

RESOLUTION NO. 2011-01

A RESOLUTION AMENDING AND RESTATING THE CITY OF BALDWIN CITY
401(a) PENSION PLAN

WHEREAS, the City of Baldwin City (the "Employer") established the City of Baldwin City 401(a) Pension Plan (the "Plan") effective April 1, 2007 for the benefit of certain employees of the Employer; and

WHEREAS, in order to incorporate the provisions of the Pension Protection Act of 2006 (PPA) and subsequent legislation, it has become necessary to amend and restate the Plan effective January 1, 2011; and

WHEREAS, pursuant to Article 9.1 of the Plan, the Employer has the right to amend the Plan.

NOW, THEREFORE, BE IT RESOLVED, that, with the consent of the Governing Body, the form of the amended and restated Plan be, and it hereby is, adopted and approved in its entirety; provided, however, that with concurrence of legal counsel for the Employer, the proper officers of the Employer shall be, and hereby are, authorized and directed to make such changes to the Plan as shall be deemed necessary or advisable to improve administration of the Plan; and

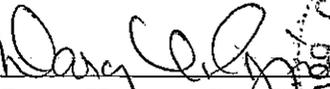
BE IT FURTHER RESOLVED, that the proper officers of the Employer, acting for and on behalf of the Employer, be, and they hereby are, authorized and directed to take such actions as may be deemed necessary or advisable to carry out the intent and purpose of these resolutions, including, without limitation, delivering to the Trustee of the Plan one or more counterparts of the amended and restated Plan.

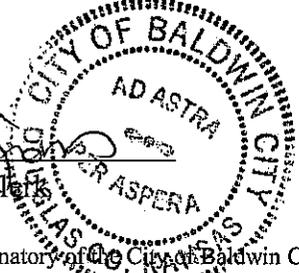
ADOPTED AND APPROVED by the Governing Body of the City of Baldwin City, Kansas on this 4th day of January, 2011.

APPROVED:


Ken Wagner, Mayor

ATTEST:


Darcy Higgins, City Clerk



The Authorized Signatory of the City of Baldwin City, hereby certifies that the following is a true and accurate copy of the resolutions which were duly adopted by the Governing Body of the Employer on January 4, 2011; that the passage of said resolutions was in all respects legal; and that the resolutions have not been modified or rescinded as of the date certified. The Authorized Signatory further certifies that attached hereto are true copies of the City of Baldwin City 401(a) Pension Plan as amended and restated: the Adoption Agreement, the Security Benefit Defined Contribution Plan and Trust prototype trust document, that were approved and adopted in the foregoing resolutions.