**MISSOURI COURT OF APPEALS**
**WESTERN DISTRICT**

**PLATTE COUNTY, MISSOURI**
**RESPONDENT**

**vs.**

**UMB BANK, N.A., THE TRUSTEE OF THE TRANSPORTATION REFUNDING AND IMPROVEMENT BONDS (ZONA ROSA RETAIL PROJECT) SERIES, 2007.**
**APPELLANT**

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DOCKET NUMBER WD83232

DATE: AUGUST 25, 2020

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Appeal from:

The Circuit Court of Platte County, Missouri
The Honorable James W. Van Amburg, Judge

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Appellate Judges:

Division Two: Karen King Mitchell, Presiding Judge, Anthony Rex Gabbert, Judge and W. Douglas Thomson, Judge

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Attorneys:

Dane C. Martin, for Respondent

Joseph P. Bednar, Jr., for Appellant

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS**
**WESTERN DISTRICT**

**PLATTE COUNTY, MISSOURI, RESPONDENT,**
**v.**
**UMB BANK, N.A., THE TRUSTEE OF THE TRANSPORTATION REFUNDING AND IMPROVEMENT BONDS (ZONA ROSA RETAIL PROJECT) SERIES 2007, APPELLANT.**

WD83232 Platte County

Before Division Two Judges: Karen King Mitchell, Presiding Judge, Anthony Rex Gabbert, Judge, and W. Douglas Thomson, Judge

UMB Bank, N.A. appeals from the trial court's grant of summary judgment in favor of Platte County, Missouri and against UMB Bank finding that the financing agreement does not contain any promise by Platte County to pay shortfalls for the Transportation Refunding and Improvement Bonds Series 2007, referred to as the Zona Rosa Bonds. On appeal, UMB Bank claims the trial court erred in its judgment because Platte County made a conditional promise to pay shortfalls for the Zona Rosa Bonds in the financing agreement.

**AFFIRMED.**

**Division Two holds:**

The plain language of the financing agreement does not contain a promise by Platte County to pay for the shortfalls for the Zona Rosa Bonds.

**Opinion by: W. Douglas Thomson, Judge** Date: August 25, 2020

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