

_____Published in the Wichita Eagle, **November 5, 2004**

ORDINANCE NO. 46-263

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. 448-89581, TO SERVE FLAT CREEK ADDITION, East of 119th Street West, North of Pawnee (470-820)**

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. 448-89581, TO SERVE FLAT CREEK ADDITION** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$29,428.00** and that **\$24,613.58** be assessed against the improvement district and **\$4,814.42** 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. R-01-234, adopted June 5, 2001 and published June 8, 2001**, 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	137.51
BLOCK A	
FLAT CREEK ADD.	
LOT 2	137.51
BLOCK A	
FLAT CREEK ADD.	

LOT 3 BLOCK A FLAT CREEK ADD.	137.51
LOT 4 BLOCK A FLAT CREEK ADD.	137.51
LOT 7 BLOCK A FLAT CREEK ADD.	137.51
LOT 8 BLOCK A FLAT CREEK ADD.	137.51
LOT 9 BLOCK A FLAT CREEK ADD.	137.51
LOT 10 BLOCK A FLAT CREEK ADD.	137.51
LOT 12 BLOCK A FLAT CREEK ADD.	137.51
LOT 13 BLOCK A FLAT CREEK ADD.	137.51
LOT 14 BLOCK A FLAT CREEK ADD.	137.51
LOT 15 BLOCK A FLAT CREEK ADD.	137.51
LOT 16 BLOCK A FLAT CREEK ADD.	137.51
LOT 17 BLOCK A	137.51

FLAT CREEK ADD.	
LOT 18 BLOCK A FLAT CREEK ADD.	137.51
LOT 19 BLOCK A FLAT CREEK ADD.	137.51
LOT 20 BLOCK A FLAT CREEK ADD.	137.51
LOT 21 BLOCK A FLAT CREEK ADD.	137.51
LOT 1 BLOCK B FLAT CREEK ADD.	137.51
LOT 2 BLOCK B FLAT CREEK ADD.	137.51
LOT 3 BLOCK B FLAT CREEK ADD.	137.51
LOT 4 BLOCK B FLAT CREEK ADD.	137.51
LOT 5 BLOCK B FLAT CREEK ADD.	137.51
LOT 6 BLOCK B FLAT CREEK ADD.	137.51
LOT 7 BLOCK B FLAT CREEK ADD.	137.51

LOT 8 BLOCK B FLAT CREEK ADD.	137.51
LOT 9 BLOCK B FLAT CREEK ADD.	137.51
LOT 10 BLOCK B FLAT CREEK ADD.	137.51
LOT 11 BLOCK B FLAT CREEK ADD.	137.51
LOT 12 BLOCK B FLAT CREEK ADD.	137.51
LOT 13 BLOCK B FLAT CREEK ADD.	137.51
LOT 14 BLOCK B FLAT CREEK ADD.	137.51
LOT 15 BLOCK B FLAT CREEK ADD.	137.51
LOT 16 BLOCK B FLAT CREEK ADD.	137.51
LOT 18 BLOCK B FLAT CREEK ADD.	137.51
LOT 19 BLOCK B FLAT CREEK ADD.	137.51
LOT 20	137.51

BLOCK B FLAT CREEK ADD.	
LOT 21 BLOCK B FLAT CREEK ADD.	137.51
LOT 22 BLOCK B FLAT CREEK ADD.	137.51
LOT 23 BLOCK B FLAT CREEK ADD.	137.51
LOT 24 BLOCK B FLAT CREEK ADD.	137.51
LOT 25 BLOCK B FLAT CREEK ADD.	137.51
LOT 26 BLOCK B FLAT CREEK ADD.	137.51
LOT 27 BLOCK B FLAT CREEK ADD.	137.51
LOT 28 BLOCK B FLAT CREEK ADD.	137.51
LOT 29 BLOCK B FLAT CREEK ADD.	137.51
LOT 30 BLOCK B FLAT CREEK ADD.	137.51
LOT 31 BLOCK B FLAT CREEK ADD.	137.51

LOT 1 BLOCK C FLAT CREEK ADD.	137.51
LOT 2 BLOCK C FLAT CREEK ADD.	137.51
LOT 3 BLOCK C FLAT CREEK ADD.	137.51
LOT 4 BLOCK C FLAT CREEK ADD.	137.51
LOT 5 BLOCK C FLAT CREEK ADD.	137.51
LOT 6 BLOCK C FLAT CREEK ADD.	137.51
LOT 7 BLOCK C FLAT CREEK ADD.	137.51
LOT 8 BLOCK C FLAT CREEK ADD.	137.51
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LOT 14 BLOCK C FLAT CREEK ADD.	137.51
LOT 15 BLOCK C FLAT CREEK ADD.	137.51
LOT 16 BLOCK C FLAT CREEK ADD.	137.51
LOT 17 BLOCK C FLAT CREEK ADD.	137.51
LOT 18 BLOCK C FLAT CREEK ADD.	137.51
LOT 19 BLOCK C FLAT CREEK ADD.	137.51
LOT 20 BLOCK C FLAT CREEK ADD.	137.51
LOT 21 BLOCK C FLAT CREEK ADD.	137.51
LOT 22 BLOCK C FLAT CREEK ADD.	137.51
LOT 23 BLOCK C	137.51

FLAT CREEK ADD.	
LOT 24 BLOCK C FLAT CREEK ADD.	137.51
LOT 25 BLOCK C FLAT CREEK ADD.	137.51
LOT 26 BLOCK C FLAT CREEK ADD.	137.51
LOT 27 BLOCK C FLAT CREEK ADD.	137.51
LOT 28 BLOCK C FLAT CREEK ADD.	137.51
LOT 29 BLOCK C FLAT CREEK ADD.	137.51
LOT 30 BLOCK C FLAT CREEK ADD.	137.51
LOT 1 BLOCK D FLAT CREEK ADD.	137.51
LOT 2 BLOCK D FLAT CREEK ADD.	137.51
LOT 3 BLOCK D FLAT CREEK ADD.	137.51
LOT 4 BLOCK D FLAT CREEK ADD.	137.51

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LOT 6 BLOCK D FLAT CREEK ADD.	137.51
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LOT 9 BLOCK D FLAT CREEK ADD.	137.51
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LOT 14 BLOCK D FLAT CREEK ADD.	137.51
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LOT 16	137.51

BLOCK D FLAT CREEK ADD.	
LOT 17 BLOCK D FLAT CREEK ADD.	137.51
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LOT 21 BLOCK D FLAT CREEK ADD.	137.51
LOT 22 BLOCK D FLAT CREEK ADD.	137.51
LOT 23 BLOCK D FLAT CREEK ADD.	137.51
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LOT 26 BLOCK D FLAT CREEK ADD.	137.51
LOT 27 BLOCK D FLAT CREEK ADD.	137.51

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LOT 35 BLOCK D FLAT CREEK ADD.	137.51
LOT 36 BLOCK D FLAT CREEK ADD.	137.51
LOT 37 BLOCK D FLAT CREEK ADD.	137.51
LOT 38 BLOCK D FLAT CREEK ADD.	137.51

LOT 39 BLOCK D FLAT CREEK ADD.	137.51
LOT 40 BLOCK D FLAT CREEK ADD.	137.51
LOT 41 BLOCK D FLAT CREEK ADD.	137.51
LOT 42 BLOCK D FLAT CREEK ADD.	137.51
LOT 43 BLOCK D FLAT CREEK ADD.	137.51
LOT 44 BLOCK D FLAT CREEK ADD.	137.51
LOT 45 BLOCK D FLAT CREEK ADD.	137.51
LOT 46 BLOCK D FLAT CREEK ADD.	137.51
LOT 47 BLOCK D FLAT CREEK ADD.	137.51
LOT 48 BLOCK D FLAT CREEK ADD.	137.51
LOT 49 BLOCK D FLAT CREEK ADD.	137.51
LOT 50 BLOCK D	137.51

FLAT CREEK ADD.	
LOT 51 BLOCK D FLAT CREEK ADD.	137.51
LOT 52 BLOCK D FLAT CREEK ADD.	137.51
LOT 53 BLOCK D FLAT CREEK ADD.	137.51
LOT 1 BLOCK E FLAT CREEK ADD.	137.51
LOT 2 BLOCK E FLAT CREEK ADD.	137.51
LOT 3 BLOCK E FLAT CREEK ADD.	137.51
LOT 4 BLOCK E FLAT CREEK ADD.	137.51
LOT 5 BLOCK E FLAT CREEK ADD.	137.51
LOT 6 BLOCK E FLAT CREEK ADD.	137.51
LOT 7 BLOCK E FLAT CREEK ADD.	137.51
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LOT 9 BLOCK E FLAT CREEK ADD.	137.51
LOT 10 BLOCK E FLAT CREEK ADD.	137.51
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LOT 13 BLOCK E FLAT CREEK ADD.	137.51
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LOT 19 BLOCK E FLAT CREEK ADD.	137.51
LOT 20	137.51

BLOCK E FLAT CREEK ADD.	
LOT 21 BLOCK E FLAT CREEK ADD.	137.51
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LOT 2 BLOCK F FLAT CREEK ADD.	137.51
LOT 3 BLOCK F FLAT CREEK ADD.	137.51
LOT 4 BLOCK F FLAT CREEK ADD.	137.51
LOT 5 BLOCK F FLAT CREEK ADD.	137.51
LOT 6 BLOCK F FLAT CREEK ADD.	137.51
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LOT 21 BLOCK F FLAT CREEK ADD.	137.51

LOT 22 BLOCK F FLAT CREEK ADD.	137.51
LOT 23 BLOCK F FLAT CREEK ADD.	137.51
LOT 11 BLOCK A FLAT CREEK ADD.	137.51
LOT 17 BLOCK B FLAT CREEK ADD.	136.81
LOT 5 & TH PT LOT 6 BEG SW COR TH N 21.85 FT TH SELY ALG CUR 23.3 FT TO S LI WLY 6.46 FT TO BEG BLOCK A FLAT CREEK ADDITION	138.84
LOT 6 EXC BEG SW COR TH N 21.85 FT TH SELY ALG CUR 23.3 FT TO S LI WLY 6.46 FT TO BEG BLOCK A FLAT CREEK ADDITION	136.17

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 **December 6, 2004**, 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 **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **November 5, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **November 2, 2004**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law