

(Published in the Topeka Metro News May 17, 2006)

RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7798

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr.,  
authorizing Sanitary Sewer Improvement Project No. 40936-00.

WHEREAS, the Council of the City of Topeka, Kansas, did hold a public hearing on  
the advisability of the following: SANITARY SEWER IMPROVEMENT PROJECT NO.  
40936-00 said public hearing was held on April 11, 2006, in the City Council Chambers of  
City Hall, 214 E. 8th Street, at 6:00 p.m., as required by K.S.A. 12-6a04; and

WHEREAS, said public hearing was adjourned on the 11th day of April 2006; 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,  
force main, pump station, manholes, engineering and all other contingencies  
required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Tract No. 1

Lots 1 through 4, Block 'A'; Lots 1 through 11, Block 'B'; Lots 2 through 31, Block 'C'; Lots 1 through 22, Block 'D', Horseshoe Bend Subdivision, Topeka, Kansas.

Tract No. 2

The north 300 feet of the following described tract of land:

A part of the West half of the Southeast Quarter of Section 19, Township 12 South, Range 16 East of the 6<sup>th</sup> P.M. in Shawnee County, Kansas, described as follows:

Beginning at the Southeast corner of said West half of the Southeast Quarter of Section 19; thence West along the South line of Section 19, 450.00 feet; thence North 778.00 feet; thence East 450.00 feet to the East line of said West Half of the Southeast Quarter of said Section 19; thence South to the place of beginning, EXCEPT the following tract:

Beginning at a point on the South line of Section 19, Township 12 South, Range 16 East of the 6<sup>th</sup> P.M., and 450.00 feet West of the Southeast corner of the West Half of the Southeast Quarter of said Section 19; thence North parallel to the East line of said West half, 205.00 feet; thence East parallel to the South line of said Section 19, 130.00 feet; thence South parallel to the East line of the West Half of the Southeast Quarter of said Section 19, 205.00 feet; thence West 130.00 feet to the point of beginning.

AND ALSO: Part of the West Half of the Southeast Quarter of Section 19, Township 12, South, Range 16 East of the 6<sup>th</sup> P.M., in the City of Topeka, Shawnee County, Kansas, described as follows:

Beginning at a point on the South line, 450.00 feet West of the Southeast corner of said West Half of said Quarter Section; thence North parallel to the East line of said West Half, 205.00 feet; thence East parallel to said South line 130.00 feet; thence South parallel to said East line 205.00 feet; thence West 130.00 feet to the point of beginning.

C. ESTIMATED OR PROBABLE COST:

\$280,000.00

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis (68 total units) for all parcels which are included in the described improvement district as follows:

Tract No. 1 – 67 units

Tract No. 2 – 1 unit

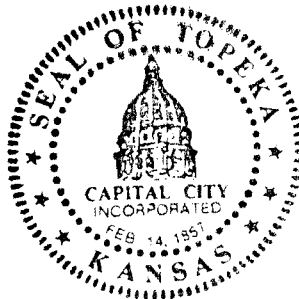
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78 E. APPORTIONMENT OF COSTS:  
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80 Costs are to be paid one hundred percent (100%) by the Improvement  
81 District.  
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83 The improvement shall not be commenced if within twenty (20) days after  
84 publication of this resolution, written protests signed by both fifty-one percent (51%) or  
85 more of the resident owners of record of property within the improvement district and the  
86 owners of record of more than half (1/2) of the total area of said district, are filed with the  
87 City Clerk.

88 This Resolution shall become effective upon one publication in the official city  
89 newspaper.

90 ADOPTED and APPROVED by the City Council May 9, 2006  
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William W. Bunten  
William W. Bunten, Mayor

ATTEST:

Iris E. Walker  
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE 3/28/06 BY BBC