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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, May 9, 2023, 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, and storm water drainage 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 Tuscany Phase 3 Water Improvements, as authorized by Resolution No. 20-08 adopted on March 31, 2020 and published April 11, 2020, which have been completed at a total final cost of \$62,700.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) 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, are described as follows:

Tuscany Addition, Third Phase, Final Planned Unit Development Plan
Block A, Lots 1 through 6, inclusive
Block B, Lots 1 through 6, inclusive
Block C, Lots 1 through 7, inclusive

(collectively, the “Tuscany Phase 3 Benefit District”).

2. The construction of Tuscany Phase 3 Sewer Improvements, as authorized by Resolution No. 20-08 adopted on March 31, 2020 and published April 11, 2020, have been completed at a total final cost of \$126,500.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on a per lot basis to each parcel served in the Tuscany Phase 3 Benefit District.

3. The construction of Tuscany Phase 3 Paving Improvements, as authorized by Resolution No. 20-08 adopted on March 31, 2020 and published April 11, 2020, have been completed at a total final cost of \$404,800.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on a per lot basis to each parcel served in the Tuscany Phase 3 Benefit District.

4. The construction of Tuscany Phase 3 Storm Water Drain Improvements, as authorized by Resolution No. 20-08 adopted on March 31, 2020 and published April 11, 2020, which have been completed at a total final cost of \$244,200.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on a fractional basis to each parcel served in the City of Andover, Butler County, Kansas, are described as follows:

Tuscany Addition, Third Phase Final Planned Unit Development Plan

Block A, Lots 1 through 6, inclusive

Block B, Lots 1 through 6, inclusive

Block C, Lots 1 through 7, inclusive

and

Parcel A: Beginning at the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 31, Township 27 South, Range 3 East of the 6th P.M., in Butler County, Kansas; thence on a Kansas Zone South Grid bearing of N89°07'59"E along the North line of said Southwest Quarter of the Southeast Quarter, for 1179.51 feet; thence S01°06'09"E, 225.17 feet to the north line of Reserve B, Second Phase Tuscany Addition to Andover, Butler County, Kansas; thence S89°53'51"W for 612.39 feet to the point of beginning of a non-tangential curve lying Southeast of a chord bearing S30°32'04"W; thence along said curve for an arc distance of 65.37 feet; through an angle of 11°16'50" having a radius of 332.00 feet; thence on a tangential line S36°10'29"W for 127.16 feet to the beginning of a non-tangential curve lying Northeast of a chord bearing N56°26'00"W; thence along said curve for an arc distance of 95.05 feet through an angle of 22°13'44", having a radius of 245.00 feet to a point of intersection with a non-tangential line; thence along the Northerly line of Reserve A as platted in said Second Phase Tuscany Addition, S24°41'44"W for 81.38 feet to a point; thence N83°07'00"W for 117.82 feet to the beginning of a non-tangential curve lying Southeast of a chord bearing of S48°51'04"W; thence along said curve for an arc distance of 73.25 feet, through an angle of 83°56'08", having a radius of 50.00 feet to a point of intersection with a non-tangential line; thence S00°49'08"W for 116.56 feet to a point; thence S89°09'46"W for 174.13 feet to a point on the West line of said Southwest Quarter of the Southeast Quarter; thence N00°48'52"W along the West line of said Southwest Quarter of the Southeast Quarter, a distance of 550.61 feet to the point of beginning ("Parcel A").

(collectively, the "Tuscany Phase 3 Storm Water Drain Improvements Benefit District").

The fractional shares provided for herein have been determined on the basis of shares being assessed to lots or parcels of substantially comparable size and value with consideration for their proximity to the improvements, as follows:

Lots 1 through 6, Block A, Lots 1-6, Block B and Lots 1 through 7, Block C, Tuscany Addition, Third Phase Final Planned Unit Development Plan shall each pay 1/38 of the cost payable by the Tuscany Phase 3 Storm Water Drain Improvements Benefit District; and Parcel A shall pay 19/38 of the total cost payable by the Tuscany Phase 3 Storm Water Drain Improvements Benefit District.

5. The construction of Cornerstone Eleventh Water Improvements, as authorized by Resolution No. 21-11 adopted on May 11, 2021 and published May 22, 2021, which have been completed at a total final cost of \$124,000.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on equal share per lot basis to each parcel served in the City of Andover, Butler County, Kansas, are described as follows:

The Cornerstone Eleventh Addition
Block 1, Lots 2 through 9, inclusive
Block 2, Lots 2 through 31, inclusive

(the "Cornerstone Eleventh Benefit District").

6. The construction of Cornerstone Eleventh Sewer Improvements, as authorized by Resolution No. 21-11 adopted on May 11, 2021 and published May 22, 2021, have been completed at a total final cost of \$340,400.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on equal share per lot basis to each parcel served in the Cornerstone Eleventh Benefit District.

7. The construction of Cornerstone Eleventh Paving Improvements, as authorized by Resolution No. 21-11 adopted on May 11, 2021 and published May 22, 2021, which have been completed at a total final cost of \$617,900.00, twenty-five percent (25%) of which is payable by the City-at-Large and seventy-five percent (75%) of the entire cost of which will be specifically assessed on a fractional basis to each parcel served in the City of Andover, Butler County, Kansas, are described as follows:

The Cornerstone Eleventh Addition
Block 1, Lots 2 through 9, inclusive
Block 2, Lots 2 through 31, inclusive

and

Unplatted School Tract: A tract of land lying within the West half of Section 6, Township 27 South, Range 3 East, of the 6th Principal Meridian, Andover, Butler County, Kansas, said tract lying within all of Government Lot 4, and portions of Government Lots 3, 5, and 6, AND ALSO, a portion of the Southeast Quarter of the Northwest Quarter of said Section 6, said tract collectively being more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter, thence along the West line of said Southwest Quarter, being coincident with the west lines of Government Lots 7 and 6, on a Kansas coordinate system of 1983 south zone bearing of N00°38'46"W, 2427.04 feet to the POINT OF BEGINNING, thence along the West line of said Government Lot 6, N00°38'46"W, 227.51 feet to the West Quarter corner of said Section 6 being coincident with the Southwest corner of said Government Lot 5; thence along the West lines of said Government Lots 5 and 4, N00°36'44"W, 2657.46 feet to the Northwest corner of said Section 6; thence along the North line of said Government Lots 4 and 3, N88°39'59"E, 2443.88 feet to the North Quarter corner being coincident with the Northeast corner of said Government Lot 3; thence along the East line of said Government Lot 3, S01°22'31"E, 780.32 feet; thence S89°29'06"W, 364.19 feet to a point on the extended west line of Block 7, of the Final Planned Unit Development, The Cornerstone Third Addition, an addition to Andover, Butler County, Kansas; thence along said extended west line of Block 7, S00°30'54"E, 472.03 feet to the southwest corner of Lot 6, said Block 7; thence along the extended north line of said Block 7, S89°29'06"W, 665.58 feet; thence S00°30'54"E, 417.61 feet; thence S66°33'39"W, 588.84 feet; thence S00°38'27"E, 795.48 feet to the common line of said Government Lots 5 and 6; thence along said common line, S89°38'14"W, 40.49 feet; thence S00°38'46"E, 227.76 feet to the northeast corner of Lot 1, Block 1, Final Planned Unit Development, Cornerstone School Addition, an addition to Andover, Butler County, Kansas; thence along the extended north line of said Lot 1, Block 1, S89°39'15"W, 840.00 feet to the POINT OF BEGINNING.

Said tract CONTAINS a gross area of 4,603,176 square feet or 105.674 acres of land, more or less (the "Unplatted School Tract").

(collectively, "Cornerstone Eleventh Paving Improvements Benefit District").

The fractional shares provided for herein have been determined on the basis of shares being assessed to lots or parcels of substantially comparable size and value with consideration for their proximity to the Project, as follows:

Lots 2 through 9, Block 1; and Lots 2 through 31, Block 2; shall pay generally 87.2% of the proportionate cost payable by the Cornerstone Eleventh Paving Improvements Benefit District on an equal share per lot basis; Unplatted School Tract shall pay 12.8% of the proportionate cost payable by the Cornerstone Eleventh Paving Improvements Benefit District, provided that the total assessment for the Unplatted School Tract will not exceed \$294,291.36 for the total phases of paving improvements benefitting said parcel with any overage being spread against the remaining Cornerstone Eleventh Paving Improvements Benefit District on a per lot basis.

8. The construction of Cornerstone Eleventh Drainage Improvements, as authorized by Resolution No. 21-11 adopted on May 11, 2021 and published May 22, 2021, as amended by Resolution No. 21-22 adopted August 10, 2021 and published August 21, 2021, have been completed at a total final cost of \$318,700.00, zero percent (0.00%) 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 fractional basis to each parcel served in the Cornerstone Eleventh Benefit District.

The fractional shares provided for herein have been determined on the basis of shares being assessed to lots or parcels of substantially comparable size and value with consideration for their proximity to the Project, as follows:

Lots 2 through 9, Block 1 and Lots 2 through 3, Block 2 shall each pay 232/10000 of the total cost payable by the Cornerstone Eleventh Benefit District on an equal share per lot basis; Lots 4 through 14, Block 2 shall each pay 233/10000 of the total cost payable by the Cornerstone Eleventh Benefit District on an equal share per lot basis; Lots 15 through 31, Block 2 shall each pay 301/10000 of the total cost payable by the Cornerstone Eleventh Benefit District on an equal share per lot basis.

9. The construction of Hodges Sixth Subdivision Water Improvements, as authorized by Resolution No. 21-28 adopted on October 12, 2021 and published October 23, 2021, which have been completed at a total final cost of \$132,900.00, zero percent (0.00%) 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, are described as follows:

Hodges Sixth Subdivision
Block A, Lots 1 through 13, inclusive
Block B, Lots 1 through 4, inclusive

(collectively, the “Hodges Sixth Subdivision Benefit District”).

10. The construction of Hodges Sixth Subdivision Sewer Improvements, as authorized by Resolution No. 21-28 adopted on October 12, 2021 and published October 23, 2021, have been completed at a total final cost of \$355,700.00, zero percent (0.00%) 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 Hodges Sixth Subdivision Benefit District.

11. The construction of Hodges Sixth Subdivision Paving Improvements, as authorized by Resolution No. 21-28 adopted on October 12, 2021 and published October 23, 2021, have been completed at a total final cost of \$347,400.00, zero percent (0.00%) 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 Hodges Sixth Subdivision Benefit District.

12. The construction of Hodges Sixth Subdivision Storm Water Improvements, as authorized by Resolution No. 21-28 adopted on October 12, 2021 and published October 23, 2021, have been completed at a total final cost of \$591,600.00, zero percent (0.00%) 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 Hodges Sixth Subdivision Benefit District.

13. The construction of Hodges Seventh Subdivision Water Improvements, as authorized by Resolution No. 21-30 adopted on November 9, 2021 and published November 20, 2021, which have been completed at a total final cost of \$48,300.00, zero percent (0.00%) 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, are described as follows:

Hodges Seventh Subdivision:
Block A, Lot 1

(collectively, the "Hodges Seventh Subdivision Benefit District").

14. The construction of Hodges Seventh Subdivision Sewer Improvements, as authorized by Resolution No. 21-30 adopted on November 9, 2021 and published November 20, 2021, have been completed at a total final cost of \$78,000.00, zero percent (0.00%) 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 Hodges Seventh Subdivision Benefit District.

15. The construction of Hodges Seventh Subdivision Storm Water Improvements, as authorized by Resolution No. 21-30 adopted on November 9, 2021 and published November 20, 2021, have been completed at a total final cost of \$56,700.00, zero percent (0.00%) 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 Hodges Seventh Subdivision Benefit District.

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 Tuesday, June 20, 2023 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 2023 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 the 28th day of March, 2023.



CITY OF ANDOVER, KANSAS



Ronnie Price, Mayor

ATTEST:



Susan C. Renner, City Clerk