RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 8155

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and adopting as amended Street Improvement Project No. 60635-01 which provides for paving streets in the Legend Ridge Estates Subdivision No. 2, pursuant to K.S.A. 12-6a01, et seq., as amended, and rescinding City of Topeka Resolution of Advisability and Authorization No. 8081.

WHEREAS, the Resolution of Advisability and Authorization No. 8081 was adopted and approved and became effective July 23, 2008, which authorized Street Improvement Project No. 60635-01 with an Estimated Probable Cost of three hundred fifty-four thousand six hundred fourteen dollars ($354,614.00); and

WHEREAS, the Estimated Probable Cost of the project has increased by one hundred sixty-three thousand four hundred ninety-five dollars ($163,495.00) and the developer wishes to change the apportionment of the costs within the district; and

WHEREAS, the City Clerk has received a revised petition, pursuant to K.S.A. 12-6a01, et seq., as amended, containing the signatures of the owners of one hundred percent (100%) of the area in the improvement district hereinafter described, and which petition sets forth the increased Estimated Project Cost to five hundred eighteen thousand one hundred nine dollars ($518,109.00); and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that it finds the following described public improvement to be necessary and in the public interest and does hereby authorize, pursuant to K.S.A. 12-6a01, et seq., as amended, Street Improvement Project No. 60635-01 with an amended project budget as hereinafter described:
A. GENERAL NATURE OF IMPROVEMENT:

To pave SW Arvonia Place from a point approximately 14 feet south of the
south lot line of Lot 1, Block A, Legend Ridge Estates No. 2 and north to its
terminus in a cul de sac; to pave SW 20th Street from it’s intersection with SW
Arvonia Place west to the west lot line of Lot 5, Block A, Legend Ridge
Estates No. 2; to construct the stormwater detention structure located within
the detention facility easement within Lot 3, Block A, Legend Ridge Estates
No. 2 to serve said subdivision. To provide streets to the above noted area
with asphalt pavement, curb & gutter, storm sewer structures, piping and
detention facility, engineering and all other contingencies required for a
complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Legend Ridge Estates No. 2
Block A, Lots 1 through 5

Along with the following:

TRACT NO. 1

A TRACT OF LAND IN THE SOUTH HALF OF THE WEST 40 ACRES OF
THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH,
RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE
COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST
QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 01
DEGREES 38 MINUTES 43 SECONDS, 549.85 FEET ALONG THE WEST
LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT OF WAY
LINE OF SW 20TH STREET; THENCE ON AN AZIMUTH OF 91 DEGREES
37 MINUTES 23 SECONDS, 174.26 FEET ALONG SAID RIGHT OF WAY
LINE TO THE WEST RIGHT OF WAY LINE OF SW ARVONIA PLACE;
THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS,
167.09 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH
LINE OF LEGEND RIDGE ESTATES, ACCORDING TO THE RECORDED
PLAT THEREOF; THENCE ON AN AZIMUTH OF 89 DEGREES 11
MINUTES 37 SECONDS, 25.02 FEET ALONG SAID SOUTH LINE TO THE
WEST LINE OF WESTRIDGE BUSINESS PARK, ACCORDING TO THE
RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 181
DEGREES 37 MINUTES 23 SECONDS, 375.36 FEET ALONG SAID WEST
LINE AND ITS EXTENSION TO THE SOUTH LINE OF SAID SOUTHEAST
QUARTER; THENCE ON AN AZIMUTH OF 269 DEGREES 11 MINUTES 40
SECONDS, 199.65 FEET ALONG SAID SOUTH LINE TO THE POINT OF
BEGINNING.
C. ESTIMATED OR PROBABLE COST:

$518,109.00

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:

Legend Ridge Estates No. 2
Block A, Lot 1: 7 units
Block A, Lot 2: 33.75 units
Block A, Lot 3: 9 units
Block A, Lot 4: 9 units
Block A, Lot 5: 33.75 units

Tract No. 1: 7.5 units

E. APPORTIONMENT OF COSTS:

100% by the Improvement District

Upon completion of the project described herein, the City Clerk is hereby directed to provide all publication and mailed notices in accordance with the provisions of K.S.A. 12-6a01, et seq., as amended.

BE IT RESOLVED that City of Topeka Resolution No. 8081 is hereby rescinded.

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

ADOPTED and APPROVED by the Governing Body April 28, 2009.

CITY OF TOPEKA, KANSAS

_________________________________
William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk