

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS
HELD ON SEPTEMBER 26, 2012**

The Board of County Commissioners (the "Board") of Sedgwick County, Kansas (the "County"), met in regular session at the County Commission Meeting Room at 9:00 A.M. The Chairman, TIM R. NORTON, presided and the following members of the Board were present:

The following members were absent:

* * * * *
(other matters)
* * * * *

Thereupon, a Resolution was presented entitled:

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 53-2012 OF SEDGWICK COUNTY, KANSAS, WHICH DETERMINED THE ADVISABILITY OF CREATING A STORM WATER DRAINAGE IMPROVEMENT BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS; AND AUTHORIZED AND PROVIDED FOR THE MAKING CERTAIN IMPROVEMENTS THEREIN (GREENWICH PLAZA ADDITION).

Thereafter, the Resolution was considered and discussed; and thereupon on motion of COMMISSIONER _____, seconded by COMMISSIONER _____, the Resolution was adopted by the following roll call vote:

Aye: _____
Nay: _____

Thereupon, the Resolution having been adopted by a majority vote of the members of the Board, was given No. ___-2012, was directed to be signed by the Commissioners and attested by the County Clerk; and the County Clerk was further directed to cause the publication of the Resolution one time in the official County newspaper and to record the Resolution in the Office of the Register of Deeds of the County as required by law and as set forth in the Resolution.

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Board of County Commissioners of Sedgwick County, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(Seal)

County Clerk

(Published in *The Wichita Eagle* on October 1, 2012.)

RESOLUTION NO. ___-2012

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 53-2012 OF SEDGWICK COUNTY, KANSAS, WHICH DETERMINED THE ADVISABILITY OF CREATING A STORM WATER DRAINAGE IMPROVEMENT BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS; AND AUTHORIZED AND PROVIDED FOR THE MAKING CERTAIN IMPROVEMENTS THEREIN (GREENWICH PLAZA ADDITION).

WHEREAS, the Board of County Commissioners (the "Board") of Sedgwick County, Kansas (the "County"), has heretofore by Resolution No. 53-2012 of the County, duly adopted on April 18, 2012 (the "Prior Resolution"), created the Greenwich Plaza Addition Storm Water Drainage improvement benefit district (the "District") and authorized, pursuant to K.S.A. 19-27,181 *et seq.*, as amended by Charter Resolution No. 62 of the County (the "Act"), the following described improvements:

Construction of storm water drainage improvements to serve Lots 1 through 3, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas, in accordance with the plans and specifications of Sedgwick County Public Works (the "Improvements") to serve Lots 1 through 3, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas; and

WHEREAS, the Prior Resolution was recorded with the Register of Deeds of Sedgwick County, Kansas, and appears at DOC.#/FLM-PG: 29285992; and

WHEREAS, the County has received an updated Petition proposing a modification of the estimated costs of the Improvements; and

WHEREAS, the Board of the County hereby finds and determines that said updated Petition is sufficient and that it necessary to make such modifications; and

WHEREAS, in order to make such modifications, the Board of the County hereby finds and determines it necessary to amend and supplement *Section 1* of the Prior Resolution, as hereinafter set forth.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION 1. Amendment. *SECTION 1* of the Prior Resolution is hereby amended and supplemented to read as follows:

SECTION 1. Project Authorization; Creation of Benefit District. The Board, after due consideration of the factors set forth in the Act, hereby finds and finally determines that:

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

Construction of storm water drainage improvements to serve Lots 1 through 3, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas, in accordance with the plans and specifications of Sedgwick County Public Works.

(b) The estimated or probable costs of the Improvements is: **\$60,500**, to be increased at the pro rata rate of one percent (1%) per month from and after **September 1, 2012**.

(c) The extent of the Benefit District, to be assessed for the cost of the Improvements is:

Lots 1 through 3, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas.

(d) The method of assessment is on a fractional basis, as follows:

Lot 1, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas, shall pay 6033/10,000 of the costs of the Improvements; Lot 2, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas, shall pay 1507/10,000 of the costs of the Improvements; and Lot 3, Block 1, Greenwich Plaza Addition, Sedgwick County, Kansas, shall pay 2460/10,000 of the costs of the Improvements

(e) The apportionment of the cost of the Improvements, between the Benefit District and the County-at-large, is: One Hundred percent (100%) to be assessed against the Benefit District and Zero to be paid by the County-at-large.

SECTION 2. Repealer; Ratification. *Section 1* of the Prior Resolution is hereby repealed; and the rest and remainder thereof is hereby ratified and confirmed.

SECTION 3. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official County newspaper, shall be filed of record in the Office of the Register of Deeds of the County.

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ADOPTED AND APPROVED by the Board of County Commissioners of Sedgwick County, Kansas, on September 26, 2012.

Commissioners present and voting were:

DAVID M. UNRUH _____
TIM R. NORTON _____
KARL PETERJOHN _____
RICHARD RANZAU _____
JAMES B. SKELTON _____

**BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

(Seal)

TIM R. NORTON, Chairman
Commissioner, Second District


ATTEST:

JAMES B. SKELTON, Chair Pro Tem
Commissioner, Fifth District

KELLY B. ARNOLD, County Clerk

DAVID M. UNRUH
Commissioner, First District

APPROVED AS TO FORM:



RICHARD A. EUSON
County Counselor

KARL PETERJOHN
Commissioner, Third District

RICHARD RANZAU
Commissioner, Fourth District