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RESOLUTION NO. 08-294

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON ZELTA DRIVE FROM THE NORTH LINE OF KELLOGG DR. TO THE SOUTH LINE OF WATERMAN ST. (NORTH OF KELLOGG, EAST OF GREENWICH) 472-84300 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 AUTHORIZING CONSTRUCTING PAVEMENT ON ZELTA DRIVE FROM THE NORTH LINE OF KELLOGG DR. TO THE SOUTH LINE OF WATERMAN ST. (NORTH OF KELLOGG, EAST OF GREENWICH) 472-84300 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 05-538 adopted on November 1, 2005 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct pavement on Zelta Drive from the north line of Kellogg Dr. to the south line of Waterman St. (north of Kellogg, east of Greenwich) 472-84300.

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

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to Three Hundred Twenty Thousand Dollars (\$320,000) exclusive of the cost of interest on borrowed money, with \$169,500 payable by the improvement district, \$15,500 payable by General Obligation Bonds and \$135,000 payable by the Local Sales Tax. 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, 2005 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:

LINWOOD ACRES
Lots 1 through 3, Inclusive
The S 48' of Lot 36
Lots 37 through 39, Inclusive
Lot 40 except the E 3' of the N ½
Lot 41 except the N 5'

Lots 42 through 44, Inclusive, Lot 45 except the W 2.5 Ft
Lot 76 except the S 13' for St except the N 13' of the S 67.8' for St. except the W2.5 Ft
and E ½ Lot 78 except S 13'
Lots 79 and 80 except .165A St. Hwy

C.J.J. 2ND ADDITION

Lot 1

BAXTER PLACE ADDITION

Lot 1 except the W 632.5 Ft

REYNOLD'S ADDITION

Lots 1 except the W5' of the N 298'

Lot 2

REYNOLD'S 2ND ADDITION

Lots 1 through 8, Inclusive

UNPLATTED TRACTS

In Section 27, TWP7S, R2E

Beginning 200' E of the SW corner of the SE 1/4, thence E 130' N 1320' W 130' S to the
beginning except Highway & except S ½ now platted as part of Reynolds Add.
(C-13-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 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.

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.

PASSED by the governing body of the City of Wichita, Kansas, this 3rd day of June, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)