of Deeds Office; Lot 22 and 23, Fainwood 3rd Addition, as recorded in Book 11, Page 258 of the Cole County Recorder of Deeds Office; a parcel of land lying south of Edgewood and as described in book 430, page 188 of the Cole County Recorder of Deeds Office; and a parcel of land lying south of Edgewood and as described in book 337, page 979 of the Cole County Recorder of Deeds Office. Containing in all, 542 acres, more or less.

O The City's boundaries shall also include the following parcel:

Part of the Northeast Quarter of the Southwest Quarter of Section 20, Township 44 North, Range 12 West, Cole

County, Missouri, more particularly described as follows: From the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 20; thence S88°01'04"E, along the Quarter Section Line, 786.56 feet; thence S1°58'56"W, 321.04 feet to the Point of Beginning for this description; thence S31°12'55"E, 110.00 feet to a point on the northerly right-of-way of Missouri State Route C; thence S58°47'05"W, along the northerly right-of-way line of said Missouri State Route C, 150.00 feet; thence leaving the northerly right-of-way line of said Missouri State Route C, N31°12'55"W, 110.00 feet; thence N58°47'05"E, 150.00 feet to the point of beginning. Containing 0.38 of an acre.

(P) The City's boundaries shall also include the following parcel:

Part of the Southeast Quarter of the Southwest Quarter of Section 8, Township 44 North, Range 12 West, more particularly described as follows: From the Southeast corner of the Southwest Quarter of said Section 8; thence north along the quarter section line, 414.48 feet; thence west at right angles to the quarter section line, 151.8 feet to a point on the centerline of the County Road and the beginning point of this description; thence North 13 Degrees 15 Minutes West, 230.58 feet, to the southeasterly corner of a tract conveyed to Cecil Edgar Seidel and Wife, by Warranty Deed of record in Book 188, Page 659, Cole County Recorder's Office; thence South 78 Degrees 30 Minute West, along the southerly line of said Seidel Tract, 148.31 feet, to the southwesterly corner thereof; thence South 13 Degrees 15 Minutes East, 262.77 feet, to the centerline of the County Road; thence North 66 Degrees 20 Minutes East, along the centerline of the County Road, 151.14 feet, to the beginning point of the description; Except that portion of the above described property already contained within the corporate limits of the City of Jefferson. Containing approximately 0.7 acres.

(Q) The City's boundaries shall also include the following parcel:

All of Lots 25 and 26 of Chapel Hill Commons Section Three, a plat of record in Plat Book 12, page 314, Cole County Recorder's Office; and part of Lot 27 of Chapel Hill Commons Section Three, a plat of record in Plat Book 12, page 314, Cole County Recorder's Office, being more particularly described as follows: Beginning at the Northeasterly corner of Lot 27, thence southeasterly on a curve to the left having a radius of 245.00 feet, an arc distance of 150.92 feet, (the chord of said curve being S57°26'19"E, 148.55' feet), thence S85°52'02"W, 242.83 feet, thence N50°12'31"E, 152.26 feet to the POINT OF BEGINNING; and part of Rock Beacon Road and Chapel Hill Road as shown by the plat of Chapel Hill Commons Section Three, a plat of record in Plat Book 12, page 314, Cole County Recorder's Office, being more particularly described as follows: Beginning at the northeasterly corner of the above said Lot 25, thence N87°08'32"E, 60.00 feet to the northeasterly right of way line of Rock Beacon Road, thence southeasterly along the northeasterly right of way line of Rock Beacon Road, on a curve to the left having a radius of 185.00 feet, an arc distance of 240.43 feet, (the chord of said curve being S40°05'24"E, 223.87 feet), thence S77°19'19"E, continuing along the northeasterly right of way line of Rock Beacon Road and the easterly extension thereof, 89.09 feet to the easterly right of way line of Chapel Hill Road, thence southeasterly along the easterly right of way line of Chapel Hill Road, on a curve to the left having a radius of 285.00 feet, an arc distance of 31.22 feet, (the chord of said curve being S15°34'57"W, 31.20 feet) to the boundary of the current corporate limits of the City of Jefferson, also being the Quarter Section Line, thence S86°28'35"W, along the boundary of the current corporate limits of the City of Jefferson, also being the Quarter Section Line, 60.68 feet to the Northeast corner of the Southwest Quarter of Section 4, Township 44 North, Range 12 West thence S85°52'02"W, along the boundary of the current corporate limits of the City of Jefferson, also being the Quarter Section Line, 40.53 feet to the southwesterly right of way line of Rock Beacon Road, thence northwesterly along the southwesterly right of way of Rock Beacon Road on a curve to the right having a radius of 245.00 feet, an arc distance of 308.85 feet, (the chord of said curve being N38°58'19"W, 288.80 feet to the POINT OF BEGINNING; Containing, in all, approximately 1.53 acres, including 1.06 acres of real property and approximately 0.47 acres of adjacent right-of-way.

(Ord. No. 10820, §1, 05-04-87; Ord. No. 10888, §1, 08-17-87; Ord. No. 11061, §1, 07-08-88; Ord. No. 11123, §1, 07-01-89; Ord. No. 11215, §1, 05-01-89; Ord. No. 11266, §1, 07-18-89; Ord. No. 11368, §1, 02-05-90; Ord. No. 11557, §1, 04-01-91; Ord. No. 11719, §1, 03-02-92; Ord. No. 12582, §1, 02-17-97, Ord. No. 12589, §1, 03-20-97; Ord. No. 12616, §1, 06-03-97; Ord. No. 12645, §1, 08-19-97; Ord. No. 12724, §1, 02-16-98; Ord. No. 13277, §1, 10-01-01; Ord. No. 13318, §4, 12-17-01; Ord. No. 13326, §2, 01-07-02; Ord. No. 13348, §2, 02-18-02; Ord. No. 13372, §4, 04-15-02; Ord. No. 13477, §4, 12-02-02; Ord. No. 13499, §4, 02-03-03; Ord. No. 13593, §5, 08-18-03; Ord. No. 13602, §5, 09-02-03; Ord. No. 13635, §3, 10-20-2003; Ord. No. 13715, §4, 05-03-2004; Ord. No. 13731, §4, 6-21-2004; Ord. No. 13741, §4, 7-19-2004; Ord. No. 13870, §5, 4-18-2005; Ord. No. 13909, §5, 8-1-2005; Ord. No. 13894, §5, 7-5-2005; Ord. No. 13920, §5, 8-15-2005; Ord. No. 13921, §5, 8-15-2005; Ord. No. 13936, §5, 9-19-2005; Ord. No. 13937, §5, 9-19-2005; Ord. No. 13938, §5, 9-19-2005; Ord. No. 13953, §5, 10-17-2005; Ord. No. 13954, §5, 10-17-2005; Ord. No. 13955, §5, 10-17-2005; Ord. No. 14047, §5, 5-15-2006; Ord. No. 14070, 8-7-2006; Ord. No. 13981, § 1, 11-1-2006; Ord. No. 14339, §1, 4-21-2008; Ord. No. 14396, §5, 9-15-2008; Ord. 14491, §6, 3-16-2009)

Sec. 1-18. Old Town District Established.

An area is established within the corporate boundaries of the City of Jefferson to be named "Old Town District" that includes primarily the older neighborhoods and commercial areas within the City; the specific area is described as follows:

Beginning at the intersection of Southwest Blvd and Stadium Blvd, thence east along Stadium Blvd., to Leslie Blvd, thence east along Leslie Blvd to Moreau Drive, thence north following Moreau Drive to Clark Ave, thence north continuing on Clark Ave to East McCarty Street, thence east on East McCarty to Benton Street, thence north on Benton to East High Street, thence east on East High Street to Riverside Drive, thence north west following Riverside Drive and continuing in the same direction to the City Limits. Thence following the City Limits and the Missouri River to a point in the Missouri River and along the City Limit line to a point where a line North 55° 30' 25" East from the intersection of Livingston Street and Booneville Road intersects the mid-point of the Missouri River. Thence south west along said line to the intersection of Livingston Street and Booneville Road. Thence south and east following Booneville Road, Dix Road, and the Dix- Southwest Connector to Southwest Blvd, thence south and west along Southwest Blvd to the point of beginning.

(Ord. 14187, §1, 4-16-2007)

Sec. 1-19 Form of Payment.

Whenever any provision in this Code calls for payment by any person or entity, such payment may be in the form of cash or check.

- A. Payments in cash may be made in bills (Federal Reserve Notes) or silver coins of the United States, provided, however, that no person shall have the right to pay, upon any one debt, dimes and half dimes to an amount exceeding ten dollars, or of twenty and twenty-five cent pieces exceeding twenty dollars, or pennies, not to exceed one dollar. (Authorized by § 408.010 RSMo)
- B. Payments may be made by money order, cashiers check, or other negotiable instruments approved in advance by the city.
- C. Payments may be made by check under such conditions as the Finance Director may prescribe. For any

check which is returned, payment is stopped, or the check is dishonored, the maker thereof shall pay the city an charge which shall be deducted first from any subsequent payment to the city for any purpose. The additional charge shall be as set forth in Appendix Y.

- D. Unless otherwise provided, all fees shall be non-refundable and not pro-rated.
(Ord. No. 13618, §1, 9-15-2003; Ord. 14272, §3, 10-15-2007)

Sec. 1-20. Refusal to issue when unpaid obligations due city.

No license, permit, waiver, permissive use, approval of application or lease agreement required by the Code of the City of Jefferson shall be issued by the City of Jefferson to any person until all personal taxes, merchants' or manufacturers' ad valorem taxes, gross receipts tax, license or permit fees due and unpaid, and all penalties thereon, sewer charges, parking tickets, tax liens, municipal court fines and any other financial obligations due from the person to the city, have been paid.
(Ord. 14315, §1, 1-22-2008)

Sec. 1-21. Payment of fees, taxes and license charges under protest.

- A. If no other procedure is established by law for protesting a fee, tax or license charge, then a person who has paid any fee, tax or license charge shall protest at the time of paying such fee, tax or license charge, or within 30 days thereafter, by filing with the Finance Department of the city a written statement setting forth the grounds on which the protest is based, the true value of the money in dispute, the date when the fee, tax or license charge was paid and proof that the person making the claim paid the fee, tax or license charge.
- B. If no other procedure is established by law for protesting a fee, tax or license charge, and a person has paid a fee, tax or license charge prior to the passage of this ordinance, such person shall have the right to protest the payment of the fee, tax or license charge provided the statute of limitations has not expired on the claim, and the claim is filed within 30 days of the passage of this ordinance with the Finance Department of the city setting forth therein a statement of the grounds on which the protest is based, the true value of the money in dispute, the date when the fee, tax or license charge was paid and proof that the person making the claim paid the fee, tax or license charge.
- C. The Finance Department shall set aside, in a separate fund, all or part of such fee, tax or license charge which is in dispute under subsection A. Within 60 days after the filing of the protest under subsection A or B, an administrative hearing officer appointed by the city administrator shall hold a hearing on the protest.
- D. If the protest is invalid the Finance Department shall, when such decision is final, disburse to the proper official the fee, tax or license charge impounded as authorized by the laws of the city.
- E. If the protest is valid, then the Finance Department shall, when the decision is final, refund to the person who protested the fee, tax or license charge the amount found to be invalid, plus interest computed at a rate equal to that received on the city's average daily collected bank balance on the sum from the time it was paid to the city.
- F. Nothing in the section shall preclude the city from exercising its rights to determine the enforceability and applicability of this section when a person challenges such authority wherever and however such rights may be asserted under applicable law.
- G. The Hearing procedure for all hearing brought under this section shall be as follows:

1. Procedures:
 - a. The Hearing shall be open to the public and on the record.
 - b. The City Administrator shall appoint a Hearing Officer to conduct the hearing.
 - c. The Hearing Officer shall rule upon all motions by the parties.
 - d. Any party to the Hearing, may be represented by counsel and have the right to present evidence.
 - e. The technical rules of evidence shall not apply in the hearing. Any relevant evidence may be admitted and considered by the Hearing Officer if it is the sort of evidence of which responsible persons are accustomed to rely in the conduct of serious affairs. Objections to evidence shall be noted and a ruling given by the Hearing Officer.
 - f. All testimony shall be under oath, which may be administered by the Hearing Officer.
 - g. A recording shall be made by the City or a written record of the hearing may be made by a reporter to be employed by the City, the cost of which shall be paid by the City should the proceeding be eventually held against the City and by the applicant if it should not.
 - h. All decisions by the Hearing Officer must be made upon substantial and competent evidence presented at the hearing
2. Conduct of the Hearing.
 - a. The Hearing shall proceed in the following manner. The City will allowed to present its evidence first. Witnesses called by the City will be directly examined with an opportunity for the opposing party to cross-examine, followed by an opportunity for the City to re-direct. Once the City's case is presented, the opposing party will have an opportunity to present his or her case. The same procedure for questioning witnesses will be followed. Then the City will have an opportunity for rebuttal, if it so chooses. Finally, the City and the applicant will have an opportunity to make closing remarks in that respective order.
 - b. The Hearing Examiner shall then cause to be issued findings of fact and conclusions of law explaining the decision based upon the evidence presented and the decision of the Hearing Examiner within 30 days of the date of the hearing.
 - c. Notice of the decision shall be provided to all parties pursuant to Chapter 536 RSMo.
 - d. Any person aggrieved by this decision, including the city, shall, within 30 days after notice of the ruling as required by Chapter 536 RSMo., file his or her administrative appeal pursuant to the rules established in Chapter 536 RSMo., for review of a contested case in the circuit court of Cole County. If no action is taken to appeal the decision of the administrative hearing officer as required by Chapter 536 RSMo., the decision shall be final.

(Ord. No. 14407, §1, 9-15-2008)

Sec. 1-22. Fees.

- A. No later than April 30th of each year the City Administrator shall submit to the Council, in writing, a complete list of all fees identified in the code of the City of Jefferson and shall identify thereon any and all

proposed adjustments to said amounts. For all such proposed adjustments the City Administrator shall provide a fiscal note which includes the cost of the city to provide the service associated with the particular fee.

- B. No later than June 30th of each year the City Council shall act on said proposed adjustment by either adjusting the fee or passing a resolution stating the fee remains appropriate. The adjustment need not be in the amount proposed by the City Administrator. If the Council takes no action by June 30th, they shall be deemed to concur with the recommendations of the City Administrator.
- C. The City Administrator shall, by administrative order, enact the adjustment proposed in subsection A for all proposed adjustments not acted upon by the Council in the manner prescribed in Subsection B. Any such adjustment shall be made in writing, signed by the City and dated by the City Administrator and said writing shall be filed by the City Clerk as an Appendix to the code of the City of Jefferson.
- D. The City Administrator shall not amend any fee for which another provision for adjustment of said fee is specifically identified in the Code of the City of Jefferson

(Ord. 14454, §1, 1-5-2009)