

(Published in the Topeka Metro News February 25, 2009)

ORDINANCE NO. 19221

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., assessing the costs of sidewalk repair to real properties, more specifically described hereinafter, all pursuant to the authority found in City of Topeka Code §130-373 through §130-378 and §126-96 through §126-102.

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

Section 1. The Topeka City Council found that the sidewalk abutting the following described properties was inadequate or unsafe for travel and allowed owners thirty (30) days to construct or reconstruct said sidewalk adjacent to the following described properties:

Property Owner	Address	Parcel ID Number	Assessment
Bret A. Mathias	3753 SE Lakewood St.	1341901006019000	\$2757.81
Dillon Real Estate Company	1200 SW Huntoon	0973604030001000	\$7072.50
Joe & Crystal K. Collyge	1831 SW Lane	1410104008011000	\$1331.32
Marvin L. Grienhe	1815 SW Buchanan	1410104010019000	\$1793.03
Ida Ernestine & Jacquelyn M. & Robert E. Allen	3601 SE Powell	1351603013021000	\$1,202.35
E.H. Carter Jr. Trust & Janice C. Carter	2100 SW College	1411202001012000	\$679.02
Thumbs Up Video/Zercher Photo Hillcrest Inc.	1534 SW Harrison	1330602025012000	\$8,794.50
Jesus Cisneros & Ana D Luna De	1635 SW Polk	1330602032013000	\$1,932.12
Ronald J. Sr. & Louella S. Faught	1072 SW Sunflower Ct.	0983303005013000	\$1,586.70

Jack D. & Ivory M. Bergeron	1021 SW Western Ave.	0973604012025000	\$2.04
Henry Joe & Jamie Marie Kurtz	1611 SW Polk	1330602032019000	\$1112.10
Jesus Cisneros & Ana D Luna De	1627 SW Polk	1330602032014000	\$1782.30
Robert E. & Karen L. Lewis	703 NE Ohio	1082803005012000	\$1427.40
<i>as set forth in City of Topeka Resolution No. 7966</i>			
Kelly A. Hewitt	1225 SW College	0973603029019000	\$1314.56
Jerry D. Barnes	4013 SE Truman	1341902001035000	\$994.24
Derek S. & Patricia A. Mower	6035 SW 23 rd Terrace	1430801013021000	\$280.80
<i>as set forth in City of Topeka Resolution No. 7997</i>			
Henry J. & Sharon G. Schulteis	6131 SW Brookfield Circle	1430801013041000	\$1323.90
Michael B. & Megan C. Burgess	6009 SW 23 rd Street	1430801013002000	\$374.40
Marlene A. Jones- Hermann & Brad A. Hermann	6324 SW 23 rd Street	1430801007011000	\$485.40
Michelle L. Millburn	6318 SW 23 rd Street	1430801007012000	\$117.00
Jerry D. & Elizabeth A. Kroeker	2347 SW Brookfield St.	1430801010039000	\$885.60
Malcolm L. & Shelley A. Copeland	6210 SW 21 st Terrace	1430801003008000	\$666.90
David R. & Cheryl L. Hovious	2305 SW Brookfield St.	1430801012014000	\$241.40
Herbert O. & Pinkie M. Barber	6115 SW 22 nd Park	1430801012003000	\$760.50
<i>as set forth in City of Topeka Resolution No. 8032.</i>			

Section 2. Owners of properties described in Section 1 above failed to construct or reconstruct said sidewalk, requiring the City Engineer to cause the work to be done. Said work is complete.

Section 3. Owners of properties described in Section 1 above have been given a statement of costs associated with the work and have failed to pay said costs.

Section 4. The properties described in Section 1 are hereby assessed a service assessment pursuant to the provisions of Topeka City Code § 130-376 and Topeka City Code §§ 126-96 through 102 inclusive in the dollar amounts listed in Section 1 above.

Section 5. All service assessments may be paid in one installment or over a period not to exceed three (3) years in equal annual installments with interest.

Section 6. Any service assessment remaining unpaid or for which less than one third (1/3) of the total assessment has been paid, at the conclusion of one (1) year from the date of publication of this Ordinance shall be certified by the City Clerk to the County Clerk with interest on the unpaid assessed amount.

Section 7. No suit to set aside a service assessment shall be brought after the expiration of thirty (30) days from the publication of the ordinance fixing the assessment.

Section 8. 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 February 17, 2009.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk