

First Published in the Wichita Eagle on November 9, 2007 and November 16, 2007

RESOLUTION NO. 07-615

RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE
ADVISABILITY OF AN IMPROVEMENT

A resolution directing and providing for a public hearing on the construction of a STORM WATER DRAIN NO. 332 (SOUTH OF 29TH STREET NORTH, ALONG BOTH SIDES OF MAIZE) 468-84396 in the City of Wichita, Kansas, all as provided by KSA 12-6a04. Said hearing shall be held on November 20, 2007 in the City Council Chambers of City Hall at 9:00 a.m.

Be it further resolved: That the City Clerk of the City of Wichita, Kansas shall give notice of the aforesaid public hearing by publication in the official city newspaper in the manner provided by KSA 12-6a04 in the following form:

NOTICE OF HEARING

NOTICE OF HEARING ON CONSTRUCTING A STORM WATER DRAIN
NO. 332 (SOUTH OF 29TH STREET NORTH, ALONG BOTH SIDES OF MAIZE)
468-84396 IN THE CITY OF WICHITA, KANSAS.

Notice is hereby given that the Governing Body of the City of Wichita, Kansas will hold a hearing as provided by KSA 12-6a04, at its regular meeting on November 20, 2007. Said meeting to be held in the City Council Chambers of the City Building, 455 North Main Street at 9:00 a.m. Said hearing to begin at 9:00 a.m., for the purpose of considering the advisability of the following improvements:

SECTION 1. That it is necessary and in the public interest to construct a STORM WATER DRAIN NO. 332 (SOUTH OF 29TH STREET NORTH, ALONG BOTH SIDES OF MAIZE) 468-84396.

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

SECTION 2. That the estimated and probable cost of the foregoing improvement being Two Million Nine Hundred Thousand Dollars (\$2,900,000), exclusive of the cost of interest on borrowed money, with 41.3793 percent payable by the improvement district and 58.6207 percent payable by the City-at-large. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after May 1, 2007.

SECTION 3. That the cost of said improvement attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

PEARSON TRACT

THE WEST 839 FEET OF THE FOLLOWING DESCRIBED TRACT: THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, EXCEPT THAT PART TAKEN FOR ROAD PURPOSES DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 27 SOUTH,

RANGE 1 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE EAST ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 100.02 FEET; THENCE SOUTHWESTERLY A DISTANCE OF 100 FEET TO A POINT 70 FEET EAST OF THE WEST LINE OF SAID SOUTH HALF; THENCE SOUTH PARALLEL WITH SAID WEST LINE, A DISTANCE OF 1,221.01 FEET TO THE SOUTH LINE OF SAID SOUTH HALF; THENCE WEST ALONG SAID SOUTH LINE, A DISTANCE OF 70.02 FEET TO THE SOUTHWEST CORNER OF SAID SOUTH HALF. THENCE NORTH ALONG THE WEST LINE OF SAID SOUTH HALF TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1,102,730 SQUARE FEET OR 25.32 ACRES MORE OR LESS.

NEWMARKET TRACT

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER, SECTION 6, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; THENCE BEARING N89°46'15"W, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 40.00 FEET; THENCE BEARING S01°24'27"W, PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE BEARING N89°46'15"W, PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 175.00 FEET; THENCE BEARING N81°14'24"W, A DISTANCE OF 101.12 FEET; THENCE BEARING N89°45'15"W, PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 14.68 FEET; THENCE BEARING S01°24'27"W, PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 599.99 FEET; THENCE N89°46'15"W, A DISTANCE OF 358.94 FEET; THENCE BEARING S01°24'27"W, PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 656.12 FEET TO THE NORTH LINE OF LOT 21, BLOCK 9, EVERGREEN ADDITION; THENCE BEARING S89°47'16"E, ALONG THE SAID NORTH LINE OF LOT 21, BLOCK 9, EVERGREEN ADDITION, A DISTANCE OF 613.92 FEET TO A POINT 75.02 FEET WEST OF THE EAST LINE OF THE SAID NORTHEAST QUARTER; THENCE BEARING N03°19'23"E, A DISTANCE OF 1047.19 FEET; THENCE N01°24'27"E, A DISTANCE OF 195.04 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 577,896 SQUARE FEET OR 13.27 ACRES MORE OR LESS.

SECTION 4. That the method of assessment of all costs for the improvements for which the improvement district shall be liable 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: The PEARSON TRACT, shall pay 50/100 of the improvement district cost, The NEW MARKET TRACT, shall pay 50/100 of the improvement district cost.

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.

The hearing may be adjourned from time to time until the Governing Body of the City of Wichita, Kansas shall have made findings by resolution as to the advisability of the improvements, the nature of the improvements, the estimated cost, the boundaries of the improvement district and the method of assessment, all as finally determined by the said Governing Body: Provided the area of the proposed improvement district to be assessed may be less than but shall not exceed the area proposed to be assessed as stated in this Notice of Hearing without giving notice and holding a new hearing on the improvements. All persons desiring to be heard with reference to the proposed improvements will be heard at this hearing.

That this resolution shall be published twice in the official City newspaper. The two publications shall be a week apart and at least three days shall elapse between the last publication and the hearing.

PASSED by the governing body of the City of Wichita, Kansas, this 6th day of November, 2007.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)