

ADDENDUM

To

REAL ESTATE CONTRACT AGREEMENT

Between the City of Arkansas City (Seller) and Rupe Helmer Group, LLC (Buyer)

- A. On April 5, 2022, the City of Arkansas City (Seller) entered into real estate sales contract with Rupe Helmer Group, LLC (Buyer) for purchase of real estate owned by the Seller at 401 W. Madison Avenue, Arkansas City, Kansas, and an anticipated vacation of a portion of 10th Street which runs adjacent to that property. The real estate offered for sale was legally described in the real estate sales contract.
- B. The executed real estate sales agreement was for 401 W. Madison Avenue and the western 35 feet of 10th street which runs adjacent to that property. This portion of 10th street is expected to be vacated by the City. The parties now wish to include all of 10th street which runs along 401 W. Madison in this transaction, instead of only the western 35 feet originally agreed to in the executed real estate sales agreement.
- C. All real estate which the parties desire to be included in this transaction with the above-outlined amendment is legally described as follows:

LOTS 21 AND 22, BLOCK 2, PARK PLACE ADDITION TO ARKANSAS CITY,
COWLEY COUNTY, KANSAS.

AND

LOTS 1 AND 2, BLOCK 2, PARK PLACE ADDITION TO ARKANSAS CITY,
COWLEY COUNTY, KANSAS.

AND

ALL OF THE 10TH STREET RIGHT OF WAY ADJOINING LOTS 1-7 OF BLOCK 2,
PARK PLACE ADDITION TO ARKANSAS CITY, COWLEY COUNTY, KANSAS.

AND

A PORTION OF LOTS 3-7 OF BLOCK 2, PARK PLACE ADDITION TO
ARKANSAS CITY, COWLEY COUNTY, KANSAS MORE PARTICULAR
DESCRIBES AS:

BEGINNING ON THE NORTH LINE OF SAID LOT 3, 24.01 FEET EAST OF THE
NORTHWEST CORNER THEREOF; THENCE SOUTH 89°37'42" EAST ALONG
SAID NORTH LINE, A DISTANCE OF 107.98 FEET TO THE NORTHEAST
CORNER THEREOF; THENCE SOUTH 00°22'04" WEST ALONG THE EAST LINE
OF SAID LOTS 3-7, A DISTANCE OF 125.00 FEET TO THE SOUTHEAST CORNER
OF SAID LOT 7; THENCE NORTH 89°37'42" WEST ALONG THE SOUTH LINE OF

SAID LOT 7, A DISTANCE OF 20.42 FEET; THENCE NORTH 34°38'24" WEST, A DISTANCE OF 152.62 FEET TO THE POINT OF BEGINNING.

D. The parties desire to add this addendum to the previously executed real estate sales contract with all other provisions to remain in full force and effect.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and terms contained herein, the parties therefore agree that the Seller will offer for sale and Buyer will purchase the above-described real estate as amended and updated. All other provisions of the previously executed real estate sales agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto do hereby execute this Agreement.

CITY OF ARKANSAS CITY, KANSAS

RUPE HELMER GROUP, LLC

Randy Frazer
City Manager

Mike Mantle
Senior Vice-President

Approved as to Form:

Larry R. Schwartz
City Attorney