

_____Published in the Wichita Eagle, **October 24, 2008**

ORDINANCE NO. 48-064

AN ORDINANCE LEVYING 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. 326, TO SERVE EDGE WATER ADDITION, South of 45th Street North, West of Hoover (468-84353/485-342).**

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. 326, TO SERVE EDGE WATER ADDITION, South of 45th Street North, West of Hoover (468-84353/485-342)** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$1,387,200.00** and that **\$1,387,200.00** be assessed against the improvement district, **\$0.00** be paid by the City at Large and **\$0.00** be paid by the Sewer Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

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

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. 07-288, rescinded by 07-450, rescinded by 08-207, adopted May 8, 2007, August 7, 2007, April 15, 2008** and published **May 16, 2007, August 10, 2007, April 18, 2008** be and the same are hereby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
LOT 1 BLOCK A EDGE WATER ADD	5,458.49
LOT 2 BLOCK A EDGE WATER ADD	2,233.02
LOT 3 BLOCK A EDGE WATER ADD	2,233.02
LOT 4 BLOCK A	2,233.02

EDGE WATER ADD	
LOT 5 BLOCK A EDGE WATER ADD	2,233.02
LOT 6 BLOCK A EDGE WATER ADD	2,233.02
LOT 7 BLOCK A EDGE WATER ADD	2,233.02
LOT 8 BLOCK A EDGE WATER ADD	2,233.02
LOT 9 BLOCK A EDGE WATER ADD	2,233.02
LOT 10 BLOCK A EDGE WATER ADD	2,233.02
LOT 11 BLOCK A EDGE WATER ADD	2,233.02
LOT 12 BLOCK A EDGE WATER ADD	2,233.02
LOT 13 BLOCK A EDGE WATER ADD	2,233.02
LOT 14 BLOCK A EDGE WATER ADD	2,233.02
LOT 15 BLOCK A EDGE WATER ADD	2,233.02
LOT 16 BLOCK A EDGE WATER ADD	2,233.02
LOT 17 BLOCK A EDGE WATER ADD	2,233.02
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LOT 24 BLOCK A EDGE WATER ADD	2,233.02
LOT 25 BLOCK A EDGE WATER ADD	2,233.02
LOT 26 BLOCK A EDGE WATER ADD	2,233.02
LOT 27 BLOCK A EDGE WATER ADD	2,233.02
LOT 28 BLOCK A EDGE WATER ADD	5,458.49
LOT 29 BLOCK A EDGE WATER ADD	5,458.49
LOT 30 BLOCK A EDGE WATER ADD	5,458.49
LOT 31 BLOCK A EDGE WATER ADD	5,458.49
LOT 32 BLOCK A EDGE WATER ADD	5,458.49
LOT 33 BLOCK A EDGE WATER ADD	5,458.49

LOT 34 BLOCK A EDGE WATER ADD	5,458.49
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LOT 37 BLOCK A EDGE WATER ADD	5,458.49
LOT 38 BLOCK A EDGE WATER ADD	5,458.49
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LOT 83 BLOCK A EDGE WATER ADD	4,962.26
LOT 84 BLOCK A EDGE WATER ADD	4,962.26
LOT 85 BLOCK A EDGE WATER ADD	4,962.26
LOT 86 BLOCK A EDGE WATER ADD	4,962.26
LOT 87 BLOCK A EDGE WATER ADD	4,962.26
LOT 88 BLOCK A EDGE WATER ADD	4,962.26
LOT 89 BLOCK A EDGE WATER ADD	4,962.26
LOT 90 BLOCK A EDGE WATER ADD	6,699.05
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LOT 42 BLOCK B EDGE WATER ADD	5,458.49
LOT 1 BLOCK C EDGE WATER ADD	4,217.92
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LOT 49 BLOCK D EDGE WATER ADD	3,721.70
LOT 50 BLOCK D EDGE WATER ADD	3,721.70
LOT 51 BLOCK D EDGE WATER ADD	3,721.70
LOT 52 BLOCK D EDGE WATER ADD	5,458.49
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LOT 63 BLOCK D EDGE WATER ADD	5,458.49
LOT 64 BLOCK D EDGE WATER ADD	5,458.49
LOT 65 BLOCK D EDGE WATER ADD	5,458.49
LOT 66 BLOCK D EDGE WATER ADD	5,458.49
LOT 67 BLOCK D EDGE WATER ADD	5,458.49
LOT 1 BLOCK E EDGE WATER ADD	14,142.12

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section

1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **November 24, 2008**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed twenty (20) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2009**.

SECTION 5. This ordinance shall take effect and be in force as of and on **October 24, 2008** after its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas this 21st day of October, 2008.

Signed by the Mayor

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law
799155