

**RESOLUTION NO. \_\_\_\_\_****A RESOLUTION APPROVING AMENDMENT NUMBER FIVE TO THE WATER PARK GROUND LEASE AND OPERATING AGREEMENT BETWEEN STORE MASTER FUNDING VIII, LLC AND THE CITY OF MANSFIELD TO ALLOW FOR THE SALE OF CERTAIN ALCOHOLIC BEVERAGES ON THE PREMISES OF THE HAWAIIAN FALLS WATER PARK**

**WHEREAS**, on April 24, 2007, the City Council of the City authorized entry into a Water Park Ground Lease and Operating Agreement (as previously amended and as amended hereby, the “**Agreement**”) by and between the City, as lessor, and Mansfield Family Entertainment, LLC, as lessee (“**MFE**”), as such Agreement was ultimately assigned by MFE to STORE in December, 2015, a copy of which Agreement is attached hereto as Exhibit A; and,

**WHEREAS**, the Agreement prohibits the sale of alcoholic beverages on the Premises (as that term is defined in the Agreement); and,

**WHEREAS**, the parties desire to amend the Agreement to allow for the sale of certain alcoholic beverages on the Premises.

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

**SECTION 1.**

That the City Council hereby approves Amendment Number Five to the Water Park Ground Lease and Operating Agreement between Store Master Funding VIII, LLC and the City of Mansfield for the Hawaiian Falls Water Park, as shown on the attached Exhibit A to this resolution.

**SECTION 2.**

That this resolution shall be effective immediately upon its adoption by the City Council.

**PASSED AND APPROVED THIS 27<sup>TH</sup> DAY OF SEPTEMBER, 2021.**

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**Michael Evans, Mayor**

**ATTEST:**

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**Susana Marin, City Secretary**