

RESOLUTION NO. 07-591

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT AND OTHER ASSOCIATED IMPROVEMENTS ON VICTOR FROM HILLSIDE AVE. TO THE EAST LINE OF THE WEST 100 FEET OF THE NORTH 140 FEET, COLLEGE PARK OF SAID ADDITION AND RUTAN FROM DOUGLAS TO SECOND ST. AND FIRST ST. FROM THE WEST LINE OF LOT 4, I R&R SUBDIVISION OF BLOCK 1 IN COLLEGE HILL ADDITION TO THE EAST LINE OF THE WEST ½ OF THE LOT 1, BLOCK 2, COLLEGE HILL ADDITION (NORTH OF DOUGLAS, EAST OF HILLSIDE) 472-84571 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 AND OTHER ASSOCIATED IMPROVEMENTS ON VICTOR FROM HILLSIDE AVE. TO THE EAST LINE OF THE WEST 100 FEET OF THE NORTH 140 FEET, COLLEGE PARK OF SAID ADDITION AND RUTAN FROM DOUGLAS TO SECOND ST. AND FIRST ST. FROM THE WEST LINE OF LOT 4, I R&R SUBDIVISION OF BLOCK 1 IN COLLEGE HILL ADDITION TO THE EAST LINE OF THE WEST ½ OF THE LOT 1, BLOCK 2, COLLEGE HILL ADDITION (NORTH OF DOUGLAS, EAST OF HILLSIDE) 472-84571 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 07-409 adopted on July 17, 2007 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to authorize constructing pavement and other associated improvements on Victor from Hillside Ave. to the east line of the west 100 feet of the north 140 feet, College Park of said Addition and Rutan from Douglas to Second St. and First St. from the west line of Lot 4, I R&R Subdivision of Block 1 in College Hill Addition to the east line of the west ½ of the Lot 1, Block 2, College Hill Addition (north of Douglas, east of Hillside) 472-84571.

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 Seven Hundred Five Thousand Dollars (\$705,000) 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 August 1, 2007 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:

COLLEGE HILL ADDITION

Lots 1 through 4, 7 through 12, the east half of Lot 13 & 20, I R&R Subdivision of Block 1 in College Hill Addition to Wichita, Kansas; Along with the west 100 feet of the north 140 feet, College Park, College Hill Addition to Wichita; AND Along with Lots 2, 4, 6, 8, 10 and 12, Roembach's Addition to Wichita, Kansas; AND Along with the west 50 feet of the south half of the east half of Lot 1, Block 2, College Hill Addition to Wichita; AND Along the north half of the west half of Lot 1, Block 2, College Hill Addition, Wichita.

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 fractional basis.

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lot 1 and Lot 10, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall each pay 10/100 of the total cost of the improvements; Lots 2 through 4 and Lots 7 through 9, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall each pay 7/100 of the total cost of the improvements; Lot 11, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall pay 3/100 of the total cost of the improvement, Lot 12, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall pay 5/100 of the total cost of the improvement; The east half of Lot 13, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall pay 9/100 of the total cost of the improvement; Lot 20, I R&R Subdivision of Block 1, COLLEGE HILL ADDITION, shall pay 9/100 of the total cost of the improvement; Lots 2, 4, 6, 8, 10 and 12, ROEMBACH'S HILL ADDITION, shall each pay 1/100 of the total cost of the improvements; The west 50 feet of the south half of the east half of Lot 1, Block 2, COLLEGE HILL ADDITION, shall pay 3/100 of the total cost of the improvement; The north half of the west half of Lot 1, Block 2, COLLEGE HILL ADDITION, shall pay 3/100 of the total cost of the improvement.

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. 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 23<sup>rd</sup> day of October, 2007.

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CARL BREWER, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)