

**ORDINANCE NO. 49-645 028001**

AN ORDINANCE LEVYING AND ASSESSING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS, AS AUTHORIZED BY RESOLUTION NO. 13-248 OF THE CITY (818, 820 AND 826 WEST DOUGLAS FACADE IMPROVEMENT DISTRICT).

WHEREAS, pursuant to Resolution No. 13-248 of the City of Wichita, Kansas (the “City”) adopted on December 17, 2013, the Governing Body has authorized the creation of an improvement district and the construction of the following improvements (the “Improvements”):

*Facade Improvements to the portion of 818, 822 and 826 West Douglas abutting streets/rights-of-way, West Douglas Avenue, north Handley Street, a north/south and an east/west alley.*

WHEREAS, prior to commencement of construction of the Improvements, the City has determined the maximum amount of assessment against each lot, piece or parcel of land deemed to be benefited by the Improvements based on the approved estimate of cost of the Improvements and has held a public hearing on the proposed maximum special assessments to be levied against property in the improvement district for the cost of construction of the Improvements as required by K.S.A. 12-6a09; 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.*, special assessments to pay the costs of the Improvements are hereby levied and assessed against the lots, pieces and parcels of land liable therefore as described on 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; provided, however, that if the final cost of the completed Improvements is less than the maximum amount of the assessments set forth on Exhibit A, the Governing Body of the City shall adjust the assessments to reflect the cost of the completed Improvements.

**SECTION 2.** The amounts so levied and assessed shall be due and payable from and after the date of publication of this Ordinance; and the City Clerk shall notify the owners of the affected properties of the amounts of their assessments, bonds will be issued therefore and such assessments will be levied concurrently with general taxes and be payable in 15 annual installments.

**SECTION 3.** The City Clerk shall certify to the County Clerk, in the same manner and at the same time as other taxes are certified, for a period of 15 years, all of the adjusted assessments as referred to in Section 1, together with interest on such amount thereof at a rate not exceeding the maximum rate as prescribed by the laws of the state of Kansas; and such amounts shall be

placed on the tax rolls and collected as other taxes are collected, the levy for each year being a portion of the principal amount of the assessment plus one year's interest on the amount remaining unpaid.

**SECTION 4.** This Ordinance shall take effect and be in force from and after its publication once in the official City newspaper. The City Clerk is directed to file this Ordinance with the Register of Deeds of Sedgwick County, Kansas.

PASSED by the Governing Body of the City of Wichita, Kansas, and approved by the Mayor on January 14, 2014.

(Seal)

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

APPROVED AS TO FORM:

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Gary Rebenstorf, City Attorney

**EXHIBIT A**

**818, 820 And 826 Facade Improvement District**

<b>Property Subject to Assessment</b>	<b>Proposed Maximum Assessment</b>
<b><u>826 W. Douglas Ave</u></b> Lot 41 Chicago Now Douglas Ave Together With the East 10 Feet of Vacated Handley Street West Wichita Addition of Wichita, Sedgwick County, Kansas. Pin #00198088 Geo Code #D-00168	\$119,038.91
<b><u>822 W. Douglas Ave</u></b> Lot 43 Chicago Now Douglas Ave West Wichita Addition of Wichita, Sedgwick County, Kansas. Pin #00198091 Geo Code #D-00169	\$90,877.71
<b><u>818 W. Douglas Ave</u></b> Lots 45-47-49 Chicago Now Douglas Ave West Wichita Addition of Wichita, Sedgwick County, Kansas. Pin #00198093 Geo Code #D-00170	\$255,083.38