

RESOLUTION NO. 7746

A RESOLUTION introduced by City Manager Neil Dobler, declaring the eligibility of the City of Topeka to submit an application to the Kansas Department of Transportation for use of Transportation Enhancement Funds set forth by the Federal Transportation Equity Act for the 21st Century for the Shunga Trail Project from approximately Fairlawn to 29th Street in the City of Topeka and authorizing the City Manager to sign the application.

WHEREAS, the City of Topeka has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the City of Topeka desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the City of Topeka is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, after appropriate public input and due consideration, the City Council has recommended that an application be submitted to the State of Kansas for the Shunga Trail Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF

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TOPEKA, KANSAS:

Section 1. That the City Council does hereby authorize the City Manager to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Topeka.

Section 2. That the City Council hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the Shunga Trail Project is available.

Section 3. That the City Council hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the Shunga Trail Project will be available for the life of the project.

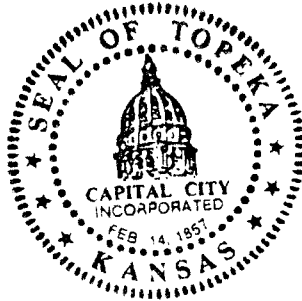
Section 4. That the City Council hereby assures the Kansas Department of Transportation that the City of Topeka will have title or permanent easement to the Shunga Trail Project by the time of project letting.

Section 5. That the City Manager is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Topeka. The City Manager is also authorized to submit additional information as may be required and act as the official representative of the City of Topeka in this and subsequent related activities.

Section 6. That the City Council hereby assures the Kansas Department of Transportation that the City Council is willing and able to, if the Shunga Trail Project is

53 selected for funding, administer the designing, letting and construction of the Shunga Trail
54 Project.

55 ADOPTED and APPROVED by City Council JAN 24 2006.



63 ATTEST:

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Iris E. Walker
Iris E. Walker, City Clerk

CITY OF TOPEKA, KANSAS

William W. Bunten
William W. Bunten, Mayor

APPROVED AS TO FORM AND LEGALITY

DATE 10-26-05 BY JRD