

CERTIFICATE OF CITY CLERK

STATE OF KANSAS)
)SS:
COUNTY OF COWLEY)

The undersigned, City Clerk for the City of Arkansas City, Kansas, hereby certifies in connection with the issuance by Cowley County, Kansas (the "County") of its Taxable Industrial Revenue Bonds (Western Industries Project) (the "Bonds"):

1. The City Clerk, on behalf of the City, received on December 22, 2021, a written request from the County Clerk submitted pursuant to K.S.A. 12-1741b to approve adoption of a Resolution by the County regarding the issuance of the Bonds.
2. The undersigned transmitted a copy of the Resolution to the governing body of the City.
3. The next regular meeting of the governing body of the City following receipt of the request was held on January 10, 2022.
4. [The governing body of the City approved the issuance of the bonds at such January 10, 2022.] [No action was taken by the governing body of the City at such meeting to approve or disapprove the issuance of the Bonds and no written notice specifically disapproving the issuance of the Bonds was provided the City to the County within seven business days after such meeting.]

Signed this ____ day of _____, 2022.

Lesley Shook, City Clerk

(SEAL)

RESOLUTION NO. 2022-01-

A RESOLUTION APPROVING THE ISSUANCE BY THE BOARD OF COUNTY COMMISSIONERS OF THE COWLEY COUNTY, KANSAS OF ITS TAXABLE INDUSTRIAL REVENUE BONDS TO PAY THE COSTS OF THE ACQUIRING, CONSTRUCTING AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LEASED TO JAMES E SYBRANT LIVING TRUST DATED JANUARY 3, 2000 AND DONNA L SYBRANT LIVING TRUST DATED JANUARY 3, 2000, WHICH FACILITY IS LOCATED WITHIN THREE MILES OF THE CORPORATE LIMITS OF THE CITY OF ARKANSAS CITY, KANSAS.

WHEREAS, on December 21, 2021, the Board of County Commissioners of Cowley County, Kansas (the "County") adopted its Resolution No. 2021-17 stating its intent to issue certain Taxable Industrial revenue bonds in an aggregate principal amount not to exceed \$2,700,000 (the "Bonds"), as more particularly set forth in the Resolution of the County; and

WHEREAS, the proceeds of the Bonds will be used to pay the costs of the acquiring, constructing and equipping of a commercial facility (the "Project") located within three miles of the corporate limits of the City of Arkansas City, Kansas (the "City");

WHEREAS, the approval of the City, is necessary before the County can issue bonds for the Project pursuant to the provisions of K.S.A. 12-1741b, as amended; and

WHEREAS, the governing body of the City hereby finds and determines that the acquiring, constructing and equipping of the Project and issuance of the Bonds would serve the public purposes stated in the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that issuance of the Bonds will not create, and is not intended to create, any financial liability upon the Bonds on the part of the City;

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

That the issuance of the Bonds by the County pursuant to the Act to pay the costs of the acquiring, constructing and equipping of the Project, as set forth in Resolution No. 2021-17 of the County and subsequent resolution(s) and documents of the County setting the dates, terms, maturities and other provisions of the Bonds and authorizing their issuance, is hereby approved.

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ADOPTED by the governing body of the City of Arkansas City, Kansas on January 10, 2022.

Mayor

[SEAL]

Attest:

Lesley Shook, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution 2022-01-____ of the City of Arkansas City, Kansas adopted by the governing body on January 10, 2022 as the same appears of record in my office.

DATED: January 10, 2022.

Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF ARKANSAS CITY, KANSAS
HELD ON JANUARY 10, 2022**

The governing body met in regular session at the usual meeting place in the City on January 10, 2022, at 5:30 p.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 a Resolution entitled:

A RESOLUTION APPROVING THE ISSUANCE BY THE BOARD OF COUNTY COMMISSIONERS OF THE COWLEY COUNTY, KANSAS OF ITS TAXABLE INDUSTRIAL REVENUE BONDS TO PAY THE COSTS OF THE ACQUIRING, CONSTRUCTING AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LEASED TO JAMES E SYBRANT LIVING TRUST DATED JANUARY 3, 2000 AND DONNA L SYBRANT LIVING TRUST DATED JANUARY 3, 2000, WHICH FACILITY IS LOCATED WITHIN THREE MILES OF THE CORPORATE LIMITS OF THE CITY OF ARKANSAS CITY, KANSAS.

Thereupon, _____ moved that the Resolution be adopted. The motion was seconded by _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

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

[SEAL]

Clerk