

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

ORDINANCE NO. 47-182

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 MAIN 6, COWSKIN INTERCEPTOR SEWER, TO SERVE TURKEY CREEK 2ND ADDITION & UNPLATTED TRACT 'A', North of Pawnee, West of 119th Street West (468-83817/480-769).

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 **MAIN 6, COWSKIN INTERCEPTOR SEWER, TO SERVE TURKEY CREEK 2ND ADDITION & UNPLATTED TRACT 'A'** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$582,100.00** and that **\$291,050.00** be assessed against the improvement district and **\$291,050.00** 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-04-257, rescinded by Resolution No. R-05-103, adopted May 18, 2004 & March 1, 2005, and published May 21, 2004 & March 4, 2005, corrected & republished March 23, 2005**, be and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 2 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 3 BLOCK A TURKEY CREEK 2ND ADD	320.15

LOT 4 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 5 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 6 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 7 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 8 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 9 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 10 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 11 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 12 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 13 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 14 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 15 BLOCK A TURKEY CREEK 2ND ADD	320.15

LOT 16 BLOCK A TURKEY CREEK 2ND ADD	320.15
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LOT 19 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 20 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 21 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 22 BLOCK A TURKEY CREEK 2ND ADD	320.15
LOT 23 BLOCK A TURKEY CREEK 2ND ADD	320.15
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LOT 4 BLOCK B TURKEY CREEK 2ND ADD	320.15
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LOT 6 BLOCK B TURKEY CREEK 2ND ADD	320.15
LOT 7 BLOCK B TURKEY CREEK 2ND ADD	320.15
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LOT 9 BLOCK B TURKEY CREEK 2ND ADD	320.15
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LOT 55 BLOCK E TURKEY CREEK 2ND ADD	320.15
LOT 56 BLOCK E TURKEY CREEK 2ND ADD	320.15
LOT 57 BLOCK E TURKEY CREEK 2ND ADD	320.15
LOT 58 BLOCK E TURKEY CREEK 2ND ADD	320.15
LOT 59 BLOCK E TURKEY CREEK 2ND ADD	320.15
E 1/2 NW 1/4 N OF ROW EXC 1.42A ST HYWY CCA 38302 & EXC .10A DED TO ST FOR HYWY & EXC E 1056 FT THEREOF SEC 36-27-2W	8,128.47
BEG 37 FT N SW COR NW1/4 TH N 375 FT E 1290 FT S 375 FT W 1290 FT TO BEG SEC 36-27-2W	8,561.74

<p>THAT PART NW1/4 LY S OF RR R-O-W EXC BEG S LI RR R-O-W & W LI NW1/4 S 215 FT E 350 FT N 215 FT W TO BEG & EXC N 375 FT S 412 FT W 1290 FT & EXC E 911.94 FT SEC 36-27-2W</p>	8,129.35
<p>SE1/4 EXC THAT PART LY E OF CREEK & EXC RD ON S SEC 36-27-2W</p>	45,231.66
<p>W1/2 SW1/4 EXC BEG 627.63 FT N SW COR TH E 249.2 FT N 259.16 FT W 249.2 FT S 259.16 FT TO BEG SEC 36-27-2W</p>	56,718.28
<p>BEG 627.63 FT N SW COR SW1/4 TH E 249.2 FT N 259.16 FT W 249.2 FT S 259.16 FT TO BEG SEC 36-27-2W</p>	42,183.65
<p>E1/2 SW1/4 EXC E 911.53 FT SEC 36-27-2W</p>	16,829.77
<p>E 792 FT E 1/2 NW 1/4 LYING N OF ROW EXC HWY CCA 38302 & EXC PT DED TO ST SEC 36-27-2W</p>	25,911.22
<p>W 264 FT E 1056 FT E1/2 NW1/4 LY N RR ROW EXC HWY CCA 38302 & EXC PT DED TO STATE SEC 36-27-2W</p>	8,878.58
<p>LOT 1 EXC THAT PT BEG NE COR S 25 FT NWLY 39.05 FT E 30 FT TO BEG BLOCK A TURKEY CREEK 2ND ADDITION</p>	309.23
<p>LOT 1 EXC THAT PT BEG SE COR W 30 FT NELY 39.05 FT TO E LI S 25 FT TO BEG BLOCK B TURKEY CREEK 2ND ADDITION</p>	309.23
<p>THAT PART LOT 1 BEG SE COR NW ALG SLY LI 30 FT NE 39.05 FT TO E LI TH SLY 25 FT TO BEG BLOCK E</p>	309.23

TURKEY CREEK 2ND ADDITION	
BEG NE COR LOT 60 TH S 25 FT NW 39.05 FT TO PT ON N LI SE ALG N LI 30 FT TO BEG BLOCK E TURKEY CREEK 2ND ADDITION	10.95
E 911.94 FT NW1/4 LY S OF RR ROW SEC 36-27-2W	8,687.37
LOT 60 EXC BEG NE COR TH S 25 FT NW 39.05 FT TO PT ON N LI SE ALG N LI 30 FT TO BEG BLOCK E TURKEY CREEK 2ND ADDITION	310.16
LOT 1 EXC BEG SE COR NW ALG SLY LI 30 FT NE 39.05 FT TO E LI TH SLY 25 FT TO BEG BLOCK E TURKEY CREEK 2ND ADDITION	10.92
THAT PT LOT 1 BEG SE COR W 30 FT NELY 39.05 FT TO E LI S 25 FT TO BEG BLOCK B TURKEY CREEK 2ND ADDITION	10.92
THAT PT LOT 1 BEG NE COR S 25 FT NWLY 39.05 FT E 30 FT TO BEG BLOCK A TURKEY CREEK 2ND ADDITION	10.92

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