

(Published in *The Rose Hill Reporter* on August 19, 2021)

**RESOLUTION NO. 643**

**A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF ROSE HILL, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORMWATER DRAIN IMPROVEMENTS-PHASE 2/SUNRISE ADDITION).**

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**WHEREAS**, a petition (the “Petition”) was filed with the City Clerk of the City of Rose Hill, 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 the 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 K.S.A. 12-6a01 *et seq.* (the “Act”).

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, 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”):

Construct stormwater drain improvements to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$622,000, said estimated cost 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 cost of the Improvements is:

Lots 6 through 11 and Lots 22 through 29, Block A; Lots 4 through 8 and Lots 13 through 16, Block B; Lots 1 through 5 and Lots 21 through 23, Block C; Lots 17 through 25, Block D; Lots 1 through 6 and Lots 15 through 33, Block E; Lots 1 through 12, Block F; Lots 1 through 17, Block G; all in Sunrise Addition to the City of Rose Hill, Butler County, Kansas.

(d) The method of assessment is: on a fractional basis as described below.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value and proximity to the Project.

Lots 21 through 23, Block C; Lots 23 through 29, Block E; Lots 1 through 12, Block F; and Lots 1 and 2, Block G, shall each pay  $\frac{3}{726}$  of the total cost.

Lots 8 through 11, Block A; Lots 5 through 8 and Lots 13 through 16, Block B; and Lots 1 through 5, Block E; shall each pay  $\frac{5}{726}$  of the total cost.

Lots 22 through 27, Block A; Lots 1 through 3, Block C; Lots 17 through 22 and Lots 30 through 33, Block E; shall each pay  $\frac{7}{726}$  of the total cost.

Lots 6 and 7, Block A; Lot 4, Block B; and Lots 17 through 22, Block D; shall each pay  $\frac{9}{726}$  of the total cost.

Lot 6, Block E; shall pay  $\frac{11}{726}$  of the total cost.

Lots 28 and 29, Block A; Lots 4 and 5, Block C; Lots 15 and 16, Block E; and Lots 3 through 9, Block G; shall each pay  $\frac{13}{726}$  of the total cost.

Lots 23 through 25, Block D; and Lots 15 through 17, Block G; shall each pay  $\frac{15}{726}$  of the total cost.

Lots 10 through 14, Block G; shall each pay  $\frac{17}{726}$  of the total cost of the Improvements.

Where ownership of a single lot or parcel 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.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

**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 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 Butler County, Kansas.

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**ADOPTED** by the governing body of the City on August 16, 2021.

(SEAL)



ATTEST:

By:

Name: Kelly Mendoza

Title: City Clerk

By:

Name: Gary Weaver

Title: 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 August 16, 2021, as the same appears of record in my office.

DATED: August 16, 2021.

By:

Name: Kelly Mendoza

Title: City Clerk

