

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS
HELD ON MAY 23, 2018**

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, DAVID T. DENNIS, presided and the following members of the Board were present:

The following members were absent:

* * * * *
(Other Proceedings)

Thereupon, pursuant to a petition which has been filed in the Office of the County Clerk requesting the creation of a certain benefit district and the making of certain road improvements therein pursuant to the authority of K.S.A. 68-728 *et seq.*, as amended by Charter Resolution No. 61 of the County, there was presented a Resolution entitled:

**A RESOLUTION DETERMINING THE ADVISABILITY OF AND
AUTHORIZING THE CREATION OF A BENEFIT DISTRICT IN SEDGWICK
COUNTY, KANSAS; MAKING CERTAIN FINDINGS RELATING THERETO;
AND AUTHORIZING AND PROVIDING FOR THE MAKING OF CERTAIN
ROAD IMPROVEMENTS THEREIN (CHERESE WOODS ADDITION-PHASE
1).**

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. ____-2018, 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.

* * * * *
(Other Proceedings)

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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 June 1, 2018)

RESOLUTION NO. ____-2018

A RESOLUTION DETERMINING THE ADVISABILITY OF AND AUTHORIZING THE CREATION OF A BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS; MAKING CERTAIN FINDINGS RELATING THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF CERTAIN ROAD IMPROVEMENTS THEREIN (CHERESE WOODS ADDITION-PHASE 1).

WHEREAS, K.S.A. 68-728 *et seq.*, as amended by Charter Resolution No. 61 (the “Charter Resolution” and collectively, the “Act”) authorizes the Board of County Commissioners (the “Board”) of Sedgwick County, Kansas (the “County”) to make, or cause to be made, any improvement which confers a special benefit upon property within a definable area of the County all or a portion of which is platted and laid off into lots and blocks within the County and outside the corporate limits of any incorporated city within the County, and may levy and collect special assessments upon property in the area deemed by the Board to be benefited by such Improvement; and

WHEREAS, the Act provides that the term improvement means any type of improvement or reimprovement of a prior improvement, including, but not limited to opening, constructing, widening and extending public roads and otherwise to improve paving and other surfacing, grading and drainage improvements for roads and related gutters, curbs, sidewalks, crosswalks, driveway entrances and structures, including traffic control devices, off-street parking facilities, works incidental thereto, and service connections from sewer, water, gas and other utility mains, conduits, or pipes necessarily lying within right-of-way of roads within the County; construction or reconstruction of the paving, macadamizing, grading or drainage of any public road; the acquisition of property or interest in property when necessary for any of the purposes so authorized, road lighting systems; improvements to any road by landscaping; improvements to vehicle and pedestrian bridges, overpasses and tunnels; and improvements to retaining walls and area walls on public ways or land abutting thereon; and

WHEREAS, a petition (the “Petition”) was filed with the County Clerk requesting the creation of a benefit district within the County pursuant to **Section 4(c)** of the Charter Resolution and the making of certain road improvements related thereto; and

WHEREAS, the Board hereby finds and determines that said Petition is sufficient in accordance with the provisions of the Act having been signed by the owners of record of 100% of the property liable for assessment within the proposed benefit district; and

WHEREAS, the Board has heretofore caused a preliminary survey and plan to be prepared by a qualified engineer or firm of engineers, under the direction of Sedgwick County Public Works, which includes, among other items, the boundaries of the proposed benefit district, the feasibility of the improvements, the estimated costs the improvements and other information pertinent to the creation of the benefit district and the improvements, copies of which are on file in the offices of Sedgwick County Public Works; and

WHEREAS, the Board hereby finds and determines it to be necessary to make its findings, by resolution, as to the advisability of the proposed improvements, the general nature of the improvements; the estimated or probable cost; the extent of the benefit district to be assessed; the proposed method of assessment; and the proposed apportionment of the cost between the benefit district and the County-at-large; and further finds and determines it to be necessary to authorize the making of the road improvements in accordance with such findings.

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

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

(a) It is advisable to create a benefit district (the "Benefit District") hereinafter described and make the road improvements hereinafter described (the "Improvements");

(b) The real property to be included within the Benefit District, to be assessed for the cost of the Improvements as follows:

Lots 1 through 16, Block A, Cherese Woods Addition to Sedgwick County, Kansas.

(c) The general nature of the Improvements is as follows:

Paving, including drainage, of a paved suburban standard street to serve the Benefit District, to be constructed in accordance with the plans and specifications of Sedgwick County Public Works.

(d) The estimated or probable costs of the Improvements are: \$333,000, to be increased at the pro rata rate of one percent (1%) per month from and after December 1, 2018.

(e) The method of assessment is: equally per lot (16 lots). In the event that that any platted lot is further subdivided, the assessment of said platted lot shall be prorated to the new parcels on the basis of land area.

(f) The apportionment of the costs 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 percent (-0-%) to be paid by the County-at-large.

SECTION 2. Financing; 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 of the County (the "Bonds"). Such Bonds may be used to reimburse Improvement 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 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption. This Resolution shall be published one time in the official County newspaper and recorded 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 May 23, 2018.

Commissioners present and voting were:

DAVID M. UNRUH	_____
MICHAEL B. O'DONNELL, II	_____
DAVID T. DENNIS	_____
RICHARD RANZAU	_____
JAMES M. HOWELL	_____

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

(Seal)

DAVID T. DENNIS, Chairman
Commissioner, Third District

ATTEST:

DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

KELLY B. ARNOLD, County Clerk

MICHAEL B. O'DONNELL, II
Commissioner, Second District

APPROVED AS TO FORM:

RICHARD RANZAU
Commissioner, Fourth District

ERIC R. YOST
County Counselor

JAMES M. HOWELL
Commissioner, Fifth District