

BILL 2023-12

RESOLUTION 2023-12

A RESOLUTION OF THE CITY OF WEST PLAINS, MISSOURI, (THE "CITY") TERMINATING AN UNDATED LEASE AGREEMENT BETWEEN CITY AND HEART OF THE OZARKS ALCOHOLICS ANONYMOUS EXECUTED IN NOVEMBER OR DECEMBER, 2017.

WHEREAS, City enacted Ordinance 4533 on November 20, 2017, authorizing a Lease Agreement with Heart of the Ozarks Alcoholics Anonymous for the use of real estate (the "Real Estate") owned by City known as "Lincoln Park" in West Plains, Howell County, Missouri, and being described as:

Lot three (3) and the W1/2 of Lot 2, of Padon's Sub-division of the E1/2 of the NW1/4 of Section 21, Township 24, Range 8 Wes, and

WHEREAS, Paragraph 2 of the Lease Agreement provides that Heart of the Ozarks Alcoholics Anonymous was to repair/replace the roof/shingles to the existing structure located on the Real Estate after presenting a written plan for the repair/replacement of the roof and obtaining the approval of City, and

WHEREAS, a written plan for the repair/replacement of the roof/shingles was not presented to or approved by City and the repair/replacement of the roof/shingles was not completed as agreed and required by the terms of the Lease Agreement.

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

Section 1: The Lease Agreement dated in 2017 between the City of West Plains, Missouri, and Heart of the Ozarks Alcoholics Anonymous is terminated.

Section 1: The Mayor or City Administrator is authorized to proceed with recovering exclusive possession of Lincoln Park, including the structure located in Lincoln Park, and to proceed with the conveyance of the Real Estate to Crockett W. Oaks and Tonya Oaks as previously authorized by Ordinance 4735 enacted by this council.

Section 2: This Resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 17th DAY OF JULY, 2023.

CITY OF WEST PLAINS, MISSOURI

By: Mike Topliff
MIKE TOPLIFF, Mayor

ATTEST:

Allison Skinner
ALLISON SKINNER, City Clerk



City Administrator's Office
1910 Holiday Lane
West Plains, MO 65775
417-257-0394

July 3, 2023

Heart of the Ozarks Alcoholics Anonymous
c/o Ron (Last Name Unknown)
850-512-4841

To Whom it May Concern,

This letter is to inform you that pursuant to my conversation with Ron on June 23rd, the City Council of the City of West Plains will hold a vote at their meeting on July 17th to terminate the lease agreement between the City of West Plains and the Heart of the Ozarks Alcoholics Anonymous group.

Paragraph 2 of the Lease Agreement approved on November 20, 2017, provides that the AA group was to repair/replace the roof/shingles to the Lincoln Schoolhouse after presenting a written plan to the city for approval. To date, repairs have not been made, as verified by two independent roofing reports.

The closing date for the transfer of ownership of the building to a new owner has been set for July 28th. Any keys to the property should be returned to the city, and any property belonging to your organization should be removed, before Sunday, July 23rd, 2023.

Respectfully,

A handwritten signature in black ink, appearing to read "Samuel L. Anselm". The signature is fluid and cursive, with a large initial "S" and "A".

Samuel L. Anselm
City Administrator