

First Published in the Wichita Eagle on August 15, 2008

RESOLUTION NO. 08-417

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING STORM WATER SEWER NO. 645 (SOUTH OF 13TH, EAST OF GREENWICH) 468-84536 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 SEWER NO. 645 (SOUTH OF 13TH, EAST OF GREENWICH) 468-84536 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve Storm Water Sewer No. 645 (south of 13th, east of Greenwich) 468-84536.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Sixty-One Thousand Dollars (\$61,000) 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 May 1, 2008, 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:

TRACT 'A'

LOT 12, BLOCK 1, THE GATEWAY CENTER 2ND ADDITION, TO WICHITA, SEDGWICK COUNTY, KANSAS EXCEPT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 12, BLOCK 1; THENCE BEARING N01°03'27"W, ALONG THE WEST LINE OF SAID LOT 12, A DISTANCE OF 427.00 FEET; THENCE BEARING N89°06'02"E, A DISTANCE OF 206.59 FEET TO THE P.C. OF A CURVE TO THE LEFT; THENCE ALONG SAID CURVE HAVING A RADIUS OF 487.24 FEET; THROUGH A CENTRAL ANGLE OF 18°05'48", AN ARC DISTANCE OF 153.89 FEET; THENCE BEARING S01°03'27"E, A DISTANCE OF 451.10 FEET TO THE SOUTH LINE OF SAID LOT 12, BLOCK 1; THENCE BEARING S89°06'02"W, ALONG THE SAID SOUTH LINE, A DISTANCE OF 358.00 TO THE POINT 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:

TRACT "A" shall pay 100% of the 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 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 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. 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 authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. 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 12th day of August, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)