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ORDINANCE NO. 49-825

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 49-742 AND SECTION 3 OF RESOLUTION NO. 11-217 OF THE CITY OF WICHITA, KANSAS, CONCERNING THE AMOUNT AND LEVYING OF ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTION OF SWD. NO. 361, TO SERVE BIG SLOUGH SOUTH, SOUTH OF 47TH STREET SOUTH, WEST OF I-135 FREEWAY (468-84636/485-380), AND REPEALING THE PRIOR VERSIONS OF SUCH SECTIONS.

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: construction of SWD. No. 361, TO SERVE BIG SLOUGH SOUTH, South of 47th Street South, West of I-135 Freeway (468-84636/485-380) and such contracts have been duly performed, and

WHEREAS, the Governing Body has previously determined that the total cost of such improvement was \$2,259,600.00 and that 36 percent, or \$813,456.00, be assessed against the improvement district, and 64 percent, or \$1,446,144.00, be paid by the City at Large and \$0.00 be paid by the Sewer Utility Fund, and \$0.00 to be paid by the Storm Water Utility Fund, and

WHEREAS, said Governing Body has, after the request of, and waiver and consent by, all owners of property in the improvement district, met and determined the amount of such special assessments should be adjusted to assess only \$659,600.00 to the improvement district, with \$1,600,000.00 to be paid by the City at Large.

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

SECTION 1. SECTION 3 of Resolution No. 11-217 of the City of Wichita, Kansas, is hereby amended to read as follows:

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to be Two Million Two Hundred Fifty Nine Thousand Six Hundred Dollars (\$2,259,600.00), exclusive of the cost of interest on borrowed money, with \$659,600.00 payable by the improvement district and \$1,600,000.00 payable by the City of Wichita at Large.

SECTION 2. SECTION 1 of Ordinance No. 49-742 of the City of Wichita, Kansas, is hereby amended to read as follows:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by Resolution No. 11-217, adopted September 13, 2011, published September 16, 2011, and amended September 9, 2014, rescinding Res. 11-141, adopted June 14, 2011, rescinding Res. 09-304, adopted September 15, 2009 be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

Legal of Parcel in Benefit District	Assessment
NE 1/4 NW 1/4 SEC 21 EXC PT LY W RIVER DRAINAGE CANAL & EXC CANAL & EXC HWY I-235 & TH PT COMM NW COR NW 1/4 TH E 1626.43 FT TO E LI OF RIVER DRAINAGE TH SELY ALG E LI 156.28 FT FOR BEG TH E 653.73 FT TH SE 393.37 FT ALG ROW TH NW 624.74 FT TH NWLY 112.32 FT TH SWLY 127.14 FT TO E LI RIVER DRAINAGE TH NW 52.70 FT TO BEG TOGETHER WITH TH PT W 1/2 NE 1/4 SEC 21 LY W OF I-235 ROW NW 1/4 & NE 1/4 SEC 21-28-1E	349882.64
SE1/4 NW1/4 EXC PT LY W OF RIV. DRN. CANAL & EXC CANAL SEC 21-28-1E	309717.36

SECTION 3. The previous versions of SECTION 3 of Resolution 11-217 of the City of Wichita, Kansas, and SECTION 1 of Ordinance No. 49-742 of the City of Wichita, Kansas, as the same hitherto existed, are hereby repealed and replaced by the amended versions of such sections as set forth above.

SECTION 4. This ordinance shall take effect and be in force as of and on September 12, 2014 after its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas this 9th day of September, 2014.

Signed by the Mayor

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk
(Seal)

APPROVED AS TO FORM:

Sharon L. Dickgrafe, Interim City Attorney
And Director of Law