

RESOLUTION NO. 10-13-22A

RESOLUTION AUTHORIZING A FIRST AMENDMENT TO A COMMUNITY IMPROVEMENT DISTRICT DEVELOPMENT AGREEMENT FOR THE EDGERTON CROSSING WOODSTONE PROJECT

WHEREAS, the City of Edgerton, Kansas (the “City”), desires to promote, stimulate and develop the general welfare and economic prosperity of the City and its inhabitants and thereby to further promote, stimulate and develop the general welfare and economic prosperity of the State of Kansas; and

WHEREAS, the City has created the Community Improvement District (Edgerton Crossing Woodstone Project) (the “District”) and imposed a 1% community improvement district sales tax; and

WHEREAS, the City and Woodstone Properties, LLC, a Missouri limited liability company (the “Developer”), previously entered into a CID Development Agreement dated December 1, 2021 (the “Original Agreement”) to administer the community improvement district sales tax; and

WHEREAS, the City and the Developer desire to amend the Original Agreement to provide for a delayed start in the collection of the community improvement district sales tax;

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

Section 1. Approval of First Amendment to Development Agreement. The Governing Body hereby approves the First Amendment to CID Development Agreement (the “First Amendment”) in substantially the form attached hereto as **Exhibit A**.

Section 2. Execution of First Amendment to CID Development Agreement. The Mayor of the City is hereby authorized to enter into the First Amendment, in substantially the form presented to and reviewed by the Governing Body at this meeting (a copy of which upon execution shall be filed in the office of the City Clerk), with such changes therein as shall be approved by the Mayor, the Mayor’s signature thereon being conclusive evidence of his approval thereof. The City Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City to the First Amendment.

Section 3. Further Authority. The City shall, and the officers, employees and agents of the City are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out

EXHIBIT A

FORM OF FIRST AMENDMENT TO CID DEVELOPMENT AGREEMENT