

ORDINANCE NO. 4149

AN ORDINANCE APPROVING ADDENDUM NO. 1 TO AN AGREEMENT OF SALE BETWEEN THE CITY OF CLINTON AND BOHANNAN INVESTMENTS, LLC.

WHEREAS, Bohannan Investments executed an agreement of sale for Lot 14A, Gerhart Industrial Park on February 13, 2024; and

WHEREAS, the City of Clinton executed same agreement of sale for Lot 14A, Gerhart Industrial Park on February 21, 2024; and

WHEREAS, the Replat of Lot 14 of the Replat of Gerhart Industrial Park identifies the aforementioned property (Lot 14A) as Lot 1 of the Replat of Lot 14 of the Replat of Gerhart Industrial Park;

NOW, THEREFORE BE IT HEREBY ORDAINED by the City Council of Clinton, Missouri as follows:

1. The attached Addendum No. 1 is approved and is now incorporated into the Agreement of Sale between the City of Clinton and Bohannan Investments, LLC.
2. Lot 1 of the Replat of Lot 14 of the Replat of Gerhart Industrial Park, as referenced in Addendum No. 1, and Lot 14A, as referenced in the Agreement of Sale between the City of Clinton and Bohannan Investments, LLC, are one and the same.
3. The Mayor and City Administrator are authorized to execute all documents related to the transaction, on behalf of the City of Clinton.
4. This ordinance shall become effective immediately upon its passage and approval as provided by law.

Read both times and passed this 5th day of March, 2024.

ATTEST:


Wendee Seaton, City Clerk




Carla Moberly, Presiding Officer

Ayes 6 - Gene Henry, Roger House, Austin Jones, Shelley Nelson,
Martha Nichols, Stacia Wilson
Nays 0
Absent 2 - Cameron Jackson and Debbie Smith


Carla Moberly, Mayor

ADDENDUM NO. 1
TO AN
AGREEMENT OF SALE

This Addendum, made this 5th day of March, 2024, by and between the City of Clinton and Bohannon Investments, LLC, modifies an Agreement of Sale fully executed on February 21, 2024.

For the mutual promises herein contained, the parties further agree as follows:

1. Lot 14A, as referenced in the Agreement of Sale between the City of Clinton and Bohannon Investments, LLC, and Lot 1 of the Replat of Lot 14 of the Replat of Gerhart Industrial Park (Exhibit A) are one and the same.
2. This Addendum No. 1 shall be incorporated into the Agreement of Sale fully executed on February 21, 2024.
3. In all other respects, the Agreement of Sale shall remain unchanged.

In Witness Whereof, the authorized representatives of the parties have signed below.

City of Clinton, Missouri

Carla Moberly 3-5-24
Carla Moberly, Mayor Date

Bohannon Investments, LLC

Troy Bohannon 3-4-24
Troy Bohannon Date

Attest:

Wendee Seaton
Wendee Seaton, City Clerk

Attest:

Beth L. Wilson
By: Beth L. Wilson



REPLAT OF LOT 14 OF THE REPLAT OF GERHART INDUSTRIAL PARK

A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF
SECTION 34 TOWNSHIP 42 NORTH, RANGE 26 WEST
CLINTON, HENRY COUNTY, MISSOURI

DEDICATION:
THE UNDERSIGNED PROPRIETORS OF THE REAL ESTATE DESCRIBED HEREON HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "REPLAT OF LOT 14, GERHART INDUSTRIAL PARK". IT SHALL BE SUFFICIENT DESCRIPTION OF EACH LOT PLATTED HEREON TO BE DESIGNATED BY THE NUMBER WHICH APPEARS ON SAID LOT FOLLOWED BY THE WORDS "REPLAT OF LOT 14, GERHART INDUSTRIAL PARK" AN ADDITION TO THE CITY OF CLINTON, MISSOURI.

AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF CLINTON, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE OF CONDUITS, GAS, WATER AND SEWER LINES OR ALL OR ANY OF THEM UPON OR UNDER THE SURFACE OF THE LAND DESIGNATED UTILITY EASEMENT (U) AND/OR DRAINAGE EASEMENT (DE) AS SHOWN ON THE PLAT AND DESCRIBED IN THE DESCRIPTION.

THE STREETS/ROADS SHOWN ON THIS PLAT NOT ALREADY DEDICATED TO THE PUBLIC ARE HEREBY SO DEDICATED.

THE USE OF ALL LOTS ON THIS PLAT SHALL BE SUBJECT TO ANY AND ALL RESTRICTIONS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN HENRY COUNTY, MISSOURI AND TO ALL RESTRICTIONS IMPOSED BY ORDINANCE BY THE CITY OF CLINTON, MISSOURI.

COUNTY, TOWNSHIP AND CITY TAXES PERTAINING TO THIS REAL ESTATE UP TO AND THROUGH THE YEAR 2024 HAVE BEEN PAID.

IN TESTIMONY WHEREOF THE UNDERSIGNED PROPRIETORS HAVE HEREUNTO SET THEIR HANDS THIS DAY OF _____, 2024.

CARLA MOBERLY
MAYOR
CITY OF CLINTON, MISSOURI

CHRISTINA A. MAGGI
CITY ADMINISTRATOR
CITY OF CLINTON, MISSOURI

ACKNOWLEDGEMENT:

STATE OF MISSOURI _____
COUNTY OF _____

ON THIS _____ DAY OF _____ IN THE YEAR 2024, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED CARLA MOBERLY, MAYOR

CHRISTINA A. MAGGI, CITY ADMINISTRATOR

OF THE CITY OF CLINTON, MISSOURI, TO ME, PERSONALLY KNOWN, AND KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY NOTARIAL SEAL, NOTARY PUBLIC IN AND FOR THE COUNTY OF _____ STATE OF MISSOURI.

MY COMMISSION EXPIRES _____

(SEAL)

APPROVAL:

APPROVED BY ACTION OF THE PLANNING COMMISSION OF THE CITY OF CLINTON, MISSOURI ON THIS _____ DAY OF _____, 2024.

CHAIRMAN - PLANNING COMMISSION

ACCEPTED THIS _____ DAY OF _____, 2024 BY ACTION OF THE CITY COUNCIL OF THE CITY OF CLINTON, MISSOURI.

CITY CLERK

ORDINANCE NO.

RECORDED PROPERTY DESCRIPTION

LOT 14, REPLAT OF GERHART INDUSTRIAL PARK, AN ADDITION TO THE CITY OF CLINTON, HENRY COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

REFERENCES:

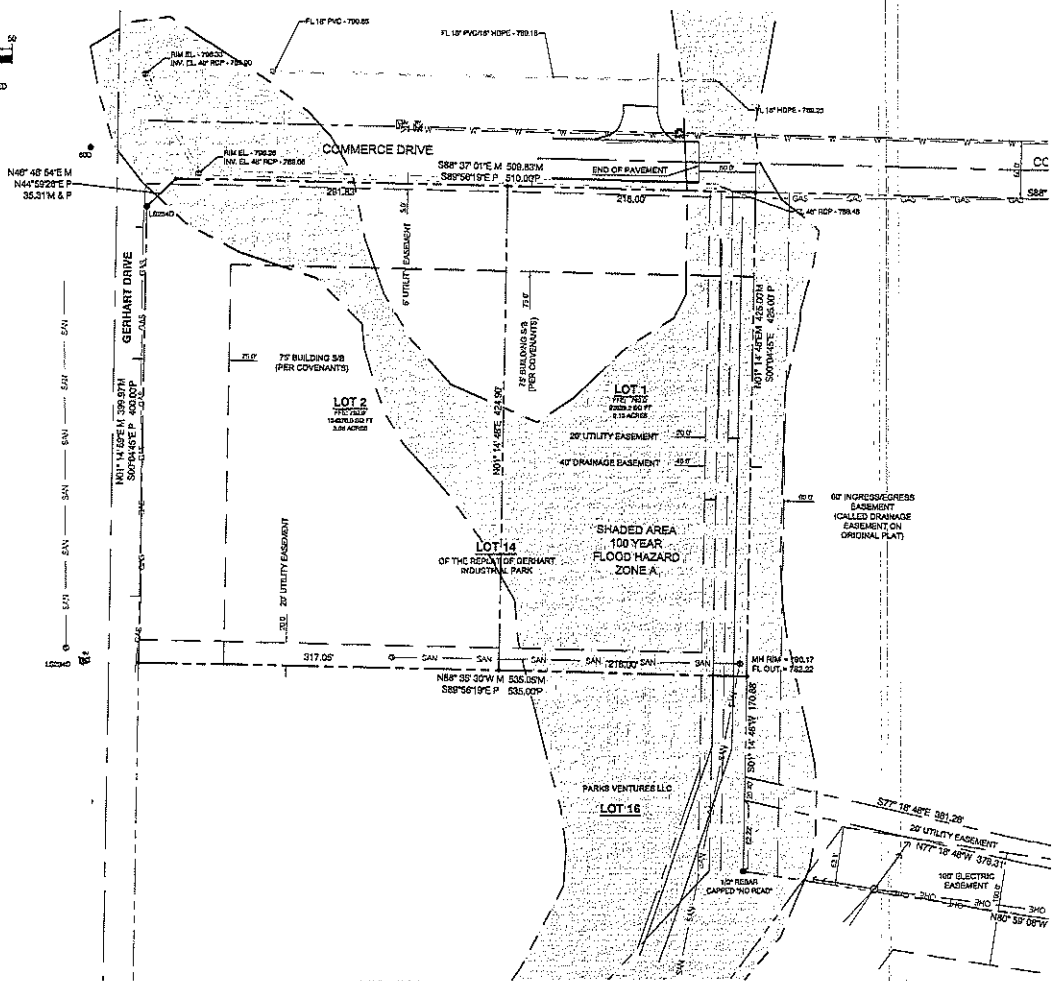
FINAL PLAT OF "REPLAT OF GERHART INDUSTRIAL PARK" BY MD PLS 250, DATED 02/21/1997, RECORDED IN PLAT BOOK G AT PAGES 192-194, DATED 02/21/1997.

ZONING:

ZONED AS 2-LIGHT INDUSTRIAL DISTRICT

| LEGEND | |
|---------|---------------------------------------|
| ○ | IRON PIN SET CAPPED "LC 200706000" |
| ● | EXISTING IRON PIN |
| ▲ | EXISTING RIGHT-OF-WAY MARKER |
| M | MEASURED |
| P | PLATTED |
| ○ | 303233 |
| — W | WATER LINE |
| — GAS | GAS LINE |
| — SAN | SANITARY SEWER |
| — O&C | OVERHEAD ELECTRIC LINE |
| — U&E | UNDERGROUND ELECTRIC LINE |
| — U&C&M | UNDERGROUND COMMUNICATION LINE |
| — FC | FIBER-OPTIC CABLE |
| — | CHAIN LINK FENCE |
| — | WOOD PRIVACY FENCE |
| — | BARBED WIRE FENCE |
| — | ELECTRIC TRANSMISSION |
| ○ | SANITARY SEWER MANHOLE |
| ○ | STORM SEWER MANHOLE |
| ○ | WATER MANHOLE |
| ○ | TELEPHONE PEDESTAL |
| ○ | FIRE HYDRANT |
| ○ | WATER VALVE |
| ○ | GAS VALVE |
| ○ | GAS METER |
| ○ | POWER POLE |
| ○ | ELECTRIC METER |
| ○ | GUY ANCHOR |
| ○ | PULL BOX |
| ○ | 2" FIBER |
| ○ | WATER METER |
| ○ | GAS METER |
| ○ | AIR CONDITIONER |
| ○ | SOA |
| ○ | LIGHT POLE |
| ○ | POST |
| ○ | MAIL BOX |
| ○ | TREE DECIDUOUS |
| ○ | TREE EVERGREEN |

EXHIBIT A



CERTIFICATION:
C&W TRANSPORTATION CONSULTANTS, L.L.C. HEREBY DECLARE TO THE CITY OF CLINTON, MISSOURI, THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL SURVEY OF THE LAND DESCRIBED, WHICH WAS PERFORMED UNDER MY PERSONAL SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY IS IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS. PHYSICAL EVIDENCE OF IMPROVEMENTS SHOWN ARE FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. BOUNDARY MONUMENTATION AND CONDITIONS FOUND ARE AS SHOWN.

Michael A. Johnson
MICHAELA JOHNSON, PLS 250
DATE: _____
C&W, L.L.C. LC-2007000003



UTILITY DISCLAIMER
INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. CONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. INFORMATION SHOWN IS FROM MAPS PROVIDED OR DISCOVERED FROM UTILITY PROVIDERS.

| | | |
|---|--|----------------|
| No.: | Revision: | Date: |
| RE-PLAT FOR CITY OF CLINTON, MISSOURI A MUNICIPAL CORPORATION | | |
| N GERHART DR & W COMMERCE DR CLINTON, MISSOURI 64735 | | |
| | Prepared by: | |
| | CJW Transportation Consultants, L.L.C. Michael Johnson, PLS 250 0281 S. Hallowell Suite 774 Springfield, MO 65806 www.CJW.com | |
| SURVEY BY | DESIGN | SCALE |
| CJW | CJW | AS SHOWN |
| DATE: 02/27/2024 | DRAWN | HOR. 1"=50' |
| DWG: 24021 REPLAT | CHECKED | VERT. N/A |
| | | SHEET 1 OF 1 |
| | | FILE NO. 24021 |