

EXHIBIT "A"
AMENDMENT NUMBER SEVEN
TO THE RESTATED OVERLAND PARK, KANSAS
MUNICIPAL EMPLOYEES PENSION PLAN AND TRUST AGREEMENT
(Restated as of April 1, 1996)

INTRODUCTION

THIS AMENDMENT NUMBER SEVEN TO THE RESTATED OVERLAND PARK, KANSAS, MUNICIPAL EMPLOYEES PENSION PLAN AND TRUST AGREEMENT (Restated as of April 1, 1996) is made and entered into on this _____ day of _____, 2006, by and between the City of Overland Park, Kansas, a municipal corporation duly organized and existing under the laws of the State of Kansas (hereinafter referred to as the "Employer"), and Robert E. Eisler, Jr., Kristy Stallings, Roger Peterson, Renee Charpie, and Marga Spangler (as Trustee of the Trust Agreement originally executed effective as of October 1, 1969, and subsequently restated as of April 24, 1985, August 7, 1989, and April 1, 1996).

WITNESSETH

WHEREAS, the Employer did enter into an agreement with the Trustee, dated February 16, 1970, for establishment of the Overland Park, Kansas, Municipal Employees Pension Plan and Trust Agreement (the "Plan") for the benefit of its Employees; and

WHEREAS, said Plan was restated on April 1, 1996, to incorporate all Amendments up to that time into one document; and

WHEREAS, the April 1, 1996, Restated Plan was amended by Amendment Number One on October 12, 1998 (MEP-583,T); and

WHEREAS, the April 1, 1996, Restated Plan was further amended by Amendment Number Two on February 1, 1999 (MEP-583,U); and

WHEREAS, the April 1, 1996, Restated Plan was further amended by Amendment Number Three on November 20, 2000 (MEP-583,V); and

WHEREAS, the April 1, 1996, Restated Plan was further amended by Amendment Number Four on December 2, 2002 (MEP-583,W); and

WHEREAS, the April 1, 1996, Restated Plan was further amended by Amendment Number Five on August 11, 2003 (MEP-583, X); and

WHEREAS, the April 1, 1996, Restated Plan was further amended by Amendment Number Six on August 1, 2005 (MEP-583,Y); and

WHEREAS, the Employer now wishes to further amend the Plan to allow participants to direct the investment of their accounts in increments of one percent (1%), rather than five percent (5%);

NOW, THEREFORE, in accordance with the authority granted in Article X of the Plan, the Plan is hereby further amended as follows:

Effective as of the date of this amendment, Article V, Section 5.4 is amended to read as follows:

5.4 Participant Direction of Investments. All Participant accounts shall be invested as hereinafter provided:

a. **Direction by Participants.** When an Employee becomes a Participant in this Plan, he or she shall direct the investment of his or her voluntary contributions and his or her Employer contributions in **fiveone** percent (**51**%) increments among the investment accounts then provided by the Plan.

Any such direction shall be made in writing, on a form which shall be furnished by the Employer. In the absence of any written direction, the Trustee shall invest such contributions in the Fixed Income Account.

b. **Change of Investment for Future Contributions.** A Participant may change the investment of both his or her future voluntary contributions and his or her future Employer contributions, effective as of the first day of any month (hereinafter referred to as a "Change Date"), in **fiveone** percent (**51**%) increments among the investment accounts then provided by the Plan. The Trustee may, as it deems appropriate under the circumstances, allow more frequent Change Dates, provided that all Change Dates are equally available to all Participants.

Any such change shall be made in writing, on a form furnished by the Employer, which shall be returned prior to the applicable Change Date. The Trustee may, as it deems appropriate, establish reasonable conditions and timing requirements for the return of such forms in order for changes to be timely processed.

c. **Change of Investment for Current Accounts.** Prior to any Change Date, a Participant may submit in writing, on a form furnished by the Employer, an election to change or reallocate the investment of his or her accounts. Such election shall be in **fiveone** percent (**51**%) increments among the investment accounts then provided by the Plan, and shall be submitted to the Trustee or Employer within the time guidelines established for this purpose and communicated to Participants.

The Trustee shall take all actions within its power to process elections that are timely submitted so as to take effect as near to the elected Change Date as is administratively feasible. The Trustee shall not be liable for any delays in processing caused by the Insurer or any entity administering or managing the accounts.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Number Seven on the day and year first above written.

ATTEST

CITY OF OVERLAND PARK, KANSAS

Marian Cook, City Clerk

Carl Gerlach, Mayor

TRUSTEE

Robert E. Eisler, Jr.

Renee Charpie

Marga Spangler

Kristy Stallings

Roger Peterson