

SPONSOR _____

AN ORDINANCE APPROVING A DONATION AGREEMENT TO ACCEPT THE CONVEYANCE OF CERTAIN REAL PROPERTY TO BE DONATED TO THE CITY BY WELLS FARGO BANK, N.A.

WHEREAS, Wells Fargo Bank, N.A. ("Bank") owns certain real property located in the City of Pacific, Missouri (the "City") known and numbered as 601 S. 1st Street, Pacific, Missouri 63069 (the "Property"), as more particularly described in the form of Quit Claim Deed, attached hereto as Exhibit A and incorporated herein for all purposes (the "Deed"); and

WHEREAS, Bank desires to voluntarily convey and donate the Property and all improvements thereon, if any, to the City; and

WHEREAS, the City desires to approve a Donation Agreement, in substantially the form attached hereto as Exhibit B and incorporated by reference in this Resolution (the "Donation Agreement") to govern acceptance of the conveyance of the Property, and the Board of Aldermen has determined that it is in the public interest for the City to accept such conveyance; and

WHEREAS, the Board of Aldermen desires to authorize the Mayor and the City Administrator to execute such documents, including the Donation Agreement and the Deed in substantially the forms attached hereto, and to take such further actions as are necessary to contract for and complete the acceptance of the donation of the Property to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section One: The Board of Aldermen hereby authorizes acceptance of the transfer and conveyance of fee simple title to the Property from the Bank to the City subject to the terms and conditions set forth in the attached forms of Donation Agreement and Deed.

Section Two. The Donation Agreement is hereby approved in substantially the form attached hereto as Exhibit B, and the Mayor is hereby authorized to execute and deliver, and the Board of Alderman hereby ratifies the execution by the City of, such Donation Agreement.

Section Three. The Property shall be conveyed to the City by quit claim deed, which deed shall be in substantially the form as the Quit Claim Deed attached hereto as Exhibit A, which Deed is hereby approved.

Section Four: The City shall, and the officers, employees and agents of the City, including specifically, without limitation, the Mayor, City Administrator, City Clerk, and City Attorney are each individually hereby authorized to take such further actions, including, but not limited to, the acceptance and the recordation of the Deed in the appropriate Records of Franklin County, Missouri; expend such additional funds, execute and deliver all such additional

documents; and perform all such further acts as may be necessary, desirable or convenient to carry out, comply with, and perform the duties and obligations of the City with respect to this Ordinance and the Donation Agreement.

Section Five. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

This Bill was passed and approved this 15th day of January, 2013, by the Board of Aldermen of the City of Pacific, Missouri, after having been read by title or in full two (2) times prior to passage.

Presiding Officer

Herbert C. Adams, Mayor

ATTEST:

City Clerk

City Clerk