

(Published in *The Butler County Times-Gazette* on November ____, 2014)

ORDINANCE NO. 1580

AN ORDINANCE AMENDING ORDINANCE NO. 1536 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore by Resolution No. 13-14, adopted March 26, 2013 and published in the City’s official newspaper as required by law on March 30, 2013, as amended by Resolution No. 14-27 adopted October 28, 2014 and to be published November 1, 2014 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of the Andover Marketplace Commercial Water Improvements, Andover Marketplace Commercial Sewer Improvements, and Andover Marketplace Commercial Paving Improvements (collectively, the “Improvements”) in the City, as provided by K.S.A. 12-6a01 et seq., as amended and supplemented, at a total estimated cost of \$496,000, a portion of which costs will be levied and assessed against properties benefiting from the improvement; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1536 of the City, adopted March 26, 2013 and published in the City’s official newspaper as required by law on March 30, 2013.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

Section 1. Amendment to Recitals 1 and 2 of Ordinance No. 1536. The first and second recitals of Ordinance No. 1536 are hereby amended by replacing them with the following:

“WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore by Resolution No. 13-14, duly adopted March 26, 2013, and published in the City’s official newspaper as required by law on March 30, 2013, as amended by Resolution No 14-27 adopted October 28, 2014 and to be published on November 1, 2014 (collectively, the “Authorizing Resolution”) found and determined it to be advisable and authorized the making of certain Andover Marketplace Commercial Water Improvements, Andover Marketplace Commercial Sewer Improvements and Andover Marketplace Commercial Paving Improvements (collectively, the “Improvements”) in the City, as provided by K.S.A. 12-6a01, *et seq.*, as amended and supplemented, at a total estimated cost of \$496,000 (said cost may be increased at the rate of 1% per month from and after March 1, 2013), which costs will be levied and assessed against properties benefiting from the Improvements; and

WHEREAS, the governing body of the City, upon an examination thereof, has considered and found and determined certain subject petitions filed on March

20, 2013, as modified by certain amended petitions filed on August 14, 2014, (collectively, the “Petitions”) to be sufficient, having been signed by the owners of record, whether resident or not, of all of the property liable for assessment for the costs of the Improvements; and”

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1536 only to the extent necessary to reflect the receipt of a revised petition reflecting a change to the benefit district. Except to the extent specifically amended hereby, Ordinance No. 1536 shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of City of Andover, Kansas and its publication in the official newspaper of the City.

[Remainder of Page Intentionally Left Blank]

PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on October 28, 2014.

CITY OF ANDOVER, KANSAS

[seal]

By _____
Ben Lawrence, Mayor

ATTEST:

By _____
Susan C. Renner, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met at the normal meeting place in the City on October 28, 2014 at 7:00 p.m., with the Mayor Ben Lawrence presiding, and the following members of the governing body present: Troy Tabor, Sheri Geisler, Clark Nelson, Caroline Hale, Kris Estes and Bryon Stout IV

and the following members absent: n/a

Thereupon, and among other business, there was presented to the governing body a Resolution entitled:

A RESOLUTION AMENDING RESOLUTION NO. 13-14 OF THE CITY OF
ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Council Member Sheri Geisler, seconded by Council Member Caroline Hale, the Resolution was adopted by a majority vote of all members present.

Thereupon, the Resolution having been adopted by a majority vote of the members present, it was given No. 14-27, and was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Resolution one time as set forth therein and required by law, and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas.

Thereupon, and among other business, there was presented to the governing body, an Ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 1536 OF THE CITY OF
ANDOVER, KANSAS.

Thereupon, the Ordinance was considered and discussed; and on motion of Council Member Sheri Geisler, seconded by Council Member Troy Tabor, the Ordinance was adopted by a majority vote of all members of the governing body.

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1580 and directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Ordinance one time as set forth therein and required by law.

CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the October 28, 2014 meeting of the governing body of the City of Andover, Kansas.

[seal]

Susan C. Renner, City Clerk