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RESOLUTION NO. 08-285

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON GOVERNEOUR FROM THE SOUTH LINE OF HARRY TO THE SOUTH LINE OF OSIE CIR., AND ON OSIE CIR. FROM THE EAST LINE OF GOVERNEOUR TO THE CUL-DE-SAC (SOUTH OF HARRY, WEST OF ROCK) 472-84428 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 ON GOVERNEOUR FROM THE SOUTH LINE OF HARRY TO THE SOUTH LINE OF OSIE CIR., AND ON OSIE CIR. FROM THE EAST LINE OF GOVERNEOUR TO THE CUL-DE-SAC (SOUTH OF HARRY, WEST OF ROCK) 472-84428 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 06-412 adopted on August 1, 2006 and Resolution No. 07-200 adopted on March 20, 2007 are hereby rescinded

SECTION 2 That it is necessary and in the public interest to authorize constructing pavement on Gouverneur from the south line of Harry to the south line of Osie Cir., and on Osie Cir. from the east line of Gouverneur to the cul-de-sac (south of Harry, west of Rock) 472-84428.

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 Two Hundred Seventy-Five Thousand Dollars (\$275,000) 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 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:

GRILLOT ADDITION
Lots 7 through 12, Inclusive

EAST SUBSTATION ADDITION
Lot 1

UNPLATTED TRACT

BEG 50 FT S & 40 FT E NW COR NE1/4 E 141.9 FT; S 20 FT; E 22 FT; S 274.62 FT TO
NWLY LI GYPSUM CRK; SW 321.58 FT TO W LI NE1/4; N 90.25 FT TO CUR; N TO BEG

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: Where the parcel known as N1/2 LOT 7 AND VAC S 25 FT HARRY DR ADJ ON N BLOCK 2, GRILLOT ADDITION, shall pay 3300/264000 of the total cost. The parcel known as S 1/2 LOT 7 BLOCK 2, GRILLOT ADDITION shall pay 2708/264000 of the total cost. The parcel known as LOT 8 BLOCK 2, GRILLOT ADDITION shall pay 8095/264000 of the total cost. The parcel known as the LOT 9 BLOCK 2, GRILLOT ADDITION shall pay 4985/264000 of the total cost. The parcel known as LOT 10 BLOCK 2, GRILLOT ADDITION shall pay 5741/264000 of the total cost. The parcel known as LOT 11 BLOCK 2, GRILLOT ADDITION shall pay 5799/264000 of the total cost. The parcel known as LOT 12 BLOCK 2, GRILLOT ADDITION shall pay 5708/264000 of the total cost. The parcel known as LOT 1, EAST SUBSTATION ADDITION shall pay 214146/264000 of the total cost. THE UNPLATTED tract known as Beg 50 Ft S & 40 Ft E Nw Cor Ne1/4 E 141.9 Ft S 20 Ft E 22 Ft S 274.62 Ft To Nwly Li Gypsum Crk Sw 321.58 Ft To W Li Ne1/4 N 90.25 Ft To Cur Then Following Road Row In A Northerly Direction To Pt Of Beg shall pay 13518/264000 of the total cost.

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.

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 _____ day of _____, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)