RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 8317

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing Pond Repair and Improvement Project No. T-151011.00 which provides for repair to existing pond at Lauren’s Bay Villas Subdivision and Laurens’ Bay Estates, as more specifically described herein.

WHEREAS, the Governing Body of the City of Topeka, Kansas, did hold a public hearing on the advisability of Pond Repair and Improvement Project No. T-151011.00 in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m. on March 15, 2011, as required by K.S.A. 12-6a01, et seq., as amended; and

WHEREAS, notice of said public hearing was duly published as required by K.S.A. 12-6a01, et seq., as amended; and

WHEREAS, a copy of the notice mailed to each person owning or responsible for the taxes within the proposed special benefit district and to each occupant residing in the benefit district as required under TMC 3.45.040; and

WHEREAS, said public hearing was adjourned on March 15, 2011; and

WHEREAS, six (6) months have not elapsed since the final adjournment of said public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that it finds Pond Repair and Improvement Project No. T-151011.00 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 repair existing pond at Lots 6 & 8, Block A, Lauren’s Bay Villas Subdivision, and Lot 9, Block F, Lauren’s Bay Estates, including completed Division of Water Resources breaching, dredging silt deposits, repairing or replacing existing dam, permitting with Division of Water Resources and United States Corps of Engineers, landscaping, perimeter sidewalk, parking facilities five cutback parking stalls, engineering and all other contingencies required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Lauren’s Bay Subdivision
Block A; Lots 1 through 14
Block B; Lots 1 through 15
Block C; Lots 1 through 7
Block C; Lots 13 through 25

Lauren’s Bay Subdivision No. 2
Block A; Lots 1 through 3

Lauren’s Bay Estates
Block A; Lots 1 through 4
Block B; Lots 1 through 28
Block C; Lots 1 through 9
Block D; Lots 1 through 5
Block E; Lots 1 through 9
Block E; Lots 12 through 23
Block E; Lots 25 through 37
Block F; Lots 1 through 8
Block F; Lots 10 through 18
Block G; Lots 1 through 6
Block H; Lots 1 through 23
Block I; Lots 3 through 15
Block J; Lots 1 through 22
Block K; Lots 1 through 11
Block M; Lots 1 through 16
Block M; Lots 45 through 58
Block M; Lots 60 through 72
Block M; Lots 74 through 79
Block T; Lots 1 through 9

Lauren’s Bay Estates No. 2
Block A; Lots 1 through 7

Lauren’s Bay Villas Subdivision
Block A; Lots 1 through 2
Proposed amendments to resolution shown in double strikethrough and double underline.

Block A; The portion of Lot 6 which is described in Deed Book 004460, Page 0143, at the office of the Shawnee County Register of Deeds, also described as: Beginning at the southeast corner of Lot 7; thence, along the easterly line of Lot 6, on Azimuth 170 degrees 30 minutes 26 seconds 25.98 feet; thence continuing on said line, on a curve to the left having a radius of 355.00 feet and an arc length 36.36 feet and central angle 05 degrees 52 minutes 06 seconds; thence Azimuth 257 degrees 05 minutes 31 seconds 155.06 feet, thence Azimuth 340 degrees 46 minutes 57 seconds 72.56 feet, thence Azimuth 80 degrees 30 minutes 26 seconds 165.18 feet, to the point of beginning.

Block A; Lots 7 through 15
Block B; Lots 1 through 7
Block C; Lots 1 through 8
Block D; Lots 1 through 10

Lauren’s Bay Villas No. 2
Block B; Lots 1 through 6

Lauren’s Bay Villas No. 3
Block A; Lots 1 through 4

Wanamaker Meadows Subdivision
Block A; Lots 2 through 14
Block B; Lots 1 through 27

Brian’s Addition Subdivision
Block C; Lots 1 through 4
Block D; Lots 1 through 5
Block E; Lots 1 through 5

C. ESTIMATED OR PROBABLE COST:

$1,358,350.00

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis for all lots or individual dwelling sites which are included in the improvement district. Portions of lots less than a full lot shall be calculated on a square footage basis. This project consists of 806 units apportioned as follows:

Lauren’s Bay Subdivision
Block A; Lots 1 through 14 (3 units per lot)
Block B; Lots 1 through 15 (3 units per lot)
Block C; Lots 1 through 7 (3 units per lot)
Block C; Lots 13 through 16 (3 units per lot)
Block C; Lots 17 through 25 (4 units per lot)
Proposed amendments to resolution shown in double strikethrough and double underline.

Lauren’s Bay Subdivision No. 2
Block A; Lots 1 through 3 (3 units per lot)

Lauren’s Bay Estates
Block A; Lots 1 through 4 (3 units per lot)
Block B; Lots 1 through 14 (3 units per lot)
Block B; Lots 15 through 28 (2 units per lot)
Block C; Lots 1 through 9 (2 units per lot)
Block D; Lots 1 through 5 (2 units per lot)
Block E; Lots 1 through 9 (2 units per lot)
Block E; Lots 12 through 23 (1 unit per lot)
Block E; Lots 25 through 37 (1 unit per lot)
Block F; Lots 1 through 8 (4 units per lot)
Block F; Lots 10 through 18 (4 units per lot)
Block G; Lots 1 through 3 (3 units per lot)
Block G; Lots 4 through 6 (2 units per lot)
Block H; Lots 1 through 3 (3 units per lot)
Block H; Lots 4 through 13 (2 units per lot)
Block H; Lots 14 through 23 (3 units per lot)
Block I; Lots 3 through 6 (2 units per lot)
Block I; Lots 7 through 15 (1 unit per lot)
Block J; Lots 1 through 8 (2 units per lot)
Block J; Lots 9 through 17 (1 unit per lot)
Block J; Lot 18 through 22 (2 units per lot)
Block K; Lot 1 (2 units per lot)
Block K; Lots 2 through 8 (1 unit per lot)
Block K; Lots 9 through 11 (2 units per lot)
Block M; Lots 1 through 16 (2 units per lot)
Block M; Lots 45 through 58 (1 unit per lot)
Block M; Lots 60 through 72 (1 unit per lot)
Block M; Lots 74 through 79 (1 unit per lot)
Block T; Lots 1 through 9 (1 unit per lot)

Lauren’s Bay Estates No. 2
Block A; Lots 1 through 7 (2 units per lot)

Lauren’s Bay Villas Subdivision
Block A; Lots 1 through 2 (4 units per lot)
Block A; Portion of Lot 6 as described above (4 units)
Block A; Lots 7 through 15 (3 units per lot)
Block B; Lots 1 through 7 (3 units per lot)
Block C; Lots 1 through 8 (3 units per lot)
Block D; Lots 1 through 5 (3 units per lot)
Block D; Lots 6 through 10 (2 units per lot)

Lauren’s Bay Villas No. 2
Block B; Lots 1 through 6 (2 units per lot)

Lauren’s Bay Villas No. 3
Proposed amendments to resolution shown in double strikethrough and double underline.

174 Block A; Lots 1 through 4 (4 units per lot)
175
176 *Wanamaker Meadows Subdivision*
177 Block A; Lots 2 through 14 (1 unit per lot)
178 Block B; Lots 1 through 27 (1 unit per lot)
179
180 *Brian’s Addition Subdivision*
181 Block C; Lots 1 through 4 (1 unit per lot)
182 Block D; Lots 1 through 5 (1 unit per lot)
183 Block E; Lots 1 through 5 (1 unit per lot)
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185 E. **APPORTIONMENT OF COSTS:**
186
187 Costs are to be paid 100 percent by the owners of property within the Improvement District.
188
189 The improvement shall not be commenced if within twenty (20) days after publication of this Resolution, written protests signed by both fifty-one percent (51%) or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of said district, are filed with the City Clerk.
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191 This resolution shall become effective upon one publication in the official city newspaper.
192
196 ADOPTED and APPROVED by the Governing Body on March 15, 2011.
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198 CITY OF TOPEKA, KANSAS
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204 ATTEST:
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209 Brenda Younger, City Clerk