

## **RESOLUTION NO. 6635**

**A RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE ADVISABILITY OF CONSTRUCTING STONERIDGE DRIVE FROM THE INTERSECTION OF WEST 6<sup>TH</sup> STREET (U.S. HIGHWAY 40) NORTH APPROXIMATELY 1300 FEET, INCLUDING PROPERTY ACQUISITION, TRAFFIC CALMING/ CONTROL DEVICES, INTERSECTION IMPROVEMENTS, BICYCLE FACILITIES, SUBGRADE STABILIZATION, STORMWATER IMPROVEMENTS, WATERLINES AND OTHER NECESSARY AND APPROPRIATE IMPROVEMENTS.**

### **BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

That a public hearing shall be held by the Governing Body of the City of Lawrence, Kansas, on the advisability of the following improvement:

The construction of Stoneridge Drive from the intersection of West 6<sup>th</sup> Street (U.S. Highway 40) north approximately 1300 feet, including property acquisition, traffic calming/control devices, intersection improvements, bicycle facilities, subgrade stabilization, stormwater improvements, waterlines and other necessary and appropriate improvements.

Said hearing shall be held on the 4th day of April, 2006, in the City Commission meeting room, City Hall, 6 East 6th Street, Lawrence, Kansas, at 6:35 p.m. or thereafter as provided by K.S.A. 12-6a01 et seq.

The City Clerk shall publish the following notice of such public hearing in the official city newspaper.

### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Governing Body of the City of Lawrence, Kansas, will meet for the purpose of holding a public hearing as provided by K.S.A. 12-6a01 et seq. in the City Commission meeting room, City Hall, 6 East 6th Street, Lawrence, Kansas on the 4<sup>th</sup> day of April, 2006, at 6:35 p.m. or thereafter as provided by K.S.A. 12-6a01 et seq., to consider the advisability of the following proposed improvement, to-wit:

(a) The general nature of the proposed improvement:

The construction of Stoneridge Drive from the intersection of West 6<sup>th</sup> Street (U.S. Highway 40) north approximately 1300 feet, including property acquisition, traffic calming/control devices, intersection improvements, bicycle facilities, subgrade stabilization, stormwater improvements, waterlines and other necessary and appropriate improvements

(the "Improvements").

(b) The proposed improvement district:

### **TRACT 1 – TURNER**

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE, 344.49 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID QUARTER SECTION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WEST 6<sup>TH</sup> STREET; THENCE NORTH 02°01'38" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID QUARTER SECTION, 982.13 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 88°04'08" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID QUARTER SECTION, 1339.07 FEET TO THE NORTHEAST CORNER THEREOF, AND THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02°04'08" EAST, ALONG SAID EAST LINE, 807.31 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF WEST 6<sup>TH</sup> STREET; THENCE SOUTH 87°55'20" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 40.00 FEET; THENCE SOUTH 02°02'40" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 134.51 FEET; THENCE SOUTH 00°06'04" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 39.59 FEET; THENCE SOUTH 04°31'31" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 238.54 FEET; THENCE SOUTH 42°40'40" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 46.72 FEET; THENCE SOUTH 88°04'34" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1167.98 FEET; THENCE NORTH 46°28'55" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 42.08 FEET; THENCE NORTH 02°11'30" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 239.58 FEET; THENCE SOUTH 87°58'01" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 40.00 FEET TO THE POINT OF BEGINNING. CONTAINS 37.705 ACRES, MORE OR LESS.

### **TRACT 2 – ST. MARGARET'S EPISCOPAL CHURCH**

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

LOT 1, ST. MARGARET'S EPISCOPAL CHURCH ADDITION. CONTAINS 9.271 ACRES, MORE OR LESS.

### **TRACT 3 – CITY WATER TOWER**

A TRACT OF LAND IN THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE, 344.49 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF SAID QUARTER SECTION; THENCE NORTH

02°01'38" WEST, ALONG SAID EAST LINE, 345.51 FEET; THENCE SOUTH 88°04'34" WEST, 400.00 FEET; THENCE SOUTH 02°01'38" EAST, 400.00 FEET; THENCE NORTH 88°04'34" EAST, 360.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST 6<sup>TH</sup> STREET; THENCE NORTH 02°01'38" WEST, ALONG SAID RIGHT-OF-WAY LINE, 54.42 FEET; THENCE NORTH 87°58'22" EAST, ALONG SAID RIGHT-OF-WAY LINE, 40.00 FEET TO THE POINT OF BEGINNING. CONTAINS 3.623 ACRES, MORE OR LESS.

#### **TRACT 4 – OREGON TRAIL**

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE, 690.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 01°59'09" WEST, ALONG SAID WEST LINE, 1962.89 FEET TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88°03'58" EAST, ALONG THE NORTH LINE OF SAID QUARTER SECTION, 1338.11 FEET TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF SAID QUARTER SECTION; THENCE SOUTH 02°01'38" EAST, ALONG THE EAST LINE OF SAID WEST ONE-HALF, 1963.13 FEET; THENCE SOUTH 88°04'34" WEST, 1339.53 FEET TO THE POINT OF BEGINNING. CONTAINS 60.333 ACRES, MORE OR LESS.

- (c) The estimated or probable cost of the improvements is \$1,600,000 (to be increased at the pro-rata rate of 1 percent per month from and after the adoption date of the resolution authorizing the Improvements), plus costs of issuance and plus costs of interest on any temporary financing.
- (d) The method of assessment:
  - (i) Property located east of Stoneridge Drive shall be assessed for 50% of the costs of the improvements apportioned to the improvement district, which is the ratio of the front footage of the improvement district located east of Stoneridge Drive to the entire front footage of Stoneridge Drive in the district.
  - (ii) Property in the district located west of Stoneridge Drive shall be assessed for 50% of the costs of the improvements apportioned to the improvement district, which is the ratio of the front footage of the improvement district located west of Stoneridge Drive to the entire front footage of Stoneridge Drive in the district.
  - (iii) Costs allocated in paragraph (i) shall be allocated per square foot for each parcel of property located east of Stoneridge Drive, and costs allocated in paragraph (ii) shall be allocated per square foot for each parcel of property located west of Stonridge Drive.
- (e) The apportionment of costs shall be:

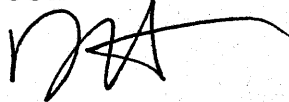
One hundred percent (100%) of the cost of the improvement shall be paid by the improvement district and zero percent (0%) of the cost of the improvement by the City-at-large; except that the City-at-large shall up to \$60,000 for the additional width of Stoneridge Drive required at the intersection of Stoneridge Drive and West 6<sup>th</sup> Street and the improvement district shall pay any costs in excess of \$60,000 for the additional width of the improvement required at the intersection of Stoneridge Drive and West 6<sup>th</sup> Street.

- (f) Pursuant to K.S.A. 12-692, the governing body may exempt, in whole or in part, certain property from special assessments made to pay the costs of acquiring land necessary for the construction or improvement of Stoneridge Drive, the owner or owners or predecessors in title to which have dedicated or conveyed property necessary for the street improvements. It is the intent of the governing body to require properties that have not dedicated the necessary property for the street improvement to bear the cost of acquiring such property.

The hearing may be adjourned from time to time and until the Governing Body shall have made findings by resolution as to the advisability of the improvement, the nature of the improvement, the estimated cost, the boundaries of the improvement district, the method of assessment and the apportionment of cost between the improvement district and the city-at-large, all as finally determined by the governing body.

**ADOPTED** by the governing body of the City of Lawrence, Kansas, this 14<sup>th</sup> day of March, 2006.

**PASSED:**



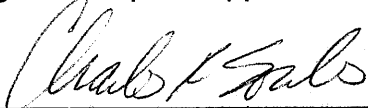
\_\_\_\_\_  
Dennis Highberger, Mayor

**ATTEST:**



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Frank S. Reeb, City Clerk      Date

Legal description approved by:



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Charles F. Soules, P.E.      Date  
Director of Public Works