

AFFIDAVIT OF PUBLICATION
STATE OF KANSAS,
RENO COUNTY, ss

NANCY S STUCKY

of lawful age, being first duly sworn, depose and saith that he is editor of

THE NINNESCAH VALLEY NEWS

a weekly newspaper published in the City of Pretty Prairie, County of Reno, State of Kansas, and of general paid circulation in Reno County, and which newspaper has been admitted to the mails as second-class matter in said county, that the Ninnescah Valley News is not a trade, religious or fraternal publication, and has been continuously and uninterruptedly published in said county during the period of fifty-two (52) consecutive weeks immediately prior to the first publication of the notice hereinafter mentioned, and that the notice, of a true copy is hereto attached, was published in 2 consecutive issues of said newspaper, the first publication being in the issue of 7/1, 2022; the second publication being in the issue of 7/8, 2022; and the last publication in the issue of _____, 20____.



Nancy S. Stucky, Editor

Subscribed and sworn to before me this 8th day of July, 2022.



Notary Public, Reno County, Kansas

My commission expires 2-18, 2023.

Printer's Fee \$ _____



AFFIDAVIT OF PUBLICATION
STATE OF KANSAS,
RENO COUNTY, ss

NANCY S STUCKY

of lawful age, being first duly sworn, depose and saith that he is
editor of

THE NINNESCAH VALLEY NEWS

a weekly newspaper published in the City of Pretty Prairie, County of
Reno, State of Kansas, and of general paid circulation in Reno County,
and which newspaper has been admitted to the mails as second-class
matter in said county, that the Ninnescah Valley News is not a trade,
religious or fraternal publication, and has been continuously and un-
interruptedly published in said county during the period of fifty-two
(52) consecutive weeks immediately prior to the first publication of
the notice hereinafter mentioned, and that the notice, of a true copy is
hereto attached, was published in 2 consecutive issues of said
newspaper, the first publication being in the issue of 7/1, 2022;
the second publication being in the issue of 7/8, 2022, and the last publication in
the issue of _____, 20 .

Nancy S Stucky
Nancy S. Stucky, Editor

Subscribed and sworn to before me this 8th day of July,
2022.

Robin L Krehbiel
Notary Public, Reno County, Kansas

My commission expires 2-18, 2023.

Printer's Fee \$ _____



LEGAL PUBLICATION

(Published in The Ninnescah Valley News on July 1, 2022 and July 8, 2022)

RESOLUTION NO 22-590
A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN CITY OF SOUTH HUTCHINSON, KANSAS AND UNDERTAKING AND FINANCING OF CERTAIN COMMUNITY IMPROVEMENT DISTRICT PROJECTS THEREIN; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID HEARING (FIBER OPTIC PROJECT)

WHEREAS, K.S.A. 12-6a26 et seq. (the "Act") authorizes the governing body of any city or county to create community improvement districts within such jurisdiction, to undertake and construct any "project," which means (1) Any project within the district to acquire, improve, construct, demolish, remove, renovate, reconstruct, rehabilitate, maintain, restore, replace, renew, repair, install, relocate, furnish, equip or extend: (A) Buildings, structures and facilities; (B) sidewalks, streets, roads, interchanges, highway access roads, intersections, alleys, parking lots, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, pedestrian amenities, abandoned cemeteries, drainage systems, water systems, storm systems, sewer systems, lift stations, underground gas, heating and electrical services and connections located within or without the public right-of-way, water mains and extensions and other site improvements; (C) parking garages; (D) streetscape, lighting, street light fixtures, street light connections, street light facilities, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls and barriers; (E) parks, lawns, trees and other landscape; (F) communication and information booths, bus stops and other shelters, stations, terminals, hangers, rest rooms and kiosks; (G) paintings, murals, display cases, sculptures, fountains and other cultural amenities; (H) airports, railroads, light rail and other mass transit facilities; and (I) lakes, dams, docks, wharfs, lakes or river ports, channels and levees, waterways and drainage conduits; (2) within the district, to operate or to contract for the provision of music, news, child-care, or parking lots or garages, and buses, minibuses or other modes of transportation, (3) within the district, to provide or contract for the provision of security personnel, equipment or facilities for the protection of property and persons; (4) within the district, to provide or contract for cleaning, maintenance and other services to public or private property; (5) within the district, to produce and promote any tourism, recreational or cultural activity or special event, including, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events and furnishing music in any public place; (6) within the district, to support business activity and economic development, including, but not limited to, the promotion of business activity, development and retention and the recruitment of developers and

business; (7) within the district, to provide or support training programs for employees of businesses; and (8) to contract for or conduct economic impact, planning, marketing or other studies; and

WHEREAS, the Act further authorizes said governing body, in order to pay the costs of such community improvement district projects, to levy special assessments upon property within such community improvement districts, and to issue bonds; and

WHEREAS, a petition (the "Petition") was filed with the City Clerk of City of South Hutchinson, Kansas (the "City") proposing: (a) the creation of a community improvement district located in the City at the property described on Exhibit A hereto (the "District") to serve as a necessary facility for the creation of a fiber optic communication network within the City (the "Project"); (b) the levy of special assessments within the District in order to pay the costs of the Project; and (c) the issuance of full faith and credit general obligation bonds to finance the costs of the Project; and

WHEREAS, said Petition was signed by the owners or contract owners of 100% of the land area and 100% of the assessed value of the land area within the proposed District; and

WHEREAS, the Act provides that prior to creating the proposed district, the governing body shall adopt a resolution to give notice of a public hearing on the advisability of creating such district, publish the resolution to give notice of the hearing at least once a week for two consecutive weeks in the official City newspaper, and mail the resolution by certified mail to all property owners within the proposed district, the second of such publications to be at least seven days prior to the hearing and such certified mailing to be at least ten days prior to such hearing; and

WHEREAS, such published and mailed notices shall contain the following information: (a) the time and place of the hearing; (b) the general nature of the proposed community improvement district projects; (c) the estimated cost of such proposed projects; (d) the proposed method of financing the costs of the such projects; (e) the proposed amount, of community improvement district sales tax, if any; (f) the proposed amount of special assessments and the method of assessment, if any; and (g) the map and legal description of the proposed District; and

WHEREAS, the City Council of the City (the "Governing Body") hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the proposed District and the undertaking and financing of the Project, as set forth in the Petition, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. Petition. The Governing Body hereby finds that the Petition meets the requirements of the Act

SECTION 2. Public Hearing. It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the City of South Hutchinson Fiber Optic Project Community Improvement District, its intention to levy special assessments on property within such District, and the undertaking and financing of the Project within the District, as set forth in the Petition, such public hearing to be held on July 18, 2022, at 6:00 p.m., or as soon thereafter as the matter can be heard, at 2 South Main, South Hutchinson, Kansas 67505, under the authority of the Act.

SECTION 3. Notice of Hearing. The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution, including the Notice of Public Hearing attached hereto as Exhibit B, once a week for two consecutive weeks in the official City newspaper, the second of such publications to be at least seven days prior to the date of the hearing.

SECTION 4. Effective Date. This Resolution shall be effective upon adoption by the governing body.

ADOPTED City Council of the City of South Hutchinson, Kansas, on June 20, 2022

(SEAL)

/s/ Matt Nisly, Mayor
 /s/ Denise McCue, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPOSED COMMUNITY IMPROVEMENT DISTRICT

The South 35.00 feet of Lot 14, West Avenue "C", Original Town of South Hutchinson, Reno County, Kansas TOGETHER WITH the North 15.00 feet of West Avenue "C" and the West 10.00 feet of South Washington Street, both reverting thereto by reason of vacation.

EXHIBIT B

NOTICE OF PUBLIC HEARING

The City Council of City of South Hutchinson, Kansas (the "City"), will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a26 et seq. (the "Act") for the purpose of considering the advisability of creating a proposed Community Improvement District, on property legally described below (the "District"), the levy of special assessments on certain property within such district and undertaking and financing certain hereinafter described community improvement projects.

Time and Place of Hearing

July 18, 2022, at 6:00 p.m., or as soon thereafter as the matter can be heard, at 2 South Main, South Hutchinson, Kansas 67505.

The general nature of the proposed community improvement district project (the "Project") to be constructed and undertaken within the proposed District is as follows:

Construction of a new facility to house certain improvements necessary in the creation of a fiber optic communication for the benefit of the City of South Hutchinson, Kansas and its environs, and all necessary improvements related and appurtenant thereto.

Estimated Costs

The estimated costs of the proposed Project is \$1,500,000, to be increased at the pro rata rate of 1 percent per month from and after the date of passage of an ordinance creating the District.

Method of Financing

The costs of the Project, interim interest and associated financing costs are proposed to be financed by full faith and credit general obligation bonds of the City as authorized by K.S.A. 12-6a36, or alternatively, by special obligation bonds as authorized by K.S.A. 12-6a35, payable from special assessments levied as set forth below

Special Assessments

There are proposed to be special assessments on property within the boundaries of the District, with the properties to be assessed, amount and method of assessment and apportionment of cost for such Projects to be as follows:

100% of the costs of the Project shall be assessed on all real property within the boundaries of the District. The proposed method of assessment is equally per square foot. Where the ownership of any parcel within the proposed District is or may be divided into two or more parcels, the assessment to the

parcel so divided shall be assessed to each ownership or parcel on a square foot basis.

Sales Tax

No community improvement district sales tax is proposed for the District

Map and Legal Description of Proposed Community Improvement District

A map generally outlining the boundaries of the proposed District is attached as Schedule I hereto, and incorporated by reference herein. The legal description of the property to be contained in the proposed District is as follows:

The South 35.00 feet of Lot 14, West Avenue "C", Original Town of South Hutchinson, Reno County, Kansas TOGETHER WITH the North 15.00 feet of West Avenue "C" and the West 10.00 feet of South Washington Street, both reverting thereto by reason of vacation.

The public hearing may be adjourned from time to time. At the conclusion of the public hearing, the governing body may, by passage of an ordinance, create the District and establish the boundaries thereof, authorize the Project, approve the estimated costs of such Project, approve the maximum amount and method of assessment and approve the method of financing the Project, including the issuance of full faith and credit general obligation bonds of the City.

ALL PERSONS DESIRING TO BE HEARD WITH REFERENCE TO THE PROPOSED DISTRICT, PROJECT, AND RELATED MATTERS SHALL BE HEARD AT THE PUBLIC HEARING.

DATED: June 20, 2022.

/s/ Denise McCue, City Clerk

SCHEDULE I

MAP OF PROPOSED COMMUNITY IMPROVEMENT DISTRICT



LEGAL PUBLICATION

(Published in The Ninnescah Valley News on July 1, 2022 and July 8, 2022)

RESOLUTION NO. 22-590
A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN CITY OF SOUTH HUTCHINSON, KANSAS AND UNDERTAKING AND FINANCING OF CERTAIN COMMUNITY IMPROVEMENT DISTRICT PROJECTS THEREIN, AND PROVIDING FOR THE GIVING OF NOTICE OF SAID HEARING (FIBER OPTIC PROJECT).

WHEREAS, K.S.A. 12-6a26 et seq. (the "Act") authorizes the governing body of any city or county to create community improvement districts within such jurisdiction, to undertake and construct any "project," which means (1) Any project within the district to acquire, improve, construct, demolish, remove, renovate, reconstruct, rehabilitate, maintain, restore, replace, renew, repair, install, relocate, furnish, equip or extend: (A) Buildings, structures and facilities; (B) sidewalks, streets, roads, interchanges, highway access roads, intersections, alleys, parking lots, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, pedestrian amenities, abandoned cemeteries, drainage systems, water systems, storm systems, sewer systems, lift stations, underground gas, heating and electrical services and connections located within or without the public right-of-way, water mains and extensions and other site improvements; (C) parking garages; (D) streetscape, lighting, street light fixtures, street light connections, street light facilities, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls and barriers; (E) parks, lawns, trees and other landscape; (F) communication and information booths, bus stops and other shelters, stations, terminals, hangers, rest rooms and kiosks; (G) paintings, murals, display cases, sculptures, fountains and other cultural amenities; (H) airports, railroads, light rail and other mass transit facilities; and (I) lakes, dams, docks, wharfs, lakes or river ports, channels and levees, waterways and drainage conduits; (2) within the district, to operate or to contract for the provision of music, news, childcare, or parking lots or garages, and buses, minibuses or other modes of transportation; (3) within the district, to provide or contract for the provision of security personnel, equipment or facilities for the protection of property and persons; (4) within the district, to provide or contract for cleaning, maintenance and other services to public or private property; (5) within the district, to produce and promote any tourism, recreational or cultural activity or special event, including, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events and furnishing music in any public place; (6) within the district, to support business activity and economic development, including, but not limited to, the promotion of business activity, development and retention and the recruitment of developers and

business; (7) within the district, to provide or support training programs for employees of businesses; and (8) to contract for or conduct economic impact, planning, marketing or other studies; and

WHEREAS, the Act further authorizes said governing body, in order to pay the costs of such community improvement district projects, to levy special assessments upon property within such community improvement districts, and to issue bonds; and

WHEREAS, a petition (the "Petition") was filed with the City Clerk of City of South Hutchinson, Kansas (the "City") proposing: (a) the creation of a community improvement district located in the City at the property described on Exhibit A hereto (the "District") to serve as a necessary facility for the creation of a fiber optic communication network within the City (the "Project"); (b) the levy of special assessments within the District in order to pay the costs of the Project; and (c) the issuance of full faith and credit general obligation bonds to finance the costs of the Project; and

WHEREAS, said Petition was signed by the owners or contract owners of 100% of the land area and 100% of the assessed value of the land area within the proposed District; and

WHEREAS, the Act provides that prior to creating the proposed district, the governing body shall adopt a resolution to give notice of a public hearing on the advisability of creating such district, publish the resolution to give notice of the hearing at least once a week for two consecutive weeks in the official City newspaper, and mail the resolution by certified mail to all property owners within the proposed district, the second of such publications to be at least seven days prior to the hearing and such certified mailing to be at least ten days prior to such hearing; and

WHEREAS, such published and mailed notices shall contain the following information: (a) the time and place of the hearing; (b) the general nature of the proposed community improvement district projects; (c) the estimated cost of such proposed projects; (d) the proposed method of financing the costs of the such projects; (e) the proposed amount of community improvement district sales tax, if any; (f) the proposed amount of special assessments and the method of assessment, if any; and (g) the map and legal description of the proposed District; and

WHEREAS, the City Council of the City (the "Governing Body") hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the proposed District and the undertaking and financing of the Project, as set forth in the Petition, pursuant to the authority of the Act, and further to provide for the giving of notice of said hearing in the manner required by the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. Petition. The Governing Body hereby finds that the Petition meets the requirements of the Act.

SECTION 2. Public Hearing. It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance the provisions of the Act, on the advisability of creating the City of South Hutchinson Fiber Optic Project Community Improvement District, its intention to levy special assessments on property within such District, and the undertaking and financing of the Project within the District, as set forth in the Petition, such public hearing to be held on July 18, 2022, at 6:00 p.m., or as soon thereafter as the matter can be heard, at 2 South Main, South Hutchinson, Kansas 67505, under the authority of the Act.

SECTION 3. Notice of Hearing. The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution, including the Notice of Public Hearing attached hereto as Exhibit B, once a week for two consecutive weeks in the official City newspaper, the second of such publications to be at least seven days prior to the date of the hearing.

SECTION 4. Effective Date. This Resolution shall be effective upon adoption by the governing body.

ADOPTED City Council of the City of South Hutchinson, Kansas, on June 20, 2022.

(SEAL)

/s/ Matt Nisly, Mayor
 ATTEST:
 /s/ Denise McCue, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPOSED COMMUNITY IMPROVEMENT DISTRICT

The South 35.00 feet of Lot 14, West Avenue "C", Original Town of South Hutchinson, Reno County, Kansas TOGETHER WITH the North 15.00 feet of West Avenue "C" and the West 10.00 feet of South Washington Street, both reverting thereto by reason of vacation.

EXHIBIT B

NOTICE OF PUBLIC HEARING

The City Council of City of South Hutchinson, Kansas (the "City"), will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a26 et seq. (the "Act") for the purpose of considering the advisability of creating a proposed Community Improvement District, on property legally described below (the "District"), the levy of special assessments on certain property within such district and undertaking and financing certain hereinafter described community improvement projects.

Time and Place of Hearing

July 18, 2022, at 6:00 p.m., or as soon thereafter as the matter can be heard, at 2 South Main, South Hutchinson, Kansas 67505.

The general nature of the proposed community improvement district project (the "Project") to be constructed and undertaken within the proposed District is as follows:

Construction of a new facility to house certain improvements necessary in the creation of a fiber optic communication for the benefit of the City of South Hutchinson, Kansas and its environs, and all necessary improvements related and appurtenant thereto.

Estimated Costs

The estimated costs of the proposed Project is \$1,500,000, to be increased at the pro rata rate of 1 percent per month from and after the date of passage of an ordinance creating the District.

Method of Financing

The costs of the Project, interim interest and associated financing costs are proposed to be financed by full faith and credit general obligation bonds of the City as authorized by K.S.A. 12-6a36, or alternatively, by special obligation bonds as authorized by K.S.A. 12-6a35; payable from special assessments levied as set forth below.

Special Assessments

There are proposed to be special assessments on property within the boundaries of the District, with the properties to be assessed, amount and method of assessment and apportionment of cost for such Projects to be as follows:

100% of the costs of the Project shall be assessed on all real property within the boundaries of the District. The proposed method of assessment is equally per square foot. Where the ownership of any parcel within the proposed District is or may be divided into two or more parcels, the assessment to the

parcel so divided shall be assessed to each ownership or parcel on a square foot basis.

Sales Tax

No community improvement district sales tax is proposed for the District.

Map and Legal Description of Proposed Community Improvement District

A map generally outlining the boundaries of the proposed District is attached as Schedule I hereto, and incorporated by reference herein. The legal description of the property to be contained in the proposed District is as follows:

The South 35.00 feet of Lot 14, West Avenue "C", Original Town of South Hutchinson, Reno County, Kansas TOGETHER WITH the North 15.00 feet of West Avenue "C" and the West 10.00 feet of South Washington Street, both reverting thereto by reason of vacation.

The public hearing may be adjourned from time to time. At the conclusion of the public hearing the governing body may, by passage of an ordinance, create the District and establish the boundaries thereof, approve the Project, approve the estimated costs of such Project, approve the maximum amount and method of assessment and approve the method of financing the Project, including the issuance of full faith and credit general obligation bonds of the City.

ALL PERSONS DESIRING TO BE HEARD WITH REFERENCE TO THE PROPOSED DISTRICT, PROJECT, AND RELATED MATTERS SHALL BE HEARD AT THE PUBLIC HEARING.

DATED: June 20, 2022.

/s/ Denise McCue, City Clerk

SCHEDULE I

MAP OF PROPOSED COMMUNITY IMPROVEMENT DISTRICT

