

(Published in the *Lawrence Journal-World* on February 23, 2020)

RESOLUTION NO. 2020-08

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BALDWIN CITY, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS/SIGNAL OAK ESTATES); AND AMENDING AND SUPPLEMENTING RESOLUTION NO. 2020-03.

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Baldwin City, 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. 12-6a01 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by a majority of the resident owners of record of the property liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 *et seq.* (collectively, the "Act"); and

WHEREAS, it is necessary and advisable that Resolution No. 2020-03 be amended and supplemented to include reference to this Resolution, as it relates to the authorization of the Improvements and bonds authorized hereby.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

Reconstruct N 1st Street/E 1750 Road from its intersection with State Lake Road (Route 12; N 400 Road) to the northeast corner of Signal Oak Estates to provide 24' -wide asphalt pavement and open ditch drainage improvements meeting current standards. Work will include grading, culvert replacements hot mix asphalt base and surface courses, and erosion control.

(b) The estimated or probable cost of the proposed Improvements is: \$430,000.

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

Lots 13 through 19, inclusive, Signal Oak Estates, a subdivision in the City of Baldwin City, Douglas County, Kansas.

(d) The method of assessment is: equally per lot (seven lots).

(e) The apportionment of the cost of the Improvements between the Improvement District, the City-at-large and other sources, is: 20% to be assessed against the Improvement District; 30% to be paid by the City-at-large; 40% to be paid by Douglas County, Kansas; and 10% to be paid by Palmyra Township; *provided that* the maximum amount assessed against the Improvement District shall not exceed \$86,000 (\$12,285.71 per lot), and any amount in excess of that shall be the responsibility of the City at large, *provided further that* the total portion of Improvement costs paid by the City at large may not exceed 95%.

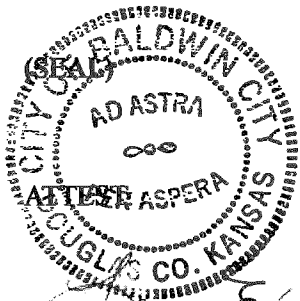
Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special 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 Resolution No. 2017-12, pursuant to Treasury Regulation 1.150-2.

Section 4. Amendment and Supplement of Resolution No. 2020-03. The second "WHEREAS" recital of Resolution No. 2020-03 is hereby amended to include reference to this Resolution, instead of Resolution No. 2017-12, and to provide that costs of Improvements described and authorized by this Resolution may be financed and paid from proceeds of temporary notes authorized and issued under Resolution No. 2020-03. It is hereby acknowledged and ratified that the improvements, estimated cost, benefit district, method of assessment, and apportionment of cost authorized by this Resolution are all the same as contained and authorized in Resolution No. 2017-12, and that this Resolution simply corrects a technical matter related to the process of adoption of Resolution No. 2017-12.

Section 5. 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 Douglas County, Kansas.

ADOPTED by the governing body of the City on February 18, 2020.



By: *Dana E. McKinney, CMC*
Clerk

By: *Brian Cramer*
Brian Cramer
Council President

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 February 18, 2020, as the same appears of record in my office.

DATED: February 18, 2020.

By: *Dana E. McKinney, CMC*
Clerk