

RESOLUTION NO. 10-038

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING 1,322 LINEAL FEET OF 6" STEEL GAS MAIN TO BE RELOCATED AND APPURTENANCES CONSTRUCTED (NORTH OF 13TH, WEST OF GREENWICH) 468-84664 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 RELOCATING 1,322 LINEAL FEET OF 6" STEEL GAS MAIN AND APPURTENANCES CONSTRUCTED (NORTH OF 13TH, WEST OF GREENWICH) 468-84664 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize 1,322 lineal feet of 6" steel gas main to be relocated and appurtenances constructed (north of 13th, west of Greenwich) 468-84664.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Two Hundred Sixty-Three Thousand Two Hundred Fifty Dollars (\$263,250) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district.

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" (KEY NO. C-709-UP)

The east half of the south half of the southeast quarter of section 9, township 27 south, range 2 east, of the sixth principal meridian, City of Wichita, Sedgwick County, Kansas; except the south 18 acres thereof and except, the north 625.59 feet of the west 15 feet of said east half of said south half.

TRACT "B" (KEY NO. C-710-UP)

The west 735 feet of the south 18 acres of the east half of the southeast quarter of section 9, township 27 south, range 2 east, of the sixth principal meridian, City of Wichita, Sedgwick County, Kansas.

TRACT "C" (KEY NO. C-495-UP)

The north 4 acres of the south 18 acres of the east half of the southeast quarter of section 9, township 27 south, range 2 east, of the sixth principal meridian, City of Wichita, Sedgwick County, Kansas; except the west 735 feet thereof.

TRACT "D" (KEY NO. C-60671)

Lot 2, Block 1, Home Bank & Trust Company Addition, an addition to the City of Wichita, Sedgwick County, Kansas.

TRACT "E" (KEY NO. C-6335)

Lot 3, Block 1, Greenwich Office Park Addition, an Addition to the City of Wichita, Sedgwick County, Kansas.

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 square feet 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 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.

PASSED by the governing body of the City of Wichita, Kansas, this 23rd day of February, 2010.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)