

**THOMAS COUNTY, KANSAS**

RESOLUTION #: 2011-21

**A RESOLUTION APPROVING THE PROJCT DEVELOPMENT PLAN FOR PHASE ONE OF THE  
WIND ENERGY CONVERSION SYSTEM AS DESCRIBED IN THE EXISTING DEVELOPMENT  
AGREEMENT BETWEEN THOMAS COUNTY KANSAS AND SOLOMON FORKS WIND FARM LLC**

ADOPTED BY THE BOARD OF THOMAS COUNTY COMMISSIONERS  
THIS 30<sup>TH</sup> DAY OF DECEMBER, 2011

**A RESOLUTION APPROVING THE PROJECT DEVELOPMENT PLAN FOR PHASE ONE OF THE WIND ENERGY CONVERSION SYSTEM DESCRIBED IN THE EXISTING DEVELOPMENT AGREEMENT BETWEEN THOMAS COUNTY KANSAS AND SOLOMON FORKS WIND FARM LLC**

WHEREAS, Solomon Forks Wind Farm LLC (“SFWF”) and Thomas County, Kansas (the “County”) executed a certain Development Agreement dated the 29<sup>th</sup> of October, 2010 (the “Development Agreement”) by and between the County and SFWF attached hereto and incorporated by reference herein as Exhibit A; and

WHEREAS, SFWF has prepared a Project Development Plan, as defined in the Development Agreement and attached hereto as Exhibit B, for the first phase of a Wind Energy Conversion System located in the Townships of Lacey, Morgan, North Randall, and Summers in Thomas County, Kansas with an anticipated nameplate of one hundred and eight megawatts (108 MW) (the “Phase 1 Project” and the “Phase 1 Project Development Plan”) and this Phase 1 Project Development Plan was delivered to the County on the 12<sup>th</sup> of December, 2011; and

WHEREAS, the County reviewed the Phase 1 Project Development Plan and held a meeting to receive comments from public on the 19<sup>th</sup> of December, 2011.

WHEREAS, the County is vested with the with the authority under K.S.A. 19-101a et seq. to exercise the power of Home Rule to determine the local affairs of Thomas County, Kansas and to preform all powers of local legislation and administration as it deems appropriate to protect and preserve the interests of the citizens of Thomas County, Kansas; and

WHEREAS, the County, after due and careful consideration and review of the Phase 1 Development Plan and all comments received from the public, deems that the Phase 1 Project Development Plan includes all information required by Section V of the Development Agreement and finds it to reasonably comply with the terms of the Development Agreement; and

WHEREAS, as a result of these findings the County deems the project described in the Phase 1 Development Plan to be in the best interests of the health, safety, and welfare of the citizens of Thomas County, Kansas and hereby approves the Phase 1 Project Development Plan

[The Remainder of This Page is Blank – Resolution Continues on Following Page]

NOW, THEREFORE, be it resolved by the Board of the Thomas County Commissioners, pursuant to its home rule powers, as follows:

SECTION 1: That the above recitals are incorporated herein by reference.

SECTION 2: That the County does hereby approve the Phase 1 Development Plan and shall be bound to the terms of the Development Agreement with respect to the Phase 1 Project as generally described in the Phase 1 Project Development Plan.

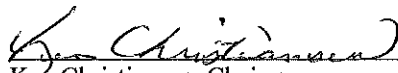
SECTION 3: The Board of Thomas County Commissioners was duly authorized and directed to execute and the County Clerk to attest the Development Agreement on 29th of October, 2010.

SECTION 4: This Resolution shall be in full force and effect from and after its passage and approval.

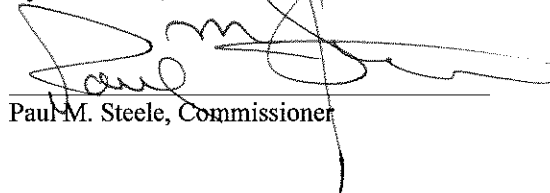
Passed this 30 <sup>th</sup> day of December, 2011	
AYES:	<u>3</u>
NAYS:	<u>0</u>
ABSENT:	<u>0</u>

Approved this 30<sup>th</sup> day of December, 2011

THOMAS COUNTY, KANSAS  
BY: BOARD OF COUNTY COMMISSIONERS


  
Ken Christiansen, Chairman

  
Byron Sowers, Commissioner

  
Paul M. Steele, Commissioner



Attest:

  
Shelly A. Harms, County Clerk