RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 8487

A RESOLUTION introduced by Jim Colson, City Manager, authorizing Street Improvement Project No. T-601030.00 which provides for street improvements to the Kanza Education and Science Park area, 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 Governing Body of the City of Topeka, Kansas, that it finds Street Improvement Project No.T-601030.00, 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 SW Kanza Drive between SW 3rd Street and SW MacVicar Avenue; SW 3rd Street between Oakley Avenue and SW MacVicar Avenue; and Tuffy Kellogg Drive between SW 6th Street and SW 3rd Street with asphalt pavement, and curb and gutter, grading, curb inlets, storm sewer pipes, street lighting and landscaping. Included with the project are engineering costs and all other contingencies needed to complete the project.

B. PROPOSED IMPROVEMENT DISTRICT:

Kanza Education and Science Park
Block A, Lot 1
Block B, Lots 2-5, 7 and 8
Block C, Lots 1 and 2
Block D, Lots 1-4 and 7

AND an unplatted parcel (Bettis Parcel) at the southwest corner of SW Kanza Drive and SW MacVicar Ave described as follows:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL
MERIDIAN, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 359 DEGREES 51 MINUTES 46 SECONDS, 51.14 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE ON AZIMUTH 270 DEGREES 01 MINUTES 05 SECONDS, 77.86 FEET TO THE NORTHEAST CORNER OF KANZA BUSINESS AND TECHNOLOGY PARK SUBDIVISION NO. 3, AS RECORDED IN PLAT BOOK 40, PAGE 91, IN THE PUBLIC RECORDS OF SAID COUNTY, AND THE POINT OF BEGINNING; THENCE ON AZIMUTH 270 DEGREES 01 MINUTES 05 SECONDS, 320.00 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION AND ITS EXTENSION; THENCE ON AZIMUTH 359 DEGREES 51 MINUTES 46 SECONDS, 309.14 FEET; THENCE ON AZIMUTH 89 DEGREES 51 MINUTES 46 SECONDS, 41.90 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 462.50 FEET; THENCE EASTERLY, 143.62 FEET ALONG SAID CURVE WITH A CHORD WHICH BEARS ON AZIMUTH 98 DEGREES 45 MINUTES 32 SECONDS, 143.04 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 537.50 FEET; THENCE EASTERLY, 136.59 FEET ALONG SAID CURVE WITH A CHORD WHICH BEARS ON AZIMUTH 100 DEGREES 22 MINUTES 29 SECONDS, 136.23 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MACVICAR AVENUE, AS RECORDED IN BOOK 4389, PAGE 172; THENCE ON AZIMUTH 179 DEGREES 58 MINUTES 19 SECONDS, 27.53 FEET ALONG SAID RIGHT OF WAY LINE; THENCE ON AZIMUTH 89 DEGREES 51 MINUTES 51 SECONDS, 7.09 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE WEST RIGHT OF WAY LINE OF SW MACVICAR AVENUE, AS RECORDED IN BOOK 3614, PAGE 757, SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 4642.50 FEET; THENCE SOUTHERLY, 138.57 FEET ALONG SAID RIGHT OF WAY LINE AND CURVE WITH A CHORD WHICH BEARS ON AZIMUTH 180 DEGREES 52 MINUTES 22 SECONDS, 138.57 FEET; THENCE ON AZIMUTH 270 DEGREES 01 MINUTES 05 SECONDS, 1.50 FEET ALONG SAID RIGHT OF WAY LINE; THENCE ON AZIMUTH 180 DEGREES 01 MINUTES 05 SECONDS, 96.96 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

AND an unplatted parcel (Stormont Vail Parcel) at the southwest corner of SW 3rd Street and SW MacVicar Ave. described as follows:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 26; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 41 SECONDS WEST ON THE EAST LINE OF
SAID SOUTHEAST QUARTER A DISTANCE OF 616.69 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 19 SECONDS WEST A DISTANCE OF 23.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 54 MINUTES 54 SECONDS WEST A DISTANCE OF 294.28 FEET TO THE EAST LINE OF A TRACT OF LAND AS DESCRIBED IN BOOK 4269 AT PAGE 203 SHAWNEE COUNTY REGISTER OF DEEDS OFFICE; THENCE NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST, (MEASURED), NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST, (DESCRIBED) ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 4.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, (DESCRIBED), SOUTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, (DESCRIBED), ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 266.76 FEET, MEASURED AND DESCRIBED) TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 00 MINUTES 41 SECONDS EAST A DISTANCE OF 328.50 FEET; THENCE NORTH 75 DEGREES 57 MINUTES 09 SECONDS EAST A DISTANCE OF 111.46 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET, A CHORD WHICH BEARS SOUTH 89 DEGREES 19 MINUTES 08 SECONDS EAST A DISTANCE OF 177.97 FEET, AN ARE DISTANCE OF 179.94 FEET; THENCE SOUTH 74 DEGREES 35 MINUTES 25 SECONDS EAST A DISTANCE OF 47.97 FEET; THENCE NORTH 80 DEGREES 29 MINUTES 15 SECONDS EAST A DISTANCE OF 18.51 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 54 SECONDS EAST A DISTANCE OF 77.36 FEET; THENCE SOUTH 84 DEGREES 36 MINUTES 04 SECONDS EAST A DISTANCE OF 82.69 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS EAST A DISTANCE OF 54.50 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 41 SECONDS WEST A DISTANCE OF 314.74 FEET TO THE POINT OF BEGINNING.

AND

Block A, Lot 1, Shawnee Community Mental Health Center Subdivision

C. ESTIMATED OR PROBABLE COST:

$4,492,200.00

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis for all lots or parcels which are included in the Improvement District. (106 total units)
Kanza Education and Science Park:
Block A, Lot 1 (30 Units)
Block B, Lot 2 (6 Units)
Block B, Lot 3 (6 Units)
Block B, Lot 4 (6 Units)
Block B, Lot 5 (3 Units)
Block B, Lot 7 (4 Units)
Block B, Lot 8 (2 Units)
Block C, Lot 1 (18 Units)
Block C, Lot 2 (6 Units)
Block D, Lot 1 (3 Units)
Block D, Lot 2 (5 Units)
Block D, Lot 3 (4 Units)
Block D, Lot 4 (1 Units)
Block D, Lot 7 (1 Units)

Bettis Parcel (2 Units)
Stormont Vail Parcel (6 Units)

Shawnee Community Mental Health Center Subdivision:
Block A, Lot 1 (3 Units)

E. APPORTIONMENT OF COSTS:
Costs are to be paid 100% by the owners of property within the Improvement District over a ten (10) year period.

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.

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

ADOPTED and APPROVED by the Governing Body on January 22, 2013.
CITY OF TOPEKA, KANSAS

__________________________
William W. Bunten, Mayor

ATTEST:

__________________________
Brenda Younger, City Clerk