

AGENDA  
CITY COUNCIL MEETING  
SPECIAL SESSION  
Monday, October 29, 2012  
7:30 P.M.

1. Call to Order
2. Bill No. 12-1215: Lease Purchase Agreement – building at 423 Main St.
3. Resolution: Agreement with Smith & Co. for Engineering Services

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A MUNICIPAL LEASE AGREEMENT AND OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH.**

WHEREAS, the CITY (hereinafter referred to as the “Issuer”) is the governing body of and possess the general legislative power of the CITY OF NEW MADRID; and

WHEREAS, the Issuer has heretofore determined that financing for the acquisition and leasing of certain real estate pursuant to the Municipal Lease Agreement (as defined herein) is for the benefit of the inhabitants of the CITY OF NEW MADRID and the promotion of their welfare and prosperity; and

WHEREAS, the Lessee (as defined herein) desires to acquire the following described real estate and premises located at 423 Main Street known as O’Bannon Building pursuant to the Municipal Lease Agreement, and more fully described as follows:

All of Lot One (1) of Fred M. Copeland’s Subdivision of Lot Thirteen (13) , Block Four (4) , New Madrid County’s First Map of New Madrid, Missouri, as shown by plat recorded in Plat Book 4 at Page 12, in the Recorder’s Office of New Madrid County, Missouri.

ALL LYING, BEING AND SITUATE IN THE COUNTY OF NEW MADRID AND STATE OF MISSOURI.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW MADRID AS FOLLOWS:

**Section 1.** The form, terms and provisions of the Municipal Lease Agreement by and between the CITY OF NEW MADRID as Lessee, Cecil L Hicks and Mary Sue Hicks, his wife, as Lessor, dated the \_\_\_\_\_ day of October, 2012, with a term of 5 annual payments in the amount of \$4,400.00 each, with an advance payment of \$28,000.00 (such agreement is referred to herein as the “ Municipal Lease Agreement”,) are hereby approved, and all the terms, provisions, and conditions of the Municipal Lease Agreement are incorporated herein by reference as if set out in this Ordinance and such Municipal Lease Agreement shall constitute a valid and binding obligation of the Issuer.

**Section 2.** The MAYOR, Donnie Brown, is hereby authorized to execute the Municipal Lease Agreement and any of the Peripheral Lease Documents requiring execution and such person is hereby authorized to take any and all such action and execute such other documents as may be required to carry out and/or give effect to the transaction contemplated by the Municipal Lease Agreement.

**Section 3.** The Municipal Lease Agreement is hereby designated a “Qualified Tax Exempt Obligation.” By such term, Issuer intends that the real estate purchased pursuant to the Municipal Lease Agreement shall be used solely by a governmental entity, and Issuer (and its subordinate entities) shall not issue obligations in excess of \$10,000,000.00 in this calendar year.

**Section 4.** This Ordinance is made pursuant to the General Statutes of the State of Missouri.

**Section 5.** This Ordinance shall take effect immediately upon its adoption.

READ TWO TIMES AND DULY PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF  
OCTOBER, 2012.

Approved:

\_\_\_\_\_  
Donnie Brown, Mayor

ATTEST:

\_\_\_\_\_  
Marian B. Bock, City Clerk

Approved as to form:

\_\_\_\_\_  
Lynn N. Bock, City Attorney