

1 (Published in the Topeka Metro News September 13, 2006 and September 20, 2006)

2
3
4 RESOLUTION NO. 7855

5
6 A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., setting
7 the public hearing for Street Improvement Project No. 60619-
8 00 which provides for paving certain streets located in
9 Horseshoe Bend Subdivision, as more specifically described
10 herein.

11
12 BE IT RESOLVED by the Council of the City of Topeka, Kansas, that a public
13 hearing shall be held by the Governing Body of the City of Topeka, Kansas, on the
14 advisability of the following: Street Improvement Project No. 60619-00; said hearing to be
15 held on October 10, 2006, in the City Council Chambers of City Hall, 214 E. 8th Street, at
16 6:00 p.m., as provided by K.S.A. 12-6a01, *et seq.*, as amended.

17 BE IT FURTHER RESOLVED that the City Clerk shall publish the following notice of
18 such public hearing in the official city newspaper in the manner provided by K.S.A.
19 12-6a01, *et seq.*, as amended.

20 NOTICE OF PUBLIC HEARING

21 Notice is hereby given that the Council of the City of Topeka, Kansas, will meet for
22 the purpose of holding a public hearing as provided by K.S.A. 12-6a01, *et seq.*, as
23 amended, in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m. on
24 October 10, 2006, to consider the advisability of the following:

25 A. GENERAL NATURE OF IMPROVEMENT:

26 To pave:
27 SE Quincy Street from SE 45th Street northerly to SE Horseshoe Bend
28 Drive, and SE Horseshoe Bend Drive from SE Quincy Street northerly to SE
29 Chisolm Road, and SE Chisolm Road from SE Horseshoe Bend Drive
30 southerly to SE 44th Street, and SE 44th Street from SE Horseshoe Bend
31 Drive westerly approximately 400 feet, with 29 foot wide pavement and to
32 pave SE 43rd Terrace from SE Horseshoe Bend Drive westerly

33 approximately 500 feet with 39 foot wide pavement including concrete curb
34 and gutter, sidewalk ramps, storm drainage facilities, engineering, and all
35 other contingencies needed to complete the project.
36

37 **B. PROPOSED IMPROVEMENT DISTRICT:**

38
39 **TRACT NO. 1**

40 Lots 1 through 4, Block 'A'; Lots 1 through 11, Block 'B'; Lots 2 through 31,
41 Block 'C'; Lots 1 through 22, Block 'D', Horseshoe Bend Subdivision,
42 Topeka, Kansas
43

44 **TRACT NO. 2**

45 The south 120 feet of Lot 1, Block 'C', Horseshoe Bend Subdivision, Topeka,
46 Kansas
47

48 **TRACT NO. 3**

49 A tract of land situated in Lot 5, Block 'C', Hilltop Subdivision No. 2 to the City
50 of Topeka, Shawnee County, Kansas, more particularly described as follows:
51 Commencing at the Southwest corner of the Southwest Quarter of Section
52 19, Township 12 South, Range 16 East, thence along the South line of said
53 Quarter on a bearing of South 90 degrees 00 minutes 00 seconds East, a
54 distance of 560.00 feet; thence on a bearing of North 00 degrees 00 minutes
55 00 seconds West, a distance of 40.00 feet; thence on a bearing of North 89
56 degrees 59 minutes 03 seconds East, a distance of 157.33 feet to the point
57 of beginning, said point of beginning being a rebar and cap; thence on a
58 bearing of North 00 degrees 06 minutes 39 seconds West, a distance of
59 738.03 feet to the North line of lot 5, Block 'C', said point being a rebar and
60 cap; thence along the North line of said lot on a bearing of North 89 degrees
61 59 minutes 27 seconds East, a distance of 155.94 feet to the Northeast
62 corner of Lot 5, said point being a found rebar; thence along the East line of
63 said lot on a bearing of South 00 degrees 13 minutes 08 seconds East, a
64 distance of 738.02 feet to the Southeast corner of Lot 5, Block 'C', said point
65 being a found rebar; thence along the South line of said lot on a bearing of
66 South 89 degrees 59 minutes 03 seconds West, a distance of 157.33 feet to
67 the point of beginning.
68

69 **TRACT NO. 4**

70 The west 160 feet of the following described tract of land:

71
72 A part of the West half of the Southeast Quarter of Section 19, Township 12
73 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas,
74 described as follows: Beginning at the Southeast corner of said West half of
75 the Southeast Quarter of Section 19; thence West along the South line of
76 Section 19, 450.00 feet; thence North 778.00 feet; thence East 450.00 feet to
77 the East line of said West Half of the Southeast Quarter of said Section 19;
78 thence South to the place of beginning, EXCEPT the following tract:

Beginning at a point on the South line of Section 19, Township 12 South, Range 16 East of the 6th P.M., and 450.00 feet West of the Southeast corner of the West Half of the Southeast Quarter of said Section 19; thence North parallel to the East line of said West half, 205.00 feet; thence East parallel to the South line of said Section 19, 130.00 feet; thence South parallel to the East line of the West Half of the Southeast Quarter of said Section 19, 205.00 feet; thence West 130.00 feet to the point of beginning.

AND ALSO: Part of the West Half of the Southeast Quarter of Section 19, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas, described as follows: Beginning at a point on the South line, 450.00 feet West of the Southeast corner of said West Half of said Quartet Section; thence North parallel to the East line of said West Half, 205.00 feet; thence East parallel to said South line 130.00 feet; thence South parallel to said East line 205.00 feet; thence West 130.00 feet to the point of beginning.

C. ESTIMATED OR PROBABLE COST:

\$1,292,700.00

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis for all parcels which are included in the described improvement district as follows:

- Tract No. 1: 67 units
- Tract No. 2: 3 units
- Tract No. 3: 7 units
- Tract No. 4: 7 units

E. APPORTIONMENT OF COSTS:

City of Topeka	32,317.50	2.50%
<u>Benefit District</u>	<u>\$1,260,382.50</u>	<u>97.50%</u>
Total	\$1,292,700.00	100.00%

The hearing may be adjourned from time to time and until the City Council shall have made findings by resolution as to the advisability of the improvement, the nature of the improvement, the estimated cost, the boundaries of the improvement district, the method of assessment and the apportionment of costs between the improvement district and the City at Large, all as finally determined by the City Council.

121 All persons desiring to be heard with reference to the proposed improvement shall
122 be heard at this hearing.

123 Upon adoption of this Resolution, the City Clerk is hereby directed to provide all
124 publication and mailed notices in accordance with the provisions of K.S.A. 12-6a01, *et seq.*,
125 as amended, and City of Topeka Code § 126-36, *et seq.*

126 ADOPTED and APPROVED by the City Council September 5, 2006.

127 CITY OF TOPEKA, KANSAS

128

129

130

131

132

133

134

135

136

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk