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City of Andover, Kansas
Attn: Dana Engstrom, City Clerk
1609 East Central Avenue
Andover, Kansas 67002
Telephone: (316) 733-1303

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and at www.andoverks.gov on June 7, 2025)

RESOLUTION NO. 25-14

A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF ANDOVER, KANSAS; SETTING FORTH THE GENERAL NATURE OF THE IMPROVEMENTS, THE ESTIMATED OR PROBABLE COSTS THEREOF, THE EXTENT OF THE BENEFIT DISTRICT TO BE ASSESSED FOR THE COSTS THEREOF, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF THE COSTS BETWEEN THE BENEFIT DISTRICT AND THE CITY-AT-LARGE; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY; AND DIRECTING THE PUBLICATION AND RECORDING OF THIS RESOLUTION (VISTA RIDGE STORMWATER DRAIN IMPROVEMENTS, VISTA RIDGE STORMWATER SEWER IMPROVEMENTS, VISTA RIDGE PAVING IMPROVEMENTS, VISTA RIDGE WATER IMPROVEMENTS, AND VISTA RIDGE SANITARY SEWER IMPROVEMENTS).

WHEREAS, on May 21, 2025, five (5) petitions (the "Petitions") were filed in the Office of the City Clerk of the City of Andover, Kansas (the "City") requesting that certain drainage, water, sewer and street improvements be made to the Vista Ridge 2nd Addition-First Phase in the City; and

WHEREAS, the aforementioned Petitions set forth (a) the general nature of the improvements, (b) the estimated or probable costs of the improvements, (c) the extent of the improvement district to be assessed for the costs of the improvements, (d) the method of assessment, (e) the apportionment of the costs between the improvement district and the City-at-Large, (f) a request that the improvements be made without notice and hearing as required by K.S.A. 12-6a04, as amended and supplemented; and (g) a statement that the proposed improvement district does not include all the property that may benefit from the proposed improvements; and

WHEREAS, the governing body of the City, upon an examination thereof on May 27, 2025, has considered and found and determined the Petitions to be sufficient, having been signed by the owners of record, whether resident or not, of all of the area liable for assessment for the costs of improvements requested thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

SECTION 1. It is hereby found and finally determined to be advisable to make certain Improvements (hereinafter defined) in the City, and the following findings are hereby made regarding said Improvements:

A. Vista Ridge Stormwater Drain Improvements (the "Vista Ridge Stormwater Drain Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of a certain storm water drainage system and related appurtenances necessary to serve the Vista Ridge Stormwater Drain Improvements Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge Stormwater Drain Improvements").

(2) The estimated or probable costs of the Vista Ridge Stormwater Drain Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Nine Hundred Six Thousand Dollars (\$906,000) (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 June 1, 2025).

(3) The extent of the improvement district to be assessed for the costs of the Vista Ridge Stormwater Drain Improvements shall include and consist of certain real property in the City of Andover, Butler County, Kansas, which is described as follows:

Vista Ridge 2nd Addition- First Phase

Lots 1 through 27, Block A

Lots 1 through 9, Block B

Unplatted Tract "A"

That portion of the East Half of the Southeast Quarter, Section 17, Township 27 South, Range 3 East, Sixth Principal Meridian, Butler County, Kansas, as prepared by Baughman Company, P.A., CLS 58, surveyors in Sedgwick County, Kansas on April 29 2025, more particularly described as follows: Beginning at the Northeast corner of the Southeast Quarter of said Section 17; THENCE S00°16'54"E,

coincident with the east boundary line of said Southeast Quarter, a distance of 982.93 feet, for a Point of Beginning; THENCE continuing S00°16'54"E along said east boundary, a distance of 611.33 feet, to the northeast corner of Lot 27, Block A, Vista Ridge 2nd – First Phase, as recorded in register of deeds office, Butler County, Kansas; THENCE S89°43'06"W, coincident with the north boundary line of said Lot 27, a distance of 234.00 feet to the west right-of-way boundary line of Ridgecreek Street as platted in said Vista Ridge 2nd – First Phase; THENCE S00°16'54"E, coincident with said west right-of-way, a distance of 48.28 feet, to the northeast corner of Lot 9, Block B, of said Vista Ridge 2nd – First Phase; THENCE N89°54'59"W, coincident with the north boundary line of said Block B, a distance of 667.79 feet, to the east right-of-way boundary line of Yorktown Parkway, as platted in said Vista Ridge 2nd – First Phase; THENCE N44°45'16"E, coincident with said east right-of-way line, a distance of 9.17 feet, to a point of curvature to the left; THENCE along said curve to the left having a radius of 610.00 feet, a delta of 45°00'00", an arc length of 479.09 feet, a chord bearing of N22°15'15"E, and a chord length of 466.87, to a point of tangency; THENCE N00°14'44"W, coincident with said east right-of-way line, a distance of 221.13 feet; THENCE S89°54'59"E, a distance of 482.23 feet, to a point of deflection; THENCE S89°55'29"E, a distance of 64.00 feet; THENCE N89°43'06"E, a distance of 170.00 feet, to the point of beginning.

(collectively, the “Vista Ridge Stormwater Drain Improvements Benefit District”).

The Vista Ridge Stormwater Drain Improvements Benefit District does not include all the property that may be deemed benefited by the Vista Ridge Stormwater Drain Improvements. The signers of the petition are the owners of 100% of the property in the Vista Ridge Stormwater Drain Improvements Benefit District and have agreed to pay the costs of the Vista Ridge Stormwater Drain Improvements as set forth in the Petition and consented to the levy of special assessments in the Vista Ridge Stormwater Drain Improvements Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge Stormwater Drain Improvements to the properties in the proposed benefit district is on a fractional basis. 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:

Vista Ridge 2nd Addition-First Phase
Lots 1 through 27, Block A and Lots 1 through 9, Block B,

shall each pay 1/62 of the total cost of the improvements; and

UNPLATTED TRACT "A" shall pay 26/62 of the total cost of the Project.

In the event all or part of the lots or parcels in the Vista Ridge Stormwater Drain Improvements Benefit District are platted or replatted before assessments have been levied, the assessments against the newly platted or replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Vista Ridge Stormwater Drain Improvements, as between the Vista Ridge Stormwater Drain Improvements Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Vista Ridge Stormwater Drain Improvements Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

B. Vista Ridge Stormwater Sewer Improvements (the "Vista Ridge Stormwater Sewer Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of a certain stormwater sewer system and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge Stormwater Sewer Improvements").

(2) The estimated or probable costs of the Vista Ridge Stormwater Sewer Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Three Hundred Forty Thousand Dollars (\$340,000) (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 June 1, 2025).

(3) The extent of the improvement district to be assessed for the costs of the Vista Ridge Stormwater Sewer Improvements shall include and consist of certain real property in the City of Andover, Butler County, Kansas, which is described as follows:

Vista Ridge 2nd Addition- First Phase

Lots 1 through 27, Block A

Lots 1 through 9, Block B

(collectively, the "Benefit District").

The Benefit District does not include all the property that may be deemed benefited by Vista Ridge Stormwater Sewer Improvements. The signers of the petition are the owners of one hundred percent (100%) of the property in the Vista Ridge Stormwater Sewer Improvements Benefit District and have agreed to pay the costs of the Vista Ridge Stormwater Sewer Improvements as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge Stormwater Sewer Improvements to the properties in the proposed benefit district is that all the lots shall pay an equal share per lot of the total cost payable by the Benefit District.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Vista Ridge Stormwater Sewer Improvements, as between the Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

C. Vista Ridge Paving Improvements (the "Vista Ridge Paving Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of paving, drainage, and sidewalk improvements and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge Paving Improvements").

(2) The estimated or probable costs of the Vista Ridge Paving Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Six Hundred Eighty-Three Thousand Dollars (\$683,000) (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 one percent (1%) per month from and after June 1, 2025).

(3) The extent of the improvement district to be assessed for the costs of the Vista Ridge Paving Improvements shall include and consist of certain real property in the Benefit District.

The Benefit District does not include all the property that may be deemed benefited by the Vista Ridge Paving Improvements. The signers of the petition are the owners of one hundred percent (100%) of the property in the Benefit District and have agreed to pay the costs of the Vista Ridge Paving Improvements as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge Paving Improvements to the properties in the proposed benefit district is that all the lots shall pay an equal share per lot of the total cost payable by the Benefit District.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Vista Ridge Paving Improvements, as between the Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

D. Vista Ridge Water Improvements (the "Vista Ridge Water Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of certain water line extensions and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge Water Improvements").

(2) The estimated or probable costs of the Vista Ridge Water Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Two Hundred Ninety-Three Thousand (\$293,000) (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 one percent (1% per month from and after June 1, 2025).

(3) The extent of the improvement district to be assessed for the costs of the Vista Ridge Water Improvements shall include and consist of certain real property in the Benefit District.

The Benefit District does not include all the property that may be deemed benefited by the Vista Ridge Water Improvements. The signers of the petition are

the owners of one hundred percent (100%) of the property in the Benefit District and have agreed to pay the costs of the Vista Ridge Water Improvements as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge Water Improvements to the properties in the proposed benefit district is that all the lots shall pay an equal share per lot of the total cost payable by the Benefit District.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Vista Ridge Water Improvements, as between the Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

E. Vista Ridge Sanitary Sewer Improvements (the "Vista Ridge Sanitary Sewer Improvements")

(1) The internal improvements are described as and consist of the excavation and construction of a certain sanitary sewer system and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge Sanitary Sewer Improvements").

(2) The estimated or probable costs of the Vista Ridge Sanitary Sewer Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Four Hundred Seventy-Seven Thousand Dollars (\$477,000) (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 one percent (1%) per month from and after June 1, 2025).

(3) The extent of the improvement district to be assessed for the costs of the Vista Ridge Sanitary Sewer Improvements shall include and consist of certain real property in the Benefit District.

The Benefit District does not include all the property that may be deemed benefited by the Vista Ridge Sanitary Sewer Improvements. The signers of the petition are the owners of one hundred percent (100%) of the property in the Benefit

District and have agreed to pay the costs of the Vista Ridge Sanitary Sewer Improvements as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge Sanitary Sewer Improvements to the properties in the proposed benefit district is that all the lots shall pay an equal share per lot of the total cost payable by the Benefit District.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Vista Ridge Sanitary Sewer Improvements, as between the Benefit District and the City-at-Large, is that One Hundred Percent (100%) of the costs shall be assessed against the proposed Benefit District, and Zero Percent (0%) of the cost shall be apportioned to the City-at-Large.

SECTION 2. The Vista Ridge Stormwater Drain Improvements, Vista Ridge Stormwater Sewer Improvements, Vista Ridge Paving Improvements, Vista Ridge Water Improvements, and Vista Ridge Sanitary Sewer Improvements (collectively herein, the "Improvements") are hereby authorized and ordered to be made in accordance with the findings set forth in Section 1 hereof, under the authority of and as provided by K.S.A. 12-6a01 *et seq.*, as amended and supplemented.

SECTION 3. This Resolution shall be published one time in the City's official newspaper and a newspaper of general circulation within Butler County, Kansas, and shall be recorded in the Office of the Register of Deeds of Butler County, Kansas in accordance with the provisions of K.S.A. 12-153.

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PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on the 27th day of May, 2025.



CITY OF ANDOVER, KANSAS



Ronnie Price, Mayor

ATTEST:



Dana Engstrom, City Clerk