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RESOLUTION NO. 07-585

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF MAIN 22, SOUTHWEST INTERCEPTOR SEWER, (WEST OF WEST STREET, NORTH OF MACARTHUR) 468-83861, 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 MAIN 22, SOUTHWEST INTERCEPTOR SEWER, (WEST OF WEST STREET, NORTH OF MACARTHUR) 468-83861, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 04-475 adopted on September 14, 2004, Resolution No. 06-429 adopted on August 15, 2006 and Resolution No. 06-525 adopted on October 16, 2006 are hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct Main 22, Southwest Interceptor Sewer, (west of West Street, north of MacArthur) 468-83861.

Said sanitary sewer 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 be Two Million One Hundred Fifty Thousand Dollars (\$2,150,000) exclusive of the cost of interest on borrowed money, with \$165,000 payable by the improvement district and the remainder payable by the City of Wichita Sanitary Sewer Utility. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after October 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:

BLUE LAKE ADDITION
Lots 1 through 117, Block A
Lots 1 through 37, Block B
Lots 1 through 12, Block C
Lots 1 through 100, Block D

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.

Lots 1 through 117, Block A, Lots 1 through 37, Block B, Lots 1 through 12, Block C, and Lots 1 through 100, Block D, BLUE LAKE ADDITION shall each pay 1/266 of the total cost of the 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 16th day of October, 2007.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)