

132019-BID#37484

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RESOLUTION NO. 06-503

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER DISTRIBUTION SYSTEM NUMBER 448-90066 (SOUTH OF 21ST, WEST OF GREENWICH)** 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 **WATER DISTRIBUTION SYSTEM NUMBER 448-90066 (SOUTH OF 21ST, WEST OF GREENWICH)** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **05-235** adopted on **May 3, 2005** is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct **Water Distribution System Number 448-90066 (south of 21st, west of Greenwich)**.

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to be **Five Hundred Forty-Eight Thousand Dollars (\$548,000)** exclusive of the cost of interest on borrowed money, with **18** percent payable by the improvement district and **82** percent payable by the Wichita Water Department Utility Fund. 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, 2006**, 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:

OAK CREEK ADDITION

Lot 1, Block 1

Lots 1 through 4, Block 2

Lots 1 through 9, Block 3

OAK CREEK 2ND ADDITION

Lot 1, Block 1

CROSS POINTE ADDITION

Lots 1 through 4 and 7 through 13, Block 1

EASTSIDE COMMUNITY CHURCH

Lot 2, Block A

TRACT "A"

THE WEST 155.00 FEET OF LOT 5, BLOCK 1, CROSS POINTE, AN
ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

TRACT "B"

THE EAST 53.04 FEET OF LOT 5, BLOCK 1, TOGETHER WITH THE WEST
71.96 FEET OF LOT 6, BLOCK 1, CROSS POINTE, AN ADDITION TO
WICHITA, SEDGWICK COUNTY, KANSAS.

TRACT "C"

THE EAST 142.04 FEET OF LOT 6, BLOCK 1 CROSS POINTE, AN
ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

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 said Lot 1, Block 1, OAK CREEK ADDITION, shall pay 4,229/98,640 of the total cost of the improvement; Lot 1, Block 2, OAK CREEK ADDITION, shall pay 1,232/98,640 of the total cost of the improvement; Lot 2, Block 2, OAK CREEK ADDITION, shall pay 1,300/98,640 of the total cost of the improvement; Lot 3, Block 2, OAK CREEK ADDITION, shall pay 1,381/98,640 of the total cost of the improvement; Lot 4, Block 2, OAK CREEK ADDITION, shall pay 10,825/98,640 of the total cost of the improvement; Lot 1, Block 3, OAK CREEK ADDITION, shall pay 1,352/98,640 of the total cost of the improvement; Lot 2, Block 3, OAK CREEK ADDITION, shall pay 17,100/98,640 of the total cost of the improvement; Lot 3, Block 3, OAK CREEK ADDITION, shall pay 1,525/98,640 of the total cost of the improvement; Lot 4, Block 3, OAK CREEK ADDITION, shall pay 5,734/98,640 of the total cost of the improvement; Lot 5, Block 3, OAK CREEK ADDITION, shall pay 3,179/98,640 of the total cost of the improvement; Lot 6, Block 3, OAK CREEK ADDITION, shall pay 2,227/98,640 of the total cost of the improvement; Lot 7, Block 3, OAK CREEK ADDITION, shall pay 1,730/98,640 of the total cost of the improvement; Lot 8, Block 3, OAK CREEK ADDITION, shall pay 2,066/98,640 of the total cost of the improvement; Lot 9, Block 3, OAK CREEK ADDITION, shall pay 1,938/98,640 of the total cost of the improvement; Lot 1, Block 1, OAK CREEK 2ND ADDITION, shall pay 1,282/98,640 of the total cost of the improvement; Lot 2, Block A, EASTSIDE COMMUNITY CHURCH ADDITION, shall pay 997/98,640 of the total cost of the improvement; TRACT "A", shall pay 748/98,640 of the total cost of the improvement; TRACT "B", shall pay 623/98,640 of the total cost of the improvement; TRACT "C", shall pay 702/98,640 of the total cost of the improvement; Lots 1, 2, 4, and 10, Block 1, CROSS POINTE ADDITION, shall pay 1,039/98,640 of the total cost of the improvement; Lot 3, Block 1, CROSS POINTE ADDITION, shall each pay 955/98,640 of the total cost of the improvement; Lot 7, Block 1, CROSS POINTE ADDITION, shall pay 1,126/98,640 of the total cost of the improvement; Lots 8, 9, and 11, Block 1, CROSS POINTE ADDITION, shall each pay 1,080/98,640 of the total cost of the improvement; Lot 12, Block 1, CROSS POINTE ADDITION, shall pay 21,559/98,640 of the total cost of the improvement; and Lot 13, Block 1,

CROSS POINTE ADDITION, shall pay 7,434/98,640 of the total cost of the improvement district.

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.

ADOPTED at Wichita, Kansas, September 26, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK
(SEAL)