

After recording, return to:  
City of Mulvane, Kansas  
Attn: Debra M. Parker, City Clerk  
102 W. 2<sup>nd</sup>  
Mulvane, Kansas 67110  
Telephone: (316) 777-1143

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(Published in *The Mulvane News* on May 20, 2021)

RESOLUTION NO. 2021-11

A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MULVANE, KANSAS; SETTING FORTH THE GENERAL NATURE OF THE IMPROVEMENTS, THE ESTIMATED OR PROBABLE COSTS THEREOF, THE EXTENT OF THE BENEFIT DISTRICT TO BE ASSESSED FOR THE COSTS THEREOF, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF THE COSTS BETWEEN THE BENEFIT DISTRICT AND THE CITY-AT-LARGE; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY; AND DIRECTING THE PUBLICATION AND RECORDING OF THIS RESOLUTION (SANITARY SEWER IMPROVEMENTS).

WHEREAS, on May 7, 2021 one petition (the "Petition") was filed in the Office of the City Clerk of the City of Mulvane, Kansas (the "City"), requesting that certain sewer improvements be made in and adjacent to the North Rockwood Heights addition in the City; and

WHEREAS, the aforementioned Petitions set forth (a) the general nature of the improvements, (b) the estimated or probable costs of the improvements, (c) the extent of the improvement district to be assessed for the costs of the improvements, (d) the method of assessment, (e) the apportionment of the costs between the improvement district and the City-at-Large, (f) a request that the improvements be made without notice and hearing as required by K.S.A. 12-6a04, as amended and supplemented, and (g) a statement that the proposed improvement district does not include all the property that may benefit from the proposed improvements; and

WHEREAS, the governing body of the City, upon an examination thereof on May 17, 2021, has considered and found and determined the Petitions to be sufficient, having been signed by the owners of record, whether resident or not, of all of the area liable for assessment for the costs of improvements requested thereby.

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

SECTION 1. It is hereby found and finally determined to be advisable to make certain Sanitary Sewer Improvements (hereinafter defined) in the City, and the following findings are hereby made regarding said Improvements:

A. Sanitary Sewer Improvements (the "Sanitary Sewer Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of certain sanitary sewer improvements and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Mulvane, Kansas (such improvements being commonly known as "Sanitary Sewer Improvements").

(2) The estimated or probable costs of the Sanitary Sewer Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Thirty-Three Thousand Eight Hundred Dollars (\$33,800) (said cost to be increased at the rate of 1% per month from and after the date of approval of this resolution).

(3) The extent of the improvement district to be assessed for the costs of the Sanitary Sewer Improvements shall include and consist of the certain real property in the City of Mulvane, Sedgwick County, Kansas, which is described as follows:

North Rockwood Heights  
Block 4, Lots 3 and 4, inclusive

and

Unplatted Tract "A": Beginning at a point 536.56-ft S and 50-ft W of the NE corner of the SE 1/4, Sec 30, T29S, R2E, of the 6th PM, Sedgwick County, Kansas, thence W 206-ft, thence S 166-ft, thence E 206-ft, thence N 166-ft to the Point of Beginning ("Unplatted Tract A").

(collectively the "Benefit District").

The Benefit District does not include all the property that may be deemed benefited by Sanitary Sewer Improvements. The signers of the petition are the owners of 100% of the property in the Benefit District and have agreed to pay the

costs of the Sanitary Sewer Improvements as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Sanitary Sewer Improvements to the properties in the proposed benefit district is that all the lots shall pay an equal share per lot or tract (e.g., 33 1/3%), of the total cost payable by the Sanitary Sewer Improvements Benefit District.

In the event all or part of the lots or parcels in the Sanitary Sewer Improvements Benefit District are platted or replatted before assessments have been levied, the assessments against the newly platted or replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Sanitary Sewer Improvements, as between the Sanitary Sewer Improvements Benefit District and the City-at-Large, is that One Hundred Percent (100%) of the costs shall be assessed against the proposed Sanitary Sewer Improvements Benefit District, and Zero Percent (0%) of the cost shall be apportioned to the City-at-Large.

SECTION 2. The Sanitary Sewer Improvements are hereby authorized and ordered to be made in accordance with the findings set forth in Section 1 hereof, under the authority of and as provided by K.S.A. 12-6a01 *et seq.*, as amended and supplemented.

SECTION 3. This Resolution shall be published one time in the City's official newspaper, and shall be recorded in the Office of the Register of Deeds of Sedgwick County, Kansas in accordance with the provisions of K.S.A. 12-153.

*[Remainder of Page Intentionally Left Blank]*

PASSED, ADOPTED AND APPROVED by the governing body of the City of Mulvane, Kansas on the 17<sup>th</sup> day of May, 2021.



CITY OF MULVANE, KANSAS

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Shelly Steadman, Mayor

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Debra M. Parker, City Clerk