

RESOLUTION NO. 07-693

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 526, SOUTHWEST INTERCEPTOR SEWER (SOUTH OF KELLOGG, WEST OF WOODCHUCK) 468-84420 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 LATERAL 526, SOUTHWEST INTERCEPTOR SEWER (SOUTH OF KELLOGG, WEST OF WOODCHUCK) 468-84420 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct Lateral 526, Southwest Interceptor Sewer (south Kellogg, west of Woodchuck) 468-84420.

Said sanitary sewer 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 be Fifty-Five Thousand Dollars (\$55,000) 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 September 1, 2007 exclusive of the costs of temporary financing.

That, in accordance with the provisions of K.S.A. 12-6a19, a benefit fee be assessed against the improvement district with respect to the improvement district's share of the cost of the existing sanitary sewer main, such benefit fee to be in the amount of Six Thousand Seven Hundred Dollars (\$6,700).

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:

FAIRLAWN ACRES ADDITION

Part of Lots 2 through 3 Beginning on South Line of US 54 & East Line of Lot 2 Thence South 300 Feet West 100 Feet North to Highway East 100 Feet to Beginning Except for Part Deeded to the City

Beginning 100 Feet West Intersection of South Line of Highway 54 & East Line of Lot 2 South 200 Feet West 100 Feet North 200 feet East to Beginning. Part of Lots 2 through 3

That Part of Lots 2 through 3 Beginning 200 Feet West Northeast Corner of Lot 2 South 200 Feet West 70 Feet Southwesterly 30 Feet North 200 Feet to South Line of Highway 54 Northeasterly 30 Feet East 70 Feet to Beginning

West 100 Feet East 300 Feet Lots 3 through 4 Except for Beginning 200 Feet West of the Northeast Corner of Lot 3 South 50 Feet West 70 Feet Southwesterly 30 Feet to a Point 200 Feet South of the South Line of Highway 54 Thence North to North Line of Lot 3 East 100 Feet to Beginning
Beginning 50 feet South & 100 Feet West of the Northeast Corner of Lot 3 South 250 Feet West 100 Feet North 250 Feet East to Beginning. Part of Lots 3 through 4

East 100 Feet of Lot 4

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 square foot basis:

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.

PASSED by the governing body of the City of Wichita, Kansas, this 4th day of December, 2007.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)