

**A RESOLUTION OF THE BOARD OF ALDERMEN OF BRANSON, MISSOURI, REAPPOINTING THE BOARD OF DIRECTORS OF THE BRANSON HILLS COMMUNITY IMPROVEMENT DISTRICT; AND CONTAINING A SEVERABILITY CLAUSE.**

**WHEREAS**, the City of Branson, Missouri (the "City") is a fourth class city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution and laws of the State of Missouri; and

**WHEREAS**, On December 20, 2004, pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the "CID Act") the Board of Alderman of the City formed the Branson Hills Community Improvement District (the "CID District"); and

**WHEREAS**, the initial Board of Directors of the CID District (the "Board") were appointed pursuant to the amended petition for formation of the District, through their capacity as land owner representatives for the then property owners and consisted of the following individuals serving the following terms:

- |                   |                           |
|-------------------|---------------------------|
| a. David Walker   | for a term of four years; |
| b. James Marbury  | for a term of four years; |
| c. Dan Ruether    | for a term of two years;  |
| d. Laura Haycook  | for a term of two years;  |
| e. James Thompson | for a term of two years;  |

**WHEREAS**, on March 3, 2004 the property represented by directors: James Marbury, Dan Ruether, Laura Haycook, and James Thompson was sold and their capacity to be board members lapsed at that time; and

**WHEREAS**, the new property owners have designated new land owner representatives; and

**WHEREAS**, the City now desires to appoint the designated individuals to the Board and make such other findings as necessary.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of Branson, Missouri:**

**SECTION 1:** All terms used in this ordinance shall be construed as defined in the CID Act, and the Petition.

**SECTION 2:** The following individuals being duly and authorized representatives of the landowners within the District shall be appointed to serve out the remaining time of their original terms as follows:

- a. David Walker for a term of four years ending 1/2/09;
- b. James Marbury for a term of four years ending 1/2/09;
- c. Dan Ruether for a term of two years ending 1/2/07;
- d. Julie Feagans for a term of two years ending 1/2/07;
- e. James Thompson for a term of two years ending 1/2/07;

**SECTION 3:** It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.


**ADOPTED** by the Board of Aldermen of the City of Branson, Missouri, this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Louis E. Schaefer  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lisa K. Westfall  
City Clerk

  
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Daniel R. Wichmer  
City Attorney