

ORIGINAL

RESOLUTION NO. 4755 ½

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FESTUS, MISSOURI, ASSENTING TO AN EXTENSION OF CERTAIN DATES AND DEADLINES LISTED IN THE LETTER OF INTENT (LOI) WITH THE JEFFERSON COUNTY PUBLIC SEWER DISTRICT, THE CITY OF FESTUS, THE CITY OF CRYSTAL CITY, TO SELL THE WASTEWATER TREATMENT PLANT TO THE JEFFERSON COUNTY PUBLIC SEWER DISTRICT

WHEREAS, the Festus-Crystal City Sewerage Commission (the "Commission"), is the owner of a wastewater treatment plant (the "Plant") serving the City of Festus, Missouri (the "Festus") and the City of Crystal City, Missouri ("Crystal City"); and

WHEREAS, on June 26, 2023, the City Council adopted Resolution No. 4724.5, authorizing and directing the Mayor to approve a letter of intent to enter into an agreement with the Jefferson County Public Sewer District (the "District") to sell the Plant to the District, and such letter of intent was subsequently amended on July 24, 2023 by Resolution 4730.5; and

WHEREAS, the amended letter of intent provides for an anticipated closing date of December 31, 2023, which may be extended by mutual agreement of the parties; and provides for exclusive negotiations among the parties until December 31, 2023; and

WHEREAS, the Parties continue to negotiate, and anticipate continuing to do so past December 31, 2023;

WHEREAS, the Parties believe that a mutual agreement to extend the closing deadlines and exclusivity period until January 31, 2024 would best facilitate further negotiations.

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

SECTION I. The Mayor and City Council of the City of Festus hereby assent to extending the deadline for closing set forth in paragraph 3 of the letter of intent from on or before December 31, 2023 to on or before January 31, 2024, and to extending the exclusive negotiation period in paragraph 13 of the letter of intent from December 31, 2023 to January 31, 2024. Either date may be extended by mutual agreement of the parties.

SECTION II. The Mayor, City Administrator, and other officials of the City of Festus are authorized to take such administrative steps reasonably necessary to comply with the intent of this Resolution.

SECTION III. This Resolution shall be in full force and effect upon its passage by the City Council and the approval of the Mayor.

PASSED AND APPROVED THIS 18 DAY OF December, 2023

Samuel F. Richardson
President of the City Council

Samuel F. Richardson
Mayor of the City of Festus

ATTEST:

K. D. Palt
City Clerk



EXHIBIT A

[*insert Letter of Intent*]