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RESOLUTION NO. 15-116

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON **GEORGIA AVENUE FROM THE WEST LINE OF HYDRAULIC AVENUE TO AND INCLUDING A CUL-DE-SAC WEST OF LOT 6, BLOCK 2 OF LOUIS 4TH ADDITION (WEST OF HYDRAULIC, SOUTH OF MACARTHUR) 472-85107** 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 PAVEMENT ON **GEORGIA AVENUE FROM THE WEST LINE OF HYDRAULIC AVENUE TO AND INCLUDING A CUL-DE-SAC WEST OF LOT 6, BLOCK 2 OF LOUIS 4TH ADDITION (WEST OF HYDRAULIC, SOUTH OF MACARTHUR) 472-85107** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 13-163 adopted on September 10, 2013 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct pavement on **Georgia Avenue from the west line of Hydraulic Avenue to and including a cul-de-sac west of Lot 6, Block 2 of Louis 4th Addition (west of Hydraulic, south of MacArthur) 472-85107.**

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer (collectively, the "Improvements").

SECTION 3. That the cost of the Improvements provided for in Section 2 hereof is estimated to be **Four Hundred Eighteen Thousand Dollars (\$418,000)** exclusive of the cost of interest on borrowed money, with **93.66** percent payable by the improvement district and **6.34** percent payable by the City-at-Large, which reflects estimated costs of improvements to the intersection of Hydraulic and Ellis. In the event that the costs of said intersection improvements exceed the estimate, such excess, not to exceed \$40,000, will be paid by the City-at-Large and not apportioned in the manner set forth above.

SECTION 4. That all costs of the Improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

LOUIS 4TH ADDITION

Lots 14 through 26 Inclusive, Block 1
Lots 6 through 10 Inclusive, Block 2

LOUIS 5TH ADDITION

Lots 3 through 16 Inclusive

UNPLATTED TRACT

In Section 16, Township 28S, Range 1E
North 125 feet East 318 Feet North 1/2 South 1/2 SE1/4 NE1/4 (B-16-IP)

SECTION 5. That the method of apportioning all costs of the Improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **square foot** basis.

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 6. 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 7. That the City Engineer shall prepare plans and specifications for the Improvements 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 8. 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. 12-6a01 *et seq.* (the "Act").

SECTION 9. Be it further resolved that the Improvements are hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

SECTION 11. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

PASSED by the governing body of the City of Wichita, Kansas this 28th day of
May, 2015.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

SHARON L. DICKGRAFE
INTERIM DIRECTOR OF LAW AND CITY ATTORNEY