

IN THE CIRCUIT COURT OF PHELPS COUNTY, MISSOURI
25TH JUDICIAL CIRCUIT

FILED

SEP 09 2016

SUE BROWN, CIRCUIT CLERK
PHELPS COUNTY, MO.

IN RE THE FORMATION OF THE)
MOVE ROLLA TRANSPORTATION)
DEVELOPMENT DISTRICT,)
)
CITY OF ROLLA, MISSOURI, <i>et al.</i> ,)
)
Petitioners,)
)
v.)
)
MISSOURI HIGHWAYS AND)
TRANSPORTATION COMMISSION)
)
Respondents.)

Cause No. 15PH-CV01751

JUDGMENT AND ORDER CALLING AN ELECTION

Pursuant to the Petitioners’ Motion for Entry of Judgment and Order Calling an Election, this Court takes up the matter of calling an election for the formation of the Move Rolla Transportation Development District (the “District”) pursuant to the Petitioners’ First Amended Petition for the Creation of a Transportation Development District (the “Petition”). *Capitalized terms used in this Judgment and Order, unless the context requires otherwise, shall have the same meanings as set forth in the Petition.* This Court, in consideration of the pleadings before it, the facts and the law, hereby enters its Findings, Certifications and Conclusions and its Judgment and Order as follows:

FINDINGS, CERTIFICATIONS AND CONCLUSIONS

1. The Petition is not legally defective and the Respondents have been duly served with process in this action or otherwise properly appeared in this action.
2. On May 31, 2016, the Court issued an Order of Publication (the “Order of Publication”) calling for the *Rolla Daily News*, a newspaper of general circulation in Phelps County, Missouri, to publish the Notice of Petition to Submit to a Popular Vote the Creation and Funding of a Transportation Development District (the “Notice”) once a week for four consecutive weeks beginning June 6, 2016. The form of the Notice as published, as evidenced in the Affidavit of Publication prepared by the *Rolla Daily*

News and submitted to the Court, meets all of the requirements of Section 238.212 of the Missouri Transportation Development District Act, Sections 238.200 to 238.280 of the Revised Statutes of Missouri, as amended (the “TDD Act”). The Order of Publication and all necessary publications relating to the Petition have occurred.

3. No objections to the Petition, timely or otherwise, are pending.

4. The proposed District is composed of contiguous land pursuant to Section 238.207.5(2) of the TDD Act and includes the property described in Exhibit I and depicted on the map attached as Exhibit II, both exhibits incorporated herein by reference.

5. The District is neither illegal nor unconstitutional and the question of the District’s formation is hereby certified for qualified voter approval.

6. The District is being created to undertake certain transportation-related projects (collectively, the “Transportation Project”). A general description of the Transportation Project proposed to be undertaken by the District, including a description of the approximate location of the Transportation Project, is attached as Exhibit III and incorporated herein by reference.

7. A portion of the proposed Transportation Project is intended to be merged into the state highways and transportation system and therefore is under the Commission’s jurisdiction (the “State Portion of the Transportation Project”). The remaining portion of the Transportation Project is not intended to be so merged (the “Local Portion of the Transportation Project”). Approval authority for the Local Portion of the Transportation Project pursuant to Section 238.225 (submission and approval of the project), Section 238.230.4 (deletion of a portion of the project following a failed special assessment election), Section 238.237.3 (construction of a toll facility and relocation of an existing local public street or road), Section 238.245 (purchase, sale and control of access of certain property), Section 238.247 (condemnation), Sections 238.257.3 and .4 (discontinuation or modification of the project), Section 238.267 (regulation of the project), Section 238.270 (local transportation authority control of the project), and Section 238.275 (transfer of the project and abolishment of a district) will vest with the City or the County, as applicable, subject to all necessary permitting requirements of the Commission for

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

8. The proposed funding method and mechanism (*i.e.*, the imposition of a sales tax at a rate not to exceed one percent (1%) (the “TDD Sales Tax”) pursuant to Section 238.235 of the TDD Act) is neither illegal nor unconstitutional, and the question of imposing the TDD Sales Tax is hereby certified for qualified voter approval.

9. The District is not an undue burden on any owner of real property within the District and is not unjust or unreasonable.

10. There are no registered voters residing in the boundaries of the District.

11. Section 238.216.1(2) of the TDD Act states that in order for the question regarding the creation of the District, the development of the Transportation Project and the imposition of the TDD Sales Tax to appear on the ballot “the circuit court shall . . . [i]f the election is to be a mail-in election, specify a date on which ballots for the election shall be mailed, which date shall be a Tuesday, and shall be not earlier than the eighth Tuesday from the issuance of the order, and shall not be on the same day as an election conducted under the provisions of chapter 115” of the Revised Statutes of Missouri, as amended.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. A mail-in election shall be held within the boundaries of the District for the qualified voters to consider the question regarding the creation of the District, the development of the Transportation Project and the imposition of the TDD Sales Tax. The Official Ballot (the “Ballot”) shall be in substantially the form attached hereto as Exhibit IV and incorporated herein by reference.

2. Pursuant to Section 238.202.2(2) of the TDD Act, the “qualified voters” are the owners of real property within the District.

3. Pursuant to Section 238.216.2 of the TDD Act, application for a Ballot shall be conducted as follows:

(a) Only qualified voters shall be entitled to apply for a Ballot;

(b) Each voter shall apply for a Ballot with the Circuit Court Clerk of Phelps County;

(c) Each voter applying for a Ballot shall provide: (i) the property owner's name, address, mailing address (if different), and phone number; (ii) if the property owner is not an individual, the name and phone number of the individual who is authorized to vote on behalf of the entity; (iii) if the property owner is not an individual, the authorized individual's basis of legal authority to vote on behalf of the entity (which shall be determined by the entity's articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote; provided that, if the entity has no such mechanism, the entity's vote shall be cast as determined by a majority of the persons who run its day-to-day affairs); (iv) an authorized signature; and (v) evidence that such property owner is entitled to vote, which shall consist of a tax receipt, deed or other document which evidences ownership of real property within the District, and identifies the real property by location; and

(d) No voter shall apply for a Ballot later than October 4, 2016. Applications for Ballots postmarked on or before October 4, 2016, but received by the Circuit Court Clerk of Phelps County after October 4, 2016 will be accepted.

4. Petitioners, on behalf of the Circuit Court Clerk of Phelps County, shall cause to be published a Notice of Election and Procedures for Application to Obtain Ballot in substantially the form attached hereto as Exhibit V. The publication shall occur in the *Rolla Daily News*, a newspaper of general circulation in Phelps County, Missouri, once a week for two consecutive weeks beginning September 19, 2016, and ending September 26, 2016.

5. Petitioners, on behalf of the Circuit Court Clerk of Phelps County, shall mail to each qualified voter, via certified mail, a Notice of Election and Procedures for Application to Obtain Ballot in substantially the form attached hereto as Exhibit V. The mailing shall occur no later than September 16, 2016.

6. Petitioners, on behalf of the Circuit Court Clerk of Phelps County shall mail a Ballot to each qualified voter who applies for a Ballot pursuant to Section 238.216.2 of the TDD Act along with a return addressed envelope directed to the office of the Circuit Court Clerk of Phelps County with a sworn affidavit on the reverse side of such envelope for the voter's signature. Such affidavit shall be in the following form:

I hereby declare under penalties of perjury that I am qualified to vote, or to affix my authorized signature in the name of an entity which is entitled to vote, in this election.

Authorized signature(s)

Printed name(s)

If voter is not an individual, printed name of entity

Address of voter

Mailing address of voter (if different)

Subscribed and sworn to before me this _____ day of _____, 2016.

Signature of Notary or other officer
authorized to administer oaths

7. Any qualified voter who timely applies for a Ballot pursuant to this Order but otherwise fails to properly complete the application and/or fails to submit the required documentation with its application pursuant to Paragraph 3 of this Order shall be mailed a provisional Ballot. No provisional Ballot shall be counted at the election unless the qualified voter submits the required information to the

Circuit Court Clerk of Phelps County on or before 5:00 p.m. on December 13, 2016, the date of the election.

8. The Ballot for the election shall be mailed on November 1, 2016.

9. Each qualified voter shall have one vote per acre of real property owned within the District. Fractional voting shall be permitted.

10. The voted Ballots shall be returned to the office of the Circuit Court Clerk of Phelps County by mail or hand delivery no later than 5:00 p.m. on December 13, 2016. Voted Ballots received by the Circuit Court Clerk of Phelps County after 5:00 p.m. on December 13, 2016 will not be accepted.

11. Upon the earlier of the return of all voted Ballots or 5:00 p.m. on December 13, 2016, the Circuit Court Clerk of Phelps County shall transmit all voted Ballots to a team of judges to be selected by this Court at a later date.

Pursuant to Section 238.216.5 of the TDD Act, said team of judges shall be comprised of not less than four individuals selected by this Court from a list compiled by the County Clerk of Phelps County, with an equal number from each of the two major political parties. No later than 10:00 a.m. on December 14, 2016, the team of judges shall meet and verify the authenticity of the Ballots, canvass the votes, certify the results, and immediately transmit said certification to this Court. Pursuant to Section 115.101 of the Revised Statutes of Missouri, as amended, each judge selected shall be paid the sum of \$100.00 for their services. Such costs shall be paid by the Petitioners.

12. Upon the votes cast at the election being duly canvassed as provided by law, all Ballots received and the tally sheets created by the election judges verifying the authenticity of the Ballots and canvassing the votes of said election shall be sealed in compliance with Article VIII, Section 3 of the Missouri Constitution.

13. Pursuant to Section 238.216.6 of the TDD Act, the results of the election shall be entered upon the records of this Court and a certified copy of the results of the election shall be filed by the Petitioners with the Clerk of Phelps County, who shall cause the same to be spread upon the records of the Phelps County Commission.

14. Upon approval by a majority of the qualified voters within the boundaries of the District, the District shall be created and shall impose the TDD Sales Tax to finance the Transportation Project.

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

16. The Local Portion of the Transportation Project is subject to the approval of the City or the County, as applicable, subject to all necessary permitting requirements of the Commission for connections of the Local Portion of the Transportation Project to the state highways and transportation system and subject to the District, the City or the County, as applicable, developing the Local Portion of the Transportation Project in a manner compatible with the future development of the state highways and transportation system.

17. The costs of filing and defending the Petition and all publication and incidental costs incurred in obtaining this Court's certification of the Petition for voter approval shall be paid by the Petitioners.

SO ORDERED.

Judge



9/9/14

EXHIBIT I

DESCRIPTION OF THE PROPERTY

A SPECIFIC DESCRIPTION OF THE DISTRICT BOUNDARIES IS AS FOLLOWS:

A specific description of the District Boundaries is as follows: Beginning at the Southwest Corner of Northwest Quarter of the Northeast Quarter of Section 10, Township 37 North, Range 8 West, Phelps County, Missouri; thence northerly along the West line of said Northwest Quarter of the Northeast Quarter to the southwest corner of the Southwest Quarter of the Southeast Quarter of Section 3, Township 37 North, Range 8 West; thence northerly along the West line of said Southwest Quarter of the Southeast Quarter to its northwest corner; thence easterly along the North line of said Southwest Quarter of the Southeast Quarter to the West line of a parcel described in Phelps County Deed Records at Book 172, Page 225; thence southerly along the West line of said Book 172, Page 225 parcel to its southwest corner; thence easterly along the South line of said Book 172, Page 225 parcel to the northwest corner of Tract No. 1 as described in Phelps County Deed Records at Document No. 2001-9149; thence southerly along the West line of said Tract No. 1 to the North line of a parcel described in Phelps County Deed Records at Document No. 2006-395; thence westerly along the North line of said Document No. 2006-395 parcel to its northwest corner; thence southerly along the West line of said Document No. 2006-395 parcel to its southwest corner; thence easterly along the South line of said Document No. 2006-395 parcel to the extension of the West right of way of Bluebird Lane; thence southerly along said extension and along said West right of way of Bluebird Lane to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2011-4976; thence westerly along the North line of said Document No. 2011-4976 to its northwest corner; thence southerly along the West line of said Document No. 2011-4976 parcel to the South line of the aforesaid Southwest Quarter of the Southeast Quarter of said Section 3, Township 37 North, Range 8 West; thence easterly along said South line to the aforesaid West right of way of Bluebird Lane; thence southeasterly along said West right of way to the westerly right of way of Interstate 44; thence southwestwesterly along said westerly right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2011-1670; thence southeasterly to the westernmost corner of a parcel described in Phelps County Deed Records at Document No. 1995-2925, also being a point on the easterly right of way of the aforesaid Interstate 44; thence northerly along said easterly right of way to the southwest corner of Lot 1 of Mehta Estates, Rolla, Missouri; thence easterly along the South line of said Lot 1 and its extension to the East right of way of HJ Drive; thence southerly along said East right of way to the North line of Lot 98 of Railroad Addition, Rolla, Missouri; thence easterly along the North line of said Lot 98 to the West right of way of Fairgrounds Road; thence northerly along said West right of way to the North line of Lot 119 of the aforesaid Railroad Addition; thence easterly along the North line of said Lot 119 and along the North line of Lot 120 of said Railroad Addition to the West right of way of Juliene Street; thence southerly along said West right of way to the northeast corner of Lot 3 of Kelly Addition, Rolla, Missouri; thence westerly along the North line of said Lot 3 to its northwest corner; thence southerly along the West line of said Lot 3 to its southwest corner; thence easterly along the South line of said Lot 3 to the aforesaid West right of way of Juliene Street; thence southerly along said West right of way to the North line of Lot 1 of McDonald's Addition, Rolla, Missouri; thence easterly along the North line of said Lot 1 and its extension to the East right of way of the aforesaid Juliene Street; thence southerly along said East right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2014-0901; thence easterly along the South line of said Document No. 2014-0901 parcel to its southeast corner; thence northerly along the East line of said Document No. 2014-0901 parcel to its northeast corner; thence northerly to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2015-5815; thence northerly along the East line of said Document No. 2015-5815 parcel to the easternmost corner of a parcel described in Phelps County Deed Records at Document No. 1995-7297; thence westerly along the North line of said Document No. 1995-7297 parcel to the aforesaid East right of way of Juliene Street; thence northerly and westerly along said East right of way to the East right of way of Bryant Road; thence northwesterly along said East right of way to the East right of way of the aforesaid Fairgrounds Road;

thence northerly along said East right of way to the South right of way of Tenth Street; thence easterly along said South right of way to a point which is 90 feet East of the intersection of said South right of way and the East right of way of Asher Street extended; thence South, 350 feet; thence East, 250 feet; thence North 350 feet to the aforesaid South right of way of Tenth Street; thence easterly along said South right of way to the extension of the East right of way of Spring Avenue; thence northerly along said extension and along said East right of way of Spring Avenue to the southwest corner of Lot 6, Block 9 of Townsend Addition, Rolla, Missouri; thence easterly along the South line of said Lot 6 and along the South lines of Lots 5 and 4, Block 9 of said Townsend Addition to the southeast corner of said Lot 4; thence northerly along the East line of said Lot 4 and its extension to the North right of way of Eleventh Street; thence westerly along said North right of way to the southwest corner of Lot 9, Block 6 of the aforesaid Townsend Addition; thence northerly along the West line of said Lot 9 and its extension and along the West line of Lot 4, Block 6 of said Townsend Addition to the South right of way of Twelfth Street; thence easterly along said South right of way to the northeast corner of said Lot 4, Block 6 of Townsend Addition; thence northerly to the southwest corner of Lot 10, Block 5 of the aforesaid Townsend Addition; thence northerly along the West line of said Lot 10 and its extension and along the West line of Lot 3, Block 5 of said Townsend Addition and its extension to the southwest corner of Lot 10, Block 2 of said Townsend Addition; thence northerly along the West line of said Lot 10 and its extension to the centerline of a vacated alley in the aforesaid Block 2 of Townsend Addition; thence easterly along said centerline to the westerly right of way of Bishop Avenue (Business Loop 44); thence northeasterly along said westerly right of way to the southernmost corner of Lot 5 of Investment Subdivision, Rolla, Missouri; thence northwesterly along the southern lines of said Lot 5 to its westernmost corner; thence northerly along the West line of said Lot 5 to its northwest corner; thence easterly along the northerly line of said Lot 5 to its northeast corner; thence southerly along the easterly line of said Lot 5 to the North line of Lot 30 of Railroad Addition; thence easterly along said North line of Lot 30 and along the North line of Lot 29 of said Railroad Addition to the easterly right of way of Vichy Road; thence southerly along said easterly right of way to the northwesterly right of way of the aforesaid Bishop Avenue; thence easterly along said northwesterly right of way to the southwest corner of a parcel described in Phelps County Deed Records at Book 386, Page 26; thence northerly along the westerly line of said Book 386, Page 26 parcel to the North line of the aforesaid Lot 29 of Railroad Addition; thence easterly along said North line to the aforesaid northwesterly right of way of Bishop Avenue; thence northeasterly along said northwesterly right of way to the West line of the Southeast Quarter of the Northeast Quarter of Section 2, Township 37 North, Range 8 West; thence northerly along said West line to the southwest corner of a parcel described in Phelps County Deed Records at Book 366, Page 115; thence easterly along the southerly line of said Book 366, Page 115 parcel to the westerly line of a parcel described in Book 385, Page 35; thence southerly along the westerly line of said Book 385, Page 35 parcel to the northerly line of Tract 1 as described in Phelps County Deed Records at Document No. 2010-0908; thence easterly along the northerly line of said Tract 1 to its northeast corner; thence southerly along the easterly line of said Tract 1 to the aforesaid northwesterly right of way of Bishop Avenue; thence easterly along said northwesterly right of way to the southeast corner of the aforesaid Tract 1 as described in Phelps County Deed Records at Document No. 2010-0907; thence northerly along the easterly line of said Tract 1 and its extension to the aforesaid southerly right of way of Interstate 44; thence easterly along said southerly right of way to the northeast corner of Tract 2 as described in Phelps County Deed Records at Document No. 2010-0908; thence southerly along the East line of said Tract 2 to the aforesaid northwesterly right of way of Bishop Avenue; thence easterly along said northwesterly right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 1991-3635; thence northerly along the West line of said Document No. 1991-3635 parcel to the aforesaid southerly right of way of Interstate 44; thence easterly along said southerly right of way to the northeast corner of the aforesaid Document No. 1991-3635 parcel; thence southerly along the East line of said Document No. 1991-3635 parcel to the aforesaid northwesterly right of way of Bishop Avenue; thence northerly along said northwesterly right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2007-3204; thence westerly along the South line of said Document No. 2007-3204 parcel to its southwest corner; thence northerly along the West line of said Document No. 2007-3204 parcel to the South line of Lot 1 of Rhodes Subdivision No. 1, Rolla, Missouri; thence westerly along said South line to the southwest corner of said Lot 1; thence northerly along the West line of said Lot 1 to its northwest corner; thence easterly along the North line of said Lot 1 to the westerly right of way of the aforesaid Bishop Avenue (U.S. Highway 63); thence northerly along said westerly right of way to the

northeast corner of Lot 2 of the aforesaid Rhodes Subdivision No. 1; thence westerly along the North line of said Lot 2 to its northwest corner; thence southerly along the West line of said Lot 2 to the southeast corner of Lot 4 of Rhodes Subdivision No. 2, Rolla, Missouri; thence westerly along the South line of said Lot 4 to its southwest corner; thence northerly along the West line of said Lot 4 to its northwest corner; thence northeasterly to the southwest corner of the Southwest Quarter of the Southwest Quarter of Section 36, Township 38 North, Range 8 West; thence northerly along the West line of said Southwest Quarter of the Southwest Quarter to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2013-6562; thence easterly along the South line of said Document No. 2013-6562 parcel to its southeast corner; thence northeasterly along the easterly line of said Document No. 2013-6562 parcel to the northernmost corner of a parcel described in Phelps County Deed Records at Book 262, Page 276; thence northwesterly along the extension of the northeasterly line of said Book 262, Page 276 parcel to the West line of the aforesaid Southwest Quarter of the Southwest Quarter of Section 36, Township 38 North, Range 8 West; thence northerly along said West line to the northwest corner of said Southwest Quarter of the Southwest Quarter; thence easterly along the North line of said Southwest Quarter to the southwest corner of Lot 2 of RSBR Subdivision, Rolla, Missouri; thence northeasterly along the westerly line of said Lot 2 to the aforesaid westerly right of way of U.S. Highway 63; thence southerly along said westerly right of way to a point which is 125 feet right of Highway Station 308+00; thence southeasterly to a point on the easterly right of way of said U.S. Highway 63 which is 125 feet left of said Highway Station 308+00; thence northerly along said easterly right of way to the southwest corner of a parcel described in Phelps County Deed Records at Book 217, Page 13; thence easterly along the South line of said Book 217, Page 13 parcel and its extension to the southerly right of way of the BNSF Railway; thence easterly along said southerly right of way to the northeast corner of Rolla Industrial Park West, Rolla, Missouri; thence southerly along the East line of said Rolla Industrial Park West to the North line of Lot 1 of the Southwest Quarter of Section 31, Township 38 North, Range 7 West; thence westerly along said North line and along the North line of Lot 2 of the Southwest Quarter of said Section 31 to its northwest corner; thence southerly along the West line of said Lot 2 of the Southwest Quarter to the southeast corner of Lot 14 of the aforesaid Rolla Industrial Park West; thence westerly along the South line of said Lot 14 and along the South lines of Lot 16 and 17 of said Rolla Industrial Park West to the East right of way of McCutchen Drive; thence southerly along said East right of way to the southerly right of way of Old St. James Road (Phelps County Road 3060); thence westerly along said southerly right of way to its intersection with the extension of the West line of Rolla Recycling Center Subdivision; thence northerly along said extension and said West line of Rolla Recycling Center Subdivision to the South line of the Northeast Quarter of the Southeast Quarter of the aforesaid Section 36, Township 38 North, Range 8 West; thence westerly along the South line of said Northeast Quarter of the Southeast Quarter to its southwest corner; thence northerly along the West line of said Northeast Quarter of the Southeast Quarter to the South right of way of Twitty Drive; thence westerly along said South right of way to the now existing Rolla City Limits; thence southerly along said Rolla City Limits and its extension to the aforesaid southerly right of way of Old St. James Road; thence westerly and southerly along said southerly right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2012-5708; thence southwestwardly to the northeast corner of a parcel described in Phelps County Deed Records at Book 331, Page 87; thence northwesterly to the northeast corner of a parcel described in Phelps County Deed Records at Book 315, Page 120; thence northwesterly along the northerly line of said Book 315, Page 120 parcel to the southeast corner of a parcel described in Phelps County Deed Records at Book 272, Page 24; thence northeasterly to the intersection of the westerly right of way of Sharp Road and the North right of way of Eighteenth Street; thence westerly along said North right of way to its intersection with the easterly right of way of Walnut Street; thence northerly along said easterly right of way to the southwest corner of Lot 4, Block 1 of Pennant Addition, Rolla, Missouri; thence easterly along the South line of said Lot 4 to its southeast corner; thence northerly along the East line of said Lot 4 and the East line of Lot 5, Block 1 of said Pennant Addition to its northeast corner; thence northerly to the southeast corner of Lot 1, Block 2 of said Pennant Addition; thence northerly along the East line of said Lot 1 and along the East line of Lots 2 and 3, Block 2 of said Pennant Addition to the northeast corner of said Lot 3; thence westerly along the North line of said Lot 3 to the aforesaid easterly right of way of Walnut Street; thence southwestwardly to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2001-9292, also being the westerly right of way of the aforesaid Walnut Street; thence westerly along the North line of said Document No. 2001-9292 parcel and its extension to the West right of way of Cedar Street; thence

southerly along said West right of way to its intersection with the North right of way of Nineteenth Street; thence westerly along said North right of way and its extension to the West right of way of Olive Street; thence southerly along said West right of way to the southeast corner of Lot 9, Block 18 of Schuman's Addition, Rolla, Missouri; thence westerly along the South line of said Lot 9 and its extension and along the South line of Lot 2, Block 18 of said Schuman's Addition to the East right of way of Oak Street; thence southerly along said East right of way to the southwest corner of Lot 5, Block 18 of said Schuman's Addition; thence westerly along the South line of Lots 10 and 4, Block 17 of said Schuman's Addition and their extensions to the East right of way of Elm Street; thence northerly along said East right of way to the northwest corner of the aforesaid Lot 4, Block 17 of Schuman's Addition; thence westerly to the southeast corner of Lot 2, Block 16 of said Schuman's Addition; thence westerly along the South line of said Lot 2 and its extension to the easterly right of way of Pine Street; thence southwesterly to the southeast corner of Lot 8 of Payne Subdivision, Rolla, Missouri, also being a point on the westerly right of way of the aforesaid Pine Street; thence southerly along said West right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2005-5812; thence westerly along the South line of said Document No. 2005-5812 parcel and along the South line of the aforesaid Payne Subdivision to the southwest corner of Lot 6 of said Payne Subdivision, also being a point on the East line of a parcel described in Phelps County Deed Records at Book 311, Page 51; thence southerly along said East line to the southeast corner of said Book 311, Page 51 parcel; thence westerly along the South line of said Book 311, Page 51 parcel and along the South line of a parcel described in Phelps County Deed Records at Document No. 1998-1493 and along the South line of a parcel described in Phelps County Deed Records at Book 331, Page 164 to the East right of way of the aforesaid Vichy Road; thence northerly along said East right of way to its intersection with the aforesaid southerly right of way of Bishop Avenue; thence westerly along said southerly right of way to its intersection with the West right of way of the aforesaid Vichy Road; thence southerly along said West right of way to its intersection with the northerly right of way of St. Patricks Lane; thence easterly along the extension of said northerly right of way to the easterly right of way of the aforesaid Vichy Road; thence southerly along said easterly right of way to the northerly right of way of Sixteenth Street; thence easterly along said northerly right of way and its extension to the aforesaid easterly right of way of Pine Street; thence southerly along said easterly right of way to the northerly right of way of the aforesaid Twelfth Street; thence westerly along said northerly right of way to the westerly right of way of Rolla Street; thence southerly along said westerly right of way to the northerly right of way of the aforesaid Eleventh Street; thence westerly along said northerly right of way to the westerly right of way of Main Street; thence southerly along said westerly right of way to the northerly right of way of the aforesaid Tenth Street; thence westerly along said northerly right of way to the easterly right of way of State Street; thence northerly along said easterly right of way to the southerly right of way of the aforesaid Eleventh Street; thence easterly, 154 feet along said southerly right of way; thence North, 240 feet; thence West, 54 feet; thence North, 54 feet; thence West, 100 feet to the aforesaid easterly right of way of State Street; thence northerly along said easterly right of way to the southerly right of way of Miner Circle extended; thence westerly along said southerly right of way and its extension to its intersection with the East right of way of the aforesaid Bishop Avenue; thence southerly along said East right of way to its intersection with the South right of way of Eighth Street; thence easterly along said South right of way to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2003-9449; thence southerly along the East line of said Document No. 2003-9449 parcel to its southeast corner; thence westerly along the South line of said Document No. 2003-9449 parcel to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 1991-2616; thence southerly along the East line of said Document No. 1991-2616 parcel to the North right of way of Seventh Street; thence easterly along said North right of way to the southwest corner of a parcel described at Document No. 1994-8310; thence northerly along the West line of said Document No. 1994-8310 parcel to its northwest corner; thence easterly along the North line of said Document No. 1994-8310 parcel to its northeast corner; thence southerly along the East line of said Document No. 1994-8310 parcel to the aforesaid North right of way of Seventh Street; thence southerly to the northeast corner of Block 10 of Bishop's 4th Addition, Rolla, Missouri; thence southerly along the East line of said Block 10 and its extension to the South right of way of Sixth Street; thence easterly along said South right of way to its intersection with the northwesterly right of way of the aforesaid BNSF Railway; thence northeasterly along said northwesterly right of way to its intersection with the North right of way of the aforesaid Eighth Street; thence easterly along said North right of way to its intersection with the East right of way of the aforesaid Olive Street; thence southerly along said East right of way to its intersection with the South right of way of

the aforesaid Seventh Street; thence westerly along said South right of way to the West right of way of the aforesaid Oak Street; thence southerly along said West right of way to the southeast corner of a parcel described in Phelps County Deed Records at Book 341, Page 123; thence westerly along the South line of said Book 341, Page 123 parcel to the East line of a parcel described in Phelps County Deed Records at Document No. 2004-3690; thence southerly to the southeast corner of said Document No. 2004-3690 parcel; thence westerly along the South line of said Document No. 2004-3690 parcel to its southwest corner; thence northerly along the West line of said Document No. 2004-3690 parcel to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2000-5947; thence westerly along the South line of said Document No. 2000-5947 parcel and its extension to the West right of way of the aforesaid Elm Street; thence southerly along said West right of way to its intersection with the South right of way of Fifth Street; thence westerly along said South right of way to its intersection with the southeasterly right of way of the aforesaid BNSF Railway; thence southwestery along said southeasterly right of way to its intersection with the West right of way of the aforesaid Rolla Street; thence southerly along said West right of way to the northeast corner of a parcel described in Phelps County Deed Records at Book 277, Page 171; thence westerly along the North line of said Book 277, Page 171 parcel to its northwest corner; thence southerly along the West line of said Book 277, Page 171 parcel to the North right of way of Third Street; thence easterly along said North right of way to its intersection with the aforesaid West right of way of Rolla Street; thence southerly along said West right of way to its intersection with the North right of way of Second Street; thence westerly along said North right of way to its intersection with the West right of way of Park Street; thence northerly along said West right of way to its intersection with the extension of the South line of a parcel described in Phelps County Deed Records at Document No. 9300222; thence easterly along said extension and along the South line of said Document No. 9300222 parcel to its intersection with the West right of way of the aforesaid Main Street; thence northerly along said West right of way to its intersection with the aforesaid South right of way of Fifth Street; thence westerly along said South right of way to its intersection with the West right of way of Beech Street; thence southerly along said West right of way to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2007-5387; thence westerly along the North line of said Document No. 2007-5387 parcel to its northwest corner; thence southerly along the West line of said Document No. 2007-5387 parcel to the northerly right of way of the aforesaid BNSF Railway; thence westerly along said northerly right of way to the East right of way of the aforesaid Bishop Avenue; thence southerly along said East right of way to the aforesaid southerly right of way of the BNSF Railway; thence easterly along said southerly right of way to its intersection with the West right of way of Faulkner Avenue extended; thence southerly along said extension and said West right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2014-3177; thence westerly along the South line of said Document No. 2014-3177 parcel to the aforesaid easterly right of way of Bishop Avenue; thence southerly along said easterly right of way to the South line of Lot 2, Block 8 of Cowan Addition, Rolla, Missouri; thence easterly along the South line of said Lot 2 to the aforesaid West right of way of Faulkner Avenue; thence southerly along said West right of way to the northeast corner of Lot 4, Block 8 of the aforesaid Cowan Addition; thence westerly along the North line of said Lot 4 to the aforesaid East right of way of Bishop Avenue; thence southerly along said East right of way to the North line of Lot 5, Block 8 of the aforesaid Cowan Addition; thence easterly along the North line of said Lot 5 to the northwest corner of a parcel described in Phelps County Deed Records at Book 378, Page 215; thence southerly along the West line of said Book 378, Page 215 parcel to the South line of the aforesaid Lot 5; thence easterly along the South line of said Lot 5 to the aforesaid West right of way of Faulkner Avenue; thence southerly along said West right of way to the southeast corner of Lot 7, Block 8 of the aforesaid Cowan Addition; thence easterly to the southwest corner of Lot 7, Block 7 of said Cowan Addition; thence easterly along the South line of said Lot 7 and its extension to the East right of way of Rucker Avenue; thence northerly along said East right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2002-7134; thence easterly along the South line of said Document No. 2002-7134 parcel and its extension to the West line of Hillcrest Addition, Rolla, Missouri; thence southerly along said West line to the southwest corner of said Hillcrest Addition; thence easterly along the South line of said Hillcrest Addition to the West line of Rolla Park Addition, Rolla, Missouri; thence southerly along said West line to the North right of way of Missouri Highway 72; thence easterly along said North right of way to its intersection with the extension of the East line of a parcel described in Phelps County Deed Records at Document No. 2004-6440; thence southerly along said extension and along said East line of Document No. 2004-6440 parcel to its southeast corner; thence

westerly along the South line of said Document No. 2004-6440 parcel to the West line of Rolla Park 2nd Addition, Rolla, Missouri; thence southerly along said West line to the North right of way of Williams Road; thence westerly along said North right of way to its intersection with the aforesaid West right of way of Faulkner Avenue; thence northerly along said West right of way to the northeast corner of Lot 9, Block 13 of the aforesaid Cowan Addition; thence westerly along the North line of said Lot 9 to the aforesaid East right of way of Bishop Avenue; thence southerly along said East right of way to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2010-1778; thence easterly along the North line of said Document No. 2010-1778 parcel to its northeast corner; thence southerly along the easterly line of said Document No. 2010-1778 parcel to the northeast corner of Tract No. 4 as described in Phelps County Deed Records at Document No. 2004-5668; thence southerly along the East line of said Tract No. 4 to the North right of way of Fort Wyman Road; thence westerly along said North right of way to its intersection with the East line of Parcel No. 2 as described in Phelps County Deed Records at Document No. 2005-1510 extended; thence southerly along said extension and along said East line of Parcel No. 2 to the North line of Rolla Investments Shopping Center Subdivision, Rolla, Missouri; thence easterly along said North line to the northeast corner of said Rolla Investments Shopping Center Subdivision; thence southerly along the East line of said Rolla Investments Shopping Center Subdivision to its southeast corner; thence westerly along the South line of said Rolla Investments Shopping Center Subdivision to the northeast corner of Schweiss Subdivision, Rolla, Missouri; thence southerly along the East line of said Schweiss Subdivision to the northeast corner of C&M Properties Subdivision, Rolla, Missouri; thence southerly along the East line of said C&M Properties Subdivision and its extension to the South right of way of Oaklane Drive; thence easterly along said South right of way to its intersection with the West right of way of Houston Road; thence southerly along said West right of way to the North line of a parcel described in Phelps County Deed Records at Book 262, Page 219 extended; thence easterly along said extension and along the North line of said Book 262, Page 219 parcel to the West line of the Southwest Quarter of the Northeast Quarter of Section 14, Township 37 North, Range 8 West; thence southerly along said West line to the North right of way of Lanning Lane; thence westerly along said North right of way to its intersection with the West line of a parcel described in Phelps County Deed Records at Document No. 2010-6095 extended; thence southerly along said extension and along said West line to the southwest corner of said Document No. 2010-6095 parcel; thence easterly along the South line of said Document No. 2010-6095 parcel to the aforesaid West line of the Southwest Quarter of the Northeast Quarter of Section 14; thence southerly along said West line to the northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 14; thence southerly along the East line of said Northeast Quarter of the Southwest Quarter to the southeast corner a parcel described in Phelps County Deed Records at Document No. 2007-0058; thence westerly along the south line of said Document No. 2007-0058 parcel and along the South line of M&M Subdivision, Rolla, Missouri to the aforesaid East right of way of Bishop Avenue; thence southerly along said East right of way to its intersection with the South line of Lot 4 of Parkview Subdivision, Rolla, Missouri extended; thence westerly along said extension and along said South line of Lot 4 to its southwest corner; thence northerly along the West line of said Lot 4 to the southwest corner of Lot W of Basswood Subdivision, Rolla, Missouri; thence easterly along the South line of said Lot W to its southeast corner; thence northerly along the East line of said Lot W and its extension to the North right of way of Basswood Drive; thence westerly along said North right of way to the southwest corner of Tract B of Parkview Fourth Subdivision, Rolla, Missouri; thence northerly along the West line of said Tract B and its extension to the North right of way of Kent Lane; thence westerly along said North right of way to the southwest corner of Lot 8 of Southside Plaza Subdivision, Rolla, Missouri; thence northerly along the West line of said Lot 8 to its northwest corner; thence easterly along the North line of said Lot 8 to the West line of a parcel described in Phelps County Deed Records at Document No. 1997-4611; thence southerly along said West line to the southwest corner of said Document No. 1997-4611 parcel; thence easterly along the South line of said Document No. 1997-4611 parcel to the East line of the Northwest Quarter of the Southwest Quarter of the aforesaid Section 14, Township 37 North, Range 8 West; thence northerly along said East line to the South line of Mid America Plat 2, Rolla, Missouri; thence westerly along said South line to the southwest corner of said Mid America Plat 2; thence northerly along the West line of said Mid America Plat 2 to the South right of way of Aldi Drive; thence westerly along said South right of way to its West right of way; thence northerly along said West right of way to the southwest corner of Lot 1 of Aldi Subdivision, Rolla, Missouri; thence northerly along the West line of said Lot 1 to the South right of way of the aforesaid Lanning Lane; thence easterly along said South right of way to the West line of the

Southeast Quarter of the Northwest Quarter of the aforesaid Section 14; thence northerly along said West line to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2012-2623; thence easterly along the North line of said Document No. 2012-2623 parcel to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2013-2030; thence northerly along the West line of said Document No. 2013-2030 parcel to its northwest corner; thence easterly along the North line of said Document No. 2013-2030 parcel to the West right of way of the aforesaid Bishop Avenue; thence northerly along said West right of way to the southeast corner of parcel described in Phelps County Deed Records at Document No. 2003-10388; thence westerly along the South line of said Document No. 2003-10388 parcel to its southwest corner; thence northerly along the West line of said Document No. 2003-10388 parcel and along the West line of a parcel described in Phelps County Deed Records at Document No. 2006-7874 to the southwest corner of Lot 2 of Chymiak Investments Plat No. 1, Rolla, Missouri; thence northerly along the West line of said Lot 2 to its northwest corner; thence easterly along the North line of said Lot 2 to the southwest corner of Lot 1 of said Chymiak Investments Plat No. 1; thence easterly along the South line of said Lot 1 to the aforesaid West right of way of Bishop Avenue; thence northerly along said West right of way to the North right of way of the aforesaid Oaklane Drive; thence westerly along said North right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2004-3360; thence northerly along the West line of said Document No. 2004-3360 parcel to its northwest corner; thence easterly along the North line of said Document No. 2004-3360 parcel to the southwest corner of a parcel described in Phelps County Deed Records at Book 386, Page 118; thence northerly along the West line of said Book 386, Page 118 parcel to its northwest corner; thence easterly along the North line of said Book 386, Page 118 parcel to the East line of Lot 62 of Railroad Addition, Rolla, Missouri; thence northerly along said East line to the South line of Wal-Mart Supercenter Plaza III, Rolla, Missouri; thence westerly along said South line to the southwest corner of said Wal-Mart Supercenter Plaza III; thence northerly along the West line of said Wal-Mart Supercenter Plaza III and its extension to the North right of way of Strobach Street; thence easterly along said North right of way to its intersection with the East right of way of Spilman Avenue; thence northerly along said East right of way and its extension to the North right of way of Ridgeview Road; thence westerly along said North right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2009-3877; thence northerly along the West line of said Document No. 2009-3877 parcel to its northwest corner; thence easterly along the North line of said Document No. 2009-3877 parcel to the aforesaid East right of way of Spilman Avenue; thence northerly along said East right of way to the South right of way of the aforesaid BNSF Railway; thence easterly along said South right of way to the aforesaid West right of way of Bishop Avenue; thence northerly along said West right of way to the North right of way of the aforesaid BNSF Railway; thence westerly along said North right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2014-5822; thence northerly along the West line of said Document No. 2014-5822 parcel to the South right of way of Kingshighway; thence westerly along said South right of way to the northeast corner of Tract No. 5 as described in Phelps County Deed Records at Document No. 1997-4931; thence southerly along the East line of said Tract No. 5 to the aforesaid North right of way of the BNSF Railway; thence southwesterly along said North right of way to the southeast corner of Lot 9 of Park Plaza Revised, Rolla, Missouri; thence westerly along the South line of said Lot 9 to the East right of way of the aforesaid Bryant Road; thence southerly along said East right of way to the South line of Lot 1 of said Park Plaza Revised extended; thence westerly along said extension and along said South line of Lot 1 to the West line of said Park Plaza Revised; thence northerly along the West line of said Park Plaza Revised to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2010-3008; thence southeasterly along the North line of said Document No. 2010-3008 to the West right of way of the aforesaid Bryant Road; thence northerly along said West right of way to its intersection of the aforesaid South right of way of Kingshighway; thence westerly along said South right of way to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2013-6030; thence southerly along the East line of said Document No. 2013-6030 parcel to its southeast corner; thence westerly along the South line of said Document No. 2013-6030 parcel to the East right of way of Bridge School Road; thence southerly along said East right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2005-896; thence easterly along the South line of said Document No. 2005-896 to its southeast corner; thence northerly to the North line of Lot 103 of the aforesaid Railroad Addition; thence easterly along the North line of said Lot 103 to its northeast corner; thence southerly along the East line of said Lot 103 to the aforesaid northerly right of

way of the BNSF Railway; thence westerly along said northerly right of way to the South line of the aforesaid Lot 103 of Railroad Addition; thence westerly along said South line to the northwesterly right of way of the aforesaid Bridge School Road; thence southerly along said northwesterly right of way to the northeast corner of a parcel described in Phelps County Deed Records at Book 321, Page 27; thence westerly along the North line of said Book 321, Page 27 parcel to its northwest corner; thence southerly along the westerly line of said Book 321, Page 27 parcel to its southwest corner; thence easterly along the southerly line of said Book 321, Page 27 parcel to the aforesaid northwesterly right of way of Bridge School Road; thence westerly along said northwesterly right of way to the southwest corner of Municipal Acres No. 3, Rolla, Missouri; thence northerly along the West line of said Municipal Acres No. 3 and along the West line of Blue's Lake Plat No. 10, Rolla, Missouri to its northwest corner; thence easterly along the North line of said Blue's Lake Plat No. 10 to the West line of the Southwest Quarter of the Southwest Quarter of Section 10, Township 37 North, Range 8 West; thence northerly along the West line of said Southwest Quarter of the Southwest Quarter to the southwesterly line of Lot 1 of Blue's Lake Plat No. 3, Rolla, Missouri; thence southeasterly along said southwesterly line to the southernmost corner of said Lot 1; thence northeasterly along the southeasterly line of said Lot 1 to the West right of way of Blue's Lake Parkway; thence northerly along said West right of way to its intersection with the South right of way of the aforesaid Interstate 44; thence easterly along said South right of way to its intersection with the East right of way of the aforesaid Blue's Lake Parkway; thence northerly to a point on the North right of way of the aforesaid Interstate 44 which lies 150 feet left of Left Lane Station 847+50; thence westerly along said North right of way of Interstate 44 to its intersection with the East right of way of Sally Road (Phelps County Road 8110); thence northerly along said East right of way to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 1998-5884; thence easterly along the South line of said Document No. 1998-5884 parcel to its southeast corner; thence northerly along the East line of said Document No. 1998-5884 parcel to its northeast corner; thence westerly along the North line of said Document No. 1998-5884 parcel to the aforesaid East right of way of Sally Road (Phelps County Road 8110); thence northerly along said East right of way to the North line of the South Half of the Northwest Quarter of the aforesaid Section 10; thence easterly along said North line to the point of beginning.

EXCEPT the following tracts described in Phelps County Deed Records at:

Document No. 2012-2943 (Tracts 2 through 7)

Document No. 2015-6512

Document No. 2008-4508

Book 353, Page 141 (except the west 207.30 feet)

Document No. 2011-2788

Document No. 2004-7430

Document No. 2012-3016 (Paragraphs 1 and 3)

Document No. 2008-3599

Document No. 2013-3343

Document No. 9507468

Document No. 9507469

Book 387, Page 008

Document No. 2008-2801

Document No. 2014-2985

AND ALSO EXCEPT: Lots 1 and 2 of VBC, Inc. Subdivision, Rolla, Missouri.

AND ALSO EXCEPT: Lots 1 and 2, Event Center Subdivision, Rolla, Missouri.

AND ALSO EXCEPT: All that part of Lot 99 of Railroad Addition, Rolla, Missouri contained within parcel described in Phelps County Deed Records at Document No. 2007-5871.

AND ALSO EXCEPT: All of University Park Subdivision, Rolla, Missouri except the following lots: Lots 1 through 4, 7, 10 through 13 and 34 through 37; and all that part of Columbia Avenue bordered by the aforesaid Lots 10 through 13 and 34 through 37.

AND ALSO EXCEPT: The east 120 feet of a parcel described in Phelps County Deed Records at Document No. 2015-3077.

EXHIBIT II
MAP OF THE DISTRICT

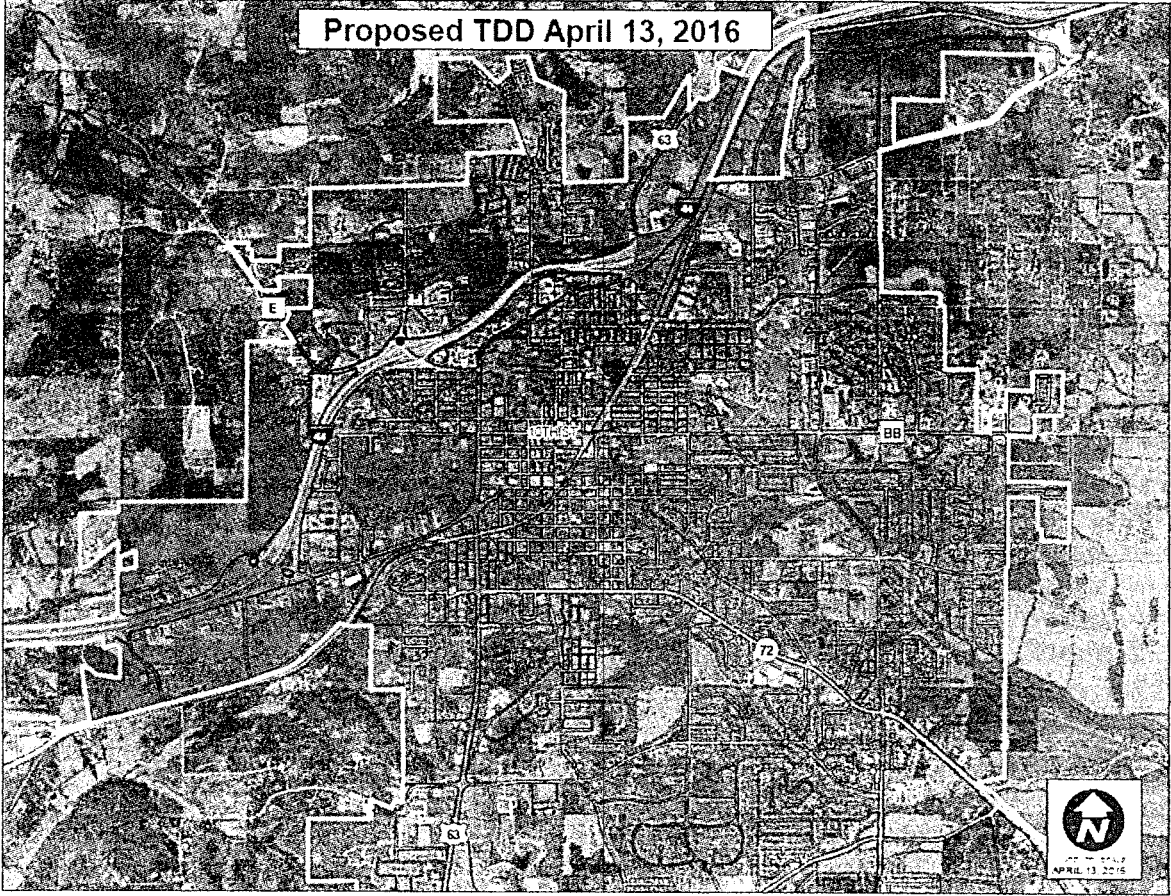


EXHIBIT III

DESCRIPTION OF THE TRANSPORTATION PROJECT

The Transportation Project consists of the acquisition, design and construction of the following transportation-related improvements in and around the District:

HIGHWAY 72 EXTENSION

Extension of Missouri State Highway 72 westerly from and between Bishop Avenue/US Highway 63 and the intersection of Bridge School Road and Kingshighway. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Highway 72 Extension.

KINGSHIGHWAY IMPROVEMENT

Improvement of Kingshighway from and between Bishop Avenue/US Highway 63 and the north side of the intersection of Kingshighway and Interstate 44. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Kingshighway.

ROLLA WEST TDD IMPROVEMENTS

Construction of (a) an interior road system to serve the retail development to be constructed within the District; (b) portions of a connector road from and between Old Wire Road and State Route E; (c) an extension of Kingshighway from and between the north roundabout at the intersection of Interstate 44 and Kingshighway to the retail development; (d) a signalized intersection at the intersection of the extension of Kingshighway and the proposed connector road. These improvements include but are not limited to (i) accompanying grading, drainage, pavement, curb, gutter, sidewalk, storm water facilities, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, median improvements, structures (including without limitation any architectural treatments related thereto), signing, striping, lighting, landscaping or other similar or related infrastructure or improvements in connection with items (a) through (d) above.

BISHOP AVENUE COMPLETE STREET CONCEPT

Transformation of Bishop Avenue from a US Highway to a complete street from Interstate 44 south to Kingshighway. Complete street improvements may include a road diet through the reduction of a travel lane leaving one lane in each direction and a center turn lane with segments of median treatments where practical. A vacated lane could be repurposed to a separated bicycle lane and sidewalk. Other improvements include but are not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting, decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the transformation of Bishop Avenue to a complete street.

INTERSTATE 44 PEDESTRIAN BRIDGE

Construction of a dedicated 10-foot bicycle/pedestrian overpass located just east of the Interstate 44/Missouri Route E Interchange Bridge. The bridge will span Interstate 44 and connect the sidewalk on University Drive to White Columns Drive north of the interchange. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, landscaping improvements, signage, striping and any other transportation related costs related to the improvement of the Interstate 44 Pedestrian Bridge.

UNIVERSITY DRIVE REALIGNMENT

Realignment of University Drive which will provide a new direct connection to Miner Circle Drive which serves as the Missouri S&T campus front door. The new entrance to campus will be defined with new signage and landscaping that will clearly identify the access to campus and to student services. The realignment of University Drive will be from and between the existing intersection of University Drive/State Route E and Poole Avenue and the intersection of Bishop Avenue and Miner Circle Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the University Drive Realignment.

OVERPASS IN THE VICINITY OF 10TH STREET

Construction of a new 2-lane overpass over Interstate 44 which will provide a direct connection to the above-described Rolla West TDD improvements and a possible connector road from and between Old Wire Road and State Route E. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of an overpass in the vicinity of 10th Street.

10TH STREET RECONSTRUCTION

Reconstruction of 10th Street from and between Bishop Avenue and Innovation Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the 10th Street Reconstruction.

INNOVATION DRIVE EXTENSION

Extension of Innovation Drive from and between the existing south terminus of Innovation Drive to Bryant Road. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls,

lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Innovation Drive Extension.

PINE STREET RECONSTRUCTION

Reconstruction of Pine Street from and between Bishop Avenue and 10th Street. These improvements will narrow the travel lanes to 11-feet and add dedicated bike lanes. These improvements will include conversion of the one-way segment from 12th to 10th Street to two-way operations. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Pine Street Reconstruction.

OTHER CITY PROJECTS

Conversion of selected downtown 1-way streets to 2-way operations; new gateways at the Interstate 44/Bishop Avenue Interchange, Interstate 44/Kingshighway Interchange and Bishop Avenue just north of Highway 72; partnership between the City and Missouri S&T University for expanded public transit service; sidewalk improvements to connect gaps in the sidewalk network and repair aging sidewalks downtown (sidewalk improvements are intended to address basic pedestrian needs including, but not limited to, connecting the Missouri S&T campus, downtown, adjacent neighborhoods, parks and other important local destinations); 12-foot multipurpose pedestrian and bicycle trails connecting west Rolla, Missouri S&T and downtown; connect the 10th Street Overpass to Sally Road and other transportation-related improvements benefitting the District including but not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting, decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the above-referenced projects.

The Transportation Project shall also include: (1) the costs associated with the operation and maintenance of the Transportation Project, (2) costs of right-of-way and other land acquisition, settlement and transfer, including relocation costs, taxes, surveys and other professional fees, (3) costs for demolition, earth work, erosion control, including paving, sanitary sewers, storm drainage, water systems, retention basins and retaining walls, provisions for the construction and/or relocation of utilities, including electric, gas, telephone, fiber optic cable, as well as landscaping, irrigation, street lighting and environmental engineering and abatement, (4) costs for replacement of existing roadway surfaces, curbs and gutters, restriping, replacement or installation of sidewalks, traffic/pedestrian signalization, including interconnecting existing signals, roundabouts, signage street lighting and landscaping, (5) costs for legal and engineer's fees, construction cost financing, placement fees, interest, builder's risk insurance, design, engineering, development, project management, architect and contractor fees, as well as all other professional costs associated with the Transportation Project, including accounting and appraisal fees, (6) costs related to any authorized indebtedness or lease obligation of the District, including accrued interest, capitalized interest, reserve funds and costs of issuance and (7) the administrative, legal and accounting costs associated with the creation, administration and existence of the District and costs associated with the collection and enforcement of the District Sales Tax.

EXHIBIT IV

FORM OF OFFICIAL BALLOT

OFFICIAL BALLOT

SPECIAL ELECTION

PROPOSITION TDD

(Mail-In Election)

Shall the Move Rolla Transportation Development District (the "District") be organized within a portion of the City of Rolla, Missouri and Phelps County, Missouri (as more specifically described on Exhibit A attached hereto) for the purpose of acquiring, designing and constructing the following Transportation Project:

HIGHWAY 72 EXTENSION

Extension of Missouri State Highway 72 westerly from and between Bishop Avenue/US Highway 63 and the intersection of Bridge School Road and Kingshighway. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Highway 72 Extension.

KINGSHIGHWAY IMPROVEMENT

Improvement of Kingshighway from and between Bishop Avenue/US Highway 63 and the north side of the intersection of Kingshighway and Interstate 44. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Kingshighway.

ROLLA WEST TDD IMPROVEMENTS

Construction of (a) an interior road system to serve the retail development to be constructed within the District; (b) portions of a connector road from and between Old Wire Road and State Route E; (c) an extension of Kingshighway from and between the north roundabout at the intersection of Interstate 44 and Kingshighway to the retail development; (d) a signalized intersection at the intersection of the extension of Kingshighway and the proposed connector road. These improvements include but are not limited to (i) accompanying grading, drainage, pavement, curb, gutter, sidewalk, storm water facilities, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, median improvements, structures (including without limitation any architectural treatments related thereto), signing, striping, lighting, landscaping or other similar or related infrastructure or improvements in connection with items (a) through (d) above.

BISHOP AVENUE COMPLETE STREET CONCEPT

Transformation of Bishop Avenue from a US Highway to a complete street from Interstate 44 south to Kingshighway. Complete street improvements may include a road diet through the reduction of a travel lane leaving one lane in each direction and a center turn lane with segments of median treatments where

practical. A vacated lane could be repurposed to a separated bicycle lane and sidewalk. Other improvements include but are not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting, decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the transformation of Bishop Avenue to a complete street.

INTERSTATE 44 PEDESTRIAN BRIDGE

Construction of a dedicated 10-foot bicycle/pedestrian overpass located just east of the Interstate 44/Missouri Route E Interchange Bridge. The bridge will span Interstate 44 and connect the sidewalk on University Drive to White Columns Drive north of the interchange. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, landscaping improvements, signage, striping and any other transportation related costs related to the improvement of the Interstate 44 Pedestrian Bridge.

UNIVERSITY DRIVE REALIGNMENT

Realignment of University Drive which will provide a new direct connection to Miner Circle Drive which serves as the Missouri S&T campus front door. The new entrance to campus will be defined with new signage and landscaping that will clearly identify the access to campus and to student services. The realignment of University Drive will be from and between the existing intersection of University Drive/State Route E and Poole Avenue and the intersection of Bishop Avenue and Miner Circle Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the University Drive Realignment.

OVERPASS IN THE VICINITY OF 10TH STREET

Construction of a new 2-lane overpass over Interstate 44 which will provide a direct connection to the above-described Rolla West TDD improvements and a possible connector road from and between Old Wire Road and State Route E. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of an overpass in the vicinity of 10th Street.

10TH STREET RECONSTRUCTION

Reconstruction of 10th Street from and between Bishop Avenue and Innovation Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the 10th Street Reconstruction.

INNOVATION DRIVE EXTENSION

Extension of Innovation Drive from and between the existing south terminus of Innovation Drive to Bryant Road. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Innovation Drive Extension.

PINE STREET RECONSTRUCTION

Reconstruction of Pine Street from and between Bishop Avenue and 10th Street. These improvements will narrow the travel lanes to 11-feet and add dedicated bike lanes. These improvements will include conversion of the one-way segment from 12th to 10th Street to two-way operations. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Pine Street Reconstruction.

OTHER CITY PROJECTS

Conversion of selected downtown 1-way streets to 2-way operations; new gateways at the Interstate 44/Bishop Avenue Interchange, Interstate 44/Kingshighway Interchange and Bishop Avenue just north of Highway 72; partnership between the City and Missouri S&T University for expanded public transit service; sidewalk improvements to connect gaps in the sidewalk network and repair aging sidewalks downtown (sidewalk improvements are intended to address basic pedestrian needs including, but not limited to, connecting the Missouri S&T campus, downtown, adjacent neighborhoods, parks and other important local destinations); 12-foot multipurpose pedestrian and bicycle trails connecting west Rolla, Missouri S&T and downtown; connect the 10th Street Overpass to Sally Road and other transportation-related improvements benefitting the District including but not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting, decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the above-referenced projects.

The Transportation Project shall also include: (1) the costs associated with the operation and maintenance of the Transportation Project, (2) costs of right-of-way and other land acquisition, settlement and transfer, including relocation costs, taxes, surveys and other professional fees, (3) costs for demolition, earth work, erosion control, including paving, sanitary sewers, storm drainage, water systems, retention basins and retaining walls, provisions for the construction and/or relocation of utilities, including electric, gas,

telephone, fiber optic cable, as well as landscaping, irrigation, street lighting and environmental engineering and abatement, (4) costs for replacement of existing roadway surfaces, curbs and gutters, restriping, replacement or installation of sidewalks, traffic/pedestrian signalization, including interconnecting existing signals, roundabouts, signage street lighting and landscaping, (5) costs for legal and engineer's fees, construction cost financing, placement fees, interest, builder's risk insurance, design, engineering, development, project management, architect and contractor fees, as well as all other professional costs associated with the Transportation Project, including accounting and appraisal fees, (6) costs related to any authorized indebtedness or lease obligation of the District, including accrued interest, capitalized interest, reserve funds and costs of issuance and (7) the administrative, legal and accounting costs associated with the creation, administration and existence of the District and costs associated with the collection and enforcement of the District Sales Tax;

and be authorized to impose a district-wide sales tax at the rate of up to one percent (1%) for a period not to exceed forty (40) years for the purpose of funding the Transportation Project?

YES

NO

INSTRUCTIONS TO VOTERS: If you are in favor of this proposition, place an X in the box opposite "YES." If you are opposed to this proposition, place an X in the box opposite "NO."

Please return your ballot in the enclosed self-addressed envelope to the office of the Circuit Court Clerk of Phelps County by mail or hand delivery no later than 5:00 p.m. on December 13, 2016. Voted Ballots received by the Circuit Court Clerk of Phelps County after 5:00 p.m. on December 13, 2016 will not be accepted.

DATED: _____, 2016.

Authorized signature(s)

Printed name(s)

If voter not an individual, printed name of entity

Address of voter

Mailing address of voter (if different)

EXHIBIT A TO OFFICIAL BALLOT

[INSERT DESCRIPTION AND MAP OF DISTRICT BOUNDARIES]

EXHIBIT V

NOTICE OF ELECTION AND PROCEDURES
FOR APPLICATION TO OBTAIN BALLOT

NOTICE OF SPECIAL ELECTION

Notice is hereby given that ballots will be mailed on Tuesday, November 1, 2016, to any qualified voter who applies for a ballot pursuant to the procedures below, on the proposition contained in the enclosed sample ballot.

PROCEDURES FOR APPLICATION TO OBTAIN BALLOT

Pursuant to Section 238.216.2 of the Missouri Transportation Development District Act, Sections 238.200 to 238.280 of the Revised Statutes of Missouri, as amended, application for a ballot shall be conducted as follows:

- (a) Only qualified voters shall be entitled to apply for a Ballot.
- (b) Each voter shall apply for a Ballot with the Circuit Court Clerk of Phelps County.
- (c) Each voter applying for a Ballot shall provide:
 - (i) the property owner's name, address, mailing address, and phone number;
 - (ii) if the property owner is not an individual, the name and phone number of the individual who is authorized to vote on behalf of the entity;
 - (iii) if the property owner is not an individual, the authorized individual's basis of legal authority to vote on behalf of the entity (which shall be determined by the entity's articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote; provided that, if the entity has no such mechanism, the entity's vote shall be cast as determined by a majority of the persons who run its day-to-day affairs);
 - (iv) an authorized signature; and
 - (v) evidence that such property owner is entitled to vote, which shall consist of a tax receipt, deed or other document which evidences ownership, and identifies the real property by location.
- (d) **No voter shall apply for a Ballot later than October 4, 2016.** Applications for Ballots postmarked on or before October 4, 2016, but received by the Circuit Court Clerk of Phelps County after October 4, 2016 will be accepted.

DATED: September __, 2016.

CIRCUIT COURT CLERK,
CIRCUIT COURT OF PHELPS COUNTY