

RESOLUTION NO. 08-253

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF FACADE IMPROVEMENTS AT 125 NORTH MARKET (NORTH OF DOUGLAS, WEST OF MARKET) 472-84678 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 CONSTRUCTING FACADE IMPROVEMENTS AT 125 NORTH MARKET (NORTH OF DOUGLAS, WEST OF MARKET) 472-84678 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct Facade Improvements at 125 North Market abutting public ways, including Market Street and alley right-of way (north of Douglas, west of Market) 472-84678.

Said improvements shall be constructed in accordance with plans and specifications approved by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be One Million Seventy-Eight Thousand Eight Hundred and One Dollars (\$1,078,801).

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:

GRIEFFENSTEIN'S ORIGINAL TOWN

Lot 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35 on Market Street, in Original Town (now City) or Wichita, Sedgwick County, Kansas as platted by William Greiffenstein.

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.

Where the ownership of a single lot, parcel or tract is or may be divided into two or more parcels, the assessment to the lot, parcel or tract so divided shall be assessed to each unit owned or parcel on a square foot basis.

SECTION 5. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the improvements described in SECTION 1 above to be

advisable as set forth during a public hearing held on May 6, 2008; the improvements set forth above are hereby authorized by K.S.A. 12-6a01 et seq. as amended; except that, the improvements shall not begin if, within 20 days after publication of this Resolution, written protests signed by both 51% or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of the improvement district are filed with the City Clerk

SECTION 6. The approved estimated cost of the Improvements is the estimated cost of the Improvements as set forth in this Resolution. The Finance Director shall prepare a proposed assessment roll for the Improvements which shall set forth the proposed maximum assessment against each lot, piece or parcel of land within the improvement district for the Improvements in the manner set forth in this Resolution based on such estimated cost of the Improvements. The proposed assessment roll shall be maintained on file with the City Clerk and be open for public inspection. Following preparation of the proposed assessment roll, the Governing Body shall hold a public hearing on the proposed maximum assessments on May 20, 2008, or the first regularly scheduled City Council meeting thereafter after compliance with the notice provisions set forth in this paragraph. The City Clerk shall publish notice of the public hearing for the improvement district at least once not less than 10 days prior to the public hearing, and shall mail to the owner of the property liable to pay the assessments, at its last known post office address, a notice of the hearing and a statement of the maximum cost proposed to be assessed all in accordance with K.S.A. 12-6a09.

SECTION 7. 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 8. That Resolution No. 08-142 adopted on March 4, 2008, is hereby repealed and replaced.

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 and shall file this resolution of record with the Register of Deeds of Sedgwick County, Kansas.

PASSED by the governing body of the City of Wichita, Kansas, this 6th day of May, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)