

(Published in *The Butler County Times-Gazette* on June 30, 2016)

ORDINANCE NO. 1619

AN ORDINANCE AMENDING ORDINANCE NO. 1611 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has heretofore by Resolution No. 16-01, adopted January 12, 2016 and published in the City’s official newspaper as required by law on January 16, 2016, as amended by Resolution No. 16-11 adopted this June 28, 2016 and to be published June 30, 2016 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of Green Valley Greens 12th Water Improvements, Green Valley Greens 12th Sewer Improvements and Green Valley Greens 12th 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 \$497,000, which costs will be levied and assessed against properties benefiting from the Improvements; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1611 of the City, adopted January 12, 2016 and published in the City’s official newspaper as required by law on January 16, 2016.

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

Section 1. Amendment to Recitals of Ordinance No. 1611. The first and second recitals of Ordinance No. 1611 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. 16-01, as amended by Resolution No. 16-11 (collectively, the “Authorizing Resolution”), found and determined it to be advisable and authorized the making of certain Green Valley Greens 12th Water Improvements, Green Valley Greens 12th Sewer Improvements and Green Valley Greens 12th 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 \$497,000 (said cost may be increased at the rate of 1% per month from and after January 1, 2016), 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 originally filed on January 6, 2016, as modified by revised petitions received on May 25, 2016 and June 21, 2016 (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. 1611 only to the extent necessary to reflect the receipt of the revised petitions reflecting a change in the estimated costs. Except to the extent specifically amended hereby, Ordinance No. 1611 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.

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PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 28th day of June, 2016.

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 June 28, 2016, 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, Kris Estes, Caroline Hale, and Phil White

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. 16-01 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Council Member Tabor, seconded by Council Member Geisler, 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 of the governing body, it was given No. 16-11, 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. 1611 OF THE CITY OF ANDOVER, KANSAS.

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

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1619 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 June 28, 2016 meeting of the governing body of the City of Andover, Kansas.

[seal]

Susan C. Renner, City Clerk