

First Published in the Wichita Eagle on December 22,2006

RESOLUTION NO. 06-666

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING **STORM WATER DRAIN NO. 294 (NORTH OF CENTRAL, WEST OF 127TH ST. EAST) 468-84183** 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. 294 (NORTH OF CENTRAL, WEST OF 127TH ST. EAST) 468-84183** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **06-185** adopted on **April 18, 2006** is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve **Storm Water Drain No. 294 (north of Central, west of 127th St. East) 468-84183**.

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to be **Five Hundred Sixty-Eight Thousand Dollars (\$568,000)** 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 **September 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:

CRESTLAKE ADDITION

Lots 1 through 36, Block 1

Lots 1 through 29, Block 2

UNPLATTED TRACT A

The part of the SE1/4 of Sec. 15, T27S, R2E of the 6th P.m., Sedgwick County, Kansas, lying South of the south line of Balthrop 4th Addition, to Wichita, Sedgwick County, and lying West of the westerly right of way line of K-96 bypass, Condemnation Case No. 88C 4045, EXCEPT there from the right of way for Central Avenue and 127th Street East, and EXCEPT that part platted as Aria International Addition to Sedgwick County, Kansas, and EXCEPT the West 1645 feet thereof.

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:

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 36, Block 1, and Lots 1 through 29, Block 2, CRESTLAKE ADDITION, shall each pay 947/65000 of the total cost payable by the improvement district, and UNPLATTED TRACT A, shall pay 3445/65000 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.

ADOPTED at Wichita, Kansas, December 19, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)