

RESOLUTION NO. 08-254

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON NEW JERSEY DRIVE FROM THE NORTHWEST CORNER OF LOT 4 OF THE WASHINGTON HEIGHTS REPLAT OF BLOCK I & J TO THE NORTHEAST CORNER OF LOT 12, BLOCK D OF WASHINGTON HEIGHTS ADDITION AND ON VALLEY FORGE ROAD FROM THE NORTHEAST CORNER OF LOT 7, BLOCK H OF WASHINGTON HEIGHTS ADDITION TO 31ST STREET SOUTH AND ON BRANDYWINE ROAD FROM SOUTHWEST CORNER OF LOT 18, BLOCK H OF WASHINGTON HEIGHTS ADDITION TO THE NORTHEAST CORNER OF LOT 16, BLOCK D OF WASHINGTON HEIGHTS ADDITION (EAST OF OLIVER, NORTH OF 31ST ST. SOUTH) 472-84718 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 NEW JERSEY DRIVE FROM THE NORTHWEST CORNER OF LOT 4 OF THE WASHINGTON HEIGHTS REPLAT OF BLOCK I & J TO THE NORTHEAST CORNER OF LOT 12, BLOCK D OF WASHINGTON HEIGHTS ADDITION AND ON VALLEY FORGE ROAD FROM THE NORTHEAST CORNER OF LOT 7, BLOCK H OF WASHINGTON HEIGHTS ADDITION TO 31ST STREET SOUTH AND ON BRANDYWINE ROAD FROM SOUTHWEST CORNER OF LOT 18, BLOCK H OF WASHINGTON HEIGHTS ADDITION TO THE NORTHEAST CORNER OF LOT 16, BLOCK D OF WASHINGTON HEIGHTS ADDITION (EAST OF OLIVER, NORTH OF 31ST ST. SOUTH) 472-84718 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize constructing pavement on New Jersey Drive from the northwest corner of Lot 4 of the Washington Heights replat of Block I & J to the northeast corner of Lot 12, Block D of Washington Heights Addition and on Valley Forge Road from the northeast corner of Lot 7, Block H of Washington Heights Addition to 31st Street South and on Brandywine Road from southwest corner of Lot 18, Block H of Washington Heights Addition to the northeast corner of Lot 16, Block D of Washington Heights Addition (east of Oliver, north of 31st St. South) 472-84718.

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 Three Hundred Forty Thousand Dollars (\$340,000) exclusive of the cost of interest on borrowed money, with 86.4 percent payable by the improvement district and 13.6 percent payable by the City at Large. Said estimated cost as above set forth is hereby increased

at the pro-rata rate of 1 percent per month from and after June 1, 2007 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:

WASHINGTON HEIGHTS ADDITION

Lots 7 through 16 Inclusive, Block D

Lot 1, Block E

Lots 1 through 4 Inclusive, Block F

Lots 1 through 9 Inclusive, Block G

Lots 3 through 23 Inclusive, Block H

WASHINGTON HEIGHTS SECOND ADDITION

Lots 4 through 6 Inclusive, Block 1

DODY COLE FIFTH ADDITION

Lots 3 and 4

WASHINGTON HEIGHTS-REPLAT BLKS I & J

The west half of Lot 4, Block 1

UNPLATTED TRACTS

In Section 1, Twp28S, R1E

Beginning in the Southeast Corner Lot 16 Block D Washington Heights Northeasterly 145 Feet
Northwesterly 150 Feet M-L to the Southeast Corner of Lot 12 Southwesterly To the
Beginning Southwest 1/4

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 or tract is or may be divided into two or more parcels, the assessment to the lot or tract 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. 12-6a01 et seq., as amended.

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 13th day of May, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)