RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7602

A RESOLUTION introduced by City Manager Neil Dobler authorizing Project No. 40933-01 as more specifically described herein.

WHEREAS, the Council of the City of Topeka, Kansas, did hold a public hearing on the advisability of the following: Improvement Project No. 40933-01, said public hearing was held on June 28, 2005, 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 28th day of June, 2005; 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 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 provide sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Begin at a point on the south line of U.S. Highway No. 24 and 2,450 feet east of the west line of Kaw Half Breed Indian Reserve No. 2, said point also being the northeast corner of Mosher Subdivision; thence continuing easterly on said south right of way of Highway No. 24 for a distance of 230.32 feet; thence easterly 342.71 feet to the northeast corner of the proposed Heritage Tractor Subdivision; thence southerly on the east line of the proposed
subdivision for a distance of 834.24 feet to the southeast corner of said subdivision; thence westerly 512.72 feet to the southwest corner of proposed subdivision; thence northerly 422.83 feet to a point 60 feet east of the southeast corner of Lot 1, block "A", Mosher Subdivision; thence westerly 60 feet to southeast corner of Mosher Subdivision; thence continuing westerly on south line of said subdivision for a distance of 470 feet to the southwest corner of said subdivision, also being the east line of Lot 3 in Block "A" of Mulligan Subdivision No. 3; thence southerly to the southeast corner of said Lot 3; thence westerly along the south line of Mulligan Subdivision No. 3 and the south line of Highway Center Subdivision to the southwest corner of Lot 1, Block "A", Highway Center Subdivision; thence southerly on an extension of the west line of Highway Center Subdivision to a point 767.36 feet south of the south right of way line of U.S. Highway No. 24; thence westerly 750 feet to a point 730.00 feet southerly of the south right of way line of U.S. Highway No. 24; thence northerly 578.00 to the northeast corner of Mullin and Hoover Subdivision; thence westerly on the north line of said subdivision and it's extension westerly to the east right of way line of Furman Road; thence northerly on said right of way line to the south right of way line of U.S. Highway No. 24; thence easterly on the south right of way line of U.S. Highway No. 24 to the west line of Highway Center Subdivision; thence north 20 feet; thence easterly 198 feet to a point 20 feet north of the northwest corner of Mulligan Subdivision No. 3; thence southerly to the northwest corner of Mulligan Subdivision No. 3 and the south right of way line of U.S. Highway No. 24; thence easterly on said right of way line to the northeast corner of Mosher Subdivision and the point of beginning.

C. ESTIMATED OR PROBABLE COST:

$152,571.00

D. PROPOSED METHOD OF ASSESSMENT:

On a square foot of area basis for all lots or individual dwelling sites which are included in the described 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 (1/2) 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 July 12, 2005.

[Signature]
William W. Bunten, Mayor

ATTEST:

[Signature]
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 5/9/05 BY

[Signature]