ORDINANCE NO. 17528

AN ORDINANCE introduced by Mayor Joan Wagnon approving cost estimates of the proposed improvements to the municipally owned stormwater sewer utility system of the City of Topeka, Shawnee County, Kansas, by constructing a new storm sewer system along Jackson Street from Crane Street to Sixth Street and doing all other things necessary and incidental thereto, and authorizing the publication of the notice of intention of the Council of the City of Topeka, Kansas to make such improvements and to issue and sell revenue bonds of said City to pay the cost thereof.

WHEREAS, the City of Topeka, Shawnee County, Kansas, (the "City") is a municipality as defined by K.S.A. 10-101 and 10-1201 et seq. and all amendments thereto; and

WHEREAS, the City is authorized by the laws of the State of Kansas to issue and sell Revenue Bonds of the City for the improvement of its stormwater sewer utility system (the "System") pursuant to K.S.A. 10-1201 et seq. and all amendments thereto; and

WHEREAS, it is deemed by the Council of the City to be necessary and advisable that the City improve its System by constructing a new storm sewer system along Jackson Street from Crane Street to Sixth Street and doing all things necessary and incidental thereto (the "Project") in accordance with the preliminary plans, specifications and cost estimates therefore that have been duly prepared and filed in the office of the City Clerk of said City, which estimates show a total cost of the Project to be approximately Three Million Five Hundred Thousand Dollars ($3,500,000.00); and

WHEREAS, it is found by the City Council that the Project will not cause a duplication of existing utility service as furnished by a private utility; and
WHEREAS, the total estimated cost of the Project to be paid by the City is $3,500,000.00.

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

Section 1. That the estimates of costs of the Project, which estimates are now on file in the office of the City Clerk of said City, be and the same are hereby approved.

Section 2. That notice be given by the Council of the City of its intention to improve its System in accordance with the plans, specifications and estimates of cost as hereby approved and to sell one or more separate series of revenue bonds of the City in an amount not exceeding $3,500,000.00 to pay the cost thereof. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official city newspaper. Such notice shall describe the nature of the proposed improvements and shall state the amount of revenue bonds proposed to be issued for the payment of the cost of the project and otherwise, the notice shall be in the form as provided by law.

Section 3. That unless written protests against such proposed improvements signed by not less than twenty percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen days after publication of the notice herein authorized the City both reasonably expects and intends to finance the costs as hereinbefore described from the proceeds of its revenue bonds issuable in one or more separate series and payable from the rates, fees and charges of the System. The City does hereby express its official intent to reimburse any expenditures made in connection with the Project from its System enterprise fund or obligations incurred by it on or after the date which is 60 days before the effective date of this Ordinance from the proceeds of its revenue bonds as
aforesaid in the maximum principal amount previously described in accordance with U.S. Treasury Regulation 1.150-2. This Ordinance, as the expression of the City Council's official intent regarding the matters described herein, will be available, for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

Section 4. That this Ordinance shall take effect and be in force from and after its adoption by the Council of the City by at least a two-thirds vote of the members thereof and publication in the official city newspaper.

PASSED and APPROVED by the City Council JUL 18 2000

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE 7/18/2000 BY
TO BE CODIFIED
NOT TO BE CODIFIED X

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NOTICE OF INTENTION

Notice of intention to make improvements to the municipally owned stormwater utility system of Topeka, Shawnee County, Kansas, by constructing a new storm sewer system along Jackson Street from Crane Street to Sixth Street and doing all other things necessary and incidental thereto, and to issue and sell revenue bonds of the City of Topeka, Kansas, for the purpose of paying the cost thereof.

Notice is hereby given that as provided by Ordinance No. 17528 of the City of Topeka, Shawnee County, Kansas, (the "City") that the Council of the City intends to make improvement to the City-owned stormwater sewer utility system (the "System") by constructing a new storm sewer system along Jackson Street from Crane Street to Sixth Street and doing all things necessary and incidental thereto (the "Project").

Notice is further given that the total cost of the Project is approximately Three Million Five Hundred Thousand Dollars ($3,500,000.00).

Notice is further given that as provided by Ordinance No. 17528 of the City, the Council of the City intends to issue and sell one or more separate series of revenue bonds payable from revenues of the System of the City pursuant to K.S.A. 10-1201 et seq. and all amendments thereto in an aggregate principal amount not exceeding Three Million Five Hundred Thousand Dollars ($3,500,000.00) and to so improve the System by completing the Project.

Unless written protests against the proposed Project signed by not less than twenty percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen (15) days after the publication of this Notice, the City Council will proceed in accordance with the intention as set forth above to complete the Project and issue and sell its revenue bonds payable from revenues of the System as above-stated.
Done by order and direction of the Council of the City of Topeka, Kansas, this 18\textsuperscript{th} day of July, 2000.

CITY OF TOPEKA, KANSAS

Joan Wagonon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE ------------- BY --------
TO BE CODIFIED
NOT TO BE CODIFIED 

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