RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7894

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 60619-00 which provides for paving of the Horseshoe Bend Subdivision, as more specifically described herein.

WHEREAS, the City Clerk has received a petition, pursuant to K.S.A. 12-6a01, et seq., as amended, 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. 60619-00, 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 pave:
SE Quincy Street from SE 45th Street northerly to SE Horseshoe Bend Drive, and SE Horseshoe Bend Drive from SE Quincy Street northerly to SE Chisolm Road, and SE Chisolm Road from SE Horseshoe Bend Drive southerly to SE 44th Street, and SE 44th Street from SE Horseshoe Bend Drive westerly approximately 400 feet, with 29 foot wide pavement and to pave SE 43rd Terrace from SE Horseshoe Bend Drive westerly approximately 500 feet with 39 foot wide pavement including concrete curb and gutter, sidewalk ramps, storm drainage facilities, engineering, and all other contingencies needed to complete the 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 south 120 feet of Lot 1, Block 'C', Horseshoe Bend Subdivision, Topeka, Kansas

TRACT NO. 3
A tract of land situated in Lot 5, Block 'C', Hilltop Subdivision No. 2 to the City of Topeka, Shawnee County, Kansas, more particularly described as follows:
Commencing at the Southwest corner of the Southwest Quarter of Section 19, Township 12 South, Range 16 East, thence along the South line of said Quarter on a bearing of South 90 degrees 00 minutes 00 seconds East, a distance of 560.00 feet; thence on a bearing of North 00 degrees 00 minutes 00 seconds West, a distance of 40.00 feet; thence on a bearing of North 89 degrees 59 minutes 03 seconds East, a distance of 157.33 feet to the point of beginning, said point of beginning being a rebar and cap; thence on a bearing of North 00 degrees 06 minutes 39 seconds West, a distance of 738.03 feet to the North line of lot 5, Block 'C', said point being a rebar and cap; thence along the North line of said lot on a bearing of North 89 degrees 59 minutes 27 seconds East, a distance of 155.94 feet to the Northeast corner of Lot 5, said point being a found rebar; thence along the East line of said lot on a bearing of South 00 degrees 13 minutes 08 seconds East, a distance of 738.02 feet to the Southeast corner of Lot 5, said point being a found rebar; thence along the South line of said lot on a bearing of South 89 degrees 59 minutes 03 seconds West, a distance of 157.33 feet to the point of beginning.

TRACT NO. 4
The west 160 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 6th 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 6th 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 6th 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:**

$1,292,700.00

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 (82 total units) for all parcels which are included in the described improvement district as follows:

Tract No. 1-67 units
Tract No. 2-3 units
Tract No. 3-6 units
Tract No. 4-6 units

E. **APPORTIONMENT OF COSTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Topeka</td>
<td>$32,317.50</td>
<td>2.50%</td>
</tr>
<tr>
<td>Benefit District</td>
<td>$1,260,382.50</td>
<td>97.50%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,292,700.00</td>
<td>100.00%</td>
</tr>
</tbody>
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THIS RESOLUTION shall become effective upon one publication in the official city newspaper.

ADOPTED and APPROVED by the City Council November 28, 2006.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

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ATTEST:

Iris E. Walker, City Clerk