

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BRANSON LANDING TRANSPORTATION DEVELOPMENT DISTRICT IMPOSING A ONE-CENT SALES TAX WITHIN THE DISTRICT, AUTHORIZING THE CITY OF BRANSON TO PERFORM ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, COLLECTION, ENFORCEMENT, AND OPERATION OF THE DISTRICT SALES TAX AND PRESCRIBING THE FORMS AND ADMINISTRATIVE RULES AND REGULATIONS FOR REPORTING AND COLLECTING THE DISTRICT SALES TAX.

WHEREAS, the Branson Landing Transportation Development District (the "**District**"), through adoption of Resolution 2005-06, approved the imposition of a one-cent sales tax (the "**District Sales Tax**") as authorized by an order entered by the Circuit Court of Taney County, Missouri, subject to the approval of the District Sales Tax at an election of the qualified voters within the District; and

WHEREAS, the qualified voters within the District consist of all owners of real property within the District; and

WHEREAS, the City, as the sole owner of real property within the District, is the sole qualified voter that may vote to impose the District Sales tax; and

WHEREAS, the City, as the sole owner of property within the District that filed the petition for formation of the District, is therefore empowered cast its ballot in the election by unanimous petition.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BRANSON LANDING TRANSPORTATION DEVELOPMENT DISTRICT, AS FOLLOWS:

1. The Mayor is authorized and directed to execute the attached Unanimous Petition, as the method of casting and transmitting the City's vote in the election to the District. The Mayor is authorized to vote "YES" on the ballot of submission attached to the Unanimous Petition and return the petition and ballot to the District. This vote may be delayed as provided in District Resolution 2005-06.
2. This resolution shall take effect immediately.


This Resolution read, passed and truly agreed to this _____ day of _____, 20_____.

Louis E. Schaefer
Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa K. Westfall
City Clerk



Daniel R. Wichmer
City Attorney

**UNANIMOUS PETITION
APPROVING LEVY OF THE BRANSON LANDING TRANSPORTATION
DEVELOPMENT DISTRICT SALES TAX**

THIS UNANIMOUS PETITION APPROVING LEVY OF THE BRANSON LANDING TRANSPORTATION DEVELOPMENT DISTRICT SALES TAX (the "**Petition**") is approved as of the date of the Petition is fully executed by THE CITY OF BRANSON, MISSOURI, a political subdivision and fourth class city of the State of Missouri (the "**City**").

WHEREAS, on January 24, 2005, the City filed a petition with the Circuit Court of Taney County ("**Petition**") for approval of the Branson Landing Transportation Development District ("**District**"), which will impose a one-cent sales tax to provide a source of funds for certain Reimbursable Project Costs that are also eligible as projects pursuant to the Transportation Development District Act, Sections 238.200 through 238.275, RSMo ("**TDD Act**"); and

WHEREAS, on March 17, 2005, following a hearing, the Circuit Court of Taney County issued its order declaring that the District is formed pursuant to the TDD Act, certifying the District Sales Tax for qualified voter approval, setting the date for a meeting of the property owner to elect the Board of Directors, and setting a date of the first meeting of the District Board of Directors; and

WHEREAS, on April 11, 2005, the property owners within the District held a meeting and elected the Board of Directors of the District; and

WHEREAS, on April 11, 2005, the Board of Directors approved Resolution 2005-06, which imposed a one-cent sales tax within the District as authorized by the TDD Act (the "**District Sales Tax**"), subject to approval of the qualified voters in the District; and

WHEREAS, the City is the sole property owner within the District and is therefore the sole qualified voter for the purpose of casting a ballot in the election to impose the District Sales Tax; and

WHEREAS, Section 238.216.1(3) of the Revised Statutes of Missouri provides that if all the owners of property in the District joined in the petition for formation of the District, such owners may cast their ballot by unanimous petition approving any measure submitted to them as voters pursuant to Chapter 238 of the Revised Statutes of Missouri, and each owner shall receive one vote per acre owned, and thereafter the petition shall be submitted to the circuit court clerk who shall verify the authenticity of all signatures thereon; and

WHEREAS, by this Petition, the City as the sole owner of property within the District desires to approve the proposal.

NOW THEREFORE, the City hereby declares:

1. The City is qualified to vote, and the Mayor of the City is qualified to affix his signature in the name of the City on the attached Ballot of Submission pursuant to the TDD Act.

2. The City hereby casts all votes that Owner is entitled to cast in favor of the ballot measure for "YES" to impose the District Sales Tax.

THE CITY OF BRANSON, MISSOURI, as the sole owner of property within the District hereby executes this Petition as of the _____ day of _____, 2005.

Mayor Louis E. Schaefer

**BALLOT FOR THE BRANSON LANDING
TRANSPORTATION DEVELOPMENT DISTRICT SALES TAX**

Shall the transportation development district of the Branson Landing Transportation Development District impose a transportation development district-wide sales tax at the rate of one percent (1%) for a period of thirty (30) years from the date on which such tax is first imposed for the purpose of funding or assisting in the funding of bridge, street, road, highway, intersection, parking lot, shelter, pedestrian, dock, wharf, lake port and river port improvements and infrastructure, including land acquisition costs and design and engineering costs, more particularly described as: (1) widening and improvements to Business Highway 65 from its intersection with Highway 248/Highway 65 on the north to its intersection with Scaggs Road on the south; (2) intersection improvements, including a roundabout, at the intersection of Business Highway 65 and Skaggs Road; (3) a bridge over Roark Creek that shall be located generally to the east the existing Business Highway 65; (4) the reconstruction, realignment and extension of Boxcar Willie Drive through the Property, which will replace the existing Boxcar Willie Drive; (5) improvements and widening to Sycamore Street from Atlantic Street on the north to Long Street on the south; (6) a new parking structure at the intersection of College Street and Sycamore Street and improvements to an existing parking structure at the northwest corner of Pacific Street and Sycamore Street; (7) two improved parking lots on the Branson Landing property, with the first generally located east of realigned Box Car Willie Drive and north of West Oklahoma Street and the second generally located east of realigned Box Car Willie Drive and adjacent to East Price Street and East Long Street; (8) the Town Center and Public Domain dock, wharf, lake port and river port improvements on the Property adjacent to Lake Taneycomo, which consist of public pedestrian paths, paving and sidewalks, signage and related improvements; and (9) the Boardwalk dock, wharf, lake port and river port improvements on the Property adjacent to Lake Taneycomo, which consist of pedestrian paths, paving, sidewalks, wood boardwalks, piers, boardwalk shelters, improvements for marinas, boat docks and boat dock connections, signage and related dock, wharf, lake port and river port improvements?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO".

I hereby declare under penalty of perjury that I am qualified to affix my authorized signature in the name of the City of Branson which is entitled to vote in this election.

Subscribed and sworn to before me this _____ day of _____, 2005.

Mayor Louis E. Schafer

Notary Public

My Commission expires:
