

First Published in the Wichita Eagle on July 5, 2008

RESOLUTION NO. 08-344

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 91, MAIN 22, WAR INDUSTRIES SEWER (SOUTH OF 21ST, EAST OF ROCK) 468-84528 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 LATERAL 91, MAIN 22, WAR INDUSTRIES SEWER (SOUTH OF 21ST, EAST OF ROCK) 468-84528 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct Lateral 91, Main 22, War Industries Sewer (south of 21st, east of Rock) 468-84528.

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

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be Twenty-Six Thousand Dollars (\$26,000) 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 June 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:

WILSON FARMS ADDITION

TRACT 1 – A tract of land located in a portion of Lot 19, Block 1, Wilson Farms Addition to Wichita, Sedgwick County, Kansas and being located in the Northwest Quarter of Section 8, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas; said tract being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 19, Block 1, Wilson Farms Addition to Wichita, Sedgwick County, Kansas; thence along the north line of said Lot 19 on a platted bearing of N89°26'20"E, a distance of 251.38 feet; thence S00°33'40"E, a distance of 255.19 feet; thence S89°26'20"W, a distance of 267.27 feet to the west line of said Lot 19; thence along said west line N03°00'00"E, a distance of 255.69 feet to the POINT OF BEGINNING.

TRACT 2 – A tract of land located in a portion of Lot 19, Block 1, Wilson Farms Addition to Wichita, Sedgwick County, Kansas and being located in the Northwest Quarter of Section 8, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas; said tract being more particularly described as follows:

COMMENCING at the Northwest corner of Lot 19, Block 1, Wilson Farms Addition to Wichita, Sedgwick County, Kansas; thence along the west line of said Lot 19 on a platted bearing of S03°00'00"W, a distance of 255.69 feet to the POINT OF BEGINNING; thence N89°26'20"E, a distance of 267.27 feet; thence S00°33'40"E, a distance of 219.81 feet; thence S89°26'20"W, a distance of 214.04 feet; thence N51°00'04"W, a distance of 124.74 feet; thence N38°59'56"E, a distance of 58.09 feet to a point on the west line of said Lot 19; thence along said west line, N03°00'00"E, a distance of 95.76 feet 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.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: TRACT 1 and TRACT 2 shall each pay an equal share of the total 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 of assessment 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. 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 1<sup>st</sup> day of July, 2008.

---

CARL BREWER, MAYOR

ATTEST:

---

KAREN SUBLETT, CITY CLERK

(SEAL)