

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO APPROVE: (1) ASSIGNMENT, CONSENT TO ASSIGNMENT AND ASSUMPTION OF WATERPARK GROUND LEASE AND OPERATING AGREEMENT; AND (2) GROUND LEASE ESTOPPEL CERTIFICATE, CONSENT AND AMENDMENT.**

**WHEREAS**, in November, 2007, the City executed a Waterpark Ground Lease and Operating Agreement with Mansfield Family Entertainment (MFE) to lease the property known as Hawaiian Falls; and

**WHEREAS**, MFE is requesting the consent of the City to assign its lease interest to STORE Master Funding VIII, LLC (STORE); and

**WHEREAS**, STORE is also requesting to simultaneously sublease its interest in the lease back to Horizon Family Holdings, LLC (HFH); and

**WHEREAS**, HFH will sublease its interest in the lease to MFE; and

**WHEREAS**, MFE will continue to operate the waterpark; and

**WHEREAS**, the Waterpark and Ground Lease Agreement provides in Section 18.1 that the Lease may not be assigned without prior written consent of the City.

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

**SECTION 1.**

That the City hereby approves the Assignment, Consent to Assignment and Assumption of Waterpark Ground Lease and Operating Agreement and Ground Lease Estoppel Certificate, Consent and Amendment.

**RESOLVED AND PASSED** this 14<sup>st</sup> day of December, 2015

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**David L. Cook, President**

ATTEST:

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**Jeanne Heard, City Secretary**