RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7771

A RESOLUTION   introduced by City Manager Neil Dobler authorizing Main and Lateral Sanitary Sewer Improvement Project No. 40898-01 in the area bound by SW Huntoon, SW Urish Road, SW 21st Street and Executive Drive, as more specifically described herein.

WHEREAS, the City Council has received a petition, pursuant to K.S.A. 12-6a04, containing the signatures of the owners of 100% of the area in the improvement district hereinafter described; and

WHEREAS, seven (7) days have elapsed since the filing of said petition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that it finds Main and Lateral Sanitary Sewer District Project No. 40898-01, hereinafter described, 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 area bound by SW Huntoon, SW Urish Road, SW 21st Street and Executive Drive with piping, manholes, engineering and all other contingencies needed to complete the project.

B.   PROPOSED IMPROVEMENT DISTRICT:

Parcel 1

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 15, EAST OF THE 6TH P.M., IN SHAWNEE COUNTY, KANSAS,

36 EXCEPT
37 BEGINNING AT THE SOUTHEAST CORNER OF THE
38 SOUTH HALF OF THE SOUTHEAST QUARTER OF THE
39 SOUTHWEST QUARTER OF SECTION 32; THENCE NORTH
40 ALONG THE EAST LINE OF THE SOUTHWEST QUARTER
41 166.13 FEET; THENCE WEST PARALLEL TO THE SOUTH
42 LINE OF SAID SOUTHWEST QUARTER, 160 FEET;
43 THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID
44 SOUTHWEST QUARTER 166.13 FEET TO THE SOUTH
45 LINE OF SAID SOUTHWEST QUARTER; THENCE EAST
46 ALONG THE SOUTH LINE OF SAID SOUTHWEST
47 QUARTER 160 FEET TO THE POINT OF BEGINNING.
48 EXCEPT
49 BEGINNING AT A POINT 465 FEET WEST OF THE
50 SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;
51 THENCE WEST ALONG THE SOUTH LINE OF SAID
52 SOUTHWEST QUARTER 175 FEET; THENCE NORTH AT
53 RIGHT ANGLES 235 FEET; THENCE EAST PARALLEL TO
54 THE SOUTH LINE OF SAID SOUTHWEST QUARTER 175
55 FEET; THENCE SOUTH 235 FEET TO THE POINT OF
56 BEGINNING.
57 THE ABOVE TRACT OF LAND CONTAINS 18.5 ACRES
58 MORE OR LESS
59
60 **Parcel 2**
61
62 A PART OF LOT 1, BLOCK A OF ARBOR VALLEY
63 SUBDIVISION LOCATED IN THE NORTHWEST QUARTER
64 OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST
65 OF THE 6TH P.M., IN SHAWNEE COUNTY KANSAS,
66 DESCRIBED AS FOLLOWS:
67 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT
68 1, BLOCK A; THENCE COINCIDENT WITH THE EAST LINE
69 OF SAID LOT 1, BLOCK A, SOUTH 00 DEGREES 02
70 MINUTES 03 SECONDS EAST, A DISTANCE OF 862.16
71 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 57
72 SECONDS WEST, A DISTANCE OF 110.05 FEET; THENCE
73 NORTH 00 DEGREES 02 MINUTES 03 SECONDS WEST, A
74 DISTANCE OF 63.14 FEET; THENCE NORTH 90 DEGREES
75 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 131.87
76 FEET; THENCE NORTH 04 DEGREES 48 MINUTES 13
77 SECONDS EAST, A DISTANCE OF 173.92 FEET TO THE
78 BEGINNING OF A CURVE TO THE LEFT; THENCE

COINCIDENT WITH SAID CURVE HAVING A RADIUS OF 325.00 FEET, AN ARC LENGTH OF 37.49 FEET, A DELTA ANGLE OF 06 DEGREES 36 MINUTES 31 SECONDS, A CHORD BEARING SOUTH 72 DEGREES 28 MINUTES 38 SECONDS WEST AND A CHORD LENGTH OF 37.47 FEET; THENCE SOUTH 69 DEGREES 10 MINUTES 22 SECONDS WEST, A DISTANCE OF 175.32 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE COINCIDENT WITH SAID CURVE HAVING A RADIUS OF 680.00 FEET, AN ARC LENGTH OF 89.11 FEET, A DELTA ANGLE OF 07 DEGREES 30 MINUTES 30 SECONDS, A CHORD BEARING SOUTH 65 DEGREES 24 MINUTES 35 SECONDS WEST AND A CHORD LENGTH OF 89.05 FEET; THENCE NORTH 07 DEGREES 27 MINUTES 08 SECONDS WEST, A DISTANCE OF 84.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE COINCIDENT WITH SAID CURVE HAVING A RADIUS OF 325.00 FEET, AN ARC LENGTH OF 130.54 FEET, A DELTA ANGLE OF 23 DEGREES 00 MINUTES 52 SECONDS, A CHORD BEARING NORTH 04 DEGREES 03 MINUTES 18 SECONDS EAST AND A CHORD LENGTH OF 129.67 FEET; THENCE NORTH 15 DEGREES 33 MINUTES 44 SECONDS EAST, A DISTANCE OF 6.35 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE COINCIDENT WITH SAID CURVE HAVING A RADIUS OF 185.00 FEET, AN ARC LENGTH OF 54.27 FEET, A DELTA ANGLE OF 16 DEGREES 48 MINUTES 31 SECONDS, A CHORD BEARING NORTH 07 DEGREES 09 MINUTES 28 SECONDS EAST AND A CHORD LENGTH OF 54.08 FEET; THENCE NORTH 01 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 439.62 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF S.W. HUNTOON STREET; THENCE COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE NORTH 87 DEGREES 18 MINUTES 21 SECONDS EAST, A DISTANCE OF 510.92 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 8.59 ACRES, MORE OR LESS.

Parcel 3

A TRACT OF LAND LOCATED IN LOT 1, BLOCK A, ARBOR VALLEY SUBDIVISION RECORDED IN BOOK 40, PAGE 40 OFFICIAL RECORDS OF SHAWNEE COUNTY KANSAS,

122	DESCRIBED AS FOLLOWS:
123	
124	BEGINNING AT THE NORTHWEST CORNER OF SAID LOT;
125	THENCE COINCIDENT WITH THE NORTH LINE OF SAID
126	LOT 1, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF
127	S.W. HUNTOON STREET ON AZ. 87 DEGREES 18
128	MINUTES 21 SECONDS (DIRECTION BASED ON SAID
129	RECORDED PLAT), A DISTANCE OF 492.97 FEET; THENCE
130	COINCIDENT WITH THE CENTERLINE OF A PROPOSED
131	ACCESS WAY ON AZ. 178 DEGREES 45 MINUTES 13
132	SECONDS, A DISTANCE OF 372.30 FEET; THENCE ON AZ.
133	268 DEGREES 45 MINUTES 13 SECONDS, A DISTANCE OF
134	132.06 FEET TO THE POINT OF CUSP OF A NON-
135	TANGENT CURVE TO THE RIGHT; THENCE COINCIDENT
136	WITH SAID NON-TANGENT CURVE HAVING A RADIUS OF
137	45.00 FEET, AN ARC LENGTH OF 94.60 FEET, A DELTA
138	ANGLE OF 120 DEGREES 26 MINUTES 55 SECONDS, A
139	CHORD AZ. OF 217 DEGREES 23 MINUTES 58 SECONDS,
140	AND A CHORD LENGTH OF 78.12 FEET; THENCE ON AZ.
141	178 DEGREES 45 MINUTES 13 SECONDS, A DISTANCE OF
142	85.59 FEET; THENCE ON AZ. 241 DEGREES 07 MINUTES
143	05 SECONDS, A DISTANCE OF 44.65 FEET; THENCE ON
144	AZ. 260 DEGREES 18 MINUTES 24 SECONDS, A
145	DISTANCE OF 115.15 FEET; THENCE ON AZ. 178
146	DEGREES 45 MINUTES 12 SECONDS, A DISTANCE OF
147	144.61 FEET TO THE BEGINNING OF A CURVE TO THE
148	LEFT; THENCE COINCIDENT WITH SAID CURVE TO THE
149	LEFT HAVING A RADIUS OF 236.50 FEET, AN ARC
150	LENGTH OF 184.45 FEET, A DELTA ANGLE OF 44
151	DEGREES 41 MINUTES 07 SECONDS TO THE POINT OF A
152	COMPOUND CURVATURE; THENCE COINCIDENT WITH
153	SAID COMPOUND CURVE HAVING A RADIUS OF 25.00
154	FEET, AN ARC LENGTH OF 41.32 FEET, A DELTA ANGLE
155	OF 94 DEGREES 41 MINUTES 26 SECONDS TO THE
156	POINT OF A REVERSE CURVATURE; THENCE
157	COINCIDENT WITH SAID REVERSE CURVE HAVING A
158	RADIUS OF 693.50 FEET, AN ARC LENGTH OF 243.87
159	FEET, A DELTA ANGLE OF 20 DEGREES 08 MINUTES 53
160	SECONDS TO THE POINT OF A REVERSE CURVATURE;
161	THENCE COINCIDENT WITH SAID REVERSE CURVE TO
162	HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF
163	14.61 FEET, A DELTA ANGLE OF 33 DEGREES 29
164	MINUTES 20 SECONDS; THENCE ON AZ. 117 DEGREES 10
165	MINUTES 26 SECONDS, A DISTANCE OF 21.45 FEET TO

166	THE BEGINNING OF A NON-TANGENT CURVE TO THE
167	RIGHT; THENCE COINCIDENT WITH SAID NON-TANGENT
168	CURVE HAVING A RADIUS OF 684.64 FEET, AN ARC
169	LENGTH OF 94.09 FEET, A DELTA ANGLE OF 07
170	DEGREES 52 MINUTES 27 SECONDS, A CHORD AZ. OF 65
171	DEGREES 36 MINUTES 32 SECONDS, A CHORD LENGTH
172	OF 94.01 FEET; THENCE ON AZ. 159 DEGREES 10
173	MINUTES 22 SECONDS, A DISTANCE OF 61.76 FEET;
174	THENCE ON AZ. 181 DEGREES 50 MINUTES 53 SECONDS,
175	A DISTANCE OF 131.53 FEET; THENCE ON AZ. 271
176	DEGREES 07 MINUTES 23 SECONDS, A DISTANCE OF
177	90.36 FEET; THENCE ON AZ. 189 DEGREES 00 MINUTES
178	41 SECONDS, A DISTANCE OF 155.20 FEET TO THE
179	BEGINNING OF A CURVE TO THE RIGHT; THENCE
180	COINCIDENT WITH SAID CURVE TO THE RIGHT HAVING A
181	RADIUS OF 513.50 FEET, AN ARC LENGTH OF 114.48
182	FEET, A DELTA ANGLE OF 12 DEGREES 46 MINUTES 25
183	SECONDS; THENCE ON AZ. 201 DEGREES 47 MINUTES 06
184	SECONDS, A DISTANCE OF 146.43 FEET TO THE
185	BEGINNING OF A CURVE TO THE LEFT; THENCE
186	COINCIDENT WITH SAID CURVE TO THE LEFT HAVING A
187	RADIUS OF 311.50 FEET, AN ARC LENGTH OF 133.06
188	FEET, A DELTA ANGLE OF 24 DEGREES 28 MINUTES 25
189	SECONDS; THENCE ON AZ. 177 DEGREES 18 MINUTES 41
190	SECONDS, A DISTANCE OF 52.74 FEET TO THE
191	BEGINNING OF A CURVE TO THE LEFT; THENCE
192	COINCIDENT WITH SAID CURVE TO THE LEFT HAVING A
193	RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.29 FEET,
194	A DELTA ANGLE OF 90 DEGREES 02 MINUTES 18
195	SECONDS; THENCE ON AZ. 177 DEGREES 18 MINUTES 21
196	SECONDS, A DISTANCE OF 27.00 FEET TO A POINT OF
197	CUSP OF A NON-TANGENT CURVE TO THE LEFT;
198	THENCE COINCIDENT WITH SAID NON-TANGENT CURVE
199	HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF
200	39.27 FEET, A DELTA ANGLE OF 90 DEGREES 00
201	MINUTES 00 SECONDS, A CHORD AZ. OF 222 DEGREES
202	18 MINUTES 41 SECONDS, AND A CHORD LENGTH OF
203	35.36 FEET TO THE POINT OF CUSP; THENCE ON AZ. 267
204	DEGREES 18 MINUTES 41 SECONDS, A DISTANCE OF
205	13.50 FEET; THENCE ON AZ. 177 DEGREES 18 MINUTES
206	41 SECONDS, A DISTANCE OF 81.50 FEET TO THE
207	INTERSECTION WITH THE SOUTH LINE OF SAID
208	SUBDIVISION; THENCE COINCIDENT WITH THE SOUTH
209	LINE OF SAID SUBDIVISION ON AZ. 267 DEGREES 18

210	MINUTES 41 SECONDS, A DISTANCE OF 339.53 TO THE
211	SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE
212	COINCIDENT WITH THE WEST LINE OF SAID
213	SUBDIVISION ON AZ. 358 DEGREES 45 MINUTES 12
214	SECONDS, A DISTANCE OF 210.07 FEET; THENCE ON AZ.
215	73 DEGREES 08 MINUTES 56 SECONDS, A DISTANCE OF
216	114.57 FEET TO THE POINT OF CUSP OF A NON-
217	TANGENT CURVE TO THE RIGHT; THENCE COINCIDENT
218	WITH SAID NON-TANGENT CURVE HAVING A RADIUS OF
219	198.50 FEET, AN ARC LENGTH OF 82.26 FEET, A DELTA
220	ANGLE OF 23 DEGREES 44 MINUTES 35 SECONDS, A
221	CHORD AZ. OF 349 DEGREES 28 MINUTES 04 SECONDS,
222	AND A CHORD LENGTH OF 81.67 FEET TO A POINT OF A
223	COMPOUND CURVATURE; THENCE COINCIDENT WITH
224	SAID COMPOUND CURVE HAVING A RADIUS OF 693.50
225	FEET, AN ARC LENGTH OF 385.55 FEET, A DELTA ANGLE
226	OF 31 DEGREES 51 MINUTES 12 SECONDS TO A POINT
227	OF REVERSE CURVATURE; THENCE COINCIDENT WITH
228	SAID REVERSE CURVE HAVING A RADIUS OF 25.00 FEET,
229	AN ARC LENGTH OF 35.43 FEET, A DELTA ANGLE OF 81
230	DEGREES 12 MINUTES 36 SECONDS; THENCE ON AZ. 313
231	DEGREES 01 MINUTES 32 SECONDS, A DISTANCE OF
232	9.59 FEET TO THE BEGINNING OF A CURVE TO THE
233	RIGHT; THENCE COINCIDENT WITH SAID CURVE TO THE
234	RIGHT HAVING A RADIUS OF 263.50 FEET, AN ARC
235	LENGTH OF 195.39 FEET, A DELTA ANGLE OF 42
236	DEGREES 29 MINUTES 06 SECONDS; THENCE ON AZ. 268
237	DEGREES 45 MINUTES 12 SECONDS, A DISTANCE OF
238	131.69 FEET TO THE WEST LINE OF SAID SUBDIVISION;
239	THENCE COINCIDENT WITH SAID WEST LING ON AZ. 358
240	DEGREES 45 MINUTES 12 SECONDS, A DISTANCE OF
241	698.80 FEET TO THE POINT OF BEGINNING.
242	
243	C. ESTIMATED OR PROBABLE COST:
244	
245	$527,200.00
246	
247	This cost estimate has been prepared using the best information
248	available, without benefit of a detailed engineering design. Variances
249	may occur as the design details are developed. These costs should
250	not be considered final.

251 D. PROPOSED METHOD OF ASSESSMENT:

253   On a square foot of area basis for all lots, parcels or tracts which are
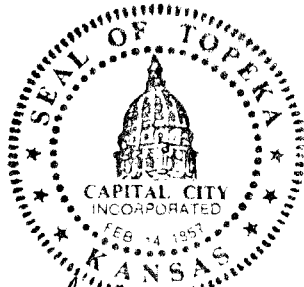254   included in the improvement district.

256 E. APPORTIONMENT OF COSTS:

258   City of Topeka Combined Water, Wastewater and Stormwater Utility
259   Operating Funds and other lawfully available funds $395,400.00
260   Improvement District   131,800.00
261   Total: $527,200.00

263 Upon completion of the project described herein, the City Clerk is hereby

264 directed to provide all publication and mailed notices in accordance with the

265 provisions of K.S.A. 12-6a09 as amended.

266 This Resolution shall become effective upon one publication in the official

267 city newspaper.

268 ADOPTED and APPROVED by the City Council ___**MAR 1 4 2006**___

William W. Bunten, Mayor

275 ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE 2|20| 06   BY _____