

1 (Published in the Topeka Metro News May 6, 2009)
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3 **RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. 8155**
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5 A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr.,
6 amending the project budget and adopting as amended Street
7 Improvement Project No. 60635-01 which provides for paving
8 streets in the Legend Ridge Estates Subdivision No. 2,
9 pursuant to K.S.A. 12-6a01, *et seq.*, as amended, and
10 rescinding City of Topeka Resolution of Advisability and
11 Authorization No. 8081.
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13 WHEREAS, the Resolution of Advisability and Authorization No. 8081 was adopted
14 and approved and became effective July 23, 2008, which authorized Street Improvement
15 Project No. 60635-01 with an Estimated Probable Cost of three hundred fifty-four thousand
16 six hundred fourteen dollars (\$354,614.00); and

17 WHEREAS, the Estimated Probable Cost of the project has increased by one
18 hundred sixty-three thousand four hundred ninety-five dollars (\$163,495.00) and the
19 developer wishes to change the apportionment of the costs within the district; and

20 WHEREAS, the City Clerk has received a revised petition, pursuant to K.S.A. 12-
21 6a01, *et seq.*, as amended, containing the signatures of the owners of one hundred percent
22 (100%) of the area in the improvement district hereinafter described, and which petition
23 sets forth the increased Estimated Project Cost to five hundred eighteen thousand one
24 hundred nine dollars (\$518,109.00); and

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

26 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of
27 Topeka, Kansas, that it finds the following described public improvement to be necessary
28 and in the public interest and does hereby authorize, pursuant to K.S.A. 12-6a01, *et seq.*,
29 as amended, Street Improvement Project No. 60635-01 with an amended project budget as
30 hereinafter described:

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A. GENERAL NATURE OF IMPROVEMENT:

To pave SW Arvon Place from a point approximately 14 feet south of the south lot line of Lot 1, Block A, Legend Ridge Estates No. 2 and north to its terminus in a cul de sac; to pave SW 20th Street from it's intersection with SW Arvon Place west to the west lot line of Lot 5, Block A, Legend Ridge Estates No. 2; to construct the stormwater detention structure located within the detention facility easement within Lot 3, Block A, Legend Ridge Estates No. 2 to serve said subdivision. To provide streets to the above noted area with asphalt pavement, curb & gutter, storm sewer structures, piping and detention facility, engineering and all other contingencies required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Legend Ridge Estates No. 2
Block A, Lots 1 through 5

Along with the following:

TRACT NO. 1

A TRACT OF LAND IN THE SOUTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 01 DEGREES 38 MINUTES 43 SECONDS, 549.85 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT OF WAY LINE OF SW 20TH STREET; THENCE ON AN AZIMUTH OF 91 DEGREES 37 MINUTES 23 SECONDS, 174.26 FEET ALONG SAID RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF SW ARVONIA PLACE; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 167.09 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH LINE OF LEGEND RIDGE ESTATES, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 89 DEGREES 11 MINUTES 37 SECONDS, 25.02 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF WESTRIDGE BUSINESS PARK, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 375.36 FEET ALONG SAID WEST LINE AND ITS EXTENSION TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE ON AN AZIMUTH OF 269 DEGREES 11 MINUTES 40 SECONDS, 199.65 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

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C. ESTIMATED OR PROBABLE COST:

\$518,109.00

D. PROPOSED METHOD OF ASSESSMENT:

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

Legend Ridge Estates No. 2

Block A, Lot 1: 7 units

Block A, Lot 2: 33.75 units

Block A, Lot 3: 9 units

Block A, Lot 4: 9 units

Block A, Lot 5: 33.75 units

Tract No. 1: 7.5 units

E. APPORTIONMENT OF COSTS:

100% by the Improvement District

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.

BE IT RESOLVED that City of Topeka Resolution No. 8081 is hereby rescinded.

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

ADOPTED and APPROVED by the Governing Body April 28, 2009.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk