

RESOLUTION NO. _____

A RESOLUTION TO CONSIDER AMENDING AMENDMENT NUMBER TWO TO THE WATER PARK GROUND LEASE AND OPERATING AGREEMENT BETWEEN MANSFIELD FAMILY ENTERTAINMENT, LLC AND THE CITY OF MANSFIELD FOR EXPANSION OF THE HAWAIIAN FALLS WATER PARK MANSFIELD.

WHEREAS, on or about April 24, 2007, the City Council authorized entry into, and executed a Water Park Ground Lease and Operating Agreement by and between Mansfield Family Entertainment, LLC (“Agreement”); and

WHEREAS, the City Council, by Resolution No. RE-2744-11, approved Amendment Number Two to the Agreement (the “Amendment”), which contemplates the construction of new capital improvements to the Water Park; and

WHEREAS, the City Council now finds it necessary to amend the Amendment by revising Exhibit A of the Amendment, which will depict different capital improvements for the Water Park.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

SECTION 1.

The City Council hereby approves an Amendment to Amendment Number Two to the Water Park Ground Lease and Operating Agreement between Mansfield Family Entertainment, LLC and the City of Mansfield for the Hawaiian Falls Water Park, as shown on the attached Exhibit “A” to this resolution.

PASSED AND APPROVED this 23rd day of January, 2012.

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary

EXHIBIT “A”

Amendment to Amendment Number Two