

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 17, 2022**

The governing body met in regular session at the usual meeting place in the City, at 7:00 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 AMENDING RESOLUTION NO. R-22-12 OF THE CITY OF BEL AIRE, KANSAS, WHICH DETERMINED THE ADVISABILITY OF ISSUING HEALTH CARE FACILITIES REVENUE BONDS (CATHOLIC CARE CENTER), SERIES 2022, IN ONE OR MORE SERIES, TO PROVIDE FUNDS FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO HEALTH CARE AND RETIREMENT FACILITIES OWNED AND OPERATED BY CATHOLIC CARE CENTER, INC.; AND AUTHORIZED EXECUTION OF CERTAIN RELATED DOCUMENTS.

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

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said 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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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 Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. R-22-12 OF THE CITY OF BEL AIRE, KANSAS, WHICH DETERMINED THE ADVISABILITY OF ISSUING HEALTH CARE FACILITIES REVENUE BONDS (CATHOLIC CARE CENTER), SERIES 2022, IN ONE OR MORE SERIES, TO PROVIDE FUNDS FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO HEALTH CARE AND RETIREMENT FACILITIES OWNED AND OPERATED BY CATHOLIC CARE CENTER, INC.; AND AUTHORIZED EXECUTION OF CERTAIN RELATED DOCUMENTS.

WHEREAS, the governing body of the City of Bel Aire, Kansas (the "City"), has heretofore by Resolution No. R-22-12 of the City, duly adopted on May 3, 2022, determined the advisability of issuing Health Care Facilities Revenue Bonds (Catholic Care Center), Series 2022, in one or more series, to provide funds for the purpose of financing improvements to health care and retirement facilities owned and operated by Catholic Care Center, Inc., and authorized execution of certain related documents; and

WHEREAS, the governing body of the City hereby finds and determines it necessary to amend Section 3 of Resolution No. R-22-12 of the City.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS, AS FOLLOWS:

SECTION 1. *Section 3* of Resolution No. R-22-12 hereby amended to read as follows:

Section 3. Conditions to Issuance of Bonds. The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Bond Trust Indenture, Base Lease Agreement, Lease Agreement, Bond Placement Agreement or other legal documents necessary to accomplish the issuance of the Bonds, if deemed advisable by the parties, the terms of which shall be in compliance with the Act and mutually satisfactory to the City and the Corporation; (c) the successful negotiation and sale of the Bonds to Intrust Bank, N.A., as purchaser (the "Purchaser"), which sale shall be the responsibility of the Corporation and not the City; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the City, the Corporation and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; (f) the commitment to and payment by the Corporation or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) a \$_____ City origination fee[, an annual City administrative fee of \$_____] and other expenses of the City and the City Attorney; (ii) any placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals.

SECTION 2. The rest and remainder of Resolution No. R-22-12 is hereby ratified and confirmed.

SECTION 3. This Resolution shall be effective upon adoption.

ADOPTED by the governing body of the City on May 17, 2022.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk