

**A RESOLUTION OF THE CITY COUNCIL DECLARING CONDITIONAL CONSENT TO THE DISSOLUTION
OF THE SAVANNAH HEIGHTS PHASE ONE PROPERTY OWNERS ASSOCIATION, INC.**

WHEREAS, the City of Republic, Missouri ("City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, the Savannah Heights Phase One Property Owners Association, Inc., through its residents and legal counsel Jennifer Hardy (the "Association"), has requested that the City declare its consent to the dissolution of the Association; and

WHEREAS, the Association was created in 2004, pursuant to a Declaration of Covenants, Conditions and Restrictions for Savannah Heights Phase I Subdivision ("CC&Rs") which govern the Association and all properties within the Savannah Heights subdivision; and

WHEREAS, pursuant to the CC&Rs, the Association must obtain written consent of the City prior to filing any Articles of Dissolution with the Missouri Secretary of State;

WHEREAS, the Association has advised City staff members and City Council that the Association has no current or outstanding liabilities, liens, claims, or other potential claims in its name or against it; and

WHEREAS, the Association has advised City staff members and City Council that it does not own any "Common Areas" as defined in the CC&Rs, and that there are no such "Common Areas" to which the Association has any current or continuing obligation to maintain or upkeep; and

WHEREAS, the Association has advised City staff members and City Council that it held a meeting to vote on dissolution, after providing appropriate notice under its CC&Rs and Bylaws, and that such vote was in favor of dissolution by approximately 2/3 vote; and

WHEREAS, upon condition that there is, in fact, no "common area," as defined in the CC&Rs or otherwise by law, to which the City would have any obligation to maintain, upkeep, supervise, or otherwise for which the City would be responsible, the City Council declares that the City has no objection to dissolution of the Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1. The Council hereby declares that the City consents to dissolution of the Savannah Heights Phase One Property Owners Association, Inc., subject to the conditions stated herein and above.

Section 2. This declaration is expressly conditioned upon the representations made by the Association and/or its members with respect to the status of liens, liabilities, claims, or any other potential or threatened claims in the Association's name or against it, and with respect to the absence of any "common areas" as defined by the CC&Rs. In the event it is determined that any such representation is/was

inaccurate, following passage of this Resolution, this Resolution shall be null and void and the City's consent stated herein shall be expressly revoked.

Section 3. The whereas clauses are hereby specifically incorporated herein by reference.

Section 4. This Resolution shall become effective on and after the date of passage and approval as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this day of ____ day of _____, 2022.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: