

Atchison

County

RESOLUTION NO. 1042

RESOLUTION APPROVING A COOPERATION AGREEMENT PURSUANT TO THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW, K.S.A. 12-5219 TO 12-5235, INCLUSIVE, AS AMENDED, BETWEEN Atchison COUNTY, KANSAS, AND THE CITY OF ATCHISON, KANSAS AUTHORIZING THE CITY OF ATCHISON, KANSAS, TO ENGAGE IN ANY AND ALL ACTS AND EXERCISE ALL OF THE AUTHORITY AND POWERS CONFERRED BY THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW WITHIN, OR WITH RESPECT TO ANY PROPERTY LOCATED WITHIN, THE CORPORATE BOUNDARIES OF Atchison COUNTY, KANSAS.

WHEREAS, the governing body of the City of Atchison, Kansas ("Atchison"), is, in cooperation with the City of Kansas City, Kansas, the City of Bonner Springs, Kansas, Geary County, Kansas, and Leavenworth County, Kansas (the "Primary Cooperating Jurisdictions"), undertaking a program to provide decent, safe and sanitary housing for persons of moderate income and issuing bonds and other obligations and providing security therefor, all in accordance with the Kansas Local Residential Housing Finance Law, K.S.A. 12-5219 to 12-5235, inclusive, as amended (the "Act"); and

WHEREAS, the Act provides that one or more cities and counties may join together and cooperate with one another in the exercise of any one or more of the powers conferred under the Act in accordance with and pursuant to a written agreement between or among such cooperating cities and counties; and

WHEREAS, Atchison County, Kansas (the "County"), wishes to join and cooperate with Atchison in the implementation of a residential housing finance plan pursuant to the Act and is willing to authorize Atchison and the Primary Cooperating Jurisdictions to engage in acts and exercise the authority and powers conferred by the Act within, and with respect to any property located within, the corporate boundaries of the County; and

WHEREAS, it is hereby found and determined that it is desirable and in the best interests of the County to enter into the Cooperation Agreement with Atchison as hereinafter provided; and

WHEREAS, the County has not engaged in any act or exercised any power authorized by the Act, or comparable acts or powers authorized or contemplated under the Act or any other law of the State of Kansas, which would impair the County's authority to perform the Cooperation Agreement; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Atchison COUNTY, KANSAS, AS FOLLOWS:

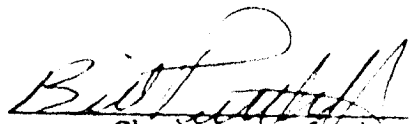
Section 1. That the Cooperation Agreement by and between the County and Atchison, which Cooperation Agreement authorizes Atchison and the Primary Cooperating Jurisdictions to engage in any and all acts and exercise all of the authority and powers conferred by the Act within, or with respect to any property located within, the corporate boundaries of the County, is hereby approved in all respects, and the Chairman of the Board of Commissioners and the County Clerk are hereby authorized to execute and deliver the Cooperation Agreement on behalf of and as the act and deed of the County.

Section 2. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the County.

ADOPTED by the governing body of Atchison County, Kansas, this 15 day of November, 1985.

(Seal)

ATTEST:

  
\_\_\_\_\_  
Chairman of the Board  
of Commissioners

  
\_\_\_\_\_  
County Clerk

Atchison

County

COOPERATION AGREEMENT

COOPERATION AGREEMENT PURSUANT TO THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW, K.S.A. 12-5219 TO 12-5235, INCLUSIVE, AS AMENDED, BETWEEN Atchison COUNTY, KANSAS, AND THE CITY OF ATCHISON, KANSAS, AUTHORIZING THE CITY OF ATCHISON, KANSAS, TO ENGAGE IN ANY ACT OR EXERCISE ANY OF THE AUTHORITY OR POWERS CONFERRED BY THE KANSAS LOCAL RESIDENTIAL HOUSING FINANCE LAW WITHIN, OR WITH RESPECT TO ANY PROPERTY LOCATED WITHIN, THE CORPORATE BOUNDARIES OF Atchison COUNTY, KANSAS.

WHEREAS, the governing body of the City of Atchison, Kansas ("Atchison"), is, in cooperation with the City of Kansas City, Kansas, the City of Bonner Springs, Kansas, Geary County, Kansas, and Leavenworth County, Kansas (the "Primary Cooperating Jurisdictions"), undertaking a program to provide decent, safe and sanitary housing for persons of low and moderate income and issuing bonds and other obligations and providing security therefor, all in accordance with the Kansas Local Residential Housing Finance Law, K.S.A. 12-5219 to 12-5235, inclusive, as amended (the "Act"); and

WHEREAS, the Act provides that one or more cities and counties may join together and cooperate with one another in the exercise of any powers conferred under the Act in accordance with and pursuant to a written agreement between or among such cooperating cities and counties; and

WHEREAS, Atchison County, Kansas (the "County"), wishes to join and cooperate with Atchison in the implementation of a residential housing finance plan pursuant to the Act and is willing to authorize Atchison and the Primary Cooperating Jurisdictions to engage in acts and exercise the authority and powers conferred by the Act within, and with respect to any property located within, the corporate boundaries of the County; and

WHEREAS, the County has not engaged in any act or exercised any power authorized by the Act, or comparable acts or powers authorized or contemplated under the Act or any other law of the State of Kansas, which would impair the County's authority to perform this Cooperation Agreement; and

WHEREAS, the adoption of the Resolution authorizing the execution of the Cooperation Agreement and the exercise thereof will not conflict with or constitute on the part of the County a breach of or default under the laws of the State of Kansas, including the Act, or any other agreement, indenture or instrument to which the County is a party or by which it is bound; and

WHEREAS, the execution and delivery of this Cooperation Agreement by the County has been authorized by a Resolution duly adopted by the governing body of the County; and

WHEREAS, the execution and delivery of this Cooperation Agreement by Atchison has been authorized by a Resolution duly adopted by the governing body of Atchison, Kansas.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

Section 1. The County and Atchison hereby agree to join and cooperate with each other in implementing and carrying out a residential housing finance plan pursuant to and in accordance with the Act and this Cooperation Agreement.

Section 2. Atchison and the Primary Cooperating Jurisdictions are hereby authorized by the County to engage in any and all acts and exercise all of the authority and powers conferred by the Act with, or with respect to any property located within, the corporate boundaries of the County.

Section 3. This Agreement shall remain in force and effect until December 31, 1987.

EXECUTED AND DELIVERED IN Atchison COUNTY, KANSAS, THIS 15 DAY OF November, 1985.

Atchison COUNTY, KANSAS

(Seal)

ATTEST:

Pauline M Lee  
County Clerk

By [Signature]  
Chairman, Board of  
County Commissioners

THE CITY OF ATCHISON, KANSAS

(Seal)

ATTEST:

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Mayor