

RESOLUTION NO. 091018-3

A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF A MAIN TRAFFICWAY WITHIN THE CITY OF ABILENE, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, K.S.A. 12-687 provides that the governing body of any city shall have the power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 *et seq.* (the "Act"), and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, building any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts and drainage, trafficway illumination, traffic control devices, pedestrian ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, the Act provides that all costs of improvements or reimprovements authorized thereunder, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the city at large and may be funded, among others, by the issuance of general obligation bonds; and

WHEREAS, the governing body of the City of Abilene, Kansas (the "City"), has heretofore by Ordinance No. 18-3362 designated 8th Street within the City as a main trafficway, as provided by and under the authority of the Act; and

WHEREAS, said governing body hereby finds and determines that it is necessary to improve or reimprove said main trafficway, and to provide for the payment of the costs thereof, all as provided by and under the authority of the Act.

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

Section 1. Project Authorization. It is hereby deemed and declared to be necessary to improve or reimprove 8th Street from Old U.S. 40 to Washington Street (the "Project") under the authority of the Act, in accordance with plans and specifications therefor prepared or approved by the City Engineer.

Section 2. Financing Authority. The estimated costs of the Project are \$1,548,591.78, including site preparation, construction, a portion of the construction contingency, survey, design, observation, right-of-way and easement acquisition, and improvements related thereto. The costs of the Project, interest on interim financing and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the "Bonds").

Section 3. Reimbursement. The Bonds may be issued to reimburse 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 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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ADOPTED AND APPROVED by the governing body of the City of Abilene, Kansas, on September 10, 2018.



The signature of the Mayor is written in cursive above a horizontal line. The word 'Mayor' is printed below the line.

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City of Abilene, Kansas adopted by the governing body on September 10, 2018 as the same appears of record in my office.

DATED: September 10, 2018.

The signature of Perry Soukup is written in cursive above a horizontal line. The word 'Clerk' is printed below the line.