

**RESOLUTION NO. 22-08**

**A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAY CONNECTIONS WITHIN THE CITY OF MARION, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.**

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**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 "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 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 of Marion, Kansas (the "City"), has heretofore by Ordinance No. 1486 designated certain streets within the City as main trafficways and/or trafficway connections, as provided by and under the authority of the Act; and

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

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MARION, KANSAS:**

**Section 1. Project Authorization.** It is hereby deemed and declared to be necessary to extend Industrial Street and construct Moulton Street, Industrial Stand Industrial Circle as main trafficways and/or trafficway connections as hereinafter set forth:

- The extension of Industrial street, beginning from the southeastern edge of Batt to the eastern edge of Moulton Street, as constructed (approximately 640 linear feet).
- The construction of Moulton Street, beginning from the eastern edge of Roosevelt Street to the western edge of Industrial Circle, as constructed (approximately 480 linear feet).
- The construction of Industrial Circle, south from the intersection of Batt and Industrial street to provide a transportation facility for lots 4 – 7 in the Batt Industrial Park (approximately 400 linear feet)

(collectively the "Project") under the authority of the Act, in accordance with plans and specifications therefor prepared or approved by the City Engineer.

**Section 2. Financing Authority.** The estimated costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses are \$842,000. All or a portion of the costs of the Project, interest on interim financing and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the "Bonds").

**Section 3. Reimbursement.** The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.


**Section 4. Effective Date.** This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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**ADOPTED AND APPROVED** by the governing body of the City of Marion, Kansas, on February 22, 2022.

(Seal)

ATTEST:

  
Tiffany Jeffrey, Clerk

  
David Mayfield, Mayor

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 22-08 of the City of Marion, Kansas adopted by the governing body on February 22, 2022 as the same appears of record in my office.

DATED: February 22, 2022.

  
Clerk