

(Published [www.andoverks.com](http://www.andoverks.com) on October 28, 2023)

ORDINANCE NO. 1889

AN ORDINANCE AMENDING ORDINANCE NO. 1812, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1829 OF THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the "City") has heretofore by Resolution No. 21-27 adopted October 12, 2021, and published in the City's official newspaper as required by law on October 23, 2021, as amended by (i) Resolution No. 22-06 adopted March 29, 2022 and published April 9, 2022 and (ii) Resolution No. 23-\_\_ adopted October 24, 2023 and to be published November \_\_, 2023 (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of Heritage Second Addition Water Improvements, Heritage Second Addition Sewer Improvements, Heritage Second Addition Paving Improvements, Heritage Second Addition Paving (Alley) 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 \$1,957,000, 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 further amend Ordinance No. 1812 of the City adopted October 12, 2021, and published in the City's official newspaper as required by law on October 23, 2021.

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. 1812. The first and second recitals of Ordinance No. 1812, 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. 21-27, as amended by Resolution Nos. 22-06 and 23-\_\_ (collectively, the "Authorizing Resolution"), found and determined it to be advisable and authorized the making of certain Heritage Second Addition Water Improvements, Heritage Second Addition Sewer Improvements, Heritage Second Addition Paving Improvements, Heritage Second Addition Paving (Alley) 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 \$1,957,000 (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 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 October

4, 2021, as modified with (i) the amended petition for the Heritage Second Addition Paving Improvements filed on March 28, 2022 and (ii) the amended petitions for the Heritage Second Addition Sewer Improvements and Heritage Second Addition Paving (Alley) Improvements filed on October 5, 2023 (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. 1812, only to the extent necessary to reflect the receipt of the revised petitions amending legal descriptions for Heritage Second Addition Sewer Improvements and Heritage Second Addition Paving (Alley) Improvements and to correct a typographical error in the legal description for Heritage Second Addition Water Improvements and Heritage Second Addition Paving Improvements. Except to the extent specifically amended hereby, Ordinance No. 1812, 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.

*[Remainder of Page Intentionally Left Blank]*

PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 24th day of October 2023.



CITY OF ANDOVER, KANSAS

By   
Ronnie Price, Mayor

ATTEST:

By   
Emily Wright, City Clerk