

RESOLUTION NO. 1213

A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT AND ESCROW TRUST AGREEMENT RESPECTING THE APPLICATION OF ATCHISON COUNTY, KANSAS RETAILERS' SALES TAX PROCEEDS.

WHEREAS, K.S.A. 12-2901 *et seq.* (the "Act") provides that in order for public agencies to make the most efficient use of their powers, such public agencies may cooperate with other public agencies on a basis of mutual advantage to provide services and facilities in a manner that will best accord with geographic, economic and other factors influencing the needs and development of such public agencies; and

WHEREAS, the Act authorizes public agencies to enter into interlocal agreements with one or more other public agencies for joint or cooperative action pursuant to the provisions of the Act; and

WHEREAS, the Atchison County, Kansas (the "County") is a public agency within the State of Kansas (the "State") and, pursuant to the Act, it is necessary and advisable to enter into an interlocal agreement with the City of Atchison, Kansas (the "City") an other public agency of the State, to jointly provide for certain matters respecting the application of the proceeds of certain local retailers' sales taxes of the County and to enter into a certain Escrow Trust Agreement relating to the administration of such funds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS:

SECTION 1. The County is hereby authorized to enter into an "INTERLOCAL COOPERATION AGREEMENT AND ESCROW TRUST AGREEMENT RESPECTING THE APPLICATION OF ATCHISON COUNTY, KANSAS RETAILERS' SALES TAX PROCEEDS" (the "Agreement") with the City of Atchison, Kansas to jointly provide for certain matters respecting the application of proceeds of local retailers' sales taxes of the County. The form of the Agreement presented to the governing body of the County this date is hereby approved, and the Chairman and Clerk are hereby authorized to execute the Agreement in that form, with ministerial changes as may be approved by the Chairman, whose execution of the Agreement shall evidence any such approval.

SECTION 2. The County is hereby authorized to enter into an "Escrow Trust Agreement with the trustee named therein (the "Escrow Agreement") to provide for the administration of the local retailers' sales taxes of the County which are the subject of the Agreement. The form of the Escrow Agreement presented to the governing body of the County this date is hereby approved, and the Chairman and Clerk are hereby authorized to execute the Escrow Agreement in that form, with ministerial changes as may be approved by the Chairman, whose execution of the Escrow Agreement shall evidence any such approval.

SECTION 3. This Resolution shall be in force and take effect from and after its adoption by the Board of County Commissioners.

5

ADOPTED by the Board of County Commissioners of Atchison County, Kansas on June 28th, 2002.

Michael Rooney
Chairman

Floyd Oswald
Commissioner

George Ross
Commissioner



ATTEST:

Pauline M. Kee
Clerk