

After recording, return to:

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

(Published in *The Butler County Times Gazette* and
at www.andoverks.gov on July 19, 2025)

RESOLUTION NO. 25-18

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 FIRST STORM WATER DRAINAGE IMPROVEMENTS, VISTA RIDGE FIRST PAVING IMPROVEMENTS, VISTA RIDGE FIRST WATER IMPROVEMENTS AND VISTA RIDGE FIRST SANITARY SEWER IMPROVEMENTS).

WHEREAS, on July 7, 2025, four (4) petitions (the "Petitions") were filed in the Office of the City Clerk of the City of Andover, Kansas (the "City") requesting that certain storm water drainage, paving, water, and sanitary sewer improvements be made to Vista Ridge First, an Addition to Andover, Butler County, Kansas; 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, and (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 July 8, 2025, 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.

WHEREAS, the governing body of the City may proceed without notice and hearing, to make findings by resolution as to the advisability of improvements for sanitary sewers pursuant to K.S.A. 12-6a04.

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 First Storm Water Drainage Improvements (the "Vista Ridge First Storm Water Drainage Improvements")

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

(2) The estimated or probable costs of the Vista Ridge First Storm Water Drainage Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Four Hundred Eighty Thousand Dollars (\$480,000) (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 First Storm Water Drainage Improvements shall include and consist of certain real property in the City of Andover, Butler County, Kansas, which is described as follows:

Vista Ridge First
Lots 1 through 19, Block 1
Lots 1 through 4, Block 2
Lots 1 through 2, Block 3

(collectively, the "Vista Ridge First Benefit District").

The Vista Ridge First Benefit District does not include all the property that may be deemed benefited by the Vista Ridge First Storm Water Drainage

Improvements. The signers of the petition are the owners of 100% of the property in the Vista Ridge First Benefit District and have agreed to pay the costs of the Vista Ridge First Storm Water Drainage Improvements as set forth in the Petition and consented to the levy of special assessments in the Vista Ridge First Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge First Storm Water Drainage 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 Vista Ridge First Benefit District.

In the event all or part of the lots or parcels in the Vista Ridge First 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 First Storm Water Drainage Improvements, as between the Vista Ridge First Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Vista Ridge First Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

B. Vista Ridge First Paving Improvements (the "Vista Ridge First 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 Vista Ridge First Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge First Paving Improvements").

(2) The estimated or probable costs of the Vista Ridge First Paving Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Three Hundred Ninety One Thousand Dollars (\$391,000) (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 First Paving Improvements shall include and consist of certain real property in the Vista Ridge First Benefit District.

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

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge First 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 Vista Ridge First Benefit District.

In the event all or part of the lots or parcels in the Vista Ridge First 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 First Paving Improvements, as between the Vista Ridge First Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Vista Ridge First Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

C. Vista Ridge First Water Improvements (the "Vista Ridge First 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 Vista Ridge First Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Vista Ridge First Water Improvements").

(2) The estimated or probable costs of the Vista Ridge First Water Improvements, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is One Hundred Eighty-Three Thousand Dollars (\$183,000) (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 First Water Improvements shall include and consist of certain real property in the Vista Ridge First Benefit District.

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

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge First 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 Vista Ridge First Benefit District.

In the event all or part of the lots or parcels in the Vista Ridge First 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 First Water Improvements, as between the Vista Ridge First Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Vista Ridge First Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

D. Vista Ridge First Sanitary Sewer Improvements (the “Vista Ridge First 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 Vista Ridge First Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as “Vista Ridge First Sanitary Sewer Improvements”).

(2) The estimated or probable costs of the Vista Ridge First Sanitary Sewer Improvements, as “cost” is defined in subparagraph (d) of K.S.A. 12-6a01, is Three Hundred Fifty Thousand Dollars (\$350,000) (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 First Sanitary Sewer Improvements shall include and consist of certain real property in the Vista Ridge First Benefit District.

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

(4) The method of assessment proposed for assessing costs of the proposed Vista Ridge First 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 Vista Ridge First Benefit District .

In the event all or part of the lots or parcels in the Vista Ridge First 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 First Sanitary Sewer Improvements, as between the Vista Ridge First Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Vista Ridge First Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

SECTION 2. The Vista Ridge First Storm Water Drainage Improvements, Vista Ridge First Paving Improvements, Vista Ridge First Water Improvements and Vista Ridge First 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.

PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on the 8th day of July, 2025.

CITY OF ANDOVER, KANSAS

[seal]



ATTEST:


Ronnie Price, Mayor




Dana Engstrom, City Clerk