RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7841

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing Sanitary Sewer Main and Lateral Improvement Project No. 40898-01 as more specifically described herein.

WHEREAS, the City Clerk 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, Kansas, that it finds Improvement 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 S.W. Huntoon Street, S.W. Urish Road, S.W. 21st Street and Executive Drive. The Project provides for the extension of the main and construction of lateral lines which work shall include 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, Except
Beginning at the Southeast corner of the South Half of the Southeast Quarter of the Southwest Quarter of Section 32; thence North along the East line of the Southwest Quarter 166.13 Feet; thence West parallel to the South line of said Southwest Quarter, 160 Feet; thence South parallel to the East line of said Southwest Quarter 166.13 Feet to the South line of said Southwest Quarter; thence East along the South line of said Southwest Quarter 160 Feet to the Point of Beginning.

Except

Beginning at a point 465 Feet West of the Southeast corner of said Southwest Quarter; thence West along the South line of said Southwest Quarter 175 Feet; thence North at right angles 235 Feet; thence East parallel to the South line of said Southwest Quarter 175 Feet; thence South 235 Feet to the Point of Beginning.

The above tract of land contains 18.5 Acres more or less.

Parcel 2

A part of Lot 1, Block A of Arbor Valley Subdivision located in the Northwest Quarter of Section 5, Township 12 South, Range 15 East of the 6th P.M., in Shawnee County, Kansas, described as follows:

Beginning at the Northeast Corner of said Lot 1, Block A; thence coincident with the East line of said Lot 1, Block A, South 00 Degrees 02 Minutes 03 Seconds East, a distance of 862.16 Feet; thence South 89 Degrees 57 Minutes 57 Seconds West, a distance of 110.05 Feet; thence North 00 Degrees 02 Minutes 03 Seconds West, a distance of 63.14 Feet; thence North 90 Degrees 00 Minutes 00 Seconds West, a distance of 131.87 Feet; thence North 04 Degrees 48 Minutes 13 Seconds East, a distance of 173.92 Feet to the 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, described as
follows:

Beginning at the Northwest corner of said lot; thence coincident with the
North line of said Lot 1, also being the South right-of-way line of S.W.
Hunton Street on AZ. 87 Degrees 18 Minutes 21 Seconds (Direction based
on said recorded plat), a distance of 492.97 Feet; thence coincident with the
centerline of a proposed access way on AZ. 178 Degrees 45 Minutes 13
Seconds, a distance of 372.30 Feet; thence on AZ. 268 Degrees 45 Minutes
13 Seconds, a distance of 132.06 Feet to the point of cusp on a non-tangent
curve to the Right; thence coincident with said non-tangent curve having a
radius of 45.00 Feet, an Arc length of 94.60 Feet, a delta angle of 120
Degrees 26 minutes 55 Seconds, a Chord AZ. Of 217 Degrees 23 Minutes
58 Seconds, and a Chord length of 78.12 Feet; thence on AZ. 178 Degrees
45 Minutes 13 Seconds, a distance of 85.59 Feet; thence on AZ. 241
Degrees 07 Minutes 05 Seconds, a distance of 44.65 Feet; thence on AZ.
260 Degrees 18 Minutes 24 Seconds, a distance of 115.15 Feet , thence on
AZ. 178 Degrees 45 Minutes 12 Seconds, a distance of 144.61 Feet  to the
beginning of a curve to the Left; thence coincident with said curve to the Left
having a radius of 236.50 Feet, an Arc length of 184.45 Feet, a delta angle of
44 Degrees 41 Minutes 07 Seconds to the point of a compound curvature;
thence coincident with said compound curve having a radius of 25.00 Feet,
an Arc length of 41.32 Feet, a delta angle of 94 Degrees 41 Minutes 26
Seconds to the point of a reverse curvature; thence coincident with said
reverse curve having a radius of 693.50 Feet, an Arc length of 243.87 Feet, a
delta angle of 20 Degrees 08 Minutes 53 Seconds to the point of a reverse
curvature; thence coincident with said reverse curve to having a radius of
25.00 Feet, an Arc length of 14.61 Feet, a delta angle of 33 Degrees 29
Minutes 20 Seconds; thence on AZ. 117 Degrees 10 Minutes 26 Seconds, a
distance of 21.45 Feet to the beginning of a non-tangent curve to the Right;
thence coincident with said non-tangent curve having a radius of 684.64
Feet; an Arc length of 94.09 Feet, a delta angle of 07 Degrees 52 Minutes 27
Seconds, a Chord AZ. Of 65 Degrees 36 Minutes 32 Seconds, a Chord length of 94.01 Feet; thence on AZ. 159 Degrees 10 Minutes 22 Seconds, a distance of 61.76 Feet; thence on AZ. 181 Degrees 50 Minutes 53 Seconds, a distance of 131.53 Feet; thence on AZ. 271 Degrees 07 Minutes 23 Seconds, a distance of 90.36 Feet; thence on AZ. 189 Degrees 00 Minutes 41 Seconds, a distance of 155.20 Feet to the beginning of a curve to the Right; thence coincident with said curve to the Right having a radius of 513.50 Feet an Arc length of 114.48 Feet, a delta angle of 12 Degrees 46 Minutes 25 Seconds; thence on AZ. 201 Degrees 47 Minutes 06 Seconds, a distance of 146.43 Feet to the beginning of a curve to the Left; thence coincident with said curve to the Left having a radius of 311.50 Feet, an Arc length of 133.06 Feet, a delta angle of 24 Degrees 28 Minutes 25 Seconds; thence on AZ. 177 Degrees 18 Minutes 41 Seconds, a distance of 52.74 Feet to the beginning of a curve to the Left; thence coincident with said curve to the Left having a radius of 25.00 Feet, an Arc length of 39.27 Feet, a delta angle of 90 Degrees 02 Minutes 18 Seconds; thence on AZ. 177 Degrees 18 Minutes 21 Seconds, a distance of 27.00 Feet to a point of cusp of a non-tangent curve to the Left; thence coincident with said non-tangent curve having a radius of 25.00 Feet, an Arc length of 39.27 Feet, a delta angle of 90 Degrees 00 Minutes 00 Seconds, a Chord AZ. Of 222 Degrees 18 Minutes 41 Seconds, and a Chord length of 35.36 Feet to the point of cusp; thence on AZ. 267 Degrees 18 Minutes 41 Seconds, a distance of 13.50 Feet; thence on AZ. 177 Degrees 18 Minutes 41 Seconds, a distance of 81.50 Feet to the intersection with the South line of said Subdivision; thence coincident with the South line of said Subdivision on AZ. 267 Degrees 18 Minutes 41 Seconds, a distance of 339.53 to the Southwest corner of said Subdivision; thence coincident with the West line of said Subdivision on AZ. 358 Degrees 45 Minutes 12 Seconds, a distance of 210.07 Feet; thence on AZ. 73 Degrees 08 Minutes 56 Seconds, a distance of 114.57 Feet to the point of cusp of a non-tangent curve to the Right; thence coincident with said non-tangent curve having a radius of 198.50 Feet, an arc length of 82.26 Feet, a delta angle of 23 Degrees 44 Minutes 35 Seconds, a Chord AZ. Of 349 Degrees 28 Minutes 04 Seconds, and a Chord length of 81.67 Feet to a point of a compound curvature; thence coincident with said compound curve having a radius of 693.50 Feet, an Arc length of 385.55 Feet, a delta angle of 31 Degrees 51 Minutes 12 Seconds to a point of reverse curvature; thence coincident with said reverse curve having a radius of 25.00 Feet, an Arc length of 35.43 Feet, a delta angle of 81 Degrees 12 Minutes 36 Seconds; thence on AZ. 313 Degrees 01 Minutes 32 Seconds, a distance of 9.59 Feet to the beginning of a curve to the Right; thence coincident with said curve to the Right having a radius of 263.50 Feet, an Arc length of 195.39 Feet, a delta angle of 42 Degrees 29 Minutes 06 Seconds; thence on AZ. 268 Degrees 45 Minutes 12 Seconds, a distance of 131.69 Feet to the West line of said Subdivision; thence coincident with said West line on AZ. 358 Degrees 45 Minutes 12 Seconds, a distance of 196.57 Feet to the point of cusp of a non-tangent curve to the Right; thence coincident with said non-tangent curve having a radius of 198.50 Feet, an arc length of 82.26 Feet, a delta angle of 23 Degrees 44 Minutes 35 Seconds, a Chord AZ. Of 349 Degrees 28 Minutes 04 Seconds, and a Chord length of 81.67 Feet to a point of a compound curvature; thence coincident with said compound curve having a radius of 693.50 Feet, an Arc length of 385.55 Feet, a delta angle of 31 Degrees 51 Minutes 12 Seconds to a point of reverse curvature; thence coincident with said reverse curve having a radius of 25.00 Feet, an Arc length of 35.43 Feet, a delta angle of 81 Degrees 12 Minutes 36 Seconds; thence on AZ. 313 Degrees 01 Minutes 32 Seconds, a distance of 9.59 Feet to the beginning of a curve to the Right; thence coincident with said curve to the Right having a radius of 263.50 Feet, an Arc length of 195.39 Feet, a delta angle of 42 Degrees 29 Minutes 06 Seconds; thence on AZ. 268 Degrees 45 Minutes 12 Seconds, a distance of 131.69 Feet to the West line of said Subdivision; thence coincident with said West line on AZ. 358 Degrees 45 Minutes 12 Seconds, a distance of 196.57 Feet to the point of cusp of a non-tangent curve to the Right; thence coincident with said non-tangent curve having a radius of 198.50 Feet, an arc length of 82.26 Feet, a delta angle of 23 Degrees 44 Minutes 35 Seconds, a Chord AZ. Of 349 Degrees 28 Minutes 04 Seconds, and a Chord length of 81.67 Feet to a point of a compound curvature; thence coincident with said compound curve having a radius of 693.50 Feet, an Arc length of 385.55 Feet, a delta angle of 31 Degrees 51 Minutes 12 Seconds to a point of reverse curvature; thence coincident with said reverse curve having a radius of 25.00 Feet, an Arc length of 35.43 Feet, a delta angle of 81 Degrees 12 Minutes 36 Seconds; thence on AZ. 313 Degrees 01 Minutes 32 Seconds, a distance of 9.59 Feet to the beginning of a curve to the Right; thence coincident with said curve to the Right having a radius of 263.50 Feet, an Arc length of 195.39 Feet, a delta angle of 42 Degrees 29 Minutes 06 Seconds; thence on AZ. 268 Degrees 45 Minutes 12 Seconds, a distance of 131.69 Feet to the West line of said Subdivision; thence coincident with said West line on AZ. 358
Degrees 45 Minutes 12 Seconds, a distance of 698.80 Feet to the Point of Beginning.

C. **ESTIMATED OR PROBABLE COST:**

$563,500.00

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.

D. **PROPOSED METHOD OF ASSESSMENT:**

On a unit basis (100 total units) for all parcels which are included in the described improvement district as follows:

- Parcel No. 1 – 9 units
- Parcel No. 2 – 9 units
- Parcel No. 3 – 82 units

E. **APPORTIONMENT OF COSTS:**

City of Topeka Combined Water, Wastewater and Stormwater Operating Funds $422,625.00

Improvement District $140,875.00

Total $563,500.00

THIS RESOLUTION shall become effective upon one publication in the official city newspaper.

ADOPTED and APPROVED by the City Council August 1, 2006.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Iris E. Walker, City Clerk