

ORDINANCE NO. 48-230

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. 448-90342, TO SERVE WATERFRONT RESIDENTIAL, WATERFRONT 6TH & GREENWICH OFFICE PARK ADDITION, North of 13th, West of Greenwich (470-056).

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. 448-90342, TO SERVE WATERFRONT RESIDENTIAL, WATERFRONT 6TH & GREENWICH OFFICE PARK ADDITION** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$234,700.00** and that **\$190,734.59** be assessed against the improvement district and **\$43,965.41** 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. 07-560 rescinded by 07-640, rescinded by 08-002, rescinded by 08-287, adopted October 16, 2007 & November 6, 2007, January 8, 2008, June 3, 2008, and published October 19, 2007 & November 10, 2007, January 11, 2008, corrected & republished February 25, 2008, corrected & republished August 5, 2008, June 6, 2008, corrected & republished January 23, 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
LOT 51 EXC E 15 FT THEREOF BLOCK 1 WATERFRONT RESIDENTIAL ADD	836.67
E 15 FT LOT 51 BLOCK 1 WATERFRONT RESIDENTIAL ADD	114.34
LOT 52 EXC E 15 FT THEREOF	833.14

BLOCK 1 WATERFRONT RESIDENTIAL ADD	
E 15 FT LOT 52 BLOCK 1 WATERFRONT RESIDENTIAL ADD	117.87
LOT 4 BLOCK 1 WATERFRONT 6TH ADD	87,755.40
LOT 1 BLOCK 1 GREENWICH OFFICE PARK ADD	10,076.16
LOT 2 BLOCK 1 GREENWICH OFFICE PARK ADD	3,428.59
LOT 3 BLOCK 1 GREENWICH OFFICE PARK ADD	23,401.16
LOT 1 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 2 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 3 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 4 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 5 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 6 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 7 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 8 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08

LOT 9 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 10 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 11 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 12 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 13 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 14 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 15 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 16 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 17 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 18 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 19 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 20 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 21 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 22	970.08

BLOCK 1 WATERFRONT RESIDENTIAL ADD	
LOT 23 BLOCK 1 WATERFRONT RESIDENTIAL ADD	970.08
LOT 24 BLOCK 1 WATERFRONT RESIDENTIAL ADD	958.50
LOT 25 BLOCK 1 WATERFRONT RESIDENTIAL ADD	958.50
LOT 26 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 27 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 28 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 29 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 30 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 31 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 32 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 33 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 34 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 35 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01

LOT 36 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 37 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 38 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 39 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 40 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 41 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 42 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 43 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 44 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 45 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 46 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 47 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 48 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 49	951.01

BLOCK 1 WATERFRONT RESIDENTIAL ADD	
LOT 50 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 53 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 54 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 55 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 56 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 57 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 58 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 59 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 60 & E 4 FT LOT 61 BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01
LOT 1 BLOCK 2 WATERFRONT RESIDENTIAL ADD	951.01
LOT 2 BLOCK 2 WATERFRONT RESIDENTIAL ADD	951.01
LOT 3 BLOCK 2 WATERFRONT RESIDENTIAL ADD	951.01
LOT 4 BLOCK 2 WATERFRONT RESIDENTIAL ADD	951.01

LOT 1 BLOCK 3 WATERFRONT RESIDENTIAL ADD	951.01
LOT 2 BLOCK 3 WATERFRONT RESIDENTIAL ADD	951.01
LOT 3 BLOCK 3 WATERFRONT RESIDENTIAL ADD	951.01
LOT 4 BLOCK 3 WATERFRONT RESIDENTIAL ADD	951.01
LOT 61 EXC E 4 FT BLOCK 1 WATERFRONT RESIDENTIAL ADD	951.01

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