

RESOLUTION NO. 124-2023

A RESOLUTION OF THE CITY OF WESTWOOD, KANSAS, CONSENTING TO THE SALE OF CERTAIN REAL PROPERTY FROM WOODSIDE VILLAGE NORTH LLC TO WOODSIDE VILLAGE NORTH 2, LLC.

WHEREAS, the City of Westwood, Kansas (the “City”) and Woodside Village North LLC, a Kansas limited liability company (“WVN”), entered into a Redevelopment Agreement dated January 12, 2012 (as amended and assigned, collectively, the “Agreement”), providing for the financing and development of the Project (as defined in the Agreement);

WHEREAS, WVN and Woodside Village North 2, LLC, a Kansas limited liability company (“WVN2”) are parties to a certain Purchase and Sale Agreement dated as of November 13, 2023 (the “Sale Agreement”), whereby WVN has agreed to sell, and WVN2 has agreed to purchase, a portion of the Project, as described on Exhibit A attached hereto and incorporated herein (the “Sale Property”) pursuant to the terms therein (the “Sale”);

WHEREAS, in conjunction with the Sale and as consideration for the Sale Agreement, WVN2 has agreed to be bound by the terms of the Agreement as Developer (as defined in the Agreement);

WHEREAS, pursuant to Section 7.13(c)(i) of the Agreement, WVN shall not, without prior approval of the City, make any total or partial sale, transfer, conveyance, assignment or lease of the whole Project; and

WHEREAS, the governing body of the City (the “Governing Body”) has determined it is advisable to provide the City’s consent to the proposed Sale and conveyance of the Sale Property.

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

Section 1. Consent to Transfer. That, on behalf of the City, the Governing Body hereby consents to the proposed Sale and conveyance of the Sale Property from WVN to WVN2.

Section 2. Effective Date. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body of the City on the 27th day of November, 2023.

CITY OF WESTWOOD, KANSAS

(SEAL)

ATTEST:

By: _____
Abby Schneweis, City Clerk

By: _____
David E. Waters, Mayor

APPROVED AS TO FORM:

Ryan Denk, City Attorney

EXHIBIT A

Description of the Sale Property

Lot 1, WOODSIDE VILLAGE NORTH, a subdivision in the City of Westwood, Johnson County, Kansas.

Property Address: 2200 W 47th Place, 4705, 4707, 4709, 4711, 4713, 4715, and 4719 Rainbow, and 2250 W 47th Place, Westwood, Kansas.