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RESOLUTION NO. 08-561

RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE  
ADVISABILITY OF AN IMPROVEMENT

A resolution directing and providing for a public hearing on the advisability of improvements consisting of paving ELM FROM THE WEST LINE OF DOUGHERTY TO THE EAST LINE OF YOUNG (NORTH OF CENTRAL, WEST OF WEST STREET) 472-84778 in the City of Wichita, Kansas, all as provided by KSA 12-6a04. Said hearing shall be held on January 6, 2009 in the City Council Chambers of City Hall at 9:00 a.m.

Be it further resolved: That the City Clerk of the City of Wichita, Kansas shall give notice of the aforesaid public hearing by publication in the official city newspaper in the manner provided by KSA 12-6a04 in the following form:

NOTICE OF HEARING

NOTICE OF HEARING ON IMPROVEMENTS CONSISTING OF PAVING ELM FROM THE WEST LINE OF DOUGHERTY TO THE EAST LINE OF YOUNG (NORTH OF CENTRAL, WEST OF WEST STREET) 472-84778, IN THE CITY OF WICHITA, KANSAS.

Notice is hereby given that the Governing Body of the City of Wichita, Kansas will hold a hearing as provided by KSA 12-6a04, at its regular meeting on January 6, 2009. Said meeting to be held in the City Council Chambers of the City Building, 455 North Main Street at 9:00 a.m. Said hearing to begin at 9:00 a.m., for the purpose of considering the advisability of the following improvements:

SECTION 1. That it is necessary and in the public interest to pave ELM FROM THE WEST LINE OF DOUGHERTY TO THE EAST LINE OF YOUNG (NORTH OF CENTRAL, WEST OF WEST STREET) 472-84778.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the estimated and probable cost of the foregoing improvement being One Hundred Twenty-Five Thousand Dollars (\$125,000), 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 October 1, 2008.

SECTION 3. That the cost of said improvement attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

DOUGHERTY PLACE ADDITION

North 8 Feet of the East 167.3 Feet of Lot 1 South 102 Feet East 167.5 Feet Lot 2 Except East 9.8 Feet Thereof For Street South 66.9 Feet Lot 3 Except West 30 Feet For Street & Except Thunderbird 3rd Addition South ½ of the West ½ of the North 1 Acre of Lot 4 Except West 30 Feet For Street East ½ of the North 1 Acre of Lot 4 Except East 10 Feet For Street

JERRY COMBS ADDITION

Lot 1

NIEDENS ADDITION

Lots 1 through 5 Inclusive  
The North 50 Feet of Lot 6  
The North 50 Feet of Lot 14  
Lots 15 through 18 Inclusive

POWELL'S 6TH ADDITION

Lot 1

REPLAT OF PART OF LOT 3, DOUGHERTY PLACE ADDITION

Lots 1, 3, 4, 5

Lots 2 Except West Half Platted as Jerry Combs Addition

REPLAT OF PART OF LOT 4 DOUGHERTY PLACE ADDITION

Lot 1 and Vacated Murdock on North  
Lot 7 and Vacated Murdock on North  
Lots 2 through 6 Inclusive

THUNDERBIRD 3RD ADDITION

Lot 1

SECTION 4. That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a square foot basis.

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. 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.

The hearing may be adjourned from time to time until the Governing Body of the City of Wichita, Kansas shall have made findings by resolution as to the advisability of the improvements, the nature of the improvements, the estimated cost, the boundaries of the improvement district and the method of assessment, all as finally determined by the said Governing Body: Provided the area of the proposed improvement district to be assessed may be less than but shall not exceed the area proposed to be assessed as stated in this Notice of Hearing without giving notice and holding a new hearing on the improvements. All persons desiring to be heard with reference to the proposed improvements will be heard at this hearing.

That this resolution shall be published twice in the official City newspaper. The two publications shall be a week apart and at least three days shall elapse between the last publication and the hearing.

PASSED AND APPROVED by the governing body of the City of Wichita, Kansas, this 16<sup>th</sup> day of December, 2008.

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CARL BREWER, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)