

(Published in the *Wichita Eagle* on July 15, 2016)

**ORDINANCE NO. 50-272**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS APPROVING SUPPLEMENTAL TRUST INDENTURE NO. 1 TO A CERTAIN TRUST INDENTURE ENTERED INTO BY THE CITY IN CONNECTION WITH THE ISSUANCE OF ITS TAXABLE MULTIFAMILY HOUSING REVENUE BONDS, SERIES I, 2015 (EXCHANGE PLACE PROJECT).**

**WHEREAS**, the City of Wichita, Kansas (the "Issuer") and Security Bank of Kansas City, Kansas City, Kansas (the "Trustee") are parties to a Trust Indenture dated as of May 1, 2015 (the "Indenture"), authorizing and securing the Issuer's Taxable Multifamily Housing Revenue Bonds, Series I, 2015 (Exchange Place Project), in the aggregate maximum principal amount of \$45,000,000 (the "Bonds"); and

**WHEREAS**, the Bonds were issued for the purpose of providing funds to acquire, renovate, construct, install and equip a commercial multifamily housing project (the "Project") located in the City of Wichita, Kansas; and

**WHEREAS**, the Issuer has leased the Project to KS1, LLC, a Kansas limited liability company (the "Lessee") pursuant to the terms of a Lease dated as of May 1, 2015 (the "Lease"); and

**WHEREAS**, pursuant to Section 1102 of the Indenture, the parties desire to amend and supplement the Indenture to provide for a change in the interest payment date for the Bonds; and

**WHEREAS**, KS1 Manager, LLC (the "Owner") is the owner of 100% of the aggregate principal amount of all outstanding Bonds as of the date hereof and has consented to such amendment.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:**

**Section 1. Approval of Form of Supplemental Trust Indenture No. 1.** The form of Supplemental Trust Indenture No. 1 between the Issuer and the Trustee is hereby approved in substantially the form presented to the governing body concurrently with this Ordinance.

**Section 2. Authorization to Execute and Deliver Document.** The Mayor and City Clerk are hereby authorized to execute and deliver Supplemental Trust Indenture No. 1 on behalf of the Issuer upon receipt of the original document signed on behalf of the Trustee by a duly authorized officer, and consented to in writing by the Lessee and the Owner.

**Section 3. Further Authority.** The officers, agents and employees of the Issuer are hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out the provisions of this Ordinance.

**Section 4. Effective Date.** This Ordinance shall take effect from and after its final passage by the Governing Body of the Issuer, signature by the Mayor and publication once in the official newspaper of the Issuer.

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**PASSED** by the Governing Body of the City of Wichita, Kansas, on July 12, 2016.

CITY OF WICHITA, KANSAS

(Seal)

By: \_\_\_\_\_  
Jeff Longwell, Mayor

Attest:

\_\_\_\_\_  
Karen Sublett, City Clerk

Approved as to form:

\_\_\_\_\_  
Jennifer Magaña, Director of Law and  
City Attorney

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on June 28, 2016; that the record of the final vote on its passage is found on page \_\_\_\_ of journal \_\_\_\_; and that the ordinance or a summary thereof was published in the *Wichita Eagle* on July 8, 2016

DATED: July 1, 2016

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Karen Sublett, City Clerk

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**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF WICHITA, KANSAS  
HELD ON JUNE 21, 2016**

The governing body of the City of Wichita, Kansas met in regular session at the usual meeting place in the City, at 9:00 a.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

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(Other Proceedings)

Thereupon, there was presented for first reading an Ordinance entitled:

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WICHITA,  
KANSAS APPROVING SUPPLEMENTAL TRUST INDENTURE NO. 1 TO A  
CERTAIN TRUST INDENTURE ENTERED INTO BY THE CITY IN  
CONNECTION WITH THE ISSUANCE OF ITS TAXABLE MULTIFAMILY  
HOUSING REVENUE BONDS, SERIES I, 2015 (EXCHANGE PLACE  
PROJECT).**

Thereupon, Councilmember \_\_\_\_\_ moved that said Ordinance be passed. The motion was seconded by Councilmember \_\_\_\_\_. Said Ordinance was duly read and considered, and upon being put, the motion for the passage upon first reading of said Ordinance was carried by the vote of the governing body, the vote being as follows:

Aye:

Nay:

\*\*\*\*\*

(Other Proceedings)

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**CERTIFICATE**

I certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Wichita, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

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Karen Sublett, City Clerk

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF WICHITA, KANSAS  
HELD ON JUNE 28, 2016**

The governing body of the City of Wichita, Kansas met in regular session at the usual meeting place in the City, at 9:30 a.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

Thereupon, there was presented for second reading on the governing body's consent agenda an Ordinance entitled:

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS APPROVING SUPPLEMENTAL TRUST INDENTURE NO. 1 TO A CERTAIN TRUST INDENTURE ENTERED INTO BY THE CITY IN CONNECTION WITH THE ISSUANCE OF ITS TAXABLE MULTIFAMILY HOUSING REVENUE BONDS, SERIES I, 2015 (EXCHANGE PLACE PROJECT).**

Thereupon, Councilmember \_\_\_\_\_ moved that the consent agenda be passed. The motion was seconded by Councilmember \_\_\_\_\_. The motion that the consent agenda be passed, including final passage of said Ordinance, was carried by the vote of the governing body, the vote being as follows:

Aye:

Nay:

Thereupon, the Ordinance was then duly numbered Ordinance No. 50-\_\_\_\_, was signed by the Mayor and attested by the Clerk, and the Ordinance was directed to be published one time in the official newspaper of the City.

(Other Proceedings)

\* \* \* \* \*

**CERTIFICATE**

I certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Wichita, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

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Karen Sublett, City Clerk