

RESOLUTION NO. 123

WHEREAS, a petition was filed with the City Clerk on the 5th day of June, 1989, proposing the following improvement: Construction of a Thirty (30) foot wide paved street with curb and gutter on Idaho Street from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on California Avenue from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on Highland Avenue from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on Buckeye Street from Idaho Street East to Highland Avenue.

Setting forth:

- (a) The general nature of the proposed improvement;
- (b) The estimated or probable cost;
- (c) The extent or boundaries of the proposed improvement district to be assessed;
- (d) The proposed method of assessment;
- (e) The proposed apportionment of cost between the improvement district and the city at-large; and
- (f) A request that such improvement be made without notice and hearing as provided in Subsection 1 of K.S.A. 12-6a04; and

WHEREAS, the Governing Body did on the 19th day of June, 1989, find such petition to be sufficient; and

WHEREAS, said Governing Body did on the 19th day of June, 1989, duly adopt a resolution finding and determining that said improvement was advisable. Now, therefore,

BE IT RESOLVED by the Governing Body of the City of Columbus, Kansas;

That the following improvement is hereby authorized and ordered to be made in accordance with the findings of the Governing Body upon the advisability of the improvement as follows:

- (a) The general nature of the improvement is:

Construction of a Thirty (30) foot wide paved street with curb and gutter on Idaho Street from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on California Avenue from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on Highland Avenue from Oak Street North Four Hundred Twenty (420) Feet; Construction of a Thirty (30) foot wide paved street with curb and gutter on Buckeye Street from Idaho Street East to Highland Avenue.

- (b) The estimated or probable cost of such improvement is \$100,000.00.

- (c) The extent of boundaries of the improvement district shall be:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), inclusive, in Block One (1), in Armon Newby Second Addition to the City of Columbus, Kansas, according to the recorded plat thereof; and Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), inclusive, in Block Two (2), in Armon Newby Second Addition to the City of Columbus, Kansas, according to the recorded plat thereof; and Lot One (1), the East 25 Feet of Lot Two (2), the West 50 Feet of Lot Three (3), and all of Lot Four (4), in Block One (1), in Armon Newby Addition to the City of Columbus, Kansas, according to the recorded plat thereof; and Lot One (1), The East 25 Feet of Lot Two (2), and the West 25 Feet of Lot Three (3), and all of Lot Four (4), in Block Two (2), in Armon Newby Addition to the City of Columbus, Kansas, according to the recorded plat thereof; and Beginning at the Southeast corner of the Northwest quarter of the Northeast Quarter, of Section 14, Township 33 South, of Range 23, East of the Sixth Principal Meridian, thence West 174 feet, thence North 175 feet, thence East 174 feet, thence South 175 feet, to beginning; and Beginning at the Northeast Corner of Lot Number Four (4), Baker's Plat (said Baker's Plat being a sub-division of the East Half of the Southwest Quarter of the Northeast Quarter of Section Fourteen (14), in Township Thirty-three (33) South, of Range Twenty-three (23) East of the Sixth Principal Meridian) thence South 89.72 Feet, thence West 184.92 Feet, thence North 89.72 Feet, thence East 184.92 Feet to the place of beginning; and Commencing 89.72 Feet South of the Northeast corner of Lot four (4) in Baker's Plat (being a part of the east half of the Southwest Quarter of the Northeast Quarter of Section Fourteen, Township 33, Range 23) thence West 150 Feet, thence South 129.02 Feet, to the North line of Oak Street, thence East 150 Feet, thence North 129.02 Feet to place of beginning, Cherokee County, Kansas;

- (d) The method of assessment shall be:

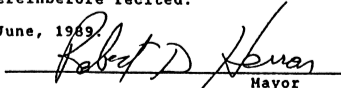
That portion of the cost of the improvement which is to be assessed to the improvement district and assessment shall be shared equally between all property owners such that each and every tract or parcel of land as herein described shall be assessed the same amount.

- (e) The apportionment of the cost between the improvement district and the city at-large shall be:

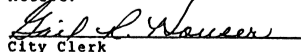
The improvement district shall bear the entire cost of the improvements except the City of Columbus shall provide City employees and City machinery for removing existing surface materials and the City of Columbus shall provide City employees and City machinery to lay base rock and compact said base rock and the City of Columbus to pay not over SEVEN THOUSAND AND NO/100 (\$7,000.00) DOLLARS for materials, radiuses and paving of intersections and alley frontages and labor other than city employees labor.

BE IT FURTHER RESOLVED that for the purpose of providing funds to pay the cost of such improvement until bonds can be issued therefor, the mayor and city clerk are authorized to execute temporary notes as provided by K.S.A. 10-123 and K.S.A. 12-6a14 for the City of Columbus, Kansas, not to exceed the aggregate provided by law. Such temporary notes may be issued by resolution from time-to-time as required during the progress of the work on the improvement hereinbefore recited.

Adopted the 19th day of June, 1989


Mayor

Attest:


City Clerk