
(Space above reserved for Register of Deeds)

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (the “Memorandum”) is made as of July 17, 2018 by the **CITY OF LAWRENCE, KANSAS**, a Kansas municipal corporation, (the “**City**”) and the **LAWRENCE HUMANE SOCIETY, INC.**, a 501(c)(3) nonprofit corporation (the “**Humane Society**”).

RECITALS

- A. The Humane Society owns that certain real property located at 1901 East 17th Street and 1805 East 19th Street, Lawrence, Douglas County, Kansas, more particularly described on **Exhibit A** attached hereto (“Property”).
- B. On July 17, 2018, pursuant to Ordinance No. 9516 of the City, the governing body of the City authorized the issuance of its general obligation temporary notes and/or bonds not to exceed \$2,500,000 for the purpose of making a grant (the “Grant”) to the Humane Society to finance a portion of the costs of the construction and expansion of the Humane Society’s facility (the “Project”) located on the Property.
- C. The City and the Humane Society entered into an Agreement dated July 17, 2018 (the “Agreement”), in order to govern the Grant, the development and use of the Property, and the construction and operation of the Project.

WHEREAS, the City and the Humane Society desire to enter into this Memorandum and to record this Memorandum in order to give notice of the terms and provisions of the Agreement.

1. The Property is subject to the Agreement, which Agreement contains certain obligations and restrictions encumbering the Property, including without limitation certain restrictions on the construction, location and operation of Project, and certain financing provisions therefor. The Agreement gives the City certain rights relating to the Property and the Project, including an option to purchase the Project under certain conditions. The Agreement runs with the land, and may not be amended or terminated except as set forth therein. A copy of the Agreement is on file with the City Clerk.

2. The purpose of this Memorandum is to give notice to all persons that the Property is subject to the terms and conditions set forth in the Agreement. This Memorandum is executed for recording purposes only and is not intended to alter or amend the terms of the Agreement. In the event of a conflict between this Memorandum and the Agreement, the terms of the Agreement shall control.

[Signature pages follow]

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the date and year below written.

CITY OF LAWRENCE, KANSAS

By: _____
Thomas M. Markus, City Manager

STATE OF KANSAS)
) SS.:
COUNTY OF DOUGLAS)

On this _____ day of July, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Thomas M. Markus, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument as City Manager of the City of Lawrence, Kansas, the city of the first class therein named, and acknowledged to me that he executed the same in his authorized capacities, and that by his signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

My commission expires:

LAWRENCE HUMANE SOCIETY, INC.

By: _____

Name: Khatija Meghji

Title: Executive Director

STATE OF KANSAS)
)
) SS.:
COUNTY OF DOUGLAS)

On this ___ day of July, 2018, before me, a Notary Public in and for said state, personally appeared Khatija Meghji, Executive Director of the **LAWRENCE HUMANE SOCIETY, INC.**, a 501(c)(3) nonprofit organization, and that the within instrument was signed and sealed on behalf of said organization by authority of its members, and acknowledged said instrument to be the free act and deed of said organization for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public

My commission expires:

Exhibit A

**LOT ONE (1), LAWRENCE HUMANE SOCIETY ADDITION, A SUBDIVISION
IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.**