

(Published in *The Augusta Daily Gazette* on September 1, 2012)

NOTICE OF PUBLIC HEARING

TO: The Owners of Property in the City of Andover, Butler County, Kansas

You and each of you are hereby notified that the governing body of the City of Andover, Kansas, will hold a public hearing at City Hall, 1609 E. Central, Andover, Kansas, on Tuesday, September 25, 2012, at 7:00 P.M., for the purpose of receiving and hearing any and all complaints and objections to the proposed special assessments for improvements consisting of the construction of water, sanitary sewer, paving, storm drainage, water main, and sidewalk improvements in the City, as heretofore authorized by duly adopted Resolutions of the City.

The total final costs of the respective improvements and the properties specifically to be assessed for said costs are as follows:

1. The construction of Andover Landing Water Distribution Phase 1 Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$60,400.00, Zero Percent (0%) of which is payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, on a per lot basis to each parcel served in the City of Andover, Butler County, Kansas, which are described as follows:

Andover Landing Addition

Block 2, Lots 1 through 16, inclusive

Block 3, Lots 1 through 16, inclusive

Block 4, Lots 1 through 10, inclusive

(collectively, the “Andover Landing Benefit District”).

2. The construction of Andover Landing Water Distribution Phase 2 Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$66,825.00, Zero Percent (0%) of which is payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, on a per lot basis to each parcel served in the Andover Landing Benefit District.

3. The construction of Andover Landing Sewer Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$219,700.00, Zero Percent (0%) of which is payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which

will be specifically assessed, on a per lot basis to each parcel served in the Andover Landing Benefit District.

4. The construction of Andover Landing Paving Phase 1 Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$600,075.00, Zero Percent (0%) of which payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, on a per lot basis to each parcel served in the Andover Landing Benefit District.

5. The construction of Andover Landing Paving Phase 2 Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$300,750.00, Zero Percent (0%) of which payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, on a per lot basis to each parcel served in the Andover Landing Benefit District.

6. The construction of Andover Landing 21st Street Water Main Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$99,900.00, and Forty-Nine and Fifty-One Hundreths Percent (49.51%) of which payable by the city-at-large Fifty and Forty-Nine Hundreths Percent (50.49%) of the entire cost of which will be specifically assessed, on a square foot basis to each parcel served in the City of Andover, Butler County, Kansas, which are described as follows:

Andover Landing Addition
Block 1, Lot 1

(the “Andover Landing 21st Street Improvements Benefit District”).

7. The construction of Andover Landing 21st Street Sidewalk Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$33,700.00, Zero Percent (0%) of which payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, on a square foot basis to each parcel served in the Andover Landing 21st Street Improvements Benefit District.

8. The construction of Andover Landing Andover Road Sidewalk Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$26,825.00, Zero Percent (0%) of which payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which

will be specifically assessed, on a per lot basis to each parcel served in the City of Andover, Butler County, Kansas, which are described as follows:

Andover Landing Addition
Block 1, Lots 2 and 3

9. The construction of Andover Landing Storm Drainage Improvements as authorized by Resolution No. 10-19, adopted on September 28, 2010 and published October 1, 2010, as amended by Resolution No. 11-03 adopted on February 8, 2011 and published February 11, 2011, which have been completed at a total final cost of \$1,084,400.00, Zero Percent (0%) of which payable by the city-at-large and One Hundred Percent (100%) of the entire cost of which will be specifically assessed, based on (i) the value of the lots being assessed in the Andover Landing Storm Drainage Improvements Benefit District (without regard to any buildings or improvements thereon), and (ii) the proximity and relative benefit of the proposed Andover Landing Storm Drainage Improvements to such lots, to each parcel served in the City of Andover, Butler County, Kansas, which are described as follows:

Andover Landing Addition
Block 1, Lots 1 through 3, inclusive

The Certification of Total Final Costs and Assessment Roll for said improvements are on file in the Office of the City Clerk, and may be examined by any interested party. Anyone desiring to make any complaint or objection to the assessments set forth in the Assessment Roll, may appear and will be heard at the public hearing. After hearing and considering any and all written or oral complaints or objections to the various assessments, the respective amounts of each and all of the assessments shall be finally determined by the governing body and shall be levied by an ordinance of the City and property owners will have until noon on Monday, October 22, 2012 during which special assessments may be paid in cash before the assessments are placed on the tax rolls for collection in twenty annual installments of principal and interest.

The governing body has determined that the first tax levy for the unpaid special assessments shall be certified to the Butler County Clerk for inclusion on the November 2013 tax statements. Pursuant to K.S.A. 12-6a11, you have 30 days from the publication of the assessment ordinance to bring a suit to set aside said assessments or otherwise question the validity of the proceedings.

By order of the governing body of the City of Andover, Kansas on August 28, 2012.

CITY OF ANDOVER, KANSAS

/s/ Ben Lawrence, Mayor

ATTEST:

/s/ Susan C. Renner, City Clerk