

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

ORDINANCE NO. 48-282

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 **IMPROVING MONUMENT, COWBOY, RED ROCK, CANYON, TO SERVE SOUTHWEST PASSAGE ADDITION, (PROJECT NO. 490-198/472-84447)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: **IMPROVING MONUMENT, COWBOY, RED ROCK, CANYON, TO SERVE SOUTHWEST PASSAGE ADDITION**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$384,300.00** and that **\$384,300.00** be assessed against the improvement district and **\$0.00** be paid by the City at large, 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. 07-023**, adopted **January 9, 2007**, and published **January 12, 2007**, 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:

<u>LEGAL OF PARCEL IN BENEFIT DISTRICT</u>	<u>ASSESSMENT</u>
LOT 1	10,386.49
BLOCK 1	
SOUTHWEST PASSAGE ADD	
LOT 2	10,386.49
BLOCK 1	
SOUTHWEST PASSAGE ADD	
LOT 3	10,386.49
BLOCK 1	
SOUTHWEST PASSAGE ADD	
LOT 1 & LOT 2 EXC BEG SLY MOST COR	10,386.49
LOT 2 TH NW 53 FT TH NE 120.22 FT	
74.09 FT TH SW 128.71 FT TO BEG	

BLOCK 2	
SOUTHWEST PASSAGE ADD	
THAT PART LOT 2 BEG SLY MOST COR TH NW 53FT TH NE 120.22FT TH SE 74.09 FT TH SW 128.71FT TO BEG & LOT 3 EXC TH PT BEG SLY MOST COR TH NWLY ALG CUR 38 FT TH NELY 130.97 FT TH SELY 54.06 FT TH SWLY 135.64 FT TO BEG	10,386.49
BLOCK 2	
SOUTHWEST PASSAGE ADD.	
TH PT LOT 3 BEG SLY MOST COR TH NW ALG CUR 38 FT TH NELY 130.97 FT TH SELY 54.06 FT TH SWLY 135.64 FT TO BEG & LOT 4 EXC BEG SLY MOST COR TH NWLY ALG CUR 22 FT TH NE 148.31 FT TO NELY LI TH SE 34.21 FT TO ELY MOST COR TH SWLY 158.73 FT TO BEG	10,386.49
BLOCK 2	
SOUTHWEST PASSAGE ADD	
BEG SLY MOST COR LOT 4 TH NWLY ALG CUR 22 FT TH NE 148.31 FT TO NELY LI TH SE 34.21 FT TO ELY MOST COR TH SW 158.73 FT TO BEG	10,386.49
BLOCK 2 SOUTHWEST PASSAGE ADD	
LOT 5	10,386.49
BLOCK 2	
SOUTHWEST PASSAGE ADD	
LOT 1	10,386.49
BLOCK 3	
SOUTHWEST PASSAGE ADD	
LOT 2	10,386.49
BLOCK 3	
SOUTHWEST PASSAGE ADD	
LOT 1	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 2	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 3	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 4	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 5	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 6	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 7	10,386.49
BLOCK 4	

SOUTHWEST PASSAGE ADD	
LOT 8	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 9	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 10	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 11	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 12	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 13	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 14	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 15	10,386.49
BLOCK 4	
SOUTHWEST PASSAGE ADD	
LOT 1	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 2	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 3	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 4	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 5	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 6	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 7	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 8	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 9	10,386.49
BLOCK 5	
SOUTHWEST PASSAGE ADD	
LOT 10	10,386.49
BLOCK 5	

SOUTHWEST PASSAGE ADD		
LOT 11		10,386.49
BLOCK 5		
SOUTHWEST PASSAGE ADD		
LOT 12		10,386.36
BLOCK 5		
SOUTHWEST PASSAGE ADD		

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 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 therefore 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