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4 A RESOLUTION INTRODUCED BY MAYOR HARRY FELKER EXPRESSING THE
5 INTENT OF THE CITY OF TOPEKA, KANSAS, TO ISSUE ITS INDUSTRIAL
6 REVENUE BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$50,000,000 TO
7 BOTH FINANCE VARIOUS IMPROVEMENTS BENEFITING SECURITY BENEFIT
8 LIFE INSURANCE COMPANY, AND/OR THE FEDERAL HOME LOAN BANK OF
9 TOPEKA, AND PROMOTE, STIMULATE AND DEVELOP THE ECONOMIC
10 WELFARE OF BOTH THE CITY AND THE STATE OF KANSAS.

11
12 WHEREAS, the City of Topeka, Kansas, (the "City") is authorized and empowered
13 pursuant to the provisions of K.S.A. 12-1740 to 12-1749(a), inclusive, as amended (the
14 "Act"), to both issue its industrial revenue bonds to finance the cost of acquiring,
15 constructing, furnishing and equipping certain facilities and enter into lease agreements with
16 any person, firm or corporation for the use and acquisition of such facilities in order to
17 promote, stimulate and develop the economic welfare and prosperity of both the City and the
18 State of Kansas; and

19 WHEREAS, Security Benefit Life Insurance Company ("SBL") has requested that
20 the City issue its industrial revenue bonds in one or more separate series in the maximum
21 amount of Fifty Million Dollars (\$50,000,000) (the "Bonds") to finance the cost of acquiring,
22 constructing, installing, furnishing and equipping certain facilities and improvements thereon
23 the ("Project") to benefit SBL and/or the Federal Home Loan Bank of Topeka ("FHLB");
24 and

25 WHEREAS, the City does hereby find and determine it to be advisable and in the
26 best interest of the City and its inhabitants that such Bonds of the City, as and in the
27 maximum amount so requested, be authorized and issued to finance the Project; and

28 WHEREAS, such Bonds when, as and if issued by the City will be payable solely
29 and only from the moneys and revenues received by the City from the fees charged and
30 rentals received for the use of the Project and not from any other fund or source.

31 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF

32 TOPEKA, SHAWNEE COUNTY, KANSAS, AS FOLLOWS:

33 Section 1. That the governing body of the City (the "Council") hereby finds and
34 determines that the Project will promote, stimulate and develop the general economic
35 welfare of the City and be in furtherance of the public purposes as set forth in the Act.

36 Section 2. That industrial revenue bonds of the City in the maximum principal
37 amount of \$50,000,000 be issued in one or more separate series to finance the Project to be
38 leased to SBL and/or the FHLB pursuant to and in accordance with the Act.

39 Section 3. That the terms of all ordinances, trust indentures, lease agreements and
40 other documents required in the issuance of the Bonds (the "Bond Documents") shall be as
41 agreed to by and between the City, SBL and/or the FHLB. The selection of the purchaser of
42 the Bonds shall be the sole responsibility of SBL.

43 Section 4. That the City officials are hereby directed and authorized to proceed with
44 the necessary negotiations relating to the Bond Documents with SBL and with the
45 preparation of all other necessary documents relating thereto for final action by the Council
46 of the City. All terms and conditions of the Bonds and the sale thereof must be acceptable to
47 and approved by the Council of the City and SBL.

48 Section 5. That the City Clerk and Nichols and Wolfe Chartered, bond counsel, are
49 hereby authorized and directed to prepare and cause to be filed and published, where
50 necessary, all statements and notices required by the provisions of both K.S.A. 12-1740 et
51 seq., as amended.

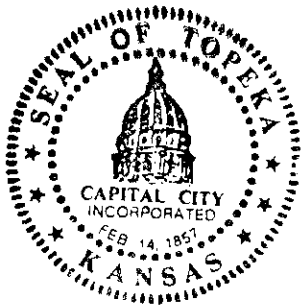
52 Section 6. That as the Project site(s) and facilities are entitled to an exemption from
53 ad valorem taxation for a period of ten (10) years beginning after the calendar year in which
54 the Bonds are issued in accordance with the provisions of K.S.A. 79-201a, as amended, the
55 City shall, subject to the requirements of applicable law, agree to an abatement of ad valorem
56 taxes for the full ten (10) years such Project site(s) and facilities are entitled to an exemption
57 from ad valorem taxation and, in lieu of such ad valorem taxes, SBL shall make a \$500,000
58 annual payment in lieu of such ad valorem taxes each year for such 10 year period.

59 Section 7. That the City will not be liable or otherwise responsible for the payment
60 of any costs or expenses incurred by or in connection with the issuance of such Bonds.

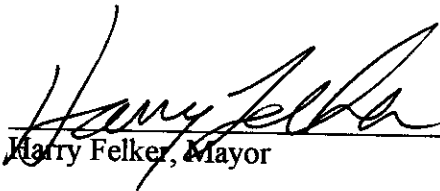
61 Section 8. That the issuance of the Bonds by the City shall, in addition to all other
62 requirements of the City, be subject to any limitations imposed upon the City by either feder-
63 al or Kansas law, including any regulations, rulings or executive orders which might
64 appertain thereto.

65 Section 9. That this Resolution shall be of force and effect immediately upon its
66 adoption and approval.

67 ADOPTED AND APPROVED THIS 11th day of December, 2001.



CITY OF TOPEKA, KANSAS


Harry Felker, Mayor

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75 ATTEST:

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80 Iris E. Walker, City Clerk

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83 [SEAL]

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86 I, IRIS E. WALKER, City Clerk of the City of Topeka, Kansas, do hereby certify
87 that the above and foregoing is a true and correct copy of Resolution No. _____, adopted
88 and approved by the City Council on December 11, 2001.

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92 _____
Iris E. Walker, City Clerk