

Published in The Wichita Eagle, April 10, 2009

ORDINANCE NO. 48-279

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 **ZELTA DRIVE FROM THE NORTH LINE OF KELLOGG DR. TO THE SOUTH LINE OF WATERMAN ST., TO SERVE LINWOOD ACRES, C.J.J 2ND ADDITION, BAXTER PLACE, REYNOLD'S, REYNOLD'S 2ND ADDITIONS, & UNPLATTED TRACTS, (PROJECT NO. 490-087/472-84300)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: **ZELTA DRIVE FROM THE NORTH LINE OF KELLOGG DR. TO THE SOUTH LINE OF WATERMAN ST., TO SERVE LINWOOD ACRES, C.J.J 2ND ADDITION, BAXTER PLACE, REYNOLD'S, REYNOLD'S 2ND ADDITIONS, & UNPLATTED TRACTS**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$322,400.00** and that **\$170,771.25** be assessed against the improvement district and **\$151,628.75** 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 Special assessments to pay the cost of said improvement as authorized by **Resolution No. 05-538, rescinded by 08-294**, adopted **November 1, 2005 & June 3, 2008**, and published **November 4, 2005 & June 6, 2008**, be and the same are hereby levied against the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
BEG 200 FT E SW COR SE 1/4 TH E 130 FT N 1320 FT W 130 FT S TO BEG EXC HWY & EXC S 1/2 NOW PLATTED AS PART OF REYNOLDS ADD	10,568.85
SEC 22-27-2E	

LOT 2	5,103.60
LINWOOD ACRES ADD.	
EXEMPT #94-984-TX	
LOT 3	5,097.92
LINWOOD ACRES ADD.	
E 48 FT LOT 36 & LOT 37 EXC	4,709.91
S 119 FT & EXC E 8 FT	
LINWOOD ACRES ADD	
LOT 38 & E 8 FT LOT 37	5,287.01
LINWOOD ACRES ADD.	
LOT 39 EXC S 151.5 FT	2,486.92
LINWOOD ACRES ADD.	
EXEMPT 30-84-TX	
S 151.5 FT OF LOT 39	2,486.92
LINWOOD ACRES ADD.	
LOT 40 EXC S 1/2 & EXC E 3 FT FOR	2,428.11
ST	
LINWOOD ACRES ADD.	958.92
S 1/2 LOT 40	2,486.92
LINWOOD ACRES ADD.	
	1,766.04
LOT 41 EXC N 5 FT FOR ST & EXC N 9	4,766.78
FT S 30 FT W 25 FT E 34 FT THEREOF	
& EXC E 46 FT S 21 FT THEREOF	2,262.59
LINWOOD ACRES ADDITION	
LOT 42	4,973.71
LINWOOD ACRES ADD.	
LOT 43	4,973.71
LINWOOD ACRES ADD.	
E 1/2 OF LOT 44	2,486.79
LINWOOD ACRES ADD.	
LOT 45 & W 1/2 LOT 44	7,362.78
LINWOOD ACRES ADD.	
E 60 FT LOT 76 EXC ST	1,822.44
& EXC N 13 FT S 67.8 FT	
THEREOF DED FOR ST	
LINWOOD ACRES ADD	
W 67 FT LOT 76 EXC S 13 FT FOR ST &	1,959.06
EXC .08A ST HWY	
LINWOOD ACRES ADD.	
E 1/2 LOT 78	2,035.44
LINWOOD ACRES ADD.	
LOT 79 EXC .165A ST HY	4,070.89
LINWOOD ACRES ADD.	
LOT 80 EXC .166A ST. HWY	3,857.50
LINWOOD ACRES ADD.	
	1,550.84
LOT 1 EXC N 298 FT & EXC THAT PT	3,334.81
DEEDED TO CITY FOR ST	
BLOCK A	4,807.62
REYNOLDS ADD.	
N 298 FT LOT 1 EXC W 5 FT FOR ST	6,355.27
BLOCK A	
REYNOLDS ADD.	11,363.18

LOT 2 EXC N 298 FT & EXC THAT PT DEED TO CITY FOR ST BLOCK A REYNOLDS ADD.	3,366.60
LOT 1 REYNOLD'S 2ND. ADD.	1,672.90
LOT 2 REYNOLD'S 2ND. ADD.	1,597.28
LOT 3 REYNOLD'S 2ND. ADD.	1,597.28
LOT 4 REYNOLD'S 2ND. ADD.	1,597.28
LOT 5 REYNOLD'S 2ND. ADD.	1,597.28
	933.48
LOT 6 REYNOLD'S 2ND. ADD.	1,597.28
	1,073.44
LOT 7 REYNOLD'S 2ND. ADD.	1,597.28
	1,633.44
LOT 8 REYNOLD'S 2ND. ADD.	1,672.90
	1,332.64
LOT 1 BAXTER PLACE ADD.	13,026.69
N 298 FT LOT 2                      BLOCK A REYNOLDS ADDITION	5,007.18
LOT 1 C J J 2ND ADD.	5,772.61
E 46 FT S 21 FT LOT 41 LINWOOD ACRES ADDITION	124.86
S 119 FT LOT 37 EXC E 8 FT LINWOOD ACRES ADD	1,830.32
LOT 1 BLOCK 1 LINWOOD ACRES 2ND ADD	1,150.08
LOT 2 BLOCK 1 LINWOOD ACRES 2ND ADD	1,269.32
LOT 2 BLOCK 1 LINWOOD ACRES 2ND ADD	981.92
LOT 3 BLOCK 1 LINWOOD ACRES 2ND ADD	1,269.32
LOT 3 BLOCK 1 LINWOOD ACRES 2ND ADD	981.92
LOT 4 BLOCK 1 LINWOOD ACRES 2ND ADD	1,269.32
LOT 4 BLOCK 1 LINWOOD ACRES 2ND ADD	982.05
LOT 5 BLOCK 1 LINWOOD ACRES 2ND ADD	1,269.32
LOT 5 BLOCK 1 LINWOOD ACRES 2ND ADD	986.81
LOT 5 BLOCK 1 LINWOOD ACRES 2ND ADD	1,269.32

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 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 **7<sup>th</sup> day of April 2009**.

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk  
(seal)

APPROVED AS TO FORM:

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Gary Rebenstorf, Director of Law