

132019-BID#37484

First Published in the Wichita Eagle on August 18, 2006

RESOLUTION NO. 06-427

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **MAIN 20, FOUR MILE CREEK SEWER (NORTH OF 21ST, WEST OF 159TH ST. EAST) 468-84206** 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 THE CONSTRUCTION OF **MAIN 20, FOUR MILE CREEK SEWER (NORTH OF 21ST, WEST OF 159TH ST. EAST) 468-84206** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Main 20, Four Mile Creek Sewer (north of 21st, west of 159th St. East) 468-84026**.

Said sanitary sewer 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 **Seven Hundred Thousand Dollars (\$700,000)** exclusive of the cost of interest on borrowed money, with One Hundred Eighty-Five Thousand Eight Hundred Ninety Four Dollars (\$185,894) payable by the improvement district and the remainder payable by the City of Wichita Sewer Utility Fund. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **July 1, 2006**, exclusive of the costs of temporary financing.

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:

UN-PLATTED TRACTS

TRACT 1

The West Half of the Southeast Quarter of Section 1, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas EXCEPT the south 910.00 feet of the west 900.00 feet thereof, and EXCEPT the south 60.00 feet thereof. TOGETHER WITH: Beginning at the Southwest Corner of the Northeast Quarter of said Southeast Quarter; thence along the west line of said Northeast Quarter on a Kansas coordinate system 1983 south zone bearing of N00°34'25"W, 661.91 feet to a point lying 666.0 feet south of the north line of said Northeast Quarter; thence N88°58'38"E, 394.93 feet; thence S00°34'25"E, 661.72 parallel with said west line to a point on the south line of said Northeast Quarter; thence S88°56'59"W, 394.93 feet along said south line to the Point of Beginning.

TRACT 2

The south 910.00 feet of the west 900.00 feet of the Southeast Quarter of Section 1, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the south 60.00 feet thereof.

TRACT 3

The Southeast Quarter of the Southeast Quarter of Section 1, Township 27 South, Range 2 East of the Sixth Principal Meridian, EXCEPT the south 60.00 feet thereof, EXCEPT the east 60.00 feet thereof, and EXCEPT the existing road right of way as described on Film 1670, Page 1900.

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 re-platted before assessments have been levied, the assessments against the re-platted 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.

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. 12-6a01 et seq., as amended and K.S.A. 12-693.

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.

ADOPTED at Wichita, Kansas, August 15, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)