

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

ORDINANCE NO. 47-248

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 ASPHALT MAT PAVING ON 37TH STREET NORTH, TO SERVE PRAIRIE POINTE, PRAIRIE POINTE 2ND & THE ROYAL MAGNOLIA ADDITIONS, (PROJECT NO. 490-073/472-84044)

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 ASPHALT MAT PAVING ON 37TH STREET NORTH, TO SERVE PRAIRIE POINTE, PRAIRIE POINTE 2ND & THE ROYAL MAGNOLIA ADDITIONS**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$106,600.00** and that **\$106,600.00** 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assessments to pay the cost of said improvement as authorized by **Resolution No. R-04-374, amended by R-04-464, rescinded by R-05-363, rescinded by R-05-480, rescinded by R-05-664, adopted July 20, 2004, September 14, 2004, July 12, 2005, October 4, 2005, December 20, 2005, and published July 23, 2004, September 17, 2004, July 16, 2005, October 7, 2005, December 29, 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 1 PRAIRIE POINTE ADD	813.32
LOT 2 BLOCK 1 PRAIRIE POINTE ADD	813.32

LOT 3 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 4 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 5 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 6 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 7 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 8 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 9 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 10 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 11 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 12 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 13 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 14 BLOCK 1	813.32

PRAIRIE POINTE ADD	
LOT 15 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 16 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 17 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 18 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 19 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 20 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 21 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 22 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 23 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 24 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 25 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 26	813.32

BLOCK 1 PRAIRIE POINTE ADD	
LOT 27 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 28 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 29 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 30 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 31 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 32 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 33 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 34 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 35 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 36 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 37 BLOCK 1 PRAIRIE POINTE ADD	813.32

LOT 39 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 40 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 41 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 42 BLOCK 1 PRAIRIE POINTE ADD	813.32
LOT 1 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 2 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 3 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 4 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 5 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 6 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 7 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 8 BLOCK 2 PRAIRIE POINTE ADD	813.32

LOT 9 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 10 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 11 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 12 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 13 BLOCK 2 PRAIRIE POINTE ADD	813.32
LOT 1 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 2 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 3 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 4 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 5 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 6 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 7 BLOCK 3 PRAIRIE POINTE ADD	813.32

LOT 8 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 9 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 10 BLOCK 3 PRAIRIE POINTE ADD	813.32
LOT 1 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 2 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 3 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 4 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 5 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 6 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 7 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 8 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 9 BLOCK 4	813.32

PRAIRIE POINTE ADD	
LOT 10 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 11 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 12 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 13 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 14 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 15 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 16 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 17 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 18 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 19 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 20 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 21	813.32

BLOCK 4 PRAIRIE POINTE ADD	
LOT 22 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 23 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 24 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 25 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 26 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 27 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 28 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 29 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 30 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 31 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 32 BLOCK 4 PRAIRIE POINTE ADD	813.32

LOT 33 BLOCK 4 PRAIRIE POINTE ADD	813.32
LOT 1 BLOCK 5 PRAIRIE POINTE ADD	813.32
LOT 2 BLOCK 5 PRAIRIE POINTE ADD	813.32
LOT 3 BLOCK 5 PRAIRIE POINTE ADD	813.32
LOT 4 BLOCK 5 PRAIRIE POINTE ADD	813.32
LOT 1 BLOCK A ROYAL MAGNOLIA ADD	14,695.01
LOT 1 BLOCK 1 PRAIRIE POINTE 2ND ADD	813.32
LOT 1 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 2 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 3 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 4 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 5 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32

LOT 6 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 7 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 8 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 9 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 10 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.32
LOT 11 BLOCK 2 PRAIRIE POINTE 2ND ADD	813.15

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