

**RESOLUTION NO. R-2025-\_\_**

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS AMENDING ITS RESOLUTION NO. R-2024-05, WHICH RELATES TO THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR CERTAIN LAND AND BUILDING IMPROVEMENTS TO BE LOCATED IMMEDIATELY NORTHEAST OF THE INTERSECTION OF 53<sup>RD</sup> STREET NORTH AND WEBB ROAD IN THE CITY

**WHEREAS**, the Governing Body of the City of Bel Aire, Kansas (the “Issuer”) previously adopted Resolution No. R-2024-05, which evidenced the Issuer’s intent to issue revenue bonds under K.S.A. 12-1740 *et seq.* (the Act”) to provide funds to pay the costs of acquiring land and constructing and equipping buildings to be located within the corporate limits of the Issuer immediately northeast of the intersection of 53<sup>rd</sup> Street North and Webb Road (the “Project”);

**WHEREAS**, Resolution No. R-2024-05 provides for the Project to be leased by the Issuer to a certain “Tenant” defined and described therein, and the Governing Body of the Issuer hereby finds and determines that it is necessary and advisable to amend Resolution No. R-2024-05 to revise the definition of Tenant.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:**

Section 1.       **Amendment.** Resolution No. R-2024-05 of the Issuer is hereby amended so that the definition and meaning of Tenant, as used therein, is as follows: *“Tenant” shall mean: (a) Aspen Funds LLC, a Kansas limited liability company, (b) another legal entity to be formed by the principals of Aspen Funds LLC, or (c) a group of entities, including tenants in common, so long as Aspen Funds LLC or its principals own a majority interest or have management control among such group.*

Section 2.       **Ratification.** As amended hereby, Resolution No. R-2024-05 is hereby ratified and confirmed.

Section 3.       **Effective Date.** This resolution shall become effective upon adoption by the Governing Body.

**ADOPTED** by the Governing Body of the City of Bel Aire, Kansas on February 18, 2025.

[SEAL]

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Mayor

Attest:

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Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the Governing Body on February 18, 2025, as the same appears of record in my office.

DATED: February 18, 2025.

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Clerk

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF BEL AIRE, KANSAS  
HELD ON FEBRUARY 18, 2025**

The Governing Body met in regular session at the usual meeting place in the City on February 18, 2025, 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 OF THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS AMENDING ITS RESOLUTION NO. R-2024-05, WHICH RELATES TO THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR CERTAIN LAND AND BUILDING IMPROVEMENTS TO BE LOCATED IMMEDIATELY NORTHEAST OF THE INTERSECTION OF 53<sup>RD</sup> STREET NORTH AND WEBB ROAD IN THE CITY

Thereupon, Councilmember \_\_\_\_\_ moved that the Resolution be adopted. The motion was seconded by Councilmember \_\_\_\_\_. 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. R-2025-[\_\_] and was signed by the Mayor and attested by the Clerk.

\* \* \* \* \*

(Other Proceedings)

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

[SEAL]

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Clerk