

_____Published in the Wichita Eagle, **October 27, 2006**

ORDINANCE NO. 47-174

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 LATERAL 3, MAIN 11, FOUR MILE CREEK SEWER, TO SERVE THE FAIRMONT, THE FAIRMONT 3RD & 4TH ADDITIONS, PARCELS "A" - "H", North of 21st Street, West of 127th Street East (468-83402/480-823).

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 **LATERAL 3, MAIN 11, FOUR MILE CREEK SEWER, TO SERVE THE FAIRMONT, THE FAIRMONT 3RD & 4TH ADDITIONS, PARCELS "A" - "H"** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$460,000.00** and that **\$460,000.00** be assessed against the improvement district 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-02-097, rescinded by Resolution No. R-05-417, rescinded by Resolution No. R-05-470, adopted February 5, 2002, August 9, 2005, & September 20, 2005, and published February 9, 2002 corrected & republished July 18, 2003, August 12, 2005, & September 23, 2005 corrected & republished October 16, 2005**, 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 B FAIRMONT ADD., THE	5,277.38
LOT 2	5,277.38

BLOCK B FAIRMONT ADD., THE	
LOT 3 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 4 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 5 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 6 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 7 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 8 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 9 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 10 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 11 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 12 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 13 BLOCK B FAIRMONT ADD., THE	5,277.38

LOT 14 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 15 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 16 BLOCK B FAIRMONT ADD., THE	5,277.38
LOT 2 BLOCK C FAIRMONT ADD., THE	5,277.38
LOT 3 BLOCK C FAIRMONT ADD., THE	5,277.38
LOT 4 BLOCK C FAIRMONT ADD., THE	5,277.38
LOT 5 BLOCK C FAIRMONT ADD., THE	5,277.38
LOT 6 BLOCK C FAIRMONT ADD., THE	5,277.38
LOT 7 & N1/2 RESERVE J ADJ ON S BLOCK C FAIRMONT ADD	5,277.38
LOT 1 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 2 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 3 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38

LOT 4 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 5 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 6 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 7 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 8 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 9 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 10 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 11 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 12 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 13 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 14 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 15 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38

LOT 16 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 17 & N1/2 RES I ADJ ON S BLOCK D FAIRMONT ADDITION	5,277.38
LOT 1 BLOCK G FAIRMONT ADD., THE	5,277.38
LOT 2 BLOCK G FAIRMONT ADD., THE	5,277.38
LOT 3 & N1/2 RES H ADJ ON S BLOCK G FAIRMONT ADDITION	5,277.38
LOT 12 & N1/2 RES H ADJ ON S BLOCK G FAIRMONT ADDITION	5,277.38
LOT 13 BLOCK G FAIRMONT ADD., THE	5,277.38
LOT 14 BLOCK G FAIRMONT ADD., THE	5,277.38
LOT 1 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 2 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 3 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 4 BLOCK A	4,864.60

FAIRMONT 3RD ADD	351.08
LOT 5 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 6 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 7 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 8 EXC BEG SWLY MOST COR NLY 110.63 FT TO NW COR E 71.8 FT SW 133.02 FT TO CUR NWLY ALG CUR 14.85FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	4,864.60 351.08
LOT 9 EXC BEG SE COR WLY ALG CUR 10.4 FT NW 116.47FT TO N LI E 56.85 FT TO NE COR SLY 110.63 FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	4,864.60 351.08
LOT 10 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 11 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 12 EXC BEG FRT COR COM LOTS 12- 13 TH SW 146.46 FT TO REAR COR COM TO LOTS 12-13 TH W 63.83 FT SW COR N 75.52 FT NE 141.44 FT TO CUR SELY ALG CUR 21.67 FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	4,864.60 351.09
LOT 13 EXC E 32 FT & EXC BEG FRT COR COM TO LOTS 12-13 SELY ALG CUR 2.68FT SW 139.2 FT TO S LI W 14.92 FT TO SW COR NE 146.45 FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	4,864.60 351.09
LOT 14 EXC W 24 FT BLOCK A FAIRMONT 3RD ADD	4,864.60 351.09

LOT 15 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 16 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.08
LOT 17 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.09
LOT 18 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.09
LOT 19 BLOCK A FAIRMONT 3RD ADD	4,864.60 351.09
LOT 20 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 21 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 22 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 23 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 24 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 25 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 26 BLOCK A	3,479.78

FAIRMONT 3RD ADD	351.09
LOT 27 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 28 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 29 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 30 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 31 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 32 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 33 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 34 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 35 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 36 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 37 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 38	3,479.78

BLOCK A FAIRMONT 3RD ADD	351.09
LOT 39 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 40 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 41 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 42 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 43 BLOCK A FAIRMONT 3RD ADD	3,479.78 351.09
LOT 1 BLOCK A FAIRMONT 4TH ADD	5,277.38
LOT 2 BLOCK A FAIRMONT 4TH ADD	5,277.38
LOT 3 BLOCK A FAIRMONT 4TH ADD	5,277.38
THAT PART LOT 8 BEG SWLY MOST COR NLY 110.63 FT TO NW COR E 71.8 FT SW 133.02 FT TO CUR NWLY ALG CUR 14.85 TO BEG & THAT PART LOT 9 BEG SE COR WLY ALG CUR 10.4FT NW 116.47 FT TO N LI E 56.85 FT TO NE COR SLY 110.63 FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	4,864.60 351.08
THAT PART LOT 12 BEG FRT COR COM TO LOTS 12-13 SW 146.46 FT TO REAR COR COM TO LOTS 12-13 W 63.83 FT TO SW COR N 75.52 FT NE 141.44 FT TO CUR SELY ALG CUR 21.67 FT TO BEG & THAT	4,864.60 351.09

PART LOT 13 BEG FRT COR COM TO LOTS 12-13 SELY ALG CUR 2.68 FT SW 139.2 FT TO S LI W 14.92 FT TO SW COR NE 146.45 FT TO BEG BLOCK A FAIRMONT 3RD ADDITION	
E 32 FT LOT 13 & W 24 FT LOT 14 BLOCK A FAIRMONT 3RD ADDITION	4,864.44 351.09

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 27, 2006**, 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 **2007**.

SECTION 5. This ordinance shall take effect and be in force as of and on **October 27, 2006** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **October 24, 2006**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law