

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS
HELD ON SEPTEMBER 15, 2010**

The Board of County Commissioners (the "Board") of Sedgwick County, Kansas (the "County"), met in regular session at the usual meeting place in the County at 9:00 A.M. The Chairman, KARL PETERJOHN, presided and the following members of the Board were present:

The following members were absent:

The Chairman opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain internal improvements heretofore authorized by the Board of the County. It was determined by the Board that notice of the public hearing was duly published and mailed in accordance with K.S.A. 68-728 *et seq.*, as amended by Charter Resolution No. 61 of the County. Thereafter, the Chairman adjourned the public hearing.

Thereupon, a Resolution was presented entitled:

A RESOLUTION LEVYING AND ASSESSING SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN SEDGWICK COUNTY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 164-2008 AND 31-2008 OF THE COUNTY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

The Resolution was considered and discussed; and on motion of Commissioner _____, seconded by Commissioner _____, the Resolution as a whole was adopted by the following roll call vote:

Aye: _____.

Nay: _____.

Thereupon, a majority of the members of the Board having voted in favor of the adoption of the Resolution, it was given No. ____-2010 (the "Resolution"), was signed by the Commissioners and attested by the County Clerk; and the County Clerk was ordered to cause the Resolution to be published one time in the official County newspaper and recorded with the County Register of Deeds, as required by law. The County Clerk was further ordered and directed to cause to be mailed a Notice of Assessment to each and all of the known property owners affected thereby on the same date that the Resolution is published.

(Seal)

County Clerk

(Published in *The Daily Reporter*, on September 17, 2010.)

RESOLUTION NO. ___-2010

A RESOLUTION LEVYING AND ASSESSING SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN SEDGWICK COUNTY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 164-2008 AND 31-2008 OF THE COUNTY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the Board of County Commissioners (the "Board") of Sedgwick County, Kansas (the "County") has heretofore authorized certain internal improvements (the "Improvements") to be constructed pursuant to K.S.A. 68-728 *et seq.*, as amended by Charter Resolution No. 42 of the County; and

WHEREAS, the Board has heretofore conducted a public hearing in accordance with K.S.A. 68-728 *et seq.*, as amended by Charter Resolution No. 61 of the County (the "Act") and desires to levy assessments on certain property benefited by the construction of the Improvements.

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

SECTION 1. Levy of Assessments. For the purpose of paying the costs of the following described Improvements in the County:

Project No. 1 – Via Christi - West Campus Addition (Street) – Phases 2, 3, 5 and 6

Resolution No. 164-2008

Phase 2:

The construction of paving, including drainage, of a paved urban street on Saint Teresa from the south line of the plat, north and west to the east line of 151st St. W.

Phase 3:

The construction of paving, including drainage of asphalt mat pavement on 151st St. W. from the north line of 21st St. N., north approximately 1500 feet to the north line of Saint Teresa.

Phase 5:

The construction of an accel/decel lane and left turn lane in 21st St. N. to serve the Via Christi-West Campus Addition entrance on 21st St. N.

Phase 6:

The construction of a vehicle bridge on Saint Teresa to serve Via Christi – West Campus Addition; and

Project No. 2 – Prairie Breeze Estates Addition (Street)

Resolution No. 31-2008

Paving, including drainage, of a paved suburban arterial standard street (Linden Street), to serve Lots 1 through 16, Block A, Prairie Breeze Estates Addition, to be constructed in accordance with the plans and specifications of Sedgwick County Public Works.

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the County Counselor) against the property described on *Schedules I and II* attached hereto.

SECTION 2. Payment of Assessments. The amounts so levied and assessed as set forth on *Schedules I and II* of this Resolution shall be due and payable from and after the date of publication of this Resolution. Such amounts may be paid in whole or in part by October 8, 2010. If not so paid, the County will issue bonds to permanently finance the same.

SECTION 3. Notification. The County Clerk shall cause the notification to the owners of the properties described on *Schedules I and II* attached hereto insofar as known to said County Clerk, of the amounts of their respective assessments; and, said notice shall further state that unless such assessments are paid by October 8, 2010, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

SECTION 4. Certification. Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the County Clerk in the same manner and at the same time as other taxes are certified and will be collected over a period of 15 years, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Resolution and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

SECTION 5. Effective Date. This Resolution shall take effect and be in force from and after its adoption and publication once in the official County newspaper.

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ADOPTED by the Board of County Commissioners of Sedgwick County, Kansas, on September 15, 2010.

Commissioners present and voting were:

DAVID M. UNRUH	_____
TIM R. NORTON	_____
KARL PETERJOHN	_____
KELLY PARKS	_____
GWEN WELSHIMER	_____

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

(Seal)

KARL PETERJOHN, Chairman
Commissioner, Third District

ATTEST:

GWEN WELSHIMER, Chair Pro Tem
Commissioner, Fifth District

KELLY B. ARNOLD, County Clerk

DAVID M. UNRUH, Commissioner
Commissioner, First District

APPROVED AS TO FORM:

TIM R. NORTON, Commissioner
Commissioner, Second District

RICHARD A. EUSON
County Counselor

KELLY PARKS, Commissioner
Commissioner, Fourth District

SCHEDULE I

**VIA CHRISTI - WEST CAMPUS ADDITION (STREET)
PHASES 2, 3, 5 AND 6
Resolution No. 164-2008**

<u>Lot</u>	<u>Block</u>	<u>Shares</u>	<u>Assessment</u>
1	A	843	\$2,044,507.04
1	B	157	<u>380,768.22</u>
Total		1000	\$2,425,275.26

SCHEDULE II

**PRAIRIE BREEZE ESTATES ADDITION (STREET)
Resolution No. 31-2008**

<u>Lot</u>	<u>Block</u>	<u>Assessment</u>
1	A	\$ 9,783.83
2	A	9,783.83
3	A	9,783.83
4	A	9,783.83
5	A	9,783.83
6	A	9,783.83
7	A	9,783.83
8	A	9,783.83
9	A	9,783.83
10	A	9,783.83
11	A	9,783.83
12	A	9,783.84
13	A	9,783.84
14	A	9,783.84
15	A	9,783.84
16	A	<u>9,783.84</u>
Total		\$156,541.33

NOTICE OF ASSESSMENT

September 17, 2010

To: Property Owner

From: Kelly B. Arnold
County Clerk

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that pursuant to Resolution No. ___-2010 (the "Resolution") of Sedgwick County, Kansas (the "County") there has been assessed against said property, the costs of certain internal improvements described on *Schedule I* attached hereto (the "Improvements").

You may pay this assessment in whole or in part to Sedgwick County at the address shown below by October 8, 2010:

Sedgwick County
Bureau of Finance
525 North Main
Suite 823
Wichita, KS 67203

If the amount is not paid by October 8, 2010, the balance of such assessment will be collected in annual installments over a period of 15 years, together with interest at a rate not exceeding the maximum rate prescribed by law.

Questions concerning the assessment or the procedure for payment may be directed to the following persons:

James Weber, P.E., Deputy Director
Lynn T. Packer, Staff Engineer
1144 South Seneca
Wichita, KS 67213
Telephone: 660-3040

Ms. Virginia Radley
Principal Accountant
Sedgwick County Courthouse
525 North Main, Suite 823
Wichita, KS 67203
Telephone: 660-7127

SCHEDULE I

**VIA CHRISTI - WEST CAMPUS ADDITION (STREET)
PHASES 2, 3, 5 AND 6
Resolution No. 164-2008**

Description of Property	Amount of Assessment
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SCHEDULE I

**PRAIRIE BREEZE ESTATES ADDITION (STREET)
Resolution No. 31-2008**

Description of Property	Amount of Assessment
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CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

I, the undersigned, County Clerk of Sedgwick County, Kansas, do hereby certify that on September 17, 2010, the date on which Resolution No. ___-2010 of the County was published, I caused to be mailed by and through Sedgwick County Public Works, to each and all of the owners of property affected thereby, at their last known post office address, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which said assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal on September 17, 2010.

SEDGWICK COUNTY, KANSAS

(Seal)

County Clerk

[attach sample copies of forms]

CERTIFICATE OF DIRECTOR OF ACCOUNTING

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

I, the undersigned, Director of Accounting of Sedgwick County, Kansas (the "County"), do hereby certify that within the time allowed by law for the payment of special assessments levied by Resolution No. ___-2010 of the County, property owners have paid in cash the following amounts:

Project Name	Authorizing Resolution	Amount
1. Via Christi - West Campus Addition (Street), Phases 2, 3, 5 and 6	164-2008	\$_____
2. Prairie Breeze Estates Addition (Street)	31-2008	\$_____
Total		\$_____

WITNESS my hand on October 8, 2010.

Director of Accounting