

ATCHISON COUNTY, KANSAS

RESOLUTION NO. 1094

A RESOLUTION OF THE GOVERNING BODY OF ATCHISON COUNTY, KANSAS (THE "COOPERATING JURISDICTION") AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT PURSUANT TO K.S.A. 12-2908 ET SEQ., AS AMENDED, BETWEEN THE COOPERATING JURISDICTION AND SEDGWICK COUNTY, KANSAS (THE "ISSUER"), AUTHORIZING THE ISSUER TO MAKE MORTGAGE CREDIT CERTIFICATES AVAILABLE TO RESIDENCES OF ATCHISON COUNTY, KANSAS.

WHEREAS, the Issuer, in cooperation with the Kansas Department of Commerce and Housing and one or more political subdivisions of the State of Kansas (the "State"), desires to undertake a program to provide decent, safe and sanitary housing for persons of low and moderate income through the establishment of a Qualified Mortgage Credit Certificate Program pursuant to K.S.A. 19-101 et seq., as amended (the "Act") and Section 25 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Governing Body of Atchison County, Kansas (the "Cooperating Jurisdiction"), pursuant to the Act and in cooperation with the Issuer, also desires to undertake a program to provide decent, safe and sanitary housing for persons of low and moderate income by making residents of Atchison County, Kansas eligible to receive Qualified Mortgage Credit Certificates (as defined in the Code); and

WHEREAS, K.S.A. 12-2908, as amended, provides that one or more cities and counties may join together and cooperate with one another to perform any governmental service, activity or undertaking which each cooperating jurisdiction is authorized by law to perform pursuant to a written agreement between or among such cooperating cities and counties; and

WHEREAS, the Cooperating Jurisdiction has not engaged in any act or executed any power authorized by the Act, or comparable acts or powers authorized or contemplated under the Constitution of the State, the Act or any law of the State, which impair the authority of the Cooperating Jurisdiction to enter into the Cooperation Agreement authorized hereby; and

WHEREAS, the adoption of this Resolution by the Cooperating Jurisdiction authorizing the execution of the Cooperation Agreement and the exercise thereof will not conflict with or constitute on the part of the Cooperating Jurisdiction a breach of or default under the laws of the State, including the Act, or any other agreement, indenture or instrument to which the

Cooperating Jurisdiction is a party or by which the Cooperating Jurisdiction is bound.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF ATCHISON COUNTY, KANSAS:

Section 1. The Cooperating Jurisdiction hereby agrees to join and cooperate with the Issuer in implementing and carrying out a Qualified Mortgage Credit Certificate Program (the "Program") pursuant to and in accordance with the Act, the Code and the Cooperation Agreement between the Cooperating Jurisdiction and the Issuer herein authorized (the "Cooperation Agreement").

Section 2. The Chairman of the Board of County Commissioners and the County Clerk are hereby authorized to execute the Cooperation Agreement in substantially the form attached hereto as Exhibit A.

Section 3. The Chairman of the Board of County Commissioners and the County Clerk are hereby authorized to take such other actions, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Resolution and to carry out, comply with and perform the duties of the Cooperating Jurisdiction with respect to the Cooperation Agreement, all as necessary to carry out and give effect to the matters contemplated by this Resolution.

ADOPTED THIS 10th DAY OF August, 1992.

ATCHISON COUNTY, KANSAS

(Seal)

BY

Charles W. Wilson

Chairman, Board of
County Commissioners

ATTEST:

Pauline M. Lee
County Clerk