RESOLUTION NO. 7744

A RESOLUTION introduced by City Manager Neil Dobler setting the public hearing for Improvement Project No. 12064 which provides for the construction of an overpass on NW Lower Silver Lake Road above the Union Pacific Railroad Tracks, located East of NW Saline Street and West of NW Furman Road. The West end of the proposed overpass will connect to the planned construction and widening of one mile of NW Lower Silver Lake Road.

BE IT RESOLVED by the Council of the City of Topeka, Kansas, that a public hearing shall be held by the Governing Body of the City of Topeka, Kansas, on the advisability of the following: IMPROVEMENT PROJECT NO. 12064, said hearing to be held on February 21, 2006, in the City Council Chambers of City Hall, 214 E. 8th Street, at 7:00 p.m., as provided by K.S.A. 12-6a01 et seq.

BE IT FURTHER RESOLVED that the City Clerk shall publish the following notice of such public hearing in the official City newspaper in the manner provided by K.S.A. 12-6a01 et seq.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the City of Topeka, Kansas, will meet for the purpose of holding a public hearing as provided by K.S.A. 12-6a01 et seq., in the City Council Chambers of City Hall, 214 E. 8th Street, at 7:00 p.m. on February 21, 2006, to consider the advisability of the following:

A. GENERAL NATURE OF IMPROVEMENT:

This project is in the Kansas Department of Transportation's Local Partnership Grade Separation Program. The City, with KDOT's assistance,
plans to construct an overpass on NW Lower Silver Lake Road above the Union Pacific Railroad Tracks, located East of NW Saline Street and West of NW Furman Road. The West end of the proposed overpass will connect to the planned reconstruction and widening of one mile of NW Lower Silver Lake Road.

Design, right-of-way appraisals, and Utility adjustments will begin with this budget, and construction of the project has a Scheduled KDOT Letting Date in the Program Fiscal Year 2007.

B. PROPOSED IMPROVEMENT DISTRICT:

Begin at the intersection of the center line of Vail Avenue and the center line of Lower Silver Lake Road; thence southerly on the center line of Vail Avenue and it's extension southerly to the north right of way line of the North Topeka Flood Protection Project Levee; thence westerly following said north right of way line of said levee to its intersection with the easterly right of way line of U.S. Highway 75; thence northerly following said easterly right of way line of U.S. Highway 75 to north line of Kaw Half-Breed Indian Reserve No. 1; thence easterly on said north line of Reserve No. 1 to the center line of Brickyard Road; thence southeasterly across Brickyard Road to the south right of way line of the frontage road for U.S. Highway No. 24; thence easterly on said right of way line of the frontage road to the west line of Furman Road; thence southerly on the west line of Furman Road to a point 60 feet north of the north line of Hofmann Acres Subdivision; thence easterly 1294.50 feet; thence northerly 462 feet, more or less; thence easterly 685.75 feet; thence southerly 572 feet; thence easterly 1064.58 feet; thence northerly 572 feet; thence easterly to the east line of Kaw Half-Breed Reserve No. 2; thence southerly on the east line of Kaw Half-Breed Reserve No. 2 to the center line of Lower Silver Lake Road and the point of beginning.

C. ESTIMATED OR PROBABLE COST:

$5,543,451.23

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:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>City-at-Large</td>
<td>$805,696.08</td>
</tr>
<tr>
<td>State Participation</td>
<td>$4,195,079.57</td>
</tr>
<tr>
<td>Assessment District</td>
<td>$345,298.33</td>
</tr>
<tr>
<td>UPRR Share</td>
<td>$197,377.25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,543,451.23</strong></td>
</tr>
</tbody>
</table>

The hearing may be adjourned from time to time and until the City Council shall have made findings by resolution as to the advisability of the improvement, the nature of the improvement, the estimated cost, the boundaries of the improvement district, the method of assessment and the apportionment of costs between the improvement district and the City at Large, all as finally determined by the City Council.

All persons desiring to be heard with reference to the proposed improvement shall be heard at this hearing.

Upon adoption of this Resolution, the City Clerk is hereby directed to provide all publication and mailed notices in accordance with the provisions of K.S.A. 12-6a01 et seq., as amended and City of Topeka Code § 126-36 et seq.

**ADOPTED and APPROVED by the City Council January 17, 2006**

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 1/3/06 BY BWC