

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

RESOLUTION NO. 16-11

A RESOLUTION CORRECTING RESOLUTION NO. 16-01 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) previously adopted Resolution No. 16-01 (the “Original Resolution”) on January 12, 2016, which Original Resolution was published in the official newspaper of the City on January 16, 2016; and

WHEREAS, the Original Resolution found and finally determined to be advisable to make, among certain other improvements, Green Valley Greens 12<sup>th</sup> Water Improvements, Green Valley Greens 12<sup>th</sup> Sewer Improvements and Green Valley Greens 12<sup>th</sup> Paving Improvements in the City, as defined and described therein; and

WHEREAS, the City has received new revised petitions on May 25, 2016 for the Green Valley Greens 12<sup>th</sup> Water Improvements and Green Valley Greens 12<sup>th</sup> Sewer Improvements and a new revised petition on June 21, 2016 for the Green Valley Greens 12<sup>th</sup> Paving Improvements (collectively, the “Revised Petitions”), and upon examination of the Revised Petitions on June 28, 2016, determined the Revised Petitions to be sufficient and the governing body finds and determines it desirable to ratify the acquisition and construction of the Improvements; and

WHEREAS, in connection with the foregoing, the governing body of the City finds and determines it advisable to amend Resolution No. 16-01 of the City.

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

Section 1. Amendment to Section 1.A. Subsection (A) Paragraph (2) of that portion of Section 1 entitled “Green Valley Greens 12<sup>th</sup> Water Improvements” of the Original Resolution is hereby amended by replacing said paragraph with the following:

(2) The estimated or probable costs of the Green Valley Greens 12<sup>th</sup> Water Improvements, as “cost” is defined in subparagraph (d) of K.S.A. 12-6a01, is Forty-Three Thousand Dollars (\$43,000) (said cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the rate of 1% per month from and after January 1, 2016).

Section 2. Amendment to Section 1.B. Subsection (B) Paragraph (2) of that portion of Section 1 entitled “Green Valley Greens 12<sup>th</sup> Sewer Improvements” of the Original Resolution is hereby amended by replacing said paragraph with the following:

(2) The estimated or probable costs of the Green Valley Greens 12<sup>th</sup> Sewer Improvements, as “cost” is defined in subparagraph (d) of K.S.A. 12-6a01, is

One Hundred Thousand Dollars (\$100,000) (said cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the rate of 1% per month from and after January 1, 2016).

Section 3. Amendment to Section 1.C. Subsection (C) Paragraph (2) of that portion of Section 1 entitled “Green Valley Greens 12<sup>th</sup> Paving Improvements” of the Original Resolution is hereby amended by replacing said paragraph with the following:

(2) The estimated or probable costs of the Green Valley Greens 12<sup>th</sup> Paving Improvements, as “cost” is defined in subparagraph (d) of K.S.A. 12-6a01, is Three Hundred Fifty-Four Thousand Dollars (\$354,000) (said cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the rate of 1% per month from and after January 1, 2016).

Section 4. Amending Resolution. This Resolution supplements and amends the Original Resolution only to the extent necessary to amend the costs of the Green Valley Greens 12<sup>th</sup> Water Improvements, Green Valley Greens 12<sup>th</sup> Sewer Improvements and Green Valley Greens 12<sup>th</sup> Paving Improvements contained therein and, except to the extent specifically amended hereby, the Original Resolution shall remain in full force and effect.

Section 5. Publishing and Recording. This Resolution shall be published one time in the City’s official newspaper, and shall be recorded in the Office of the Register of Deeds of Butler County, Kansas in accordance with the provisions of K.S.A. 12-153 because it makes additional findings affecting the following described real property in the City of Andover, Butler County, Kansas:

The Course at Green Valley Greens 12<sup>th</sup> Addition  
Block A, Lots 1 through 11, inclusive

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

CITY OF ANDOVER, KANSAS

[seal]

By \_\_\_\_\_  
Ben Lawrence, Mayor

ATTEST:

By \_\_\_\_\_  
Susan C. Renner, City Clerk