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ORDINANCE NO. 1879

AN ORDINANCE AMENDING ORDINANCE NO. 1847 OF THE CITY OF  
ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the "City") has heretofore by Resolution No. 22-45, adopted October 25, 2022 and published in the City's official newspaper as required by law on November 5, 2022, as amended by Resolution No. 23-20 adopted this July 25, 2023 and to be published August 5, 2023 (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of Summerlin Water Improvements, Summerlin Sewer Improvements, Summerlin Paving Improvements, and Summerlin Storm Water Drainage 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 \$1,842,000, a portion of which costs will be levied and assessed against properties benefiting from the improvement; and

WHEREAS, the governing body of the City finds and determines it advisable to amend Ordinance No. 1847 of the City adopted October 25, 2022 and published in the City's official newspaper as required by law on November 5, 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. 1847. The first and second recitals of Ordinance No. 1339 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. 22-45 (the "Authorizing Resolution") duly adopted this October 25, 2022 and published in the City's official newspaper as required by law on November 5, 2022, as amended by Resolution No. 23-24 duly adopted this July 25, 2023, and to be published in the City's official newspaper as required by law on August 5, 2023 (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of certain Summerlin Water Improvements, Summerlin Sewer Improvements, Summerlin Paving Improvements and Summerlin Storm Water Drainage 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 \$1,842,000 (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 October 1, 2022), which costs will be levied and assessed against properties benefiting 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 October

17, 2022 and June 14, 2023 (collectively, the "Petitions") to be sufficient, having been signed by the owners of record, whether resident or not, of all of the property liable for assessment for the costs of the Improvements; and

Section 2. Amending Ordinance. This ordinance supplements and amends Ordinance No. 1847 only to the extent necessary to reflect the receipt of the revised petition reflecting a change in the estimated costs. Except to the extent specifically amended hereby, Ordinance No. 1847 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 City of Andover, Kansas and its publication in the official newspaper of the City.

*[Remainder of Page Intentionally Left Blank]*

PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 25th day of July, 2023.



CITY OF ANDOVER, KANSAS

By

Ronnie Price, Mayor

ATTEST:

By

Lance A. Onstott, Deputy City Clerk

## EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met at the normal meeting place, in the City on July 25, 2023, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present:

Michael Henry, Joseph Forred, Troy Tabor, and Tim Berry

and the following members absent:

Mike Warrington and Shelby Carselowey

Thereupon, and among other business, there was presented to the governing body a Resolution entitled:

### **A RESOLUTION AMENDING RESOLUTION NO. 22-45 OF THE CITY OF ANDOVER, KANSAS.**

Thereupon, the Resolution was considered and discussed; and on motion of Michael Henry, seconded by Troy Tabor, the Resolution was adopted by a majority vote of all members of the governing body.

Thereupon, the Resolution having been adopted by a majority vote of the members of the governing body, it was given No. 23-24, and was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Resolution one time as set forth therein and required by law, and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas.

Thereupon, and among other business, there was presented to the governing body, an Ordinance entitled:

### **AN ORDINANCE AMENDING ORDINANCE NO. 1847 OF THE CITY OF ANDOVER, KANSAS.**

Thereupon, the Ordinance was considered and discussed; and on motion of Michael Henry, seconded by Troy Tabor, the Ordinance was adopted by a majority vote of all members present.

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1879 and directed to be signed by the Mayor and attested by the Deputy City Clerk, and the Deputy City Clerk was directed to cause the publication of the Ordinance one time as set forth therein and required by law.

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CITY CLERK'S  
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the July 25, 2023 meeting of the governing body of the City of Andover, Kansas.



  
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Lance A. Onstott, Deputy City Clerk