ORDINANCE NO. 17756

AN ORDINANCE introduced by Mayor Felker approving cost estimates of the proposed improvements to the municipally owned wastewater system of the City of Topeka, Shawnee County, Kansas, to wit; construction of a new Central Park Pump Station with additional force main, rehabilitation of the Furman Interceptor sewer and related sewer mains and laterals, extension of lateral sewer lines throughout the wastewater system and replacement of existing deteriorated piping and equipment to maintain reliability of the overall wastewater system and doing all other things necessary and incidental thereto, and authorizing the publication of the notice of intention for the governing body 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 wastewater 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 wastewater system by making certain improvements to wit; construction of a new Central Park Pump Station with additional force main, rehabilitation of the Furman Interceptor sewer and related sewer mains and laterals, extension of lateral sewer lines throughout the wastewater system and replacement of existing deteriorated piping and equipment to maintain reliability of the overall wastewater system and doing all things necessary and incidental thereto, (the “Project”) and that the preliminary plans, specifications and cost estimates for the Project heretofore duly prepared and filed in the office of the City Clerk of said City, which estimates show a total cost of the improvements
to be approximately eleven million, four-hundred thousand dollars ($11,400,000.00) be approved; and

WHEREAS, it is found by the Council that the Project will not cause a duplication of existing utility service furnished by a private utility.

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 complete the Project in accordance with the plans, specifications and cost estimates and to sell revenue bonds of the City in an amount not exceeding eleven million, four-hundred thousand dollars ($11,400,000.00) to pay part of 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 (15) 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 payable from the rates, fees and charges of its wastewater system. The City both reasonably expects and intends to finance the costs of the Project from the proceeds of Wastewater Utility Revenue Bonds of the City. The City does hereby express its official intent to reimburse any such capital expenditures
made or obligations incurred by it on or after the date which is sixty (60) days before the
date of this Ordinance from the proceeds of such bonds in the estimated maximum
principal amount of eleven million, four-hundred thousand dollars ($11,400,000.00). The
City will issue such bonds for such purposes and make the reimbursements within eighteen
(18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen
(18) months after the date on which the property resulting from the expenditure was placed
in service. Provided, that, in any event, the City must make the reimbursement allocation
within three (3) years after the date the expenditure was paid. This Ordinance, as the
expression of the governing body'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. This ordinance shall take effect and be in force from and after its
adoption by the governing body of the City by at least a two-thirds (2/3) vote of the
members thereof and publication in the official City newspaper.

Done by order and direction of the Council of the City of Topeka, Kansas this 13th

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 11/02/01 BY __
TO BE CODIFIED
NOT TO BE CODIFIED X

JBORD/WASTEWATER2 11/01/01
NOTICE OF INTENTION

To make improvements to the municipally owned wastewater system of the City of Topeka, Shawnee County, Kansas, to wit; construction of a new Central Park Pump Station with additional force main, rehabilitation of the Furman Interceptor sewer and related sewer mains and laterals, extension of lateral sewer lines throughout the wastewater system and replacement of existing deteriorated piping and equipment to maintain reliability of the overall wastewater system and doing all other things necessary and incidental thereto, and authorizing the publication of the notice of intention for the governing body 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.

Notice is hereby given that as provided by Ordinance No. 17756 of the City of Topeka, Shawnee County, Kansas, (the "City") that the Council of the City intends to make improvements to the City-owned wastewater system (the "System") to wit: construction of a new Central Park Pump Station with additional force main, rehabilitation of the Furman Interceptor sewer and related sewer mains and laterals, extension of lateral sewer lines throughout the wastewater system and replacement of existing deteriorated piping and equipment to maintain reliability of the overall wastewater system.

Notice is further given that the total cost of such improvements is approximately eleven million, four-hundred thousand dollars ($11,400,000.00).

Notice is further given that as provided by Ordinance No. 17756 of the City, the Council of the City intends to issue and sell Wastewater Revenue Bonds of the City pursuant to K.S.A. 10-1201 et seq., and all amendments thereto, in a principal amount not exceeding eleven million, four-hundred thousand dollars ($11,400,000.00) and to so improve the System.
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 (15) days after the publication of this Notice, the Governing body will proceed in accordance with the intentions as set forth above to effect such improvements and will issue and sell its Wastewater System Revenue Bonds as above-stated.

Done by order and direction of the Council of the City of Topeka, Shawnee County, Kansas this 13th day of Nov. 2001.

ATTEST:

Iris E. Walker, City Clerk

Harry Felker, Mayor

APPROVED AS TO FORM AND LEGALITY
DATE 11/02/01 BY W
TO BE CODIFIED
NOT TO BE CODIFIED X