

RESOLUTION NO. 1197

**WHEREAS**, pursuant to K.S.A. 68-1101 et seq., as amended, (the "Act") the Board of County Commissioners (the "Board") of Atchison County, Kansas, (the "County") may repair and reconstruct any bridge or bridges the Board and the County engineer determine in accordance with the requirements of K.S.A. 68-1103(b) of the Act, to be inadequate to meet the demands of present day traffic; and

**WHEREAS**, pursuant to the Act, the Board may adopt a resolution finding and determining the necessity for such bridge repair or reconstruction and at once proceed thereafter to repair or rebuild the same at a cost to be determined by the County engineer's estimate; and

**WHEREAS**, pursuant to the Act, if there is not sufficient money in the proper funds available to the County for such bridge repair or reconstruction, the Board is authorized and empowered to issue general obligation bonds of the County, the proceeds from which will be used to pay the costs for the repair or reconstruction of the County bridges so determined to be unsafe or inadequate; and

**WHEREAS**, the county's engineer has, in accordance with the Act, determined those bridges set forth in Exhibit A Attached hereto and incorporated herein by reference (the "Bridges") are either unsafe or inadequate to meet the demands of present day traffic; and

**WHEREAS**, the Board of the County deems it advisable and necessary in accordance with the Act to provide for the repair and/or reconstruction of the each Bridge.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS, THAT:**

**Section 1.** The repair and/or reconstruction of the Bridges is hereby found and determined to be necessary in accordance with the Act.

**Section 2.** The repair or reconstruction of the Bridges shall proceed at once at a cost to be determined by the County engineer's estimate.

**Section 3.** The Board shall pay for the costs to repair or reconstruct the Bridges from any legally available and unencumbered funds of the County appropriated therefore or from the County issuing and selling its general obligation bonds in one or more separate series in the estimated maximum principal amount of \$725,000 which the County both reasonably expects and intends to issue to finance the costs of such project. The County does hereby express its official intent to reimburse any expenditures made or obligations incurred by it toward such project subsequent to the date of this Resolution from the proceeds of its general obligation bonds in such estimated maximum principal amount.

**Section 4.** That County engineer, pursuant to K.S.A. 68-1105, shall prepare complete plans and specifications for the Bridges to be repaired and/or reconstructed and after the plans and specifications have been approved and then filed but before the County publishes its notice of bid letting for the repair or reconstruction of the Bridges, the County engineer shall make and furnish to the Board an accurate sworn estimate of the cost of reconstruction or repair of the Bridges.

**Section 5.** All plans for the repair or reconstruction of any of the Bridges constituting highway bridges, the estimated cost of which does not exceed the sum of \$200,000, shall be approved by the County engineer and, if the estimated cost thereof exceeds the sum of \$200,000, such plans and estimates, before final adoption, shall be submitted to the state transportation engineer for approval, all pursuant to K.S.A. 68-1111.

Passed and approved by the Board of County Commissioners of Atchison County, Kansas, this 22 day of August, 2001.

BOARD OF COUNTY COMMISSIONERS  
ATCHISON COUNTY, KANSAS

(SEAL)

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Chairman

ATTEST:

Pauline M. Lee  
County Clerk

Michael Cowan  
Commissioner

Floyd Powell  
Commissioner

APPROVED:

BG CONSULTANTS, INC.  
the County's engineers

By Tom Bennett  
Tom Bennett