

ORDINANCE NO. 997

AN ORDINANCE OF THE CITY OF WESTWOOD, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF STORMWATER DRAINAGE AND MAIN TRAFFICWAY IMPROVEMENTS IN THE CITY; AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PAY THE COSTS THEREOF.

WHEREAS, K.S.A. 12-631r *et seq.* (the “Stormwater Act”) provides, in part, that whenever the governing body of any city determines it is necessary to construct storm sewers, channels, retention basins or drains for the purpose of managing the storm drainage areas of all or any portion of such city, the governing body may authorize by ordinance the construction of such storm sewers, channels, retention basins or drains, and such ordinance shall designate where such storm sewers, channels, retention basins or drains shall be located; and

WHEREAS, the governing body of the City of Westwood, Kansas (the “City”) hereby finds and determines that it is necessary to construct storm sewer improvements within the corporate limits of the City described herein; and

WHEREAS, K.S.A. 12-687 provides that the governing body of any city shall have the power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 *et seq.* (the “Main Trafficway Act;” together with the Stormwater Act, the “Act”), and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, building any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts and drainage, trafficway illumination, traffic control devices, pedestrian ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, the Main Trafficway Act provides that all costs of improvements or reimprovements authorized thereunder, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the city at large and may be funded, among others, by the issuance of general obligation bonds; and

WHEREAS, the governing body of the City has previously by Ordinance No. 996 designated certain streets within the City as main trafficways and trafficway connectors, as provided by and under the authority of the Main Trafficway Act; and

WHEREAS, said governing body hereby finds and determines that it is necessary to improve or reimprove said main trafficways, and to provide for the payment of the costs thereof, all as provided by and under the authority of the Main Trafficway Act.

WHEREAS, the governing body of the City hereby further finds and determines that general obligation bonds of the City should be issued under the authority of the Act to pay the costs of the Project (as defined here) and related financing costs.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

Section 1. Findings. It is hereby found and determined in accordance with the Stormwater Act that the following improvements (collectively, the “Stormwater Project”) be constructed in accordance with the plans and specifications therefor which are to be prepared by or approved by the City Engineer, and which will be placed on file for public inspection.

Stormwater Improvements:

Drainage System Upgrades

Area tributary to the low point and RCB crossing Adams Street near 49th Street
Vicinity of Belinder Court and 48th Terrace
50th Street to 51st Street to the west of Belinder Avenue

It is hereby found and determined in accordance with the Main Trafficway Act to be necessary to improve or reimprove the main trafficways and trafficway connectors hereinafter set forth, including acquisition and installation of associated street light improvements (collectively, the “Main Trafficway Project”):

Main Trafficway

48th Street

49th Terrace

49th Street

50th Terrace

Booth Street

Adams Street

Description

Mission Road to Belinder Avenue

Mission Road to Adams Street

Adams Street to Rainbow Avenue

Mission Road to termination east of
Belinder Avenue

50th Street to 49th Terrace

48th Terrace to 50th Street

Trafficway Connector

49th Place

Fairway Road

Norwood Street

Belinder Court

Booth Street

50th Place

51st Street

Description

East of Mission Road to Fairway Rd

49th Terrace to 50th Street

49th Terrace to 50th Street

49th Terrace to north of 48th Terrace

49th Terrace to 48th Terrace

East of Belinder Avenue.

East of Belinder Avenue.

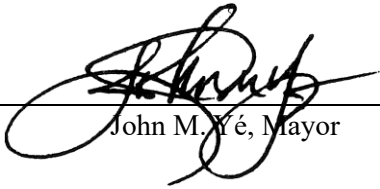
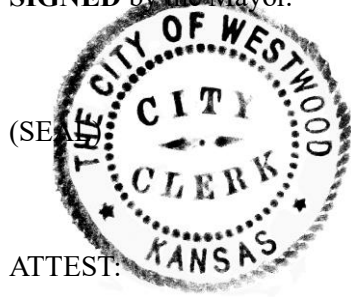
The total estimated costs of the Stormwater Project are \$660,000 and the total estimated costs of the Main Trafficway Project are \$3,490,000 (collectively, the “Project”).

Section 2. Financing. All or a portion of the costs of the Project shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the “Bonds”) in an amount not to exceed \$4,150,000, excluding costs of issuance and interest on any temporary financing.


Section 3. Reimbursement. Any Bonds issued under the authority of this Ordinance may be used to reimburse expenditures made on or after the date that is 60 days before the date of passage of this Ordinance pursuant to U.S. Treasury Regulation §1.150-2.

Section 4. Effective Date. This Ordinance shall be in force and take effect from and after its passage and approval, and publication of the Ordinance or a summary thereof once in the official City newspaper.

PASSED by the governing body of the City on December 13, 2018, and **APPROVED AND SIGNED** by the Mayor.



John M. Yé, Mayor



Frederick L. Sherman, City Clerk

The Legal Record

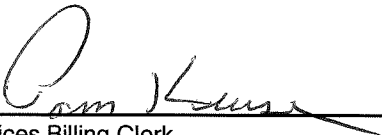
P.O. Box 273
Olathe, KS 66051-0273
(913) 780-5790

ATTN: FRED SHERMAN
CITY OF WESTWOOD
4700 RAINBOW BLVD
WESTWOOD KS 66205-1831

Proof of Publication

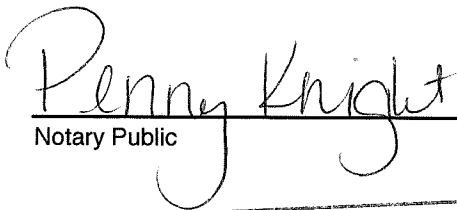
STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing
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issue for the following subject matter (also identified
by the following case number, if any) for 1
consecutive week(s), as follows:

ORDINANCE # 997
12/18/18

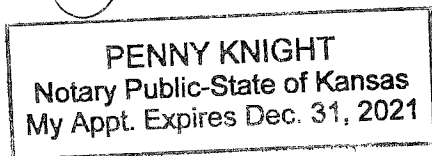


Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:
December 18, 2018



Notary Public



L77544
Publication Fees: \$44.83

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WHEREAS, the Main Trafficway Act provides that all costs of improvements or reimprovements authorized thereunder, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the city at large and may be funded, among others, by the issuance of general obligation bonds; and

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Fairway Road
Norwood Street
Belinder Court
Booth Street
50th Place
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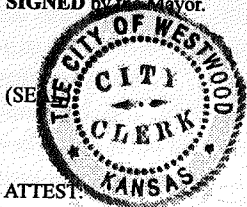
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PASSED by the governing body of the City on Dec
SIGNED by the Mayor.



Frederick L. Sherman, City Clerk

12/18