

ORDINANCE NO. 49-567

AN ORDINANCE DECLARING **SOUTHWEST BLVD, MAPLE, CENTRAL, LINCOLN, SANTA FE, ST. FRANCIS, EMPORIA, TOPEKA, BROADWAY, MARKET AND MAIN STREETS AT THE KANSAS AND OKLAHOMA RAILROAD TRACKS; 16TH STREET NORTH, 17TH STREET NORTH, AND 21ST STREET NORTH, AT THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS; 21ST STREET NORTH, AT THE WICHITA TERMINAL ASSOCIATION RAILROAD TRACKS; AND 18TH STREET NORTH, 19TH STREET NORTH, 37TH STREET NORTH, LINCOLN, BAYLEY, ZIMMERLY, BOSTON, HARRY, OSIE, FUNSTON, SKINNER, MT. VERNON, CLARK, AND KINKAID STREETS, AT THE UNION PACIFIC RAILROAD TRACKS (RAILROAD CROSSING IMPROVEMENT PROGRAM) (472-85115), TO BE A MAIN TRAFFICWAYS WITHIN THE CITY OF WICHITA, KANSAS; DECLARING THE NECESSITY OF AND AUTHORIZING CERTAIN IMPROVEMENTS TO SAID MAIN TRAFFICWAYS; AND SETTING FORTH THE NATURE OF SAID IMPROVEMENTS, THE ESTIMATED COSTS THEREOF, AND THE MANNER OF PAYMENT OF SAME.**

WHEREAS, K.S.A. 12-685 provides that the governing body of any city shall have the power to designate and establish by ordinance any existing or proposed street, boulevard, avenue, or part thereof to be a main trafficway, the main function of which is the movement of through traffic between areas of concentrated activity within the city, and

WHEREAS, K.S.A. 12-687 provides that the governing body of any city shall have the power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimprovements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the city at large from the general improvement fund, general revenue fund, internal improvement fund, or any other fund or funds available for such purpose or by the issuance of general improvement bonds.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That Southwest Blvd, Maple, Central, Lincoln, Santa Fe, St. Francis, Emporia, Topeka, Broadway, Market and Main Streets, at the Kansas and Oklahoma Railroad Tracks; 16th Street North, 17th Street North, and 21st Street North, at the Burlington Northern Santa Fe Railroad Tracks; 21st Street North, at the Wichita Terminal Association Railroad Tracks; and 18th Street North, 19th Street North, 37th Street North, Lincoln, Bayley, Zimmerly, Boston, Harry, Osie, Funston, Skinner, Mt. Vernon, Clark, and Kinkaid Streets, at the Union Pacific Railroad Tracks. (Railroad Crossing Improvement Program) (472-85115), in the City of Wichita, Kansas are hereby designated and established as main trafficways, the primary function of which is the movement of through traffic between areas of concentrated activity within the City, said designation made under the authority of K.S.A. 12-685.

SECTION 2. It is hereby deemed and declared to be necessary by the governing body of the City of Wichita, Kansas, to make improvements to Southwest Blvd, Maple, Central, Lincoln, Santa Fe, St. Francis, Emporia, Topeka, Broadway, Market and Main Streets, at the Kansas and Oklahoma Railroad Tracks; 16th Street North, 17th Street North, and 21st Street North, at the Burlington Northern Santa Fe Railroad Tracks; 21st Street North, at the Wichita Terminal Association Railroad Tracks; and 18th Street North, 19th Street North, 37th Street North, Lincoln, Bayley, Zimmerly, Boston, Harry, Osie, Funston, Skinner, Mt. Vernon, Clark, and Kinkaid Streets, at the Union Pacific Railroad Tracks. (Railroad Crossing Improvement Program) (472-85115), as main trafficways in the following particulars:

The construction of railroad crossings as necessary for major traffic facilities.

SECTION 3. The cost of the above described improvements is estimated to be **Three Hundred Thousand Dollars (\$300,000)** exclusive of the cost of interest on borrowed money.

Said City cost, when ascertained, shall be borne by the city of Wichita at large by the issuance of General Obligation Bonds under the authority of K.S.A. 12-689.

SECTION 4. The above described main trafficway improvements shall be made in accordance with the Plans and Specifications prepared under the direction of the City Engineer of the City of Wichita and approved by the governing body of the City of Wichita, Kansas. Said plans and specifications are to be placed on file in the office of the City Engineer.

SECTION 5. Be it further ordained that the improvements described herein are hereby authorized under the provisions of K.S.A. 12-685 et seq.

SECTION 6. That the City Clerk shall make proper publication of this ordinance, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 10th day of September, 2013.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY REBENSTORF, DIRECTOR OF LAW