

## **RESOLUTION NO. 6634**

**A RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE ADVISABILITY OF CONSTRUCTING STONERIDGE DRIVE (FORMERLY KNOWN AS FENCELINE ROAD) FROM THE INTERSECTION OF WEST 6<sup>TH</sup> STREET (U.S. HIGHWAY 40) SOUTH APPROXIMATELY 630 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 (formerly known as Fenceline Road) from the intersection of West 6<sup>th</sup> Street (U.S. Highway 40) south approximately 630 feet, including property acquisition, traffic calming/control devices, intersection improvements, bicycle facilities, subgrade stabilization, waterlines, stormwater improvements, 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 4th 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 (formerly known as Fenceline Road) from the intersection of West 6<sup>th</sup> Street (U.S. Highway 40) south approximately 630 feet, including property acquisition, traffic calming/control devices, intersection improvements, bicycle facilities, subgrade stabilization, waterlines, stormwater improvements, and other necessary and appropriate improvements

(the "Improvements").

(b) The proposed improvement district:

**Tract 1 (COLLISTER – Plate No. U15801A)**

A TRACT OF LAND IN THE WEST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH  $88^{\circ}04'34''$  WEST, 669.61 FEET ALONG THE NORTH LINE, AND SOUTH  $01^{\circ}55'26''$  EAST, 75.00 FEET FROM THE NORTHEAST CORNER OF THE WEST ONE-HALF OF SAID QUARTER SECTION; THENCE NORTH  $88^{\circ}04'34''$  EAST, 598.56 FEET; THENCE SOUTH  $46^{\circ}31'21''$  EAST, 46.72 FEET; THENCE SOUTH  $01^{\circ}48'52''$  EAST, 236.30 FEET; THENCE SOUTH  $02^{\circ}08'26''$  EAST, 354.44 FEET; THENCE SOUTH  $87^{\circ}56'58''$  WEST, 628.87 FEET; THENCE NORTH  $02^{\circ}14'02''$  WEST, 625.40 FEET TO THE POINT OF BEGINNING. CONTAINS 9.018 ACRES, MORE OR LESS.

**Tract 2 (MS Construction - Plate No. 400345A)**

A TRACT OF LAND IN THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH  $88^{\circ}04'34''$  EAST, 73.31 FEET ALONG THE NORTH LINE, AND SOUTH  $01^{\circ}55'26''$  EAST, 75.00 FEET FROM THE NORTHWEST CORNER OF THE EAST ONE-HALF OF SAID QUARTER SECTION; THENCE NORTH  $88^{\circ}04'34''$  EAST, 787.75 FEET; THENCE SOUTH  $01^{\circ}57'13''$  EAST, 445.34 FEET TO THE NORTH LINE OF STONECREEK DRIVE; THENCE ALONG SAID NORTH LINE ON A 355.00 FOOT RADIUS CURVE TO THE LEFT WITH A 136.13 FOOT CHORD BEARING SOUTH  $60^{\circ}07'21''$  WEST, AN ARC DISTANCE OF 136.98 FEET; THENCE NORTH  $40^{\circ}55'53''$  WEST, 32.11 FEET; THENCE ALONG A 200.00 FOOT RADIUS CURVE TO THE RIGHT, WITH A 29.46 FOOT CHORD BEARING NORTH  $36^{\circ}42'29''$  WEST, AN ARC DISTANCE OF 29.48 FEET TO THE NORTH LINE OF FOX CHASE ADDITION NO. 6, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH  $88^{\circ}04'34''$  WEST, ALONG SAID NORTH LINE, 28.49 FEET; THENCE SOUTH  $68^{\circ}09'05''$  WEST, ALONG SAID NORTH LINE, 196.32 FEET; THENCE SOUTH  $05^{\circ}34'34''$  WEST, ALONG THE WEST LINE OF SAID FOX CHASE ADDITION NO. 6, 410.96 FEET; THENCE SOUTH  $33^{\circ}14'10''$  WEST, ALONG SAID WEST LINE, 174.09 FEET TO THE NORTH LINE OF STONERIDGE DRIVE; THENCE NORTH  $56^{\circ}45'49''$  WEST, ALONG SAID NORTH LINE AND ITS EXTENSION, 224.74 FEET; THENCE ALONG A 260.00 FOOT RADIUS CURVE TO THE RIGHT, WITH A 238.59 FOOT CHORD BEARING NORTH  $29^{\circ}27'08''$  WEST, AN ARC DISTANCE OF 247.87 FEET; THENCE NORTH  $02^{\circ}08'26''$  WEST, 466.35 FEET; THENCE NORTH  $02^{\circ}07'12''$  WEST, 236.07 FEET; THENCE NORTH  $42^{\circ}40'52''$  EAST, 46.73 FEET TO THE POINT OF BEGINNING. CONTAINS 13.837 ACRES, MORE OR LESS.

- (c) The estimated or probable cost of the improvements is \$725,000 (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:

Property in the district 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. Property located east of Stoneridge Drive shall be assessed for such costs based on the ratio of the front footage of each lot and parcel to the front footage of the improvement district located east of Stoneridge Drive, and shall be spread on a square footage basis thereafter.

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. Property located west of Stoneridge Drive shall be assessed for such costs based on the ratio of the front footage of each lot and parcel to the front footage of the improvement district located west of Stoneridge Drive, and shall be spread on a square footage basis thereafter.

- (e) The apportionment of costs shall be:


One hundred percent (100%) of the cost of the improvement shall be paid by the improvement district; except that the City at-large shall pay up to \$50,000 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 \$50,000 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.

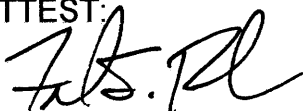
The hearing may be adjourned from time to time and until the Governing Body shall have made findings by resolution as to the advisability of the improvement, the nature of the improvement, the estimated cost, the boundaries of the improvement district, the method of assessment and the apportionment of 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:**

  
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Dennis Highberger, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Frank S. Reeb, City Clerk      Date

Legal description approved by:

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