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RESOLUTION NO. 07-330

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING **STORM WATER DRAIN NO. 290 (NORTH OF 29TH ST. NORTH, WEST OF TYLER) 468-84151** 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 IMPROVING **STORM WATER DRAIN NO. 290 (NORTH OF 29TH ST. NORTH, WEST OF TYLER) 468-84151** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution **No. 06-055** adopted on **February 14, 2006** and Resolution **No. 07-156** adopted on **March 6, 2007** are hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve **Storm Water Drain No. 290 (north of 29th St. North, west of Tyler) 468-84151**.

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to be **Four Hundred Sixty-Six Thousand Dollars (\$466,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **February 1, 2006**, exclusive of the costs of temporary financing.

SECTION 4. 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:

FOX RIDGE ADDITION

Lots 46 through 60, Block 1
Lots 147 through 190, Block 1
Lots 14 through 21, 23, 26, and 27, Block 4
Lots 47, 51 through 61, Block 4
Lots 64, 65, 67, 68, 71, 72 and 75, Block 4

FOX RIDGE 2ND ADDITION

Lots 1 through 3, Block 1
Lots 1 through 14, Block 2

SECTION 5. 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 **fractional** basis:

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 46 through 60, Block 1; FOX RIDGE ADDITION shall each pay 48/10,000 of the total cost payable by the improvement district. Lots 147 through 190, Block 1; FOX RIDGE ADDITION shall each pay 65/10,000 of the total cost payable by the improvement district. Lots 14 through 21, Block 4; FOX RIDGE ADDITION shall each pay 120/10,000 of the total cost payable by the improvement district. Lots 23, 26 & 27, Block 4; FOX RIDGE ADDITION shall each pay 154/10,000 of the total cost payable by the improvement district. Lot 47, Block 4; FOX RIDGE ADDITION shall pay 164/10,000 of the total cost payable by the improvement district. Lot 51, Block 4; FOX RIDGE ADDITION shall pay 63/10,000 of the total cost payable by the improvement district. Lot 52, Block 4; FOX RIDGE ADDITION shall pay 119/10,000 of the total cost payable by the improvement district. Lot 55, Block 4; FOX RIDGE ADDITION shall pay 60/10,000 of the total cost payable by the improvement district. Lots 53, 54 and 56 through 61, Block 4; FOX RIDGE ADDITION shall each pay 123/10,000 of the total cost payable by the improvement district. Lots 64, 65, 67 & 68, Block 4; FOX RIDGE ADDITION shall each pay 123/10,000 of the total cost payable by the improvement district. Lots 71, 72 & 75, Block 4; FOX RIDGE ADDITION shall each pay 166/10,000 of the total cost payable by the improvement district. Lots 1 through 3, Block 1; and Lots 1 through 14, Block 2; FOX RIDGE 2ND ADDITION shall each pay 154/10,000 of the total cost payable by the improvement district.

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.

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 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 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. as amended.

SECTION 9. 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 10. 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 5th day of June, 2007.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)