

RESOLUTION NUMBER 24-101

AUTHORIZING THE PUBLIC BUILDING CORPORATION OF THE CITY OF NIXA, MISSOURI, TO TRANSFER PROPERTY TO THE CITY OF NIXA, MISSOURI, AND TO TERMINATE A LEASE WITH THE CITY OF NIXA.

WHEREAS, the Public Building Corporation of the City of Nixa, Missouri, (hereinafter “the PBC”) holds title to certain properties in the City of Nixa that were transferred to it as security for various bonds that have been issued; and

WHEREAS, those properties include lots where the following facilities are located: Nixa City Hall, Nixa Police Department, City of Nixa Utilities, Nixa Recycling Facilities, and McCauley Park, and

WHEREAS, the PBC has entered into a lease agreement with the City of Nixa to lease some of those tracts back to the City of Nixa upon which there are buildings the City uses for its governmental functions, and

WHEREAS, the City of Nixa has fully paid off all bonds that have been issued by the PBC, and

WHEREAS, the City of Nixa has indicated there are no upcoming plans for a bond issue and those properties should be transferred back to the City of Nixa, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PUBLIC BUILDING CORPORATION OF THE CITY OF NIXA, MISSOURI, AS FOLLOWS:

1. Authorize the PBC President and Secretary to sign Quit Claim Deeds in substantially similar form as Exhibit A, attached to this resolution, and any other documents necessary to transfer the following properties currently held by the PBC to the City of Nixa, Missouri:
 - a. All of Lot C1A, A Replat of Lot C1, C2 and C3, Nixa City Center Commercial-Residential Node, Phase 1 according to the recorded plat thereof.
 - b. All of Lots C14, C15, C16, C17, and C18, Nixa City Center Commercial-Residential Node, Phase 1, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.
 - c. All of Lot 9, Nixa Industrial Park First Addition, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.
 - d. Commencing at the Northeast corner of the Northwest Quarter of Section 11, Township 27 North, Range 22 West; thence S 1° 48' 01" W along the East line of

said Northwest Quarter, a distance of 2221.80 feet to an iron pin set for a point of beginning; thence continuing S 1°, 48', 01" W a distance of 439.33 feet to an existing monument at the Southeast corner of said Northwest quarter; thence N 89° 59' 54" W along the South line of said Northwest quarter a distance of 496.00 feet to an existing monument; thence N 1° 48' 01"E a distance of 439.33 feet to an iron pin set; thence S 89° 59' 54" E a distance of 496.00 feet to the point of beginning, all lying in Christian County, Missouri.

- e. All of Lots 1 & 2 in McCauley Park Subdivision, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.
2. Authorize the PBC President and Secretary to sign documents to terminate the current lease agreement dated May 1, 2015, whereby the PBC is leasing the property in Paragraph 1(a), above, and Lots C14, C15, and C18 from the property contained in Paragraph 1(b) above, back to the City of Nixa.

This resolution is hereby PASSED AND APPROVED by a vote of a quorum of members of the Board of Directors of the Public Building Corporation of the City of Nixa, Missouri this 29th day of August 2024.

Clayton Hines, President

ATTEST:

Kendal Dingus, Secretary

Exhibit A

TITLE OF DOCUMENT: QUIT-CLAIM DEED

DATE OF DOCUMENT:

GRANTOR(S): The Public Building Corporation of the City of Nixa, Missouri

GRANTEE: City of Nixa, Missouri

MAILING ADDRESS OF GRANTOR(S): 715 W. Mt. Vernon Street, Nixa, MO 65714

MAILING ADDRESS OF GRANTEE: 715 W. Mt. Vernon Street, Nixa, MO 65714

LEGAL DESCRIPTION: See Exhibit A

REFERENCE BOOK AND PAGE:

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, is made, upon its execution by Grantor, by and between **THE PUBLIC BUILDING CORPORATION OF THE CITY OF NIXA, MISSOURI**, A Missouri Corporation (herein "Grantor"), and **CITY OF NIXA, MISSOURI**, a constitutional charter city, (herein "Grantee"). Grantee's mailing address is: **P.O. Box 395, Nixa, MO 65714**.

WITNESSETH, That the said Grantor, for and in consideration of the sum of **ten dollars** and other valuable considerations paid by the Grantee, the receipt of which is hereby acknowledged, does or do by these presents Remise, Release, and forever Quit-Claim unto said Grantee, the following described real estate in the County of Christian, the State of Missouri, to wit:

SEE "EXHIBIT A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

TO HAVE AND TO HOLD the same together with all the rights, immunities, privileges and appurtenances thereto belonging, unto said Grantee, and unto their heirs, successors, and assigns, forever; so that neither the Grantor, nor its successors, or assigns, nor any other person or persons for it or in its name or behalf, shall or will herein after claim or demand any right or title to the aforesaid premises, or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, Grantor has executed the foregoing on the day and year indicated.

GRANTOR:

ACCEPTANCE BY GRANTEE:

**PUBLIC BUILDING CORPORATION OF
THE CITY OF NIXA, MISSOURI**

CITY OF NIXA, MISSOURI

By: _____
Clayton Hines, President

By: _____
Jimmy Liles, City Administrator

Date: _____

Date: _____

ATTEST:

ATTEST:

By: _____
Kendal Dingus, Secretary

By: _____
Rebekah Coffey, City Clerk

ACKNOWLEDGEMENT OF GRANTOR

STATE OF MISSOURI)
)
COUNTY OF CHRISTIAN)

On this ____ day of August, 2024, before me appeared **Clayton Hines** and **Kendal Dingus**, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of the **PUBLIC BUILDING CORPORATION OF THE CITY OF NIXA, MISSOURI**, a nonprofit public benefit corporation duly organized and existing under the laws of State of Missouri, and that the foregoing instrument was signed in behalf of the said corporation by authority of its board of directors; and said individuals acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary

My Commission Expires:

Exhibit A

All the following described lands are to be included in this instrument:

1. All of Lot C1A, A Replat of Lot C1, C2 and C3, Nixa City Center Commercial-Residential Node, Phase 1 according to the recorded plat thereof.
2. All of Lots C14, C15, C16, C17, and C18, Nixa City Center Commercial-Residential Node, Phase 1, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.
3. All of Lot 9, Nixa Industrial Park First Addition, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.
4. Commencing at the Northeast corner of the Northwest Quarter of Section 11, Township 27 North, Range 22 West; thence S 1° 48' 01" W along the East line of said Northwest Quarter, a distance of 2221.80 feet to an iron pin set for a point of beginning; thence continuing S 1°, 48', 01" W a distance of 439.33 feet to an existing monument at the Southeast corner of said Northwest quarter; thence N 89° 59' 54" W along the South line of said Northwest quarter a distance of 496.00 feet to an existing monument; thence N 1° 48' 01"E a distance of 439.33 feet to an iron pin set; thence S 89° 59' 54" E a distance of 496.00 feet to the point of beginning, all lying in Christian County, Missouri.
5. All of Lots 1 & 2 in McCauley Park Subdivision, a subdivision in the City of Nixa, Christian County, Missouri, according to the recorded plat thereof.

FULL CANCELLATION, DISCHARGE AND RELEASE OF LEASE AGREEMENT, DEED OF TRUST, AND THE INDENTURE OF TRUST

The undersigned, **UMB BANK, N.A.**, a national banking association duly organized and existing under the laws of the United States of America, as trustee (the “Trustee”), the **PUBLIC BUILDING CORPORATION OF THE CITY OF NIXA, MISSOURI**, a nonprofit public benefit corporation organized and existing under the laws of the State of Missouri (the “PBC”), and the **CITY OF NIXA, MISSOURI**, a charter city organized and existing under the laws of the State of Missouri (the “City”) hereby certifies and acknowledges, and releases various documents, all effective as of January 15, 2024, as follows:

1. The Trustee and the PBC are parties to an Indenture of Trust dated as of May 1, 2015 (the “Indenture”), the City and the PBC are parties to a Lease Agreement dated as of May 1, 2015 (the “Lease”), and the Trustee and the PBC are parties to a Deed of Trust dated as of May 1, 2015, and recorded in Book 2015 at Page 6519 at the Christian County Recorder of Deeds Office, (the “Deed of Trust”), pursuant to which the PBC’s Leasehold Revenue Refunding Bonds (City of Nixa, Missouri, Government Complex Expansion Project) Series 2015 (the “Bonds”) were issued by the PBC on behalf of the City, that encumber the property described on **Exhibit A** attached hereto.

2. The Trustee hereby acknowledges receipt by it, or provision for payment, of all sums payable under the Indenture, the Lease, and the Deed of Trust including the fees, compensation and expenses of the Trustee under the Indenture pertaining to the Bonds.

3. **THE TRUSTEE, THE PBC AND THE CITY HEREBY CANCEL, DISCHARGE AND RELEASE THE INDENTURE, THE LEASE, THE DEED OF TRUST AND THE LIEN THEREOF IN ACCORDANCE WITH AND TO THE EXTENT PROVIDED IN THE INDENTURE, THE LEASE AND DEED OF TRUST AND THE PROPERTY DESCRIBED IN EXHIBIT A ATTACHED HERETO IS HEREBY RELEASED FROM THE LIEN AND EFFECT OF THE DEED OF TRUST.**

[Remainder of this page intentionally left blank.]

TO HAVE AND TO HOLD the same, with all the appurtenances thereto belonging, free, clear and discharged from the encumbrance of the Indenture, the Lease and the Deed of Trust.

UMB BANK, N.A., as trustee

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public, appeared _____, who being before me duly sworn did say that [s]he is a _____ of **UMB BANK, N.A.**, a national banking association, and that said officer being authorized to execute the foregoing instrument for the purposes therein contained by signing on behalf of the bank as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public in and for said State
Commission Expires:

THE CITY OF NIXA, MISSOURI,

[SEAL]

By: _____
Name: Jarad Giddens
Title: Mayor

ATTEST:

By: _____
Name: Rebekka Coffey
Title: City Clerk

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS.
COUNTY OF CHRISTIAN)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public, appeared _____ and _____, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the **CITY OF NIXA, MISSOURI**, a charter city duly organized and existing under the laws of State of Missouri, and that the foregoing instrument was signed in behalf of the said city by authority of its city council; and said individuals acknowledged said instrument to be the free act and deed of said city.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public in and for said State
Commission Expires:

EXHIBIT A

THE SITE

The following described real estate in Christian County, Missouri with all facilities located thereon,

TRACT 1:

ALL OF LOT C1A, A REPLAT OF LOT C1, C2 AND C3, NIXA CITY CENTER COMMERCIAL-RESIDENTIAL NODE, PHASE I, CHRISTIAN COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT III:

ALL OF LOTS C FOURTEEN (C14) AND C FIFTEEN (C15) OF NIXA CITY CENTER COMMERCIAL-RESIDENTIAL NODE PHASE I, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT IV:

ALL OF LOT C-EIGHTEEN (C-18), NIXA CITY CENTER COMMERCIAL-RESIDENTIAL NODE, PHASE I, A SUBDIVISION IN NIXA, CHRISTIAN COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.