

_____Published in the Wichita Eagle, **April 4, 2008**

ORDINANCE NO. 47-811

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. 448-90161, TO SERVE EMERALD BAY ESTATES ADDITION & UNPLATTED TRACTS A, B & C, West of West Street, North of 21st (470-972).**

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. 448-90161, TO SERVE EMERALD BAY ESTATES ADDITION & UNPLATTED 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 **\$614,900.00** and that **\$215,215.00** be assessed against the improvement district and **\$399,685.00** 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. 06-035 rescinded by Resolution No. 06-459, adopted January 24, 2006 & September 12, 2006, and published January 27, 2006 & September 15, 2006**, be and the same are hereby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
S1/2 NE1/4 EXC BEG NW COR THEREOF E 647.85 FT SW 979.38 FT TO W LI N 735.71 FT TO BEG & EXC EMERALD BAY ESTATES ADD & EXC RD ON E SEC 2-27-1W	4,202.76
N1/2 SE1/4 EXC EMERALD BAY ESTATES ADD & EXC 4.12A FLOODWAY A-31849 SEC 2-27-1W	73,140.13

S 1/2 SE 1/4 EXC FLOODWAY SEC 2-27-1W	67,142.60
E 165 FT S 264 FT SW 1/4 EXC S 50 FT FOR RD. SEC 2-27-1W	112.09
LOT 1 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 2 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 3 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 4 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 5 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 6 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 7 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 8 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 9 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 10 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 11 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 12 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91

LOT 13 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 14 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 15 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 16 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 17 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 18 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 19 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 20 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 21 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 22 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 23 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 24 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 25 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 26 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91

LOT 27 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 28 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 29 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 30 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 31 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 32 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 33 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 34 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 35 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 36 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 37 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 38 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 39 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 40 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91

LOT 41 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 42 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 43 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 44 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 45 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 46 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 47 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 48 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 49 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 50 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 51 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 52 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 53 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 54 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91

LOT 55 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 56 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 57 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 58 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 59 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 60 BLOCK 1 EMERALD BAY ESTATES ADD	1,120.91
LOT 1 BLOCK 2 EMERALD BAY ESTATES ADD	1,120.91
LOT 2 BLOCK 2 EMERALD BAY ESTATES ADD	1,120.91
LOT 3 BLOCK 2 EMERALD BAY ESTATES ADD	1,121.00

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 5, 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 **2008**.

SECTION 5. This ordinance shall take effect and be in force as of and on **April 4, 2008** after its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this **1st day of April 2008**.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law