

TITLE OF REAL ESTATE INVOLVED

WAIVER OF REQUIREMENT OF TRANSFER OF OPERATIONS

THIS WAIVER OF REQUIREMENT OF TRANSFER OF OPERATIONS ("Waiver") is made and entered this _____ day of _____, _____, by Sedgwick County Fire District No. 1, a Kansas political subdivision ("District").

WHEREAS, on February 8, 2012, District entered into a Real Estate Contract ("Contract") with Triple J of Wichita LLC ("Triple J") under which Triple J agreed to meet certain obligations in connection the transfer of the property identified on Exhibit A; and

WHEREAS, the Conditional Warranty Deed, recorded July 2, 2012, Register of Deeds Document No. 29301334, provided that upon completion of Triple J's obligations, and transfer of fire station operations, the District was to record notice of satisfaction of conditions; and

WHEREAS, the District, in exchange for a lease of the property until transfer of fire station operations have been completed, agrees to waive the requirement that the notice not be recorded until after transfer of operations;

NOW, THEREFORE, District waives the condition in the Conditional Warranty Deed.

IN WITNESS WHEREOF, the District has caused this Waiver to be executed as of the day and year first written above.

Sedgwick County Fire District No. 1

By: _____
James B. Skelton, Chairman

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me, a Notary Public in and for the County and State aforesaid, this _____ day of _____, 2013, by James B. Skelton, Chairman, for the Board of Sedgwick County Fire District No. 1.

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

NOTARY PUBLIC

My Appointment Expires: _____

ATTEST:

By: _____
Kelly B. Arnold, County Clerk

APPROVED AS TO FORM ONLY:

By:  _____
ROBERT W. PARNACOTT, Assistant County Counselor

Exhibit A

Legal Description of Real Property

The following described real estate located in Sedgwick County, Kansas, generally located at 6400 South Rock Road, Derby, Kansas:

Beginning 40 feet south and 40 feet east of the Northwest corner of the Northwest Quarter, South 208.71 feet, East 208.71 feet, North 208.71 feet, West 208.71 feet to the beginning, Section 32, Township 28, Range 2 East, Sedgwick Lessee, Kansas; generally located at 6400 South Rock Road, Derby, Kansas.