ORDINANCE NO. 17461

AN ORDINANCE introduced by Mayor Joan Wagonon authorizing the City of Topeka, Kansas to provide for the improvement of the eastbound I-470 exit ramp at Southwest 21st Street, including all contingencies needed for a complete project and payment of all costs incidental to and incurred by the City of Topeka, Kansas, for said improvements by the City-at-large; and the issuance, sale and delivery of general obligation bonds of the City to pay for any or all costs related to said improvements.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

WHEREAS, pursuant to Article 12, Section 5, of the Kansas Constitution (the “Act”), cities of the State of Kansas, are empowered to determine their local affairs and government, including the levying of taxes, excises, fees, charges and other exaction, except when and as the levying of any tax, excise, fee, charge or other exaction is limited or prohibited by an enactment of the legislature of the State of Kansas applicable uniformly to all cities of the same class; and

WHEREAS, the governing body of the City of Topeka, Kansas, a City of the first class, (the “City”) in order to protect and promote the public health, safety and welfare deems it advisable and necessary to provide the inhabitants and general public of the City with improvements to the east bound I-470 exit ramp at Southwest 21st Street, (the “Project”); and

WHEREAS, the acquisition of any necessary land or right-of-way, construction, reconstruction, improvement or betterment, including all things necessary and incidental thereto, to complete any such Project and the payment therefor from any legally available and unencumbered funds of the City, from the proceeds derived from the City issuing, selling and delivering its general obligation bonds, or a combination thereof, including the
City's issuance of its temporary notes, pursuant to K.S.A. 10-123, is not limited or prohibited by an enactment of the legislature of the State of Kansas applicable uniformly to all cities of the same class as the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, THAT:

Section 1. That the City is hereby authorized to acquire, construct, reconstruct, improve, equip or otherwise complete one or more Projects consisting of improvements to the east bound I-470 exit ramp at Southwest 21st Street, which acquisition, construction, reconstruction, improvement, equipping or betterment may include land acquisition by eminent domain or purchase and any other matters necessary and incidental thereto all in compliance with the plans and specifications therefor of the City.

Section 2. That any or all of the costs incurred by the City arising out of any such Project may be paid for by the City at large from any legally available and unencumbered funds of the City, from the proceeds derived from the City issuing and selling its general obligation bonds or a combination thereof, including the issuance of the City's temporary notes pursuant to K.S.A. 10-123.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council FEB 01 200

Joan Wagon, Mayor

ATTEST:

Iris E. Walker, City Clerk
I, Iris E. Walker, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. ________, adopted and approved by the City Council on _________________, 1999.

______________________________
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 12/6/99 BY ____________
TO BE CODIFIED ______________
NOT TO BE CODIFIED X

BORD/I-470 IMPROVE 12/6/99 3