

First Published in the Wichita Eagle on September 29, 2006.

RESOLUTION NO. 06-492

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING LEFT TURN LANES ON **127TH ST. EAST**, SERVING THE ENTRANCES AT BELLECHASE AND SPRING VALLEY (EAST OF 127TH ST. EAST, NORTH OF HARRY) 472-84427 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 LEFT TURN LANES ON **127TH ST. EAST**, SERVING THE ENTRANCES AT BELLECHASE AND SPRING VALLEY (EAST OF 127TH ST. EAST, NORTH OF HARRY) 472-84427 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize constructing left turn lanes on **127th St. East**, serving the entrances at Bellechase and Spring Valley (east of 127th St. East, north of Harry) 472-84427.

Said pavement 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 **Fifty-Two Thousand Dollars (\$52,000)** 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 **March 1, 2006** 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:

BELLECHASE ADDITION

Lots 1 through 16, Block 1
Lots 1 through 9, Block 2
Lots 1 through 9, Block 3
Lots 1 and 2, Block 4

UNPLATTED TRACT

That part of the N1/2, SW1/4, Sec. 26, T27S, R2E of the 6th P.M., Sedgwick County, Kansas described as beginning at the N.W. corner of said N1/2; thence N88°45'24"E along the north line of said N1/2, 1740.55 feet; thence S01°14'36"E, 50.00 feet; thence N88°45'24"E, parallel with said north line, 127.38 feet; thence S28°20'44"E, 340.19 feet; thence S43°13'32"E, 90.88 feet; thence S87°45'22"E, 101.77 feet; thence S49°57'33"E, 369.12 feet; thence S27°00'03"E, 279.24

feet to a point 50.00 feet West of the east line of said N1/2; thence S00°50'19"E, parallel with said east line, 405.68 feet to the south line of said N1/2; thence S88°42'16"W along said south line, 2585.83 feet to the S.W. corner of said N1/2; thence N01°02'26"W along the west line of said N1/2, 1329.64 feet to the place of beginning. Containing 70.79 Acres, more or less, AND That part of the N1/2, SW1/4, Sec. 26, T27S, R2E of the 6th P.M., Sedgwick County, Kansas described as commencing at the N.W. corner of said N1/2; thence N88°45'24"E along the north line of said N1/2, 1740.55 feet; thence S01°14'36"E, 50.00 feet; thence N88°45'24"E, parallel with said north line, 127.38 feet for a place of beginning; thence continuing N88°45'24"E, 33.70 feet; thence S28°20'44"E, 109.83 feet; thence S60°42'49"E, 632.00 feet; thence S32°21'18"E, 270.00 feet to the east line of said N1/2; thence S00°50'19"E along said east line, 627.26 feet to the S.E. corner of said N1/2; thence S88°42'16"W along the south line of said N1/2, 50.00 feet; thence N00°50'19"W, parallel with the east line of said N1/2, 405.68 feet; thence N27°00'03"W, 279.24 feet; thence N49°57'33"W, 369.12 feet; thence N87°45'22"W, 101.77 feet; thence N43°13'32"W, 90.88 feet; thence N28°20'44"W, 340.19 feet to the place of beginning.

Containing 3.63 Acres, more or less, AND the east 762 feet of the west 1540.5 feet of the S1/2 of the SW1/4 of Sec. 26, T27S, R2E of the 6th P.M., Sedgwick County, Kansas, lying north of the centerline of the creek, EXCEPT that part described as: Commencing at the S.W. corner of said east 762 feet; thence North on the west line of said east 762 feet, with an assumed bearing of N00°32'58"W, a distance of 608.70 feet to the point of beginning; thence N00°32'58"W, a distance of 394.82 feet; thence S87°08'11"E, a distance of 128.77 feet; thence S38°46'30"E, a distance of 44.36 feet; thence S11°57'15"W, a distance of 165.81 feet; thence S21°41'53"E, a distance of 11.72 feet; thence S47°30'57"W, a distance of 46.10 feet; thence S29°18'56"W, a distance of 70.61 feet; thence S31°33'22"W, a distance of 103.23 feet to the point of beginning. Said Tract contains 13.72 acres, more or less, AND the S1/2 of the SW1/4 of Sec. 26, T27S, R2E of the 6th P.M., Sedgwick County, Kansas, EXCEPT the east 343.18 feet thereof; AND EXCEPT the west 1540.5 feet thereof; AND EXCEPT that part lying south of the centerline of the creek. Said tract contains 16.86 acres, more or less, and EXCEPT that portion platted as Bellechase, and Addition to 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 **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: Lots 1 through 16, Block 1, Lots 1 through 9, Block 2, Lots 1 through 9, Block 3, and Lots 1 and 2, Block 4, BELLECHASE ADDITION, shall each pay 1/222 of the total cost payable by the improvement district and UNPLATTED TRACT shall pay 186/222 of the total cost payable by the improvement district.

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 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.

ADOPTED at Wichita, Kansas, September 26, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)