

RESOLUTION NO. 17-007

A RESOLUTION OF THE ARBORS OF ROCKWOOD COMMUNITY IMPROVEMENT DISTRICT APPROVING THE BUDGETS OF THE DISTRICT FOR THE FISCAL YEARS ENDING JUNE 30, 2017 AND 2018 WITH INSTRUCTIONS TO FORWARD SAME TO THE CITY OF EUREKA, MISSOURI IN COMPLIANCE WITH THE COMMUNITY IMPROVEMENT DISTRICT ACT; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, The Arbors of Rockwood Community Improvement District (the "*District*") is a community improvement district and a political subdivision of the State of Missouri organized under the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "*CID Act*"); and

WHEREAS, Section 67.010 of the Revised Statutes of Missouri, as amended, requires each political subdivision of the State of Missouri to prepare an annual budget prior to the beginning of the ensuing fiscal year; and

WHEREAS, Section 67.030 of the Revised Statutes of Missouri, as amended, allows each political subdivision to revise, alter, increase or decrease the items contained in the budget; provided that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year; and

WHEREAS, Section 67.1471 of the CID Act requires that the District shall submit the proposed annual budget prior to the beginning of each fiscal year to the Board of Aldermen of the City of Eureka, Missouri (the "*City*").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ARBORS OF ROCKWOOD COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. Approval of Proposed Budgets for Fiscal Years Ending June 30, 2017 and 2018. The proposed budgets of the District for the fiscal years ending June 30, 2017 and 2018 are hereby approved as set forth on **Exhibit A**, attached hereto and incorporated herein by reference.

Section 2. District to Forward Proposed Budgets to City. The District's Administrator or Treasurer shall send a copy of the proposed budgets to the City's Board of Aldermen for its review and comment in accordance with the CID Act. If the District does not receive written comments from the City on or before the date that is the later of 60 days prior to the first day of the fiscal year ending June 30, 2018 or 30 days after submission to the City, the proposed budget shall become the final budget.

Section 3. Further Authority. All actions heretofore taken by the authorized representatives, agents and employees of the District in connection with the transaction contemplated by this Resolution are hereby ratified and confirmed, and the District shall, and the representatives, agents and employees of the District are hereby authorized and directed to, take such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4. Severability. The sections, paragraphs, sentences, clauses and phrases of this Resolution shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the District has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 5. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

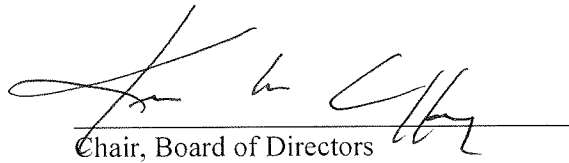
Section 6. Effective Date. This Resolution shall take effect and be in full force upon its adoption by the Board of Directors of the District.

Passed this 22nd day of February, 2017.

I, the undersigned, Chair of The Arbors of Rockwood Community Improvement District, hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the District at a meeting held, after proper notice, on February 22, 2017.



**THE ARBORS OF ROCKWOOD
COMMUNITY IMPROVEMENT DISTRICT**


Chair, Board of Directors

WITNESS my hand and official seal this 22nd day of February, 2017.

ATTEST:



Secretary, Board of Directors

EXHIBIT A

**THE ARBORS OF ROCKWOOD
COMMUNITY IMPROVEMENT DISTRICT**

**PROPOSED BUDGETS FOR FISCAL YEARS ENDING
JUNE 30, 2017 AND JUNE 30, 2018**

CHAIR
Kevin Coffey

BOARD OF DIRECTORS

Jeremy Roth
Vice Chair

Ralph Lindsey
Assistant Treasurer

Craig Sabo
Secretary / Treasurer

Jeffrey Lewis
Director

Laura Lashley
Assistant Secretary and Assistant Treasurer

Kevin Coffey
Executive Director

BUDGET MESSAGE

On October 18, 2016, pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "*CID Act*"), The Arbors of Rockwood Community Improvement District (the "*District*") was established by Ordinance No. 2394 of the City of Eureka, Missouri (the "*City*"), for the purpose of undertaking certain public improvements within and adjacent to the boundaries of the District (the "*CID Project*") and financing the CID Project by providing revenues to repay any obligations issued in relation to the CID Project. On February 22, 2017, in accordance with the CID Act, the District's Board of Directors adopted Resolution No. 17-005 authorizing a special assessment to be levied against certain real property benefited within the boundaries of the District (the "*District Assessment*").

Pursuant to Resolution No. 17-004, the Board of Directors of the District approved and authorized the execution of an agreement among the City, the District and Brewster Road, LLC (the "*Developer*"), to provide for the process by which the District will reimburse the Developer for certain costs related to the CID Project, to provide for the payment of Operating Costs (as defined in the Development Agreement) and to provide assurances to the City regarding the implementation of the CID Project (the "*Development Agreement*").

For the fiscal year ending June 30, 2017, the District anticipates \$10,000 of revenue consisting of a Developer contribution and \$10,000 expenditures related to administrative expenses and bank fees.

For the fiscal year ending June 30, 2018, District Assessment revenues of approximately \$68,600. The District anticipates total expenditures of approximately \$12,000, consisting of administration fees of approximately \$6,500, insurance costs of approximately \$1,350, legal fees of approximately \$3,900 and bank fees of approximately \$250. The District anticipates having approximately \$56,600 of funds on hand at June 30, 2018.

**The Arbors of Rockwood Community Improvement District
Proposed Budget for Fiscal Year Ending June 30, 2017**

	<u>Jul '16 - Jun 17</u>			
Income				
CID Villas Class Special Assessment (\$500 each)	0.00			
CID Bayside Class Special Assessment (\$600 each)	0.00			
CID Oakwood Class Special Assessment (\$700 each)	0.00			
CID Timberwood Class Special Assessment (\$800 each)	0.00			
Developer Contribution	10,000.00			
Total Income	<u>10,000.00</u>			
Gross Profit	10,000.00			
Expense				
Administration Expense				
Administration Fee	5,000.00			
Audit	0.00			
Insurance	1,350.00			
Legal	3,400.00			
Total Administration Expense	<u>9,750.00</u>			
Service Fees				
Banking Fees	250.00			
Total Banking Fees	<u>250.00</u>			
Total Expense	<u>10,000.00</u>			
Net Income	<u><u>0.00</u></u>			
Beginning Balance	\$ -			
Ending Balance	\$ -			
Fund Balance	7/1/2016	Additions	Subtractions	6/30/2017
Depository Account	\$ -	\$ 10,000.00	\$ (10,000.00)	\$ -

**The Arbors at Rockwood Community Improvement District
Proposed Budget for Fiscal Year Ending June 30, 2018**

	<u>Jul '17 - Jun 18</u>			
Income				
CID Villas Class Special Assessment (\$500 each)	24,500.00			
CID Bayside Class Special Assessment (\$600 each)	29,400.00			
CID Oakwood Class Special Assessment (\$700 each)	6,860.00			
CID Timberwood Class Special Assessment (\$800 each)	7,840.00			
Total Income	68,600.00			
Gross Profit	68,600.00			
Expense				
Administration Expense				
Administration Fee	6,500.00			
Audit	0.00			
Insurance	1,350.00			
Legal	3,900.00			
Total Administration Expense	11,750.00			
Service Fees				
Banking Fees	250.00			
Total Banking Fees	250.00			
Total Expense	12,000.00			
Net Income	56,600.00			
Beginning Balance	\$ -			
Ending Balance	\$ 56,600.00			
Fund Balance	<u>7/1/2016</u>	<u>Additions</u>	<u>Subtractions</u>	<u>6/30/2017</u>
Depository Account	\$ -	\$ 68,600.00	\$ (12,000.00)	\$ 56,600.00