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RESOLUTION NO. 06-212

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF **WATER DISTRIBUTION SYSTEM NUMBER 448-89674 (ALONG HOOVER ROAD, NORTH OF ZOO BOULEVARD)**, 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 **WATER DISTRIBUTION SYSTEM NUMBER 448-89674 (ALONG HOOVER ROAD, NORTH OF ZOO BOULEVARD)**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **02-239** adopted on **May 21, 2002** is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct **Water 2Distribution System Number 448-89674 (along Hoover Road, north of Zoo Boulevard)**.

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to be **One Million One Hundred Thousand Dollars (\$1,100,000)**, exclusive of the cost of interest on borrowed money with **\$160,535** payable by the improvement district and **the remainder** payable by the Water 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 **November 1, 2001**, 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:

UNCAPHER ADDITION

Lot 1

BURLESON ADDITION

Lots 1-5, Inclusive

ZOO BUSINESS PARK ADDITION

Lots 1-11, Inclusive

U-NEEDA SELF STORAGE ADDITION

Lot 1

UNPLATTED TRACTS

In Section 3, TWP 27S, R1W

Tract 1: The E 300' of the S 677' of the SE ¼ lying E of the RR ROW except the N 337' and except the S 30' for Road (D-1227-UP)

Tract 2: The E 300' of the N 337' of the S 677' of the SE ¼ lying E of the RR ROW (D-1228-UP)

Tract 3: Beginning 677' N of the SE corner of the SE ¼, thence W 20 Rods N 16 Rods E 20 Rods S to the beginning (D-1229-UP)

Tract 4: Beginning 941' N of the SE corner of the SE ¼, thence W 330' N 70' E 330' S 70' to the beginning (D-1232-UP)

Tract 5: Beginning 30' S of the NE corner of the S ½ of the SE ¼, thence W 330' S 70' E 330' N to the beginning (D-1234-UP)

Tract 6: Beginning 100' S of the NE corner of the S ½ of the SE ¼, thence W 330' S 70' E 330' N to the beginning (D-1236-UP)

Tract 7: Beginning 1011' N of the SE corner of the SE ¼, thence W 330' N 70' E 330' S 70' to the beginning (D-1240-UP)

Tract 8: Beginning 1081' N of the SE corner of the SE ¼, thence W 330' N 69' M-L to a point 170' S of the N line of the S ½ of the SE ¼, thence E 330' S to the beginning (D-1242-UP)

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 with **Uncapher Addition** paying **5092/160535** of the total cost assessed to the improvement district; Each lot in **Burleson Addition** paying **12400/160535** of the total cost assessed to the improvement district; Each lot in **Zoo Business Park Addition** paying **4273/160535** of the total cost assessed to the improvement district; **U-Needa Self Storage Addition**, paying **22500/160535** of the total cost assessed to the improvement district, Each **Unplatted Tracts** will be assessed the following: **Tract 1** will pay **5890/160535**, **Tract 2** will pay **6403/160535**, **Tract 3** will pay **5016/160535**, **Tracts 4, 5, 6 & 7** will each pay **1330/160535**, **Tract 8** will pay **1311/160535** of the total cost assessed to the improvement district.

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.

ADOPTED at Wichita, Kansas, May 9, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)