

(Published in *The Butler County Times-Gazette* and
at www.andoverks.com on October 8, 2022)

ORDINANCE NO. 1844

AN ORDINANCE AMENDING ORDINANCE NO. 1838 OF THE CITY OF
ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the "City") has heretofore by Resolution No. 22-36 adopted August 9, 2022, and published in the City's official newspaper as required by law on August 20, 2022, as amended by Resolution No. 22-44 adopted September 27, 2022 and to be published October 8, 2022 (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of Heritage Way East Paving Improvements and Heritage Way West Paving Improvements (collectively herein, 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 \$188,000, a portion of which costs will be levied and assessed against properties benefitting from the Improvements; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1838 of the City adopted August 9, 2022, and published in the City's official newspaper as required by law on August 20, 2022.

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. 1838. The first and second recitals of Ordinance No. 1838, 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. 22-36, duly adopted August 9, 2022 and published in the City's official newspaper as required by law on August 20, 2022, as amended by Resolution No. 22-44 adopted September 27, 2022 and to be published October 8, 2022 (collectively, the "Authorizing Resolution") found and determined it to be advisable and authorized the making of certain Heritage Way East Paving Improvements and Heritage Way West 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 \$188,000 (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 September 1, 2022), which costs will be levied and assessed against properties benefitting 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 August 1, 2022, as modified with the amended petitions for the Heritage Way East Paving Improvements and Heritage Way West Paving Improvements filed on September

26, 2022 (collectively, the “Petitions”) to be sufficient, having been signed by the owners of record, whether resident or not, of all property liable for assessment for the costs of the Improvements; and

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1838, only to the extent necessary to reflect the receipt of the revised petitions reflecting a change in the benefit districts, basis on which the cost is allocated, and changing the date for the one percent escalator for the Heritage Way East Paving Improvements and Heritage Way West Paving Improvements. Except to the extent specifically amended hereby, Ordinance No. 1838, 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 the 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 27th day of September, 2022.

CITY OF ANDOVER, KANSAS



ATTEST

By  _____
Ronnie Price, Mayor

By  _____
Susan C. Renner, City Clerk