

(Published in *The Abilene Reflector-Chronicle* on _____, 2013)

RESOLUTION NO. 061013-2

A RESOLUTION DETERMINING THE ADVISABILITY OF AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS IN THE CITY OF ABILENE, KANSAS, AND THE CREATION OF AN IMPROVEMENT DISTRICT ACCORDING TO THE FINDINGS OF THE GOVERNING BODY FOR THE DAWSON'S COTTAGE ADDITION

WHEREAS, a petition was filed with the City Clerk of the City of Abilene, Kansas, on April 18, 2013 (the "Petition") proposing certain internal improvements to the City pursuant to K.S.A. 12-6a01 *et seq.* (the "Act"). The Petition sets forth: (a) the general nature of the improvements, (b) the estimated or probable costs of the improvements, (c) the extent of the improvement district to be assessed for the costs of the improvements, (d) the method of assessment, (e) the apportionment of the costs between the improvement district and the city-at-large, and (f) a request that the improvements be made without notice and hearing as required by K.S.A. 12-6a04, and

WHEREAS, the governing body of the City of Abilene, Kansas (the "City") finds and determines that the Petition is sufficient as defined by the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

SECTION 1. The governing body of the City hereby finds and finally determines that pursuant to K.S.A. 12-6a01 *et seq.* (the "Act"):

(A) It is advisable to make the following improvements:

construction of a water distribution system, streets, related storm sewer/drainage and all necessary appurtenances, including design, engineering, construction, labor, equipment, materials, inspection, administrative costs and costs of temporary financing, all to serve the Improvement District created by this resolution.

(B) The estimated or probable cost of the proposed improvement is \$415,000.00. The estimated costs shall increase at the pro-rata rate of one percent (1%) per month from and after the date this resolution is adopted.

(C) The extent of the Improvement District proposed to be assessed for the costs of the proposed improvements is:

Block 1 - Lots 1 through 6, inclusive, and Block 2 - Lots 1 through 14, inclusive, Dawson's Cottage Addition, City of Abilene, Dickinson County, Kansas and Lots 1 & 2 Prairie Hills Addition & Beg 390' E & 195' N Sw Cor Nw4 Se4, Th N 135', E 322.7', S 135', W 322.7' To POB, Section 09 Township 13 Range 02, City of Abilene, Dickinson County, Kansas.

A map of the Improvement District is attached as *Exhibit A*.

(D) The method of assessment is per square foot. Where ownership of a single lot or parcel is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

The final assessments are to be spread over a 10-year period.

(E) The apportionment of the cost of the improvements between the Improvement District and the city at large is: The Improvement District will pay **100%** of the costs of the improvements.

SECTION 2. The improvements are authorized and ordered to be made in accordance with the findings of the governing body set forth in Section 1 of this Resolution; provided that, before the City will award a contract for construction of the improvements, the petitioners shall comply with the applicable provisions of the City's Residential Infrastructure and Housing Stock Policy.

SECTION 3. The City is authorized to issue its general obligation bonds pursuant to the Act to finance the costs of the improvements. Temporary Notes of the City may be issued to finance the improvements until such time as general obligation bonds may be issued. The obligations authorized by this Resolution, the interest on which is expected to be exempt from federal income taxation, in an amount not exceeding the estimated costs approved in this Resolution, may be used to reimburse the City for expenditures pursuant to United States Treasury Regulation § 1.150-2.

SECTION 4. This Resolution shall be published one time in the official city newspaper, and shall also be filed of record in the office of the Register of Deeds of Dickinson County, Kansas.

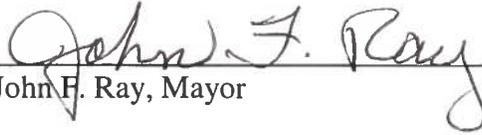
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ADOPTED AND APPROVED by the governing body of the City of Abilene, Kansas, on June 10, 2013.

CITY OF ABILENE, KANSAS

[seal]




John F. Ray, Mayor

ATTEST:


Penny L. Soukup, City Clerk