

(Published in the Topeka Metro News September 24, 2008)

ORDINANCE NO. 19162

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the original ordinance 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, and specifically repealing City of Topeka Ordinance No. 19104.

WHEREAS, on June 17, 2008, the City Council passed Ordinance No. 19104 that apportioned and levied a special assessment on certain lots and pieces of ground in the City; and

WHEREAS, due to clerical error a parcel of land not located in the special assessment district was assessed by Ordinance No. 19104; and

WHEREAS, pursuant to K.S.A. 12-6a12 the parcel identification number and description need to be corrected for a Heritage Tractor Subdivision, Block A, Lot 1.

NOW, THEREFORE, 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.

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35 B. IMPROVEMENT DISTRICT:
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37 Begin at a point on the south line of U.S. Highway No. 24 and 2,450 feet
38 east of the west line of Kaw Half Breed Indian Reserve No. 2, said point
39 also being the northeast corner of Mosher Subdivision; thence continuing
40 easterly on said south right of way of Highway No. 24 for a distance of
41 230.32 feet; thence easterly 342.71 feet to the northeast corner of the
42 proposed Heritage Tractor Subdivision; thence southerly on the east line of
43 the proposed subdivision for a distance of 834.24 feet to the southeast
44 corner of said subdivision; thence westerly 512.72 feet to the southwest
45 corner of proposed subdivision; thence northerly 422.83 feet to a point 60
46 feet east of the southeast corner of Lot 1, Block "A", Mosher Subdivision;
47 thence westerly 60 feet to southeast corner of Mosher Subdivision; thence
48 continuing westerly on south line of said subdivision for a distance of 470
49 feet to the southwest corner of said subdivision, also being the east line of
50 Lot 3 in Block "A" of Mulligan Subdivision No. 3; thence southerly to the
51 southeast corner of said Lot 3; thence westerly along the south line of
52 Mulligan Subdivision No. 3 and the south line of Highway Center
53 Subdivision to the southwest corner of Lot 1, Block "A", Highway Center
54 Subdivision; thence southerly on an extension of the west line of Highway
55 Center Subdivision to a point 767.36 feet south of the south right of way
56 line of U.S. Highway No. 24; thence westerly 750 feet to a point 730.00
57 feet southerly of the south right of way line of U.S. Highway No. 24; thence
58 northerly 578.00 to the northeast corner of Mullin and Hoover Subdivision;
59 thence westerly on the north line of said subdivision and it's extension
60 westerly to the east right of way line of Furman Road; thence northerly on
61 said right of way line to the south right of way line of U.S. Highway No. 24;
62 thence easterly on the south right of way line of U.S. Highway No. 24 to
63 the west line of Highway Center Subdivision; thence north 20 feet; thence
64 easterly 198 feet to a point 20 feet north of the northwest corner of
65 Mulligan Subdivision No. 3; thence southerly to the northwest corner of
66 Mulligan Subdivision No. 3 and the south right of way line of U.S. Highway
67 No. 24; thence easterly on said right of way line to the northeast corner of
68 Mosher Subdivision and the point of beginning.
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70 C. METHOD OF ASSESSMENT:
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72 On a square foot of area for all lots or individual dwelling sites which are
73 included in the improvement district.
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75 D. TOTAL COST & APPORTIONMENT OF COSTS:
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77 FINAL PROJECT COST = \$147,106.54
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79 Improvement district will pay 100% of the costs
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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

<u>Parcel Identification Number</u>	<u>Description</u>	<u>Assessment</u>
<i>KAW HALF BREED RESERVE NO. 2</i>		
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 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.	\$10,345.77
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

94 *HIGHWAY CENTER SUBDIVISION*
 95 BLOCK A

96 0961404003001000 Lot 1 \$10,350.60

97 *MULLIGAN SUBDIVISION NO. 3*
 98 BLOCK A

99 0961303002005000 Lot 1 \$9,638.17

100 0961303002005010 Lot 2 \$8,146.58

101 0961303002005020 Lot 3 \$8,184.77

102 *MOSHER SUBDIVISION*
 103 BLOCK A

104 0961303002004010 Lot 1 \$17,478.76

105 *HERITAGE TRACTOR SUBDIVISION*
 106 BLOCK A
 107

0961303002004020 Lot 1 \$38,246.77

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

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

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

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

120 Section 7. That City of Topeka Ordinance No. 19104 is hereby repealed.

121 Section 8. This ordinance shall take effect and be in force from and after its

122 passage, approval and publication in the official city newspaper.

123 PASSED and APPROVED by the City Council September 16, 2008.

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CITY OF TOPEKA, KANSAS

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William W. Buntin, Mayor

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132 ATTEST:

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Brenda Younger, City Clerk