

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF MCPHERSON, KANSAS  
HELD ON JANUARY 23, 2017**

The governing body met in regular session at the usual meeting place in the City, at 8:30 a.m., the following members being present and participating, to-wit: Mayor Thomas A. Brown, Commissioner Robert D. Moore and Commissioner Larry E. Wiens.

Absent: None

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 15-20 OF THE CITY OF MCPHERSON, KANSAS, WHICH DETERMINED THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MCPHERSON, KANSAS (STREET IMPROVEMENTS/CENTENNIAL DRIVE).**

Commissioner Wiens moved that said Resolution be adopted. The motion was seconded by Commissioner Moore. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body as follows:

Yea: Three\_\_\_\_\_.

Nay: None\_\_\_\_\_.

The Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2017-03; was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of McPherson County, Kansas, all as required by law.

\* \* \* \* \*

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of McPherson, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Clerk

(Published in the *McPherson Sentinel* on \_\_\_\_\_, 2017)

**RESOLUTION NO. 17-[\_\_\_\_]**

**A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 15-20 OF THE CITY OF MCPHERSON, KANSAS, WHICH DETERMINED THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MCPHERSON, KANSAS (STREET IMPROVEMENTS/CENTENNIAL DRIVE).**

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**WHEREAS**, the governing body of the City of McPherson, Kansas (the “City”), has heretofore by Resolution No. 15-20 of the City, duly adopted on November 9, 2015 (the “Prior Resolution”), authorized, pursuant to K.S.A. 12-6a01 *et seq.*, the widening and reconstruction of Centennial Drive adjacent to the Improvement District described therein and associated drainage improvements, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer; and

**WHEREAS**, the Prior Resolution was recorded with the Register of Deeds of McPherson County, Kansas, and appears at Book 662, Page 6315-6320; and

**WHEREAS**, the City has received a Petition Addendum signed by the sole owner of Tract B described therein, proposing a modification of the estimated costs of the Improvements to be assessed against Tract B; and

**WHEREAS**, the governing body of the City hereby finds and determines that said Petition Addendum is sufficient and that it is necessary to make such modifications; and

**WHEREAS**, in order to make such modifications, the governing body of the City hereby finds and determines it necessary to amend and supplement *Section 1* of the Prior Resolution, as hereinafter set forth.

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS, AS FOLLOWS:**

**Section 1. Amendments.** *Section 1* of the Prior Resolution is hereby amended to read as follows:

(a) It is advisable to make the following improvements (the “Improvements”):

widening and reconstruction of Centennial Drive adjacent to the Improvement District and associated drainage improvements, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$356,516.05, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of the Prior Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is described on *Exhibit A* attached hereto.

(d) The method of assessment is as follows:

- Tract A: 2.60% of the cost of Improvements against Tract A, however, the amount assessed against Tract A will not exceed \$9,259.75.
- Tract B: 5.84% of the cost of Improvements against Tract B, however, the amount assessed against Tract B will not exceed \$20,819.97.
- Tract C: 3.14% of the cost of Improvements against Tract C, however, the amount assessed against Tract C will not exceed \$11,205.05.

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis. In the event that unplatted property within the Improvement District is platted after adoption of this Resolution, each platted lot shall be equally assessed for the costs associated with the unplatted property. Where the ownership of a tract is or may be divided into two or more parcels or tracts, the assessment to the tract so divided shall be assessed to each ownership or tract on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 11.58% to be assessed against the Improvement District (provided, however, that the amount to be assessed against the Improvement District will not exceed \$41,284.77) and the balance to be paid by the City-at-large.

**Section 2. Repealer; Ratification.** *Section 1* of the Prior Resolution is hereby repealed and the rest and remainder thereof is hereby ratified and confirmed.

**Section 3. Effective Date.** This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of McPherson County, Kansas.

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**ADOPTED** by the governing body of the City on January 23, 2017.

(SEAL)

By: \_\_\_\_\_

Name: Thomas A. Brown

Title: Mayor

ATTEST:

By: \_\_\_\_\_

Name: Tamra K. Seely

Title: Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on January 23, 2017, as the same appears of record in my office.

DATED: January 23, 2017.

By: \_\_\_\_\_

Name: Tamra K. Seely

Title: Clerk

**EXHIBIT A**

**Tract A:**

A part of Block 1, Champlin Addition to the City of McPherson, being more particularly described as follows:

Beginning at the Northwest corner of Block 1, Champlin Addition to the City of McPherson, thence South on an assumed bearing of South 00 degrees 00 minutes East along the West line of said Block 1 a distance of 378.37 feet, more or less, thence South 89 degrees 23 minutes East a distance of 361.3 feet, thence North 00 degrees 00 minutes West parallel to the West line of said Block 1, a distance of 378.37 feet, more or less to the North line of said Block 1, thence North 89 degrees 23 minutes West along the North line of Block 1, Champlin Addition, a distance of 361 .3 feet, more or less to the point of beginning, McPherson County, Kansas

**Tract B:**

*Parcel I:*

A portion of Block One (1) of Eastgate Addition to the City of McPherson, located in South Half of the Northeast Quarter (S ½ NE ¼) of Section Twenty-seven (27), Township Nineteen (19) South, Range Three (3) West of the Sixth Principal Meridian, more particularly described as follows:

All of Lots One (1), Two (2) and Three (3), along with the West 11.00 feet of Lot Four (4), Block One (1), Eastgate Addition to the City of McPherson, together with the vacated North Front Street (vacation order No. 1758 and 2575 recorded in Volume Misc. 201, Page 448 and Volume Misc. 198, Page 408, McPherson County Records) lying directly South and adjacent to said property in Block 1 of Eastgate Addition to the City of McPherson, McPherson County, Kansas, according to the recorded plat thereof.

*Parcel II:*

A portion of Block One (1) of Eastgate Addition to the City of McPherson, located in South Half of the Northeast Quarter (S ½ NE ¼) of Section Twenty-seven (27), Township Nineteen (19) South, Range Three (3) West of the Sixth Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of Lot Four (4), of Block One (1) of the Eastgate Addition to the City of McPherson; thence with an assumed bearing of South 89 degrees 53 minutes 45 seconds East along the North line of said Block 1 a distance of 11.00 feet for the point of beginning; thence continuing South 89 degrees 53 minutes 45 seconds East along the North line of said Block 1 a distance of 593.94 feet to the Northwest corner of Lot Eight (8), Block 1; thence South 01 degrees 33 minutes 48 seconds East 232.32 feet; thence South 88 degrees 03 minutes 22 seconds West 10.18 feet; thence South 01 degrees 11 minutes 42 seconds East 249.62 feet; thence North 88 degrees 40 minutes 00 seconds East 9.98 feet; thence South 01 degrees 13 minutes 39 seconds East 50.03 feet to the South line of said Block 1; thence South 83 degrees 02 minutes 12 seconds West along the South line of said Block 1 a distance of 303.28 feet to the Southwest corner of Lot (Eleven) 11 of said Block 1; thence North 06 degrees 54 minutes 46 seconds West along the West line of Lot 11 of said Block 1 a distance of 49.98 feet (50.00 feet Record) to the Northwest corner of said Lot 11 at the South line of vacated North Front Street (Vacation Order No. 1758 and 2575 recorded in Misc. Book 201, Page 448 and Misc. Book 198, Page 408, McPherson County Records); thence South 83 degrees 02 minutes 32 seconds West along the South line of said Vacated North Front Street 234.26 feet to the extension of the East line of the West 11.00 feet

of Lot 4 of said Block 1; thence North 06 degrees 56 minutes 22 seconds West along said extension 552.58 feet to the point of beginning, McPherson County, Kansas, according to the recorded plat thereof.

*Parcel III:*

A part of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Twenty-seven (27), Township Nineteen (19) South, Range Three (3) West of the Sixth Principal Meridian, described as follows:

Beginning at the Northeast corner of the South Half of the Northeast Quarter (S  $\frac{1}{2}$  NE  $\frac{1}{4}$ ) of said Section 27, thence South 271.15 feet to the Northeast corner of Eastgate Addition to McPherson, thence Westerly on the Northerly line of said Addition 807.9 feet to the intersection with the right of way of the Chicago, Rock Island and Pacific Railroad, thence Northeasterly on said Railroad right of way 951.00 feet more or less to the East Section line, thence South along the East Section line 275.55 feet to point of beginning, McPherson County, Kansas.

**Tract C:**

Part of the Northwest Quarter of Section 26, Township 19 South, Range 3 West of the 6th P.M., described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 26, thence North 1200 feet to the point of beginning, thence East 465 feet along the North line of CHAMPLIN ADDITION to The City of McPherson, thence North parallel with the West line of said Northwest Quarter 757.3 feet to the Southerly Railroad right-of-way line thence Southwesterly along said right of way line 555.56 feet to West line of said Northwest Quarter, thence South 447.72 feet to point of beginning, McPherson County, Kansas.