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RESOLUTION NO. 14-017

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING A **FULL-SERVICE INTERCHANGE AT K-96 HIGHWAY AND GREENWICH ROAD AND CERTAIN OTHER STREET IMPROVEMENTS AND SIGNALIZATION ALONG THE K-96 AND GREENWICH CORRIDOR 472-85066** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING A **FULL-SERVICE INTERCHANGE AT K-96 HIGHWAY AND GREENWICH ROAD AND CERTAIN OTHER STREET IMPROVEMENTS AND SIGNALIZATION ALONG THE K-96 AND GREENWICH CORRIDOR 472-85066** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct a **full-service interchange at K-96 highway and Greenwich Road and certain other street improvements and signalization along the K-96 and Greenwich corridor 472-85066.**

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Two Million One Hundred Thirty-Two Thousand Two Hundred Eighty-Nine Dollars (\$2,132,289)** exclusive of the cost of interest on borrowed money, with 100 Percent payable by the improvement district.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

K-96 INTERCHANGE

A contiguous tract of land lying within portions of the Northwest and Southwest Quarters of Section 3, and within portions of the Northeast and Southeast Quarters of Section 4, all in Township 27 South, Range 2 East, of the Sixth Principal Meridian, said contiguous tract containing a portion of Reserve "A", Regency Lakes Commercial Addition, an addition to Wichita, Sedgwick County Kansas, AND ALSO, Reserve "A", Greenwich Business Park Addition, an addition to Wichita, Sedgwick County, Kansas, AND ALSO, a portion of Greenwich Road Right-of-Way, AND ALSO, a portion of Kansas State Highway 96 Road Right-of-Way as described in Condemnation Cases 87C-1432 and 87C-1434, said contiguous tract being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 3, being coincident with the Northwest corner of Greenwich Business Center Addition, an addition to Wichita, Sedgwick County, Kansas;

thence along the West line of said Section 3, being coincident with the West boundary of said addition on a Kansas coordinate system 1983 south zone bearing of S00°32'28"E, 1344.46 feet to a point on a South boundary of said addition; thence along said South boundary, N89°14'33"E, 60.00 feet to a point on said South boundary also being the POINT OF BEGINNING; thence continuing along said South boundary, N89°14'33"E, 2586.39 feet to the Southeast corner of Lot 17, Block 3, of said addition; thence along the southern most West boundary of said addition, S00°35'43"E, 1331.13 feet to the Center of said Section 3, also being the Northwest corner of The Fairmont, an addition to Wichita, Sedgwick County, Kansas; thence along the West boundary of said addition, S00°35'31"E, 1815.57 feet to a point on the North line of Kansas State Highway 96 Road Right-of-Way; thence along the said North Right-of-Way line the following two courses and distances; N24°06'17"W, 532.89 feet to a point on a non-tangent curve to the left, having a radius of 2039.86 feet, a central angle of 41°27'31", a chord bearing of N44°22'20"W, and a chord distance of 1444.03 feet; thence along the arc of said curve a distance of 1476.03 feet; thence S24°53'55"W, 267.55 feet to a point on the South line of said Kansas State Highway 96 Road Right-of-Way, also being a point on a northerly line of Reserve "A", Kensington Gardens, Sedgwick County, Kansas; thence along the northerly lines of said Reserve "A" for the next seven (7) courses, being coincident with the South lines of said Kansas State Highway 96 Road Right-of-Way, N66°46'02"W, 52.59 feet, thence S23°12'52"W, 30.01 feet; thence N66°46'54"W, 182.71 feet; thence N79°21'28"W, 273.05 feet; thence N88°11'43"W, 255.14 feet; thence S87°05'55"W, 411.65 feet; thence S58°27'27"W, 114.13 feet to a point on the East Right-of-Way line of said Greenwich Road, also being a point on a westerly line of said Reserve "A"; thence along said westerly line, S00°43'24"E, 574.37 feet to a westerly corner of said Reserve "A"; thence S89°16'10"W, 120.0 feet more or less to a point on the West Right-of-Way line of said Greenwich Road, also being a point on the East line of Lot 7, Block 1, Regency Lakes Commercial 3rd Addition, an addition to Wichita, Sedgwick County, Kansas; thence along the East line of said Lot 7, N00°43'50"W, 148.40 feet to the Northeast corner of said Lot 7; thence along the North line of said Lot 7; S89°48'24"W, 325.71 feet; thence continuing along said North line and also along the North line of Reserve "A", Regency Lakes Commercial 2nd Addition, an addition to Wichita, Sedgwick County, Kansas, N73°57'21"W, 302.89 feet; thence continuing along North line of said Reserve "A" the following three courses and distances; N57°43'06" W, 366.66 feet; thence N65°25'19"W, 297.70 feet; thence N74°49'46"W, 179.58 feet to the Northwest corner of said addition, also being a point on the East line of Reserve "C", Regency Lakes, an addition to Wichita, Sedgwick County, Kansas; thence continuing along said East line, N00°43'50"W, 45.86 feet to the Northeast corner of said Reserve "C"; thence along the North line of said Reserve "C", N89°11'19"W, 175.06 feet to the Northwest corner of said Reserve "C"; thence N00°57'07"W, 360.49 feet to a point on the South boundary of Regency Park Addition, an addition to Wichita, Sedgwick County, Kansas; thence continuing along the said South boundary the following four courses and distances; N89°02'53"E, 434.62 feet; thence N54°11'18"E, 614.48 feet; thence N74°45'13"E, 316.18 feet; thence S89°59'32"E, 300.22 feet to the Southeast corner of Lot 13, Block 1, of said addition; thence N89°27'32"E, 120.0 feet more or less to a point on the East line of said Greenwich Road Right-of-Way established on Doc# FLMIPG 28739057; thence along said East Right-of-Way line, N00°32'28"W, 911.75 feet to the POINT OF BEGINNING,

EXCEPT,

COMMENCING at the West Quarter corner of said Section 3, thence along the west line of said Northwest Quarter on a Kansas coordinate system of 1983 south zone bearing of N00°32'28"W,

203.91 feet; thence N89°27'32"E, 60.00 feet to the POINT OF BEGINNING, thence N44°27'32"E,130.71 feet; thence N89°27'32"E,124.54 feet; thence N85°09'28"E,60.00 feet; thence N89°27'32"E,123.20 feet; thence S00°32'28"E, 223.18 feet; thence S89°07'40"W, 221.49 feet; thence S00°32'26"E, 75.00 feet; thence S89°07'40"W, 178.51 feet; thence N00°32'28"W, 203.57 feet to the POINT OF BEGINNING,

AND EXCEPT,

COMMENCING at the West Quarter corner of said Section 3, thence along the west line of said Northwest Quarter on a Kansas coordinate system of 1983 south zone bearing of N00°32'28"W, 1336.67 feet; thence N89°27'32"E, 60.00 feet to the POINT OF BEGINNING, thence N89°14'33"E, 400.00 feet; thence S00°32'28"E, 941.34 feet; thence S89°27'32"W, 113.93 feet; thence N85°22'10"W, 72.11 feet; thence S89°27'32"W 121.83 feet; thence N45°32'28"W, 130.71 feet; thence N00°32'28"W, 840.90 feet to the POINT OF BEGINNING,

AND EXCEPT,

COMMENCING at the West Quarter corner of said Section 3, thence along the west line of said Northwest Quarter on a Kansas coordinate system of 1983 south zone bearing of N00°32'28"W, 1336.67 feet; thence N89°27'32"E, 60.00 feet; thence N89°14'33"E, 743.00 feet to the POINT OF BEGINNING, thence N89°14'33"E, 1214.20 feet; thence S00°35'43"E, 1047.75 feet to a point on a non-tangent curve to the left, said non-tangent curve to the left having a radius of 1048.00 feet, a central angle of 25°18'06", a chord bearing of S77°53'25"E, and a chord distance of 459.04 feet, thence along the said curve to the left 462.79 feet; thence S89°27'32"W, 957.28 feet; thence N00°32'28"W, 692.47 feet; thence N89°27'31.88"E, 190.00 feet; thence N00°32'28"W, 250.16 feet to the POINT OF BEGINNING,

AND EXCEPT,

COMMENCING at the West Quarter corner of said Section 3, thence along the west line of said Northwest Quarter on a Kansas coordinate system of 1983 south zone bearing of N00°32'28"W, 300.84 feet; thence N89°27'32"E, 613.00 feet to the POINT OF BEGINNING, thence N89°27'32"E, 568.70 feet; thence S00°32'28"E, 470.23 feet; thence N73°43'09"W, 322.14 feet; thence N85°58'06"W, 261.18 feet; thence, N00°32'28"W 356.18 feet to the POINT OF BEGINNING.

CONTAINING 4,577,287 square feet or 105.08 acres more or less.

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **square foot** basis.

In the event all or part of the lots or parcels in the improvement district are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, 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 7th day of
January, 2014.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF
DIRECTOR OF LAW