

RESOLUTION NO. 12-11-25B

A RESOLUTION CONSENTING TO THE EXECUTION OF CERTAIN DOCUMENTS RELATING TO THE CITY'S INDUSTRIAL REVENUE BONDS (ELHC VI, LLC PROJECT), SERIES 2017, AND INDUSTRIAL REVENUE BONDS (ELHC VIII, LLC PROJECT), SERIES 2016

WHEREAS, the City of Edgerton, Kansas (the "City") is a duly organized and existing municipal corporation under the laws of the State of Kansas; and

WHEREAS, the City issued its Industrial Revenue Bonds (ELHC VIII, LLC Project), Series 2016 (the "Series 2016 Bonds"), in the aggregate maximum principal amount of \$41,400,000 for the purpose of acquiring, purchasing, improving, equipping and constructing a commercial project, consisting of an approximately 780,000 square foot warehouse and distribution facility, located at 30900 W. 185th Street, Edgerton, Kansas; and

WHEREAS, pursuant to that certain Assignment and Assumption of IRB Documents dated November 25, 2020, the original developer assigned and transferred the Series 2016 Bonds and related documents to IPVIII 185 Street LLC (the "Series 2016 Developer"); and

WHEREAS, the City issued its Industrial Revenue Bonds (ELHC VI, LLC Project), Series 2017 (the "Series 2017 Bonds," and collectively with the Series 2016 Bonds, the "Bonds"), in the aggregate maximum principal amount of \$42,600,000 for the purpose of acquiring, purchasing, improving, equipping and constructing a commercial project, consisting of an approximately 777,000 square foot warehouse and distribution facility, located at 18451 Montrose Street, Edgerton, Kansas; and

WHEREAS, pursuant to that certain Assignment and Assumption of IRB Documents dated November 25, 2020, the original developer assigned and transferred the Series 2017 Bonds and related documents to IPVI Montrose LLC (the "Series 2017 Developer," and together with the Series 2016 Developer, the "Developer"); and

WHEREAS, in relation to the Bonds and the related documents, the Developer has requested and the City desires to execute a Collateral Assignment of IRB Documents and a Subordination/Attornment Agreement with respect to each series of Bonds (collectively, the "Documents").

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Authorization and Execution of Documents. The Governing Body hereby approves of the form of the Documents in substantially the form presented on this date (copies of which, upon execution thereof, shall be filed in the office of the City Clerk). The Mayor of the City is hereby authorized and directed to execute and deliver the Documents for and on behalf of and as the act and deed of the City, in substantially the form presented to and reviewed by the Governing Body. The City Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City, if required, to the Documents.

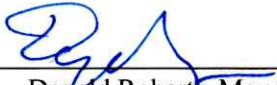
Section 2. Further Authority. The Mayor is hereby authorized and directed to execute and deliver such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution (copies of said documents shall be filed in the records of the City) for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized and

directed to attest to and affix the seal of the City to 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. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

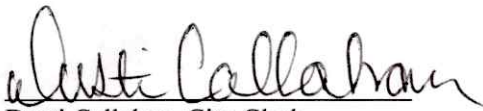
ADOPTED this 11th day of December, 2025.

CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

[SEAL]

ATTEST:


Dusti Callahan, City Clerk

Approved as to form:



Gilmore & Bell, P.C.,
Bond Counsel to City