

## FUNDING AGREEMENT

by and between:

**SEDGWICK COUNTY, KANSAS**  
**And**  
**KANSAS AVIATION MUSEUM**

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between Sedgwick County, Kansas ("County") and Kansas Aviation Museum.

WITNESSETH:

**WHEREAS**, Kansas Aviation Museum is a non-profit organization whose mission is to "Preserve, Inspire, Educate and Commemorate Kansas Aviation History for the Future.." Formed in 1991, KAM occupies the original Wichita Airport Terminal; built in the 1930's and is adjacent to McConnell AFB. The art deco structure, owned by the City of Wichita and leased to KAM, is listed on the National Register of Historic Places; and

**WHEREAS**, County seeks to provide funding for Kansas Aviation Museum; and

**WHEREAS**, The County deems Kansas Aviation Museum a valuable resource in our community and that these funds are to be used for a public purpose.

**NOW, THEREFORE**, in consideration of the mutual covenants, conditions and promises contained herein, the parties hereto agree as follows:

- 1. Payment.** County shall pay to Kansas Aviation Museum the sum of \$50,000 (Fifty Thousand Dollars) for the purpose of funding of the organization.
- 2. Authority to Contract.** Both parties assure that they possess legal authority to enter into this Agreement; that resolution, motion or similar action has been duly adopted or passed as an official act of both governing bodies, authorizing the signing of this Agreement, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of each body to act in connection with the application and to provide such additional information as may be required.
- 3. Notification.** Notifications required pursuant to this Agreement shall be made in writing and mailed to the addresses shown below. Such notification shall be deemed complete upon mailing.

**County:**

Sedgwick County  
Attn: Assistant County Manager  
525 N. Main, Suite 343  
Wichita, Kansas 67203

and

Sedgwick County Counselor's Office  
Attn: Contract Notification  
Sedgwick County Courthouse  
525 N. Main, Suite 359  
Wichita, Kansas 67203-3790

**Kansas Aviation Museum:** Kansas Aviation Museum, Inc.  
3350 S. Georg Washington Blvd.  
Wichita, Kansas 67210

4. **Assignment.** Neither this Agreement nor any rights or obligations created by it shall be assigned or otherwise transferred by either party without the prior written consent of the other. Any attempted assignment without such consent shall be null and void.

5. **Amendments.** Neither this Agreement nor any rights or obligations created by it shall be amended by either party without the prior written consent of the other. Any attempted amendment without such consent shall be null and void.

6. **Severability Clause.** In the event that any provision of this Agreement is held to be unenforceable, the remaining provisions shall continue in full force and effect.

7. **Waiver.** Waiver of any breach of any provision in this Agreement shall not be a waiver of any prior or subsequent breach. Any waiver shall be in writing and any forbearance or indulgence in any other form or manner by either party shall not constitute a waiver.

8.. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement.

**[remainder of this page intentionally left blank]**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SEDGWICK COUNTY, KANSAS

KANSAS AVIATION MUSEUM

\_\_\_\_\_  
David Dennis  
Chairman

\_\_\_\_\_  
Teresa F. Day  
Interim Executive Director

  
APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
William F. Deer  
Assistant County Counselor

ATTESTED TO:

\_\_\_\_\_  
Kelly B. Arnold  
County Clerk