

ORDINANCE NO. 49-624 028001

AN ORDINANCE ADJUSTING SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, ALL PURSUANT TO K.S.A. 12-6a01 *ET SEQ.* (**Building Facade Improvement 104 S. Broadway**)

WHEREAS, pursuant to K.S.A. 12-6a01 *et seq.*, and Ordinance No. 49-083 of the City of Wichita, Kansas (the “City”), adopted on September 27, 2011 (the “Original Assessment Ordinance”), the Governing Body of the City has levied special assessments against certain property in the City in connection with the **Phase 3 Building Facade Improvement 104 S. Broadway** (the “Improvements”) at the maximum amount deemed necessary by the Governing Body to pay the cost of the Improvements; and

WHEREAS, Section 1 of the Original Assessment Ordinance provides that if the final cost of the completed Improvements is less than the maximum amount of the assessments set forth in Exhibit A to the Original Assessment Ordinance, the Governing Body shall adjust the assessments to reflect the cost of the completed Improvements; and

WHEREAS, the Improvements have been completed and the final costs are less than the amount used to calculate the maximum special assessments levied in the Original Assessment Ordinance; and

WHEREAS, it is necessary to reduce the assessments levied in the Original Assessment Ordinance to an amount equal to the final cost of the Improvements; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Pursuant to K.S.A. 12-6a01 *et seq.*, and Section 1 of the Original Assessment Ordinance, the special assessments to pay the costs of the Improvements are hereby adjusted based on the final cost of the Improvements and are levied and assessed against the lots, pieces and parcels of land liable therefor as described in Exhibit A to this Ordinance, which is incorporated herein by reference, and in the amounts set forth on Exhibit A following the description of each lot, piece or parcel of land. All other terms and provisions of the Original Assessment Ordinance shall remain in full force and effect.

SECTION 2. The City Clerk is hereby authorized and directed to (a) mail a notice of adjusted assessment to the owners of property assessed for the Improvements and (b) return to any property owners that prepaid special assessments during the prepayment period authorized by the Original Assessment Ordinance, the difference between the assessment paid and the adjusted assessment amount set forth in this Ordinance.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication once in the official City newspaper.

PASSED by the Governing Body of the City of Wichita, Kansas, on December 13, 2013.

APPROVED by the Mayor on December 10, 2013.

CITY OF WICHITA, KANSAS

(Seal)

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

By: _____
Gary E. Rebenstorf, Director of Law

EXHIBIT A

Phase 3 Building Facade Improvement 104 S. Broadway

Property Subject to Assessment	Amount of Assessment
LOTS 1, 3 and 5 ON DOUGLAS AVENUE N.A. ENGLISH'S ADDITION, CITY OF WICHITA, SEDGWICK COUNTY KANSAS PIN #00123242	\$614,200