

RESOLUTION NO. 2011-14

A RESOLUTION OF THE CITY OF BALDWIN CITY, KANSAS AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF A MAIN TRAFFICWAY WITHIN THE CITY OF BALDWIN CITY, 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 under the provisions of the Act, 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 improvement bonds; and

WHEREAS, the City Council of the City of Baldwin City, Kansas (the "City"), has heretofore by Ordinance No. 1030 of the City found and determined that certain streets within the City, including Sixth Street, should be designated and established as main trafficways as provided by and under the authority of the Act; and

WHEREAS, said City Council hereby further finds and determines that it is necessary to improve or reimprove said main trafficways, as provided by and under the authority of the Act, and to provide for the payment of the costs thereof as provided by and under the authority of the Act.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BALDWIN CITY, KANSAS:

SECTION 1. Project Authorization. It is hereby deemed and declared to be necessary to improve or reimprove Sixth Street (County Road 1055) in the City, by construction and addition of a third lane thereto, north of U.S. Highway 56 (the "Project"); and it is hereby authorized, ordered and directed that said main trafficway be so improved or reimproved under the authority of the Act. Such improvements or reimprovements shall be made in accordance with plans and specifications therefor prepared and approved by the City Engineer.

SECTION 2. Financing Authority. The total estimated costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing, including capitalized interest, is \$2,350,000. The costs of the Project

shall be payable by the issuance of general obligation bonds of the City under the authority of the Act. Such bonds are hereby authorized in an amount of not to exceed \$2,350,000. The bonds described in this paragraph may, in accordance with an official intent resolution adopted by the City Council on August 15, 2011, be issued to reimburse expenditures made on or after the date which is 60 days before August 15, 2011, pursuant to Treasury Regulation §1.150-2.

SECTION 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the City Council of the City.

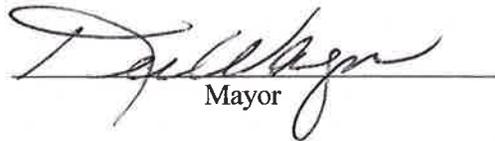
ADOPTED by the City Council of the City of Baldwin City, Kansas, on November 7, 2011.

(Seal)

ATTEST:


Clerk




Mayor