

(Published in the *Times Sentinel*, on March 16, 2009)

RESOLUTION NO. 2009-05

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF GODDARD; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS/CASADO-MARTENS).

WHEREAS, a Petition was filed with the City Clerk of the City of Goddard, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a04(1) (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GODDARD, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that it is advisable to make the following improvements:

(a) The improvement proposed to be made is as follows:

Paving and related drainage and sidewalk improvements to: (a) Martens Drive from Goddard Road to Casado Road; and (b) Casado Road; all within Casado-Martens First Addition to the City of Goddard, Sedgwick County, Kansas (the "Improvements").

(b) The estimated or probable cost of the proposed Improvements is: \$600,000, to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

North half of Lots 1, 2, 3 and all of lots 9 thru 15, inclusive, Block 1; Lots 1 and 22, Block 2; all in Casado-Martens First Addition to the City of Goddard, Sedgwick County, Kansas;

The South half of an unplatted tract described as: the Southwest Quarter of the Southwest Quarter of Section 29, Township 27, Range 2 West, except the South 785 feet thereof and except the right of way for Martens Drive, Sedgwick County, Kansas ("Tract A"); and

The West 40 feet of an unplatted tract described as: the Southeast Quarter of the Southwest Quarter of Section 29, Township 27, Range 2 West, except the South 785 feet thereof and except the right of way for Martens Drive, Sedgwick County, Kansas ("Tract B").

(d) The method of assessment is: equally per front foot. In the event that unplatted property within the Improvement District is platted after adoption of a resolution authorizing the Improvements, each platted lot shall be equally assessed for the costs associated with the unplatted property.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: The total costs of the Improvements, less the amount of any KDOT grant received shall be assessed 100% against the Improvement District and 0% to the City-at-large. Such assessments shall be reduced by the value of any rights of way granted by property owners within the Improvement District to facilitate the construction of the Improvements.

Section 2. Authorization of Improvements. The above said Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

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ADOPTED by the governing body of the City on March 16, 2009.

(SEAL)



ATTEST:

Teri Laymon

Teri Laymon, City Clerk

Marcey Gregory
Marcey Gregory, Mayor

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on March 16, 2009 as the same appears of record in my office.

DATED: March 16, 2009.

Teri Laymon

Teri Laymon, City Clerk