

(Published in the Topeka Metro News June 11, 2008)

## ORDINANCE NO. 19091

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, pursuant to K.S.A. 12-6a01, *et seq.*, as amended, for the improvement of a roundabout at SW 6<sup>th</sup> Avenue and Wanamaker with pavement, curb and gutter and all other contingencies needed to complete Street Improvement Project No. 60581-01 as defined and described in Resolution No. 7364, adopted and approved July 1, 2003.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. For the purpose of paying the cost of pavement, curb and gutter and all other contingencies needed to complete the project, same being Street Improvement Project No. 60581-01, in the City of Topeka, Shawnee County, Kansas, there is, pursuant to K.S.A. 12-6a01, *et seq.*, as amended, hereby levied and assessed a special assessment on all lots and pieces of ground liable therefore. Said assessments are computed as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To provide a round-a-bout at the intersection of SW Wanamaker Road as it intersects SW Sixth Avenue; with pavement, concrete curb and gutter, sidewalk ramps, storm drainage facilities, engineering and all other contingencies needed to complete the project.

B. IMPROVEMENT DISTRICT:

Begin at the northeast corner of Lot 3, Block "A," Menninger Subdivision No. 4, said point also being the south right of way line of SW Sixth Avenue at SW Wanamaker Road; thence westerly on the south right of way line of SW Sixth Avenue to the east right of way line SW Corporate View; thence southerly on the east right of way line of SW Corporate View for a distance of 592.22 feet to the northwest corner of Lot 1, Block "A," Menninger Subdivision No. 6; thence southeasterly on the northerly line of Lot 1 for a distance of 456.41 feet to the northeast corner of said Lot 1; thence southerly 621.73 feet to the southeast corner of said Lot 1, also being the north right of way line of Interstate Highway 70; thence westerly following said north right of way line

to the southwest corner of Lot 1, Block "A," Menninger Subdivision No. 6; thence northerly 372.54 feet to the northwest corner of Lot 1; thence westerly 352.73 feet to the northwest corner of Lot 4, Block "A," Menninger Subdivision No. 3; thence southerly 399.74 feet to the southwest corner of said Lot 4 and the northerly right of way line of Interstate Highway 70; thence westerly on said north line of Interstate Highway 70 to the southwest corner of Lot 3, Block "A," Menninger Subdivision No. 3; thence northerly on the west line of Lots 3 and 2 to the northwest corner of Lot 2, Block "A," Menninger Subdivision No. 3; thence easterly to the northeast corner of said Lot 2 and the west right of way line of Commerce Place; thence northerly on the west right of way line of Commerce Place to the north east corner of Lot 1, Block "A," Menninger Subdivision No. 3; thence westerly to the northwest corner of said Lot 1; thence northerly 105.01 feet to the northwest corner of the northeast quarter of Section 32, Township 11 South, Range 15 east of the Sixth Principal Meridian; thence northerly on the west line of the southeast quarter of Section 29, Township 11 south, Range 15 east of the Sixth P.M., said west line also being the center line of the old Murray Hill Road for a distance of 1320 feet, more or less, to the northeast corner of the south one-half of the southwest quarter of Section 29, Township 11 South, Range 15 east of the Sixth P.M.; thence west on the north line of the south one-half of the southwest quarter of Section 29 for a distance of 660 feet, more or less; thence northerly to a point 577.50 feet south of the south line of the old government survey Lot 6; thence easterly on a line parallel with and 577.50 feet south of the south line of said government survey Lot 6 to a point 577.50 feet south of the southeast corner of said Lot 6, this point is also the west line of the east one-half of the southeast quarter of Section 29, Township 11 south, Range 15 east of the Sixth P.M.; thence southerly on said west line of the east one-half of the southeast quarter of Section 29 to the northwest corner of the southeast quarter of the southeast quarter of said Section 29; thence easterly on the north line of the southeast quarter of the southeast quarter of Section 29, Township 11 south, Range 15 east of the Sixth P.M. to the east line of said Section 29, and the west line of Menninger Foundation Subdivision; thence northerly on said west line of Lot 1, Block "A," Menninger Foundation Subdivision to the south line of Chicago, Rock Island, and Pacific Railroad right of way, and the north line of Lot 1, Block "A," Menninger Foundation Subdivision; thence easterly on the south line of said railroad right of way to the northeast corner of Lot 1, Block "A," Menninger Foundation Subdivision; thence southerly on the east line of said subdivision to the southeast corner of Lot 1, Block "B," Menninger Foundation Subdivision, also being the northerly right of way of Interstate Highway 70; thence westerly following the northerly right of way line of Interstate Highway 70 to the east right of way line of SW Wanamaker Road; thence westerly across SW Wanamaker Road to the southeast corner of Lot 3, Block "A," Menninger Subdivision No. 2; thence northerly on the east line of said Lot 3 to the northeast corner of Lot 3, Block "A," Menninger Subdivision No. 2 and the point of beginning.

C. METHOD OF ASSESSMENT:

On a square foot of area basis for all lots, parcels or tracts which are included in the described improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = \$ 1,109,325.00

Section 2. The several amounts are apportioned, levied and assessed against each of said lots and pieces of ground according to the benefits to be derived by reason of the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

STREET IMPROVEMENT PROJECT NO. 60581-01

<u>Parcel Identification Number</u>	<u>Description</u>	<u>Assessment</u>
	<u>RIVER HILL SUBDIVISION</u> <u>BLOCK "A"</u>	
0992900002003040	Lot 1, lying in section 29-11-15 described as follows: Beginning at SW Corner of Lot 1; thence North 640.01'; thence East 1250.44'; thence South 515' (scaled); thence West 267.91'; thence South 111.30'; thence West 230' (scaled); thence Northeasterly 192' (scaled); thence West 325.47'; thence South 199.72'; thence West 135' (scaled); thence North 195'; thence West 326.14'; thence South 195'; thence West 22' to the Point of Beginning.	\$38,123.53
0992900002003050	Part of Lot 2, Beginning 196' North of SW Corner of Lot 2; thence North 444.01'; thence East 560'; thence South 640.01'; thence West 283'; thence North 196'; thence West 276.99' to the Point of Beginning.	\$18,139.23
0992900002003060	Part of Lot 2, Beginning at SW Corner of Lot 2; thence North 196'; thence East 276.99'; thence South 196'; thence West 276.99' to the Point of Beginning.	\$3,222.42
0992900002003080	Part of Lot 1; Beginning 22' East of the SW Corner of Lot 1; thence North 195'; thence East 326.14'; thence South 195'; thence West 326.14' to Point of Beginning.	\$3,794.19

0992900002003090	Part of Lot 1; Beginning 482.16' Easterly of Southwest Corner of Lot 1; thence North 199.72'; thence East 325.47'; thence Southwesterly 289.34'; thence Northwesterly 239.22' to Point of Beginning.	\$3,872.10
0993201001001000	Part of Lot 1, Block "A", lying in section 32-11-15, less Beginning 50' East of Northeast Corner of Northeast Quarter; thence South 351.04'; thence Southwesterly 170.40'; thence Northwesterly 255.78'; thence Northeasterly 89.83'; thence North 196.37'; thence East 264.08' to the Point of Beginning. Less Beginning Southwest Corner Lot 1; thence North 12' (scaled); East 740' (scaled); thence Southwesterly 95' (scaled); thence Northwesterly 239.22'; thence West 482.16' to Point of Beginning.	\$5,171.50
0992900002003030	Part of Lot 1, Block "A", Beginning 50.02' West of Southeast Corner of Southeast Quarter; thence South 86.69'; thence West 264.08'; thence North 197.95'; thence East 267.91'; thence South 111.30' to Point of Beginning.	\$3,144.50
0993201001001010	Part of Lot 1, Beginning 711.91' South of Northeast Corner of Lot 1; thence South 264.35' Southwesterly along curve 170.04'; thence Northwesterly 255.78'; thence Northeasterly 89.83'; thence North 109.68'; thence East 264.08' to Point of Beginning.	\$5,171.47

RIVER HILL SUBDIVISION  
BLOCK "B"

0992900002003000	Lot 1, Block "B", Less the South 150' of the East 322'.	\$26,403.24
0992900002003070	Begin at Southeast Corner of Lot 1; thence West 322.35'; thence North 150'; thence East 322.35'; thence South 150' to the Point of Beginning.	\$2,884.63

MENNINGER FOUNDATION SUBDIVISION  
BLOCK "A"

0983302001001000	Part of Lot 1, Beginning West 415' (scaled) of Southeast Corner of Southwest Quarter; thence, Southwesterly 725' (scaled); thence West 757.89'; thence North 223.79'; thence Southwesterly 176.86'; thence Northwesterly 252.54'; thence East 1400' (scaled) to Point of Beginning, Less Right-of-Way.	\$24,402.16
0983302001001020	Part of Lot 1; Beginning East 525.51' of Southwest	\$16,216.13

Corner of Southwest Quarter; thence, South 265.74'; thence Southeasterly 208'; thence Northeasterly 303.74'; thence, South 5'; thence, Easterly 389.77'; thence, North 223.79'; thence, Southwesterly 176.87'; thence, Northeasterly 252.54' (scaled); thence West 730' (scaled) to Point of Beginning, Less Right-of-Way.

0982803001001010	Part of Lot 1, Described as follows: Beginning 670' (scaled) North and 170' (scaled) East of the Southwest Corner of the Southwest Quarter; thence, North 405'; thence, East 595'; thence, South 60'; thence, Southwesterly 270'; thence, West 475' to the Point of Beginning.	\$40,020.63
0982803001001000	Part of Lot 1, Beginning East 25' and South 1094.51' of Northwest Corner of Southwest Quarter; thence Easterly 68.24'; thence Northerly 420.76'; thence, Easterly 445.78'; thence Northeasterly 54.62'; thence North 169.88'; thence East 377.50'; thence, Southeasterly 284.09'; thence, Southwesterly 189.46'; thence Westerly 18.32'; thence, Easterly 1169.66'; thence, South 1449.67'; thence, Westerly 1810' (scaled); thence Northeasterly 225' (scaled); thence West 465.70'; thence Northeasterly 55.70'; thence West 791.27'; thence, North 521.96' to the Point of Beginning, less Right-of-Way.	\$220,789.15
0982803001001030	Beginning 1512.9' South of Northeast Corner of Lot 1, Block "A"; thence West 17.47'; thence along curve 384.51'; thence Southwest 166.73'; thence along curve 283.31'; thence Northwest 236.54'; thence along curve 260.3'; thence Southwest 178.11'; thence Southwest 18.31'; thence, Southeast 396.06'; thence, along curve 164.52'; thence Southeast 291.62', thence East 325.45'; thence North 683.29' to Point of Beginning, less Right-of-Way.	\$21,491.58
0982803001001120	Part of Lot 1; Block "A", Beginning 708.66' South and 25' East from Northwest Corner of Southwest Quarter; thence, East 255.48'; thence North 28.48'; thence, East 30.96'; thence, Southeasterly along curve 209.46'; thence, South 39.72'; thence West 40.18'; thence Southwest along curve 108.34'; thence Southwesterly along curve 312.92'; thence, West 68.54'; thence North 385.85' to Point of Beginning, less Right-of-Way.	\$7,354.45

0982803001001040	Beginning 222.01' South and 410.48' East of Northwest Corner of Southwest Quarter; thence, East 104.32'; thence Northeast 276.29'; thence Northerly 269.96'; thence Southeasterly 202.59'; thence East 557.56'; thence South 1047.68'; thence Northwest 189.47'; thence Northwesterly along curve 260.30'; thence Southerly 178.11'; thence Westerly 29.14'; thence Northeasterly 18.32'; thence Northerly 159.47'; thence Westerly 291'; thence West 377.50'; thence South 169.88'; thence Westerly 54.62'; thence West 215' (scaled); thence North 419.73'; thence West 214.9'; thence North 209.13' to Point of Beginning.	\$76,714.85
0982803001001110	Beginning 25' West of Northwest Corner of Southwest Quarter; thence North 836.4'; thence East 2587.41'; thence South 1512.9'; thence West 17.47'; thence along Curve 384.52'; thence Southwest 166.73' along curve 288.31'; thence Northwest 47.07'; thence North 1047.68'; thence West 557.56'; thence Northwest 202.59'; thence West 399.98'; thence South 269.97'; thence Southwest 276.29'; thence West 489.79' to Point of Beginning.	\$187,317.34

MENNINGER FOUNDATION SUBDIVISION  
BLOCK "B"

0983302003001000	Part of Lot 1, Beginning 1702.47' North and 62.88' East of Southwest Corner of Northwest Quarter; thence Northerly 58.89'; thence North 140.88'; thence Northeast along curve for 549.08'; thence East 415.84'; thence Southerly 917.30'; thence Westerly 586.55'; thence West 224.01' to the Point of Beginning, Less Right-of-Way.	\$26,922.99
0983302003001010	Part of Lot 1, Less Beginning 702.47' North and 62.88' East of Southwest Corner of Northwest Quarter; thence, Northerly 58.89'; thence, North 140.88'; thence Northeast along curve 549.08'; thence East 415.84'; thence Southerly 917.3'; thence Westerly 586.55'; thence West 224.01' to the Point of Beginning, Less Right-of-Way.	\$109,588.94

RIVER HILL RESIDENTIAL  
BLOCK "A"

0992900002007000	Lot 1	\$5,327.42
------------------	-------	------------

0992900002007000	Lot 2	\$1,793.11
0992900002007000	Lot 3	\$1,455.32
0992900002007000	Lot 4	\$1,481.27
0992900002007000	Lot 5	\$1,481.27
0992900002007000	Lot 6	\$1,455.32
0992900002007000	Lot 7	\$1,377.35
0992900002007000	Lot 8	\$1,299.37
0992900002007000	Lot 9	\$1,169.43
0992900002007000	Lot 10	\$1,845.13
0992900002017000	Lot 11	\$42,177.59
0992900002019000	Lot 12	\$33,939.59
0992900002018000	Lot 13	\$27,988.44
0992900002018000	Lot 14	\$5,093.56
0992900002018000	Lot 15	\$11,616.36

RIVER HILL RESIDENTIAL  
BLOCK "B"

0992900002003010	Lot 1	\$2,156.97
0992900002003010	Lot 2	\$1,975.07
0992900002003010	Lot 3	\$1,949.06
0992900002003010	Lot 4	\$1,871.08
0992900002003010	Lot 5	\$1,793.11
0992900002003010	Lot 6	\$1,663.17
0992900002003010	Lot 7	\$2,780.64
0992900002003010	Lot 8	\$3,898.11

0992900002003010	Lot 9	\$1,975.07
0992900002003010	Lot 10	\$1,767.16
0992900002003010	Lot 11	\$1,611.21
0992900002003010	Lot 12	\$1,533.23
0992900002003010	Lot 13	\$1,533.23
0992900002003010	Lot 14	\$1,559.25
0992900002003010	Lot 15	\$1,663.17
0992900002003010	Lot 16	\$3,664.25
0992900002003010	Lot 17	\$6,522.87

MENNINGER SUBDIVISION NO. 3  
BLOCK "A"

0993201002006000	Lot 2	\$10,628.83
0993201002005000	Lot 3	\$15,670.43

MENNINGER SUBDIVISION NO. 3  
BLOCK "B"

0993201004001000	Lot 2	\$10,654.84
0993201004003000	Lot 3, Less Beginning 145.65' South of Northeast Corner of Lot 3; thence Southwesterly along a curve 576.66'; thence Northerly 295'; thence East 295' to Point of Beginning.	\$6,366.92

MENNINGER SUBDIVISION NO. 6  
BLOCK "A"

0993201002004000	Lot 1	\$28,170.34
------------------	-------	-------------

MENNINGER SUBDIVISION NO. 7  
BLOCK "A"

0993201004002010	Lot 1	\$5,327.42
0993201004002000	Lot 2	\$7,276.48



MENNINGER SUBDIVISION NO. 8

0993201004003010

Lot 1

\$5,067.55

Section 3. Such assessments with accrued interest are hereby levied concurrent with general property taxes and shall be payable in twenty (20) equal annual installments; the first installment to be payable at the time of the first payment of the general property taxes, following the publication of this Ordinance.

Section 4. All assessments shall bear interest in an amount not to exceed the legal rate established by law.

Section 5. The owner of any property so assessed may at any time prior to 30 days from the date of publication of this Ordinance, pay the whole of the assessment against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

Section 6. Assessments not paid prior to the date provided in Section 5 hereof, shall be certified, together with interest accrued, or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

Section 7. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council June 3, 2008.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
William W. Bunten, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk