

(Published in the Topeka Metro News June 25, 2008)

ORDINANCE NO. 19104

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, for the improvement of the area near Highway 24 and Furman Road with piping, manholes, engineering and all other contingencies needed to complete Lateral Sanitary Sewer Improvement Project No. 40933-01, as defined and described in Resolution No. 7662, adopted and approved July 12, 2005.

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

Section 1. For the purpose of paying the cost of piping, manholes, engineering and all other contingencies needed to complete the project, the same being Lateral Sanitary Sewer Improvement Project No. 40933-01, in the City of Topeka, Shawnee County, Kansas, there is 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 sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies needed for a complete project.

B. IMPROVEMENT DISTRICT:

Begin at a point on the south line of U.S. Highway No. 24 and 2,450 feet east of the west line of Kaw Half Breed Indian Reserve No. 2, said point also being the northeast corner of Mosher Subdivision; thence continuing easterly on said south right of way of Highway No. 24 for a distance of 230.32 feet; thence easterly 342.71 feet to the northeast corner of the proposed Heritage Tractor Subdivision; thence southerly on the east line of the proposed subdivision for a distance of 834.24 feet to the southeast corner of said subdivision; thence westerly 512.72 feet to the southwest corner of proposed subdivision; thence northerly 422.83 feet to a point 60 feet east of the southeast corner of Lot 1, Block "A", Mosher Subdivision; thence westerly 60 feet to southeast corner of Mosher Subdivision; thence continuing westerly on south line of said subdivision for a distance of 470 feet to the southwest corner of said subdivision, also being the east line of Lot 3 in Block "A" of Mulligan Subdivision No. 3; thence southerly to the

southeast corner of said Lot 3; thence westerly along the south line of Mulligan Subdivision No. 3 and the south line of Highway Center Subdivision to the southwest corner of Lot 1, Block "A", Highway Center Subdivision; thence southerly on an extension of the west line of Highway Center Subdivision to a point 767.36 feet south of the south right of way line of U.S. Highway No. 24; thence westerly 750 feet to a point 730.00 feet southerly of the south right of way line of U.S. Highway No. 24; thence northerly 578.00 to the northeast corner of Mullin and Hoover Subdivision; thence westerly on the north line of said subdivision and it's extension westerly to the east right of way line of Furman Road; thence northerly on said right of way line to the south right of way line of U.S. Highway No. 24; thence easterly on the south right of way line of U.S. Highway No. 24 to the west line of Highway Center Subdivision; thence north 20 feet; thence easterly 198 feet to a point 20 feet north of the northwest corner of Mulligan Subdivision No. 3; thence southerly to the northwest corner of Mulligan Subdivision No. 3 and the south right of way line of U.S. Highway No. 24; thence easterly on said right of way line to the northeast corner of Mosher Subdivision and the point of beginning.

C. METHOD OF ASSESSMENT:

On a square foot of area for all lots or individual dwelling sites which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = \$147,106.54

Improvement district will pay 100% of the costs

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:

LATERAL SANITARY SEWER PROJECT NO. 40933-01

Parcel Identification Number	Description	Assessment
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KAW HALF BREED RESERVE NO. 2

0961404003004000	Part of Kaw Reserve No. 2; Begin 503.5' East and 142' South of Northwest Corner of said Reserve; thence South 294' (scaled); thence	\$10,345.77
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West 253.4'; thence South 86'; thence West 220' (scaled); thence North 252' (scaled); thence Northeasterly 98' (scaled); thence Easterly 436' (scaled) to the Point of Beginning.

0961404003002000 Beginning 1074.08' East and 130' (scaled) South of Northwest Corner of Kaw Half Breed Reserve No. 2; thence South 124.88'; East 181.92'; South 640' (scaled); thence West 750' (scaled); thence North 578' (scaled); thence East 295'; thence North 176' (scaled); thence Easterly 200' (scaled); thence East 67.58' to Point of Beginning. \$38,491.74

0961404003003000 Part of Kaw Reserve No. 2; Point of Beginning 503.25' East and 142' South of Northwest Corner of Kaw Reserve No. 2; thence Easterly 296' (scaled); thence South 176' (scaled); thence West 295'; thence North 152' (scaled) to Point of Beginning. \$4,247.88

0961404003002010 Beginning 1259' East and 103.70' South of Northwest Corner of Kaw Half Breed Reserve No. 2; thence South 127.36'; thence West 181.92'; thence North 124.88'; thence East 181.92' to Point of Beginning. \$1,975.56

84 *HIGHWAY CENTER SUBDIVISION*
85 BLOCK A

86 0961404003001000 Lot 1 \$10,350.60

87 *MULLIGAN SUBDIVISION NO. 3*
88 BLOCK A

89 0961303002005000 Lot 1 \$9,638.17

90 0961303002005010 Lot 2 \$8,146.58

91 0961303002005020 Lot 3 \$8,184.77

92 *MOSHER SUBDIVISION*
93 BLOCK A

94 0961303002004010 Lot 1 \$17,478.76

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HERITAGE TRACTOR SUBDIVISION

0961303002004000 Tract Beginning 2450' (scaled) and 80' \$38,246.77
(scaled) South of Northwest Corner of Kaw
Half Breed Reserve No. 2; thence East 250'
(scaled); thence Southeasterly 330' (scaled);
thence South 1022' (scaled); thence West
1730' (scaled); thence North 460' (scaled);
thence East 710' (scaled); thence North 150'
(scaled); thence East 470' (scaled); thence
North 430' (scaled) to Point of Beginning.
Includes all of the Heritage Tractor
Subdivision and Less Block A, Lot 1 of Same.

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

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

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

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

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

110 PASSED and APPROVED by the City Council June 17, 2008.

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112 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

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119 ATTEST:

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Brenda Younger, City Clerk