

(Published in *The Butler County Times-Gazette*
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ORDINANCE NO. 1829

AN ORDINANCE AMENDING ORDINANCE NO. 1812 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 Resolution No. 22-06 adopted March 29, 2022, and to be published April 9, 2022, (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 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 No. 22-06 (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 March 29, 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 the amended petition for the Heritage Second Addition

Paving Improvements filed on October 1, 2021 (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 petition reflecting a change in the scope of the project for the 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 29th day of March 2022.

CITY OF ANDOVER, KANSAS

[seal]

By _____
Ronnie Price, Mayor

ATTEST:

By _____
Susan C. Renner, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met at the normal meeting place, in the City on March 29, 2022, at 7:00 p.m., with Mayor Ronnie Price, presiding, and the following members of the governing body present:

Joseph Forred, Shelby Carselowey, Tim Berry and via ZOOM Mike Warrington and Homer Henry

and the following members absent:

Troy Tabor

Thereupon, and among other business, there was presented to the governing body a Resolution entitled:

A RESOLUTION AMENDING RESOLUTION NO. 21-27 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Resolution was considered and discussed; and on motion of Henry, seconded by Berry, the Resolution was adopted by a majority vote of all members present.

Thereupon, the Resolution having been adopted by a majority vote of the members of the governing body, it was given No. 21-06, and was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Resolution one time as set forth therein and required by law, and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas.

Thereupon, and among other business, there was presented to the governing body, an Ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 1812 OF THE CITY OF ANDOVER, KANSAS.

Thereupon, the Ordinance was considered and discussed; and on motion of Henry, seconded by Berry, the Ordinance was adopted by a majority vote of all members of the governing body.

Thereupon, the Ordinance having been adopted by a majority vote of the members of governing body, it was given No. 1829 and directed to be signed by the Mayor and attested by the City Clerk, and the City Clerk was directed to cause the publication of the Ordinance one time as set forth therein and required by law.

CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the March 29, 2022, meeting of the governing body of the City of Andover, Kansas.

[seal]

Susan C. Renner, City Clerk