

SCANNED

12-31-08 ca

RESOLUTION 2008-18

RESOLUTION STATING THE INTENT OF THE CITY COUNCIL OF THE CITY OF BASEHOR, KANSAS TO CONSIDER AN AMENDMENT TO THE WOLF CREEK JUNCTION TRANSPORTATION DEVELOPMENT DISTRICT PETITION AND PROVIDING NOTICE OF A PUBLIC HEARING REGARDING THE AMENDMENT ALL PURSUANT TO K.S.A. 12-17,144

WHEREAS, pursuant to K.S.A. 12-17,140 et seq., as amended (the "Act") and the passage of its Ordinance 497, the City of Basehor, Kansas ("City") authorized the creation of the Wolf Creek Junction Transportation Development District ("District") and authorized certain project improvements to be constructed with a maximum cost to be financed with a District sales tax to be levied within the boundaries of the District; and

WHEREAS, the City has received a petition proposing a modification to this previously created District in order to clarify the scope of the approved project improvements to be financed by the District, and the governing body of the City hereby expresses its intent to hold a public hearing on the filed amendment all in accordance with the Act.

THEREFORE, be it resolved by the governing body of the City of Basehor, Kansas, as follows:

1. Public Hearing to consider the filed petition amending the Wolf Creek Junction Transportation Development District to clarify the scope of the approved project improvements shall be held on January 5, 2009, at 7:00 p.m., Central Daylight Time at City Hall, 2620 N. 155th Street, Basehor, Kansas.
2. The Notice of the Public Hearing attached hereto as Exhibit A shall be published at least once each week for two consecutive weeks in the newspaper and shall be sent by certified mail to all owners of real property within the boundaries of the proposed District. The second notice shall be published at least 7 days prior to the date of the hearing and the certified mail notice shall be sent at least 10 days prior to the date of the hearing all pursuant to K.S.A. 12-17,144.
3. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED BY the City Council of the City of Basehor, Kansas on this 15th day of December, 2008.

By: 
Chris Garcia, Mayor



ATTEST:


Mary A. Mogle, City Clerk

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EXHIBIT A

NOTICE OF PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE EXISTING WOLF CREEK JUNCTION TRANSPORTATION DEVELOPMENT DISTRICT TO CLARIFY THE SCOPE OF THE APPROVED PROJECT IMPROVEMENTS ALL PURSUANT TO K.S.A. 12-17,144

Pursuant to K.S.A. 12-17,144, you are hereby notified that a public hearing will be held regarding an amendment filed to modify the previously created Wolf Creek Junction Transportation Development District (the "District") and will be held at 7:00 p.m., CDT, January 5, 2009, at the City of Basehor, Kansas ("City") City Hall, 2620 N. 155th Street, Basehor, Kansas.

The general nature of the proposed amendment is to clarify the District projects (the "Projects") to be constructed within the District to include the construction of the 150th Street intersection realignment, the construction of Wolf Creek Parkway to its terminus at 150th Street and improvements to 155th Street, including, but not limited to grading, demolition, paving, curbs, gutters, signage, storm drainage, landscaping, signalization, sanitary sewers, underground electric services, gas lines, and water mains.

The total maximum cost of the District Projects will not change from the previously approved amount of \$3,773,868, plus costs of issuance and the costs of interest on any temporary financing and associated reserves.

The District Projects will be financed through bonds issued by the City which will be secured solely by the pledge of revenue received from the imposition of a Transportation Development District sales tax (the "TDD Tax") in the Transportation Development District, or on a pay as you go basis from the revenue received from the TDD Tax.

A TDD Tax will be imposed in the amount of three-fourths of one percent (.75%) on the selling of tangible personal property at retail or rendering or furnishing of taxable services within the District.

There will be no special assessments on property within the boundaries of the District to pay the costs of the Projects.

The boundary description of the District is as follows:

A tract of land in the South half of Section 2, Township 11 South, Range 22 East of the 6th Principal Meridian, in the City of Basehor, Leavenworth County, Kansas, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said section; thence along the West line of said Southeast Quarter N2°04'41"W a distance of 127.22' to a point on the North right of way of US Hwy 24-40 as now established, said point being on the South line of "Wolf Creek

Junction" a subdivision of record in Leavenworth County, KS and Point of Beginning; thence along said right of way and plat line the following courses: S 88°31'29"W a distance of 121.05'; S88°30'35"W a distance of 381.37'; N34°02'04"W a distance of 153.55' to a point on the East right of way of 155th Street, as now established; thence along said right of way and plat line N1°51'07"W a distance of 69.03'; thence departing said right of way and along the South line of Lot 1, Block 2 in said subdivision N88°08'53"E a distance of 257.00'; thence along the East side of said Lot N1°51'07"W a distance of 87.10'; thence along a tangent curve to the right along said East line having a radius of 100.00' and a central angle of 20°16'44" an arc length of 35.39'; thence continuing along said line N18°25'37"E a distance of 72.40' to the Northeast corner of said lot; thence along the North line of said Lot on a non tangent curve to the left having a radius of 470.00', a central angle of 12°02'07" and a chord bearing of N85°50'03"W, an arc length of 98.73'; thence S88°08'53"W a distance of 190.29' to a point on the East right of way of said 155th St.; thence along said line N1°51'07"W a distance of 316.43' to the Northwest corner of said plat; thence along the North line thereof N88°31'33"E a distance of 430.00' to the Northeast corner of said plat: thence departing said plat line continuing N88°31'33"E a distance of 1475.30' to a point on the West line of "Prairie Lakes Estates Phase 3" a subdivision of record in Leavenworth County, KS; thence along the West line of said plat S1°41'36"E a distance of 29.25' to the Southwest corner of said plat; thence along the South line of said plat N88°11'09"E a distance of 448.74'; thence continuing along said south plat line S74°50'40"E a distance of 122.29'; thence continuing along said line S60°32'39"E a distance of 297.28'; thence N88°11'09"E a distance of 403.69' to a point on the West right of way of 150th Street, as now established; thence along said West right of way S23°05'35"W a distance of 33.96' to a point on the North right of way line of US Hwy 24-40; thence along said North right of way the following courses: Along a non tangent curve to the right having a radius of 395.00', a central angle of 38°01'34" and a chord bearing of S40°37'07"W, an arc length of 262.15'; S59°37'06"W a distance of 204.55'; along a tangent curve to the left having a radius of 280.00' and a central angle of 46°31'15", an arc length of 227.34'; thence S86°07'21"W a distance of 404.07'; N82°53'33"W a distance of 202.24'; S82°38'16"W a distance of 117.62'; S82°43'15"W a distance of 83.96'; S88°31'29"W a distance of 1235.54' to the Point of Beginning, containing 45.06 acres, more or less.

All interested persons shall be given an opportunity to be heard at the public hearing.

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