

**RESOLUTION NO. 12-015**

**A RESOLUTION CONSENTING TO CREATION OF A WATER LINE EASEMENT, WITH RESPECT TO CERTAIN REVENUE BOND PROPERTY FINANCED WITH PROCEEDS OF THE CITY'S INDUSTRIAL REVENUE REFUNDING BONDS, SERIES VII, 2003 (DIDCOT, LC).**

WHEREAS, the City of Wichita, Kansas (the "City") has previously issued its Industrial Revenue Refunding Bonds, Series VII, 2003 (DIDCOT, LC) dated November 1, 2003 in the aggregate principal amount of \$3,295,000 (the "Series 2003 Refunding Bonds") for the purpose of refinancing and refunding certain debt on a certain office and manufacturing facility, located in the City of Wichita, Kansas (the "Facilities") (DIDCOT, LC); and,

WHEREAS, the City holds title interest in the Facilities financed by the above-referenced bonds and has leased such facilities to DIDCOT, LC, for the benefit of mid-Continent Instruments, Inc. under a certain Lease Agreement dated as of November 1, 2003 (the "Lease"); and,

WHEREAS, DIDCOT, LC, as Tenant under the Lease, desires to grant to the City of Wichita a certain water line easement, covering a portion of the Facilities, and further desires the City of Wichita to consent thereto as provided for under the terms of the Lease.

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

**Section 1.** The City hereby consents to the water line easement as described in the form of the easement instrument furnished concurrently with the Tenant's written application for approval of such easement.

**Section 2.** The Mayor or Vice Mayor of the City is authorized and directed to execute, and City staff shall deliver, the easement form for and on behalf of and as the act and deed of the City, in substantially the form approved on this date with such corrections or amendments thereto as the Mayor or Vice Mayor shall approve, which approval shall be evidenced by his/her execution thereof, and such other documents, certificates and instruments as may be necessary to carry out and comply with the intent of this Resolution. The City Clerk or Deputy City Clerk of the City is hereby authorized and directed to attest the easement and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 3.** The City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary to carry out and comply with the provisions of this Resolution and the duties of the City under the Lease.

**Section 4.** This Resolution shall take effect immediately upon its adoption by the governing body.

**ADOPTED** by the governing body of the City of Wichita, Kansas, this 10th day of January, 2012.

CITY OF WICHITA, KANSAS

By \_\_\_\_\_  
Carl Brewer, Mayor

ATTEST:

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

(SEAL)

Approved as to Form:

\_\_\_\_\_  
Gary E. Rebenstorf  
Director of Law