

**RESOLUTION NO. 16-414**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF  
WICHITA, KANSAS AUTHORIZING THE SALE AND  
CONVEYANCE OF CERTAIN PROPERTY TO KSDD  
PROPERTIES, LLC**

**WHEREAS**, pursuant to Ordinance No. 47-139 and the Trust Indenture dated as of October 1, 2006, the City of Wichita, Kansas (the "Issuer") has previously issued its Industrial Revenue Bonds (Taxable Under Federal Law), Series II, 2006 (KSDD Properties, LLC) in the original aggregate principal amount of \$9,000,000 (the "Bonds") to finance the cost of acquiring, purchasing, constructing and equipping a certain facility to be used for commercial purposes (the "Project"), such Project having been leased to KSDD Properties, LLC, a Kansas limited liability company (the "Tenant") pursuant to a Lease dated as of October 1, 2006 between the City and the Tenant (the "Lease"); and

**WHEREAS**, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

**WHEREAS**, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

**WHEREAS**, Security Bank of Kansas City, Kansas City, Kansas, as Trustee for the Bonds, has certified that no Bonds remain outstanding; and

**WHEREAS**, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

**Section 1.** The Mayor and Clerk are authorized and directed to execute a Special Warranty Deed, a Bill of Sale and a Release of Lease, in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed special warranty deed, a bill of sale and a release of lease to the Tenant.

**Section 2.** The Mayor and Clerk are hereby further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are hereby further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

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**ADOPTED** by the governing body of the City of Wichita, Kansas on October 25, 2016.

CITY OF WICHITA, KANSAS

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Mayor

[SEAL]

Attest:

By: \_\_\_\_\_  
Clerk

APPROVED AS TO FORM:

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Jennifer Magaña, Director of Law and  
City Attorney

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the City Council of the City of Wichita, Kansas on October 25, 2016, as the same appears of record in my office.

DATED: October 25, 2016.

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Karen Sublett, City Clerk