

COMMISSIONER'S RECORD O

15

RESOLUTION

RESOLUTION RELATING TO ISSUANCE OF IMPROVEMENT BONDS TO PAY COSTS FOR THE CONSTRUCTION OF AN EIGHT INCH LATERAL SEWER IN DOUGLAS COUNTY, KANSAS, THE SAME BEING DOUGLAS COUNTY SEWER DISTRICT NO. 5, AND TO RETIRE TEMPORARY NOTES PREVIOUSLY ISSUED TO PAY FOR SAID PROJECT.

WHEREAS, The County of Douglas, State of Kansas, has a population of 27,915 persons; and

WHEREAS, A petition has been filed with the Board of County Commissioners of Douglas County, Kansas, requesting the creation of a Sanitary Sewer District, to be known as Douglas County Sewer District No. 5, and the construction of a system of sewers within said district; and

WHEREAS, The Board of County Commissioners did, at a regularly constituted meeting of said board, find the improvement as prayed for in said petition to be of public utility and necessary; that the petition was signed by the owners of at least 51% of the acreage of the land in the district sought to be created; and that said petition was in all respects in compliance with the provisions of Sections 19-2704 to 19-2714, both inclusive, of the the 1945 Supplement to the General Statutes of Kansas for 1935, and amendments thereto; and

WHEREAS, The Board of County Commissioners of Douglas County, Kansas, did on the 12th day of June, 1946, enter into a contract with the Governing Body of the City of Lawrence, Douglas County, Kansas, to connect the sewer of said Sewer District No. 5, with the sewer system of the City of Lawrence, Douglas County, Kansas, providing that the sewage from said district may flow through the mains of the sewer system of the City of Lawrence, Douglas County, Kansas; and

WHEREAS, The Board of County Commissioners of Douglas County, Kansas, has caused an estimate of the cost of said improvement to be made by the City Engineer of Lawrence, Douglas County, Kansas, which said estimate shows that the cost of labor and materials for said improvement is \$6,158.75; and

WHEREAS, The Board of County Commissioners on the 11th day of December, 1946, did by resolution accept a proposal of the Constant Construction Co., a corporation, to furnish all necessary labor and materials to construct an eight inch Lateral Sanitary Sewer in Sewer District No. 5, in Douglas County, Kansas, for the sum of \$6,158.75; and

WHEREAS, The Board of County Commissioners of Douglas County, Kansas, did pass a resolution on the third day of March, 1947, providing for the issuing and selling of temporary notes under the authority of Section 10-123, as amended, of the General Statutes of Kansas of 1935, in the aggregate sum of \$6,158.75, for the purpose of obtaining money to pay the costs of all labor and materials necessary to construct an eight inch Lateral Sanitary Sewer in Sewer District No. 5 of Douglas County, Kansas. That said temporary notes were dated February 1, 1947, numbered from one to seven inclusive, six of said notes being in the denominations of \$1,000.00 each, and one note being in the amount of \$158.75, said notes being payable to bearer, said notes being due two years after date thereof, but being payable sooner at the option of the Board of County Commissioners of Douglas County, Kansas, when funds from the sale of bonds have been issued to pay the costs of said improvement; that said notes bear interest at the rate of two per cent per annum, payable semi-annually on the first days of July and January of each year after the date thereof, and

WHEREAS, Said notes were duly executed, attested, registered, and sold as provided by law and that the unpaid balance of said notes is \$6,158.75; that the accrued interest on said notes is \$164.58; that the total principal and interest payable on said notes is \$6,323.33, which sum is now a legal obligation of the Board of County Commissioners of Douglas County, Kansas, and

WHEREAS, The actual cost of labor and materials for the said sewer district is \$6,118.69, and

WHEREAS, The costs of said project, other than for labor and materials, are as follows:

Interest on said notes	\$164.58
Publication costs	2.56
Appraisers' fees	50.00
Right of Way	100.00
Engineering fee	242.92
Printing of bonds	37.50
Total additional costs	\$597.56,

and,

WHEREAS, The total cost of said project is \$6,716.25, and

WHEREAS, Philip S. Commons has previously paid to the Treasurer of Douglas County, Kansas, the sum of \$169.41, which amount was a special assessment against property owned by the said Philip S. Commons in said Sewer District, and which said amount has been applied to the payment of the costs of said project, and

WHEREAS, The amount now payable on the costs of said project, including the principal and interest on the temporary notes aforesaid, is \$6,546.84, and

WHEREAS, The Board of County Commissioners of Douglas County, Kansas, has not heretofore issued any bonds on account of said improvement, and now desires to issue bonds in the amount of \$6,546.84 for the purpose of paying the costs of said improvement and retiring the said temporary notes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS,

Section One

That improvement bonds of Douglas County, Kansas, in the sum of \$6,546.84 are hereby authorized to be issued to pay all of the costs less the sum of \$169.41, the amount of the special assessment paid by Philip S. Commons as aforesaid, incurred by the Board of County Commissioners of said County for the construction of the aforesaid eight inch Lateral Sewer in Sewer District No. 5 in Douglas County, Kansas, said costs including the following amounts;