(Published in the Topeka Metro News March 29, 2000)

RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7851

A RESOLUTION introduced by Mayor Wagnon regarding the improvement of Aries Avenue of the Aquarian Acres Subdivision, Street Improvement Project No. 60554.

WHEREAS, the Council of the City of Topeka, Kansas, did hold a public hearing on the advisability of the following: STREET IMPROVEMENT PROJECT NO. 60554. Said public hearing was held on March 7, 2000, in the City Council Chambers of City Hall, 214 E. 8th Street, at 7:00 p.m., as required by K.S.A. 12-6a04; and

WHEREAS, said public hearing was adjourned on the 7th day of March 2000; and

WHEREAS, notice of said public hearing was duly published as required by K.S.A. 12-6a04; and

WHEREAS, six (6) months have not elapsed since the final adjournment of said public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that it finds the following described street improvement to be advisable and does hereby authorize and order said improvement to be made in accordance with its findings as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To Pave:

Aries Avenue from the easterly line of Aquarius Drive Northeasterly to the east line of Lot 9, Block "P", Aquarian Acres Subdivision. This improvement includes the use of asphalt pavement, concrete curb and
gutter, sidewalk ramps, storm drainage facilities, engineering and all other contingencies needed for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Begin at the intersection of the northerly line of Aries Avenue and the northeasterly line of Lot 15, Block "P," Aquarian Acres Subdivision; thence northwesterly on the northeasterly line of said Lot 15 for a distance of 140 feet; thence northeasterly on the northerly line of Lots 1, 2, 3, and 4 in Block "A," Aquarian Acres Subdivision No. 6 to the northwesterly corner of Lot 11, Block "P," Aquarian Acres Subdivision; thence continuing northeasterly on the northerly line of Lots 11, 10, and 9 to the east line of Aquarian Acres Subdivision; thence southerly on the east line of said subdivision to it's intersection with the southerly line of Lot 5, Block "B," Aquarian Acres Subdivision No. 6; thence westerly 53.33 feet to the southwest corner of said Lot 5; thence southwesterly on the southerly line of Lots 4, 3, 2, and 1, Block "B," Aquarian Acres Subdivision No. 6 and Lot 2, Block "Q," Aquarian Acres Subdivision to the most southerly corner of said Lot 2, Block "Q"; thence northwesterly on the southwesterly line of said Lot 2 and it's extension for a distance of 340 feet to the point of beginning.

C. ESTIMATED OR PROBABLE COST:

$100,985.00

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis for all lots or parcels which are included in the improvement district.

E. APPORTIONMENT OF COSTS:

100% by the Improvement District

The improvement shall not be commenced if within twenty (20) days after publication of this resolution, written protests signed by both fifty-one percent (51%) or more of the resident owners of record of property within the improvement district and the owners of record of more than half (½) of the total area of said district, are filed with the City Clerk.
Upon completion of the project described herein, the City Clerk is hereby directed to provide all publication and mailed notices in accordance with the provisions of K.S.A. 12-6a09 as amended.

This resolution shall become effective upon one publication in the official city newspaper.

ADOPTED and APPROVED by the City Council

MAR 14 2000

By
Mayor Wagnon

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE: 3/20/00 BY:

MAR 29 11 14 AM '00
CITY CLERK

CERTIFICATE

STATE OF KANSAS) )SS
SHAWNEE COUNTY )

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 Resolution No. 7051, adopted March 14, 2000, creating Street Improvement Project No. 60554 for which a special assessment is to be made and is transmitted here-with as provided by Chapter 52, Session Laws of 1971. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said city at my office in Topeka, Kansas, this 27th day of March, 2000.

Iris E. Walker, City Clerk

CITY CLERK

CERTIFICATE

STATE OF KANSAS) )SS
SHAWNEE COUNTY )

I, MARILYN L NICHOLS, REGISTER OF DEEDS, Shawnee County, Kansas, do hereby certify that Resolution No. 7051, creating Street Improvement Project No. 7051 has been filled in my office on the 29th day of March, 2000, and recorded in Book 3400, Page 634, as required by law.

Marilyn L Nichols, Register of Deeds