

_____Published in the Wichita Eagle, **April 10, 2009**

ORDINANCE NO. 48-205

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 **CONSTRUCTING WATER DISTRIBUTION SYSTEM NO. 448-90066, TO SERVE OAK CREEK, OAK CREEK 2ND, CROSS POINTE & EASTSIDE COMMUNITY CHURCH ADDITIONS, TRACTS "A", "B" & "C", South of 21st, West of Greenwich (470-950).**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: constructing **Water Distribution System No. 448-90066, TO SERVE OAK CREEK, OAK CREEK 2ND, CROSS POINTE & EASTSIDE COMMUNITY CHURCH ADDITIONS, TRACTS "A", "B" & "C"** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$316,400.00** and that **\$56,952.00** be assessed against the improvement district and **\$259,448.00** be paid by the Water 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. 05-235 rescinded by 06-503, adopted May 3, 2005 & September 26, 2006, and published May 6, 2005 & September 29, 2006**, be and the same are hereby levied against the several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
E 53.04 FT LOT 5 & W 72 FT LOT 6 BLOCK 1 CROSS POINTE ADD	359.70
W 155 FT LOT 5	431.87

BLOCK 1 CROSS POINTE ADD.	
LOT 1 BLOCK 1 OAK CREEK ADD	2,441.71
LOT 1 BLOCK 2 OAK CREEK ADD	711.32
LOT 2 BLOCK 2 OAK CREEK ADD	750.58
LOT 3 BLOCK 2 OAK CREEK ADD	797.35
LOT 4 BLOCK 2 OAK CREEK ADD	6,250.06
LOT 1 BLOCK 3 OAK CREEK ADD	780.61
LOT 2 BLOCK 3 OAK CREEK ADD	9,873.07
LOT 8 BLOCK 3 OAK CREEK ADD	1,192.85
LOT 9 BLOCK 3 OAK CREEK ADD	1,118.95
LOT 1 BLOCK 1 OAK CREEK 2ND ADD	740.19
LOT 1 BLOCK 2 OAK CREEK 3RD ADD	808.10
LOT 2 BLOCK 2 OAK CREEK 3RD ADD	685.28
N 20 FT OF LOT 3 BLOCK 2 OAK CREEK 3RD ADD	80.91

LOT 1 BLOCK 1 OAK CREEK 4TH ADD	1,056.45
LOT 2 BLOCK 1 OAK CREEK 4TH ADD	1,413.11
LOT 3 BLOCK 1 OAK CREEK 4TH ADD	1,461.38
LOT 4 BLOCK 1 OAK CREEK 4TH ADD	1,461.28
LOT 5 BLOCK 1 OAK CREEK 4TH ADD	634.39
LOT 3 EXC N 20 FT THEREOF BLOCK 2 OAK CREEK 3RD ADD	710.37
LOT 1 BLOCK 1 CROSS POINTE 2ND ADD	7,034.21
LOT 2 BLOCK 1 CROSS POINTE 2ND ADD	1,655.18
LOT 3 BLOCK 1 CROSS POINTE 2ND ADD	646.70
LOT 4 BLOCK 1 CROSS POINTE 2ND ADD	1,152.28
LOT 5 BLOCK 1 CROSS POINTE 2ND ADD	694.21
LOT 6 BLOCK 1 CROSS POINTE 2ND ADD	1,930.76
LOT 7 BLOCK 1 CROSS POINTE 2ND ADD	7,588.45
LOT 1	2,490.68

BLOCK 2
CROSS POINTE 2ND ADD

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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 **May 11, 2009**, 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 fifteen (15) 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 **April 10, 2009** after its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this **7th day of April 2009**.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law