

1 (Published in the Topeka Metro News December 1, 2006)

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3 **RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 7894**

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5 A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr.,
6 authorizing Improvement Project No. 60619-00 which provides
7 for paving of the Horseshoe Bend Subdivision, as more
8 specifically described herein.
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10 WHEREAS, the City Clerk has received a petition, pursuant to K.S.A. 12-6a01, *et*
11 *seq.*, as amended, containing the signatures of the owners of 100% of the area in the
12 improvement district hereinafter described; and

13 WHEREAS, seven (7) days have elapsed since the filing of said petition.

14 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka,
15 Kansas, that it finds Improvement Project No. 60619-00, hereinafter described, to be
16 advisable and does hereby authorize and order said improvement to be made in
17 accordance with its findings as follows:

18 A. GENERAL NATURE OF IMPROVEMENT:

19 To pave:
20 SE Quincy Street from SE 45th Street northerly to SE Horseshoe Bend
21 Drive, and SE Horseshoe Bend Drive from SE Quincy Street northerly to SE
22 Chisolm Road, and SE Chisolm Road from SE Horseshoe Bend Drive
23 southerly to SE 44th Street, and SE 44th Street from SE Horseshoe Bend
24 Drive westerly approximately 400 feet, with 29 foot wide pavement and to
25 pave SE 43rd Terrace from SE Horseshoe Bend Drive westerly
26 approximately 500 feet with 39 foot wide pavement including concrete curb
27 and gutter, sidewalk ramps, storm drainage facilities, engineering, and all
28 other contingencies needed to complete the project.
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31 B. PROPOSED IMPROVEMENT DISTRICT:

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33 **TRACT NO. 1**
34 Lots 1 through 4, Block 'A'; Lots 1 through 11, Block 'B'; Lots 2 through 31,
35 Block 'C'; Lots 1 through 22, Block 'D', Horseshoe Bend Subdivision,
36 Topeka, Kansas
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38 **TRACT NO. 2**

39 The south 120 feet of Lot 1, Block 'C', Horseshoe Bend Subdivision, Topeka,
40 Kansas

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42 **TRACT NO. 3**

43 A tract of land situated in Lot 5, Block 'C', Hilltop Subdivision No. 2 to the City
44 of Topeka, Shawnee County, Kansas, more particularly described as follows:
45 Commencing at the Southwest corner of the Southwest Quarter of Section
46 19, Township 12 South, Range 16 East, thence along the South line of said
47 Quarter on a bearing of South 90 degrees 00 minutes 00 seconds East, a
48 distance of 560.00 feet; thence on a bearing of North 00 degrees 00 minutes
49 00 seconds West, a distance of 40.00 feet; thence on a bearing of North 89
50 degrees 59 minutes 03 seconds East, a distance of 157.33 feet to the point
51 of beginning, said point of beginning being a rebar and cap; thence on a
52 bearing of North 00 degrees 06 minutes 39 seconds West, a distance of
53 738.03 feet to the North line of lot 5, Block 'C', said point being a rebar and
54 cap; thence along the North line of said lot on a bearing of North 89 degrees
55 59 minutes 27 seconds East, a distance of 155.94 feet to the Northeast
56 corner of Lot 5, said point being a found rebar; thence along the East line of
57 said lot on a bearing of South 00 degrees 13 minutes 08 seconds East, a
58 distance of 738.02 feet to the Southeast corner of Lot 5, Block 'C', said point
59 being a found rebar; thence along the South line of said lot on a bearing of
60 South 89 degrees 59 minutes 03 seconds West, a distance of 157.33 feet to
61 the point of beginning.

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63 **TRACT NO. 4**

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

65

66 A part of the West half of the Southeast Quarter of Section 19, Township 12
67 South, Range 16 East of the 6th P.M. in Shawnee County, Kansas, described
68 as follows: Beginning at the Southeast corner of said West half of the
69 Southeast Quarter of Section 19; thence West along the South line of Section
70 19, 450.00 feet; thence North 778.00 feet; thence East 450.00 feet to the
71 East line of said West Half of the Southeast Quarter of said Section 19;
72 thence South to the place of beginning, EXCEPT the following tract:
73 Beginning at a point on the South line of Section 19, Township 12 South,
74 Range 16 East of the 6th P.M., and 450.00 feet West of the Southeast corner
75 of the West Half of the Southeast Quarter of said Section 19; thence North
76 parallel to the East line of said West half, 205.00 feet; thence East parallel to
77 the South line of said Section 19, 130.00 feet; thence South parallel to the
78 East line of the West Half of the Southeast Quarter of said Section 19,
79 205.00 feet; thence West 130.00 feet to the point of beginning.

80

81 AND ALSO: Part of the West Half of the Southeast Quarter of Section 19,
82 Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka,
83 Shawnee County, Kansas, described as follows: Beginning at a point on the
84 South line, 450.00 feet West of the Southeast corner of said West Half of

85 said Quarter Section; thence North parallel to the East line of said West Half,
86 205.00 feet; thence East parallel to said South line 130.00 feet; thence South
87 parallel to said East line 205.00 feet; thence West 130.00 feet to the point of
88 beginning.

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90 C. ESTIMATED OR PROBABLE COST:

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92 \$1,292,700.00

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94 This cost estimate has been prepared using the best information available,
95 without benefit of a detailed engineering design. Variances may occur as the
96 design details are developed. These costs should not be considered final.

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98 D. PROPOSED METHOD OF ASSESSMENT:

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100 On a unit basis (82 total units) for all parcels which are included in the
101 described improvement district as follows:

- 102 Tract No. 1-67 units
- 103 Tract No. 2- 3 units
- 104 Tract No. 3- 6 units
- 105 Tract No. 4- 6 units

106
107
108 E. APPORTIONMENT OF COSTS:

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

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113
114 THIS RESOLUTION shall become effective upon one publication in the official city
115 newspaper.

116 ADOPTED and APPROVED by the City Council November 28, 2006.

117 CITY OF TOPEKA, KANSAS

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119 _____
120 William W. Bunten, Mayor

121 ATTEST:

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123
124 _____
125 Iris E. Walker, City Clerk