

27 BE IT FURTHER RESOLVED that if Topeka Ice, Inc. exercises its option prior to
28 December 31, 2011, the City Manager is authorized and directed to sign a deed and any
29 other instrument necessary to convey the Real Property to Topeka Ice, Inc., subject to
30 reversionary provisions that the ownership of the Real Property will revert to the City of
31 Topeka if 1) the ice skating facility is not constructed completely by December 31, 2012, or
32 2) if the Real Property is not used exclusively as an ice skating facility or public recreational
33 facility for ten years thereafter or 3) if Topeka Ice, Inc. conveys the Real Property to any
34 other person, corporation or entity during the ten (10) year period following completion of
35 construction of the ice skating facility.

36 ADOPTED and APPROVED by the City Council February 23, 2010.

37 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

44 ATTEST:

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Brenda Younger, City Clerk