

132019-BID#37484

First Published in the Wichita Eagle on December 15, 2006.

RESOLUTION NO. 06-653

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER DISTRIBUTION SYSTEM NUMBER 448-90259 (WEST OF SENECA, NORTH OF HARRY)** 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 THE CONSTRUCTION OF **WATER DISTRIBUTION SYSTEM NUMBER 448-90259 (WEST OF SENECA, NORTH OF HARRY)** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water Distribution System Number 448-90259 (west of Seneca, north of Harry)**.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Twenty-Eight Thousand Dollars (\$28,000)** 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 **December 1, 2006**, 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:

SANTA FE ORIENT INDUSTRIAL DISTRICT 3RD ADDITION

PARCEL A

That part of Lot 9, Block A, Santa Fe Orient Industrial District 3rd Addition to Wichita, Sedgwick County, Kansas described as commencing at the S.E. corner of said Lot 9; thence S57°12'10"W, along the southerly line of said Lot 9, 148.56 feet for a place of beginning; thence N32°47'50"W, parallel with the easterly line of said Lot 9, 184.32 feet; thence S57°12'10"W, parallel with said southerly line, 169.08 feet to the southwesterly line of said Lot 9; thence S32°47'50"E, along said southwesterly line, 184.32 feet to the S.W. corner of said Lot 9; thence N57°12'10"E, along said southerly line, 169.08 feet to the place of beginning.

PARCEL B

That part of Lot 9, Block A, Santa Fe Orient Industrial District 3rd Addition to Wichita, Sedgwick County, Kansas described as commencing at the S.E. corner of said Lot 9; thence S57°12'10"W, along the southerly line of said Lot 9, 148.56 feet; thence N32°47'50"W, parallel with the easterly line of said Lot 9, 184.32 feet for a place of beginning; thence N06°14'29"W,

98.27 feet; thence N89°52'03"W, 134.27 feet to the west line of said Lot 9; thence S00°07'57"W, along said west line, 184.54 feet to the lot corner common to Lots 7, 8 and 9 in said Block A; thence S32°47'50"W, along the southwesterly line of said Lot 9, 6.00 feet; thence N57°12'10"E, 169.08 feet to the place of beginning.

PARCEL C

That part of Lot 9, Block A, Santa Fe Orient Industrial District 3rd Addition to Wichita, Sedgwick County, Kansas described as commencing at the S.E. corner of said Lot 9; thence S57°12'10"W, along the southerly line of said Lot 9, 148.56 feet; thence N32°47'50"W, parallel with the easterly line of said Lot 9, 184.32 feet; thence N06°14'29"W, 98.27 for a place of beginning; thence continuing N06°14'29"W, 10.06 feet; thence N32°47'50"W, 244.94 feet to the northwest corner of said Lot 9, thence S00°07'57"W, along the west line of said Lot 9, 215.59 feet; thence S89°52'03"E, 134.27 feet to the place of beginning.

PARCEL D

That part of Lot 9, Block A, Santa Fe Orient Industrial District 3rd Addition to Wichita, Sedgwick County, Kansas described as commencing at the S.E. corner of said Lot 9; thence S57°12'10"W, along the southerly line of said Lot 9, 148.56 feet; thence N32°47'50"W, parallel with the easterly line of said Lot 9, 184.32 feet; thence N06°14'29"W, 83.74 feet for a place of beginning; thence continuing N06°14'29"W, 24.59 feet; thence N32°47'50"W, 244.94 feet to the northwest corner of said Lot 9, thence N89°56'20"E, along the north line of said Lot 9, 119.03 feet to the N.E. corner of said Lot 9; thence S32°47'50"E, along the easterly line of said Lot 9, 202.57 feet; thence S57°12'10"W, parallel with the southerly line of said Lot 9, 111.12 feet to the place of beginning.

PARCEL E

That part of Lot 9, Block A, Santa Fe Orient Industrial District 3rd Addition to Wichita, Sedgwick County, Kansas described as beginning at the S.E. corner of said Lot 9; thence S57°12'10"W, along the southerly line of said Lot 9, 148.56 feet; thence N32°47'50"W, parallel with the easterly line of said Lot 9, 184.32 feet; thence N06°14'29"W, 83.74 feet; thence N57°12'10"E, parallel with said southerly line, 111.12 feet to the easterly line of said Lot 9; thence S32°47'50"E, along said easterly line, 259.23 feet to the place of beginning.

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 **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: Parcel A through Parcel E, SANTA FE ORIENT INDUSTRIAL DISTRICT 3RD ADDITION, shall each pay 1/5 of the total cost of 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 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.

ADOPTED at Wichita, Kansas, December 12, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK
(SEAL)