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P O W E L L  
G A R D E N S

Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
Room N-5644  
U.S. Department of Labor  
200 Constitution Ave. N.W.  
Washington, DC 20210

ERISA REPORTING AND DISCLOSURE STATEMENT

To the Secretary of Labor:

In order to comply with the requirements of the alternative reporting and disclosure method under ERISA, Title I, Part 1, as provided for an unfunded or insured pension plan for a select group of management or highly compensated employees in D.O.L. Reg. Sec. 2520.104-23, the following information is provided by the undersigned plan administrator:

The name of the employer is: Powell Gardens, Inc.

The employer's mailing address is: 1609 NW US Hwy 50, Kingsville, MO 64061

The employer's federal identification number (EIN) is: 43-1483357

The plans of employer and the number of participants covered in each plan is:

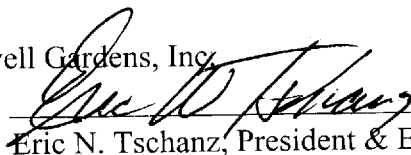
457(b) Deferred Compensation Plan of Powell Gardens, Inc.  
Effective January 1, 2007  
Employees covered: 7

The above-named employer maintains this plan primarily for the purpose of providing nonqualified deferred compensation benefits to a select group of management or highly compensated employees. The employer will provide a copy of the agreement to the Secretary of Labor upon request.

1609 NW US  
HIGHWAY 50  
KINGSVILLE,  
MISSOURI  
64061-9000  
(816)697-2600  
FAX: 697-2619  
www.powellgardens.org

Powell Gardens, Inc.

By:



Eric N. Tschanz, President & Executive Director

Date:

1-22-07



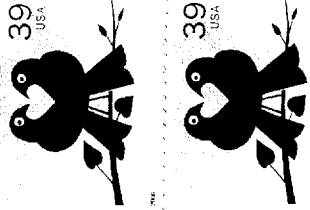
POWELL  
GARDENS

KANSAS CITY'S  
BOTANICAL GARDEN

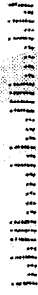
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