

1 RESOLUTION NO. 7729

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3 A RESOLUTION introduced by City Manager Neil Dobler consenting to the
4 establishment of Shawnee County Main Sewer District No. 74,
5 Lateral No. 8, as part of the Shawnee County, Kansas, Sherwood
6 Regional Wastewater Treatment District, all pursuant to K.S.A. 19-
7 27a01 *et seq.*
8

9 WHEREAS, the Board of County Commissioners (the "Board") of Shawnee
10 County, Kansas, has, pursuant K.S.A. 19-27a01 *et seq.*, and, other applicable law, (the
11 "Act") created and established the Sherwood Regional Wastewater Treatment District (the
12 "Treatment District") and constructed and installed sewerage treatment facilities and
13 improvements therein to collect, treat and discharge wastewater and sewerage within the
14 Treatment District (the "System Improvements"); and

15 WHEREAS, the Sherwood Park Development Co., L.L.C., (the "Developer") has, in
16 accordance with the provisions of the Act, petitioned (the "Petition") the Board to create a
17 sewer district to serve: Lots 1 through 31, inclusive, Block 'A'; Lots 1 through 13, inclusive,
18 Block 'B'; Lot 1, Block 'C'; Lots 1 through 5, inclusive, Block 'D'; and Lots 1 and 2, Block
19 'E', all in Sherwood Park Subdivision No. 8, Shawnee County, Kansas, to be known as
20 Shawnee County Main Sewer District No. 74, Lateral District No. 8, ("District"), which
21 District will connect to the System Improvements within the Treatment District; and

22 WHEREAS, the Developer, in accordance with the Petition and the Act, will
23 construct, at the Developer's sole expense, certain sewerage improvements which meet
24 the Kansas Department of Health and Environment standards (the "District
25 Improvements") within the District to effectuate the collection, treatment and discharge of
26 the District's sewerage; and

27 WHEREAS, no portion of the District or District Improvements are served by or lie

28 within any City of Topeka, Kansas (the "City") wastewater treatment system; and

29 WHEREAS, on September 15, 2005, the City Council (the "Council") of the City
30 passed and approved City Ordinance No. 18501 which annexed a specified tract of
31 ground containing 62.49 acres, more or less, (the "Land Tract") into the City limits; and

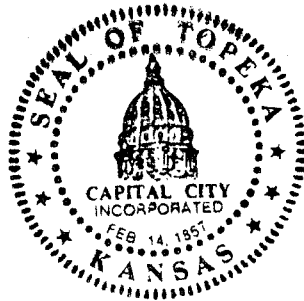
32 WHEREAS, the Land Tract is the District, and, pursuant to the Act, since the same
33 lies within the City limits, the creation of the District must have the consent of the City.

34 NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
35 TOPEKA, KANSAS, that the City Council hereby consents to the creation of Shawnee
36 County Main Sewer District No. 74, Lateral District No. 8.

37 ADOPTED and APPROVED by the City Council DEC 20 2005.

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CITY OF TOPEKA, KANSAS



William W. Bunten
William W. Bunten, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 12/5/05 BY BBC