

1 (Published in the Topeka Metro News November 2, 2005 )  
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4 RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7705  
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7 A RESOLUTION introduced by City Manager Neil Dobler authorizing  
8 Improvement Project No. 70196-02 which provides for the  
9 construction of SW MacVicar Avenue from SW 6<sup>th</sup> Street to the  
10 eastbound I-70 exit ramp.  
11

12 WHEREAS, the Council of the City of Topeka, Kansas, did hold a public hearing on  
13 the advisability of the following: IMPROVEMENT PROJECT NO. 70196-02 said public  
14 hearing was held on October 25, 2005, in the City Council Chambers of City Hall, 214 E.  
15 8th Street, at 7:00 p.m., as required by K.S.A. 12-6a01 *et seq.*; and

16 WHEREAS, said public hearing was adjourned on the 25<sup>th</sup> day of October, 2005;  
17 and

18 WHEREAS, notice of said public hearing was duly published as required by K.S.A.  
19 12-6a01 *et seq.*; and

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

22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that it  
23 finds the following described improvement to be advisable and does hereby authorize and  
24 order said improvement to be made in accordance with its findings as follows:

25 A. GENERAL NATURE OF IMPROVEMENT:  
26

27 This Project provides for the construction of SW MacVicar Avenue from SW  
28 6th Street to the eastbound I-70 exit ramp. The proposed improvement will  
29 include grading and surfacing for a 5-lane roadway with concrete curb and  
30 gutter, sidewalks, storm sewers and utility relocation.

31 B. PROPOSED IMPROVEMENT DISTRICT:  
32

33 Begin at the intersection of the west right of way line of SW MacVicar  
34 Avenue and the north right of way line of SW Sixth Avenue; thence westerly  
35 on said north line of Sixth Avenue for a distance of 2635.14 feet to the east  
36 right of way line of Oakley Avenue; thence northerly on said east right of way  
37 of Oakley Avenue to the north right of way line of Third Street, when  
38 extended from the west; thence westerly on said north line of Third Street for  
39 a distance of 1330 feet to the west line of Arlington Heights Addition; thence  
40 northerly on said west line extended for a distance of 1616 feet to the south  
41 right of way line of Interstate Highway Route No. 70; thence easterly  
42 following said right of way line to the east line of Section 26, Township 11  
43 South, Range 15 East of the Sixth P.M.; thence easterly 40 feet, more or  
44 less, to the west right of way line of NW MacVicar Avenue, thence southerly  
45 following the west right of way line of NW MacVicar Avenue to the south line  
46 of First Street; thence south on the west line of SW MacVicar Avenue to the  
47 north right of way line of SW Sixth Avenue and the point of beginning.  
48

49 C. ESTIMATED OR PROBABLE COST:  
50

51 \$5,504,900.00  
52

53 D. PROPOSED METHOD OF ASSESSMENT:  
54

55 On a square foot of area basis for all lots, parcels or tracts which are  
56 included in the described improvement district.  
57

58 E. APPORTIONMENT OF COSTS:  
59

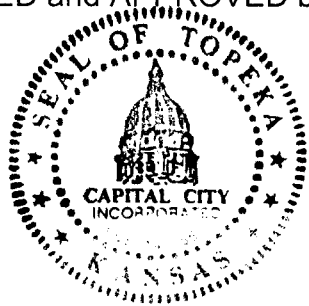
60 The improvement shall not be commenced if within twenty (20) days after  
61 publication of this resolution, written protests signed by both fifty-one percent (51%) or  
62 more of the resident owners of record of property within the improvement district and the  
63 owners of record of more than half (1/2) of the total area of said district, are filed with the  
64 City Clerk.

65 FURTHER, contracts for this project may be bid, but none shall be signed or  
66 executed unless and until the City-County Consolidation Plan is not approved by the  
67 electorate as provided by HB 2083.

68           Upon completion of the project described herein, the City Clerk is hereby directed to  
69 provide all publication and mailed notices in accordance with the provisions of K.S.A. 12-  
70 6a01 *et seq.*, as amended and TCC § 126-36 *et seq.*

71           This resolution shall become effective upon one publication in the official city  
72 newspaper.

73           ADOPTED and APPROVED by the City Council           OCT 25 2005          



*William W. Buntten*  
William W. Buntten, Mayor

80 ATTEST:

81  
82  
83 *Iris E. Walker*  
84 Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE <u>10/24/05</u> BY <u><i>EW</i></u>