

(Published in the Topeka Metro News June 20, 2011)

ORDINANCE NO. 19584

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 Legend Ridge Estates Subdivision No. 2 with pavement, curb and gutter and all other contingencies needed to complete Street Improvement Project No. 60635-01 as defined and described in Resolution No. 8155, adopted and approved April 28, 2009.

BE IT ORDAINED BY THE GOVERNING BODY 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. 60635-01, 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 pave SW Arvonja Place from a point approximately 14 feet south of the south lot line of Lot 1, Block A, Legend Ridge Estates No. 2 and north to its terminus in a cul de sac; to pave SW 20th Street from it's intersection with SW Arvonja Place west to the west lot line of Lot 5, Block A, Legend Ridge Estates No. 2; to construct the stormwater detention structure located within the detention facility easement within Lot 3, Block A, Legend Ridge Estates No. 2 to serve said subdivision. To provide streets to the above noted area with asphalt pavement, curb & gutter, storm sewer structures, piping and detention facility, engineering and all other contingencies required for a complete project.

B. IMPROVEMENT DISTRICT:

Legend Ridge Estates No. 2
Block A, Lots 1 through 5

Along with the following:

TRACT NO. 1

A TRACT OF LAND IN THE SOUTH HALF OF THE WEST 40 ACRES OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 01 DEGREES 38 MINUTES 43 SECONDS, 549.85 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT OF WAY LINE OF SW 20TH STREET; THENCE ON AN AZIMUTH OF 91 DEGREES 37 MINUTES 23 SECONDS, 174.26 FEET ALONG SAID RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF SW ARVONIA PLACE; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 167.09 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH LINE OF LEGEND RIDGE ESTATES, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 89 DEGREES 11 MINUTES 37 SECONDS, 25.02 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF WESTRIDGE BUSINESS PARK, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23 SECONDS, 375.36 FEET ALONG SAID WEST LINE AND ITS EXTENSION TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE ON AN AZIMUTH OF 269 DEGREES 11 MINUTES 40 SECONDS, 199.65 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

C. METHOD OF ASSESSMENT:

On a unit basis for all parcels or tracts which are included in the improvement district as follows:

Legend Ridge Estates No. 2

Block A, Lot 1: 7 units

Block A, Lot 2: 33.75 units

Block A, Lot 3: 9 units

Block A, Lot 4: 9 units

Block A, Lot 5: 33.75 units

Tract No. 1: 7.5 units

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = \$319,698.39

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:

STREET IMPROVEMENT PROJECT NO. 60635-01

<u>Legal Description</u>	<u>Assessment</u>
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LEGEND RIDGE ESTATES SUBDIVISION No. 2

Block A, Lot 5	\$107,898.21
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Block A, Lot 1	\$ 22,378.89
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Block A, Lot 2	\$107,898.21
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Block A, Lot 3	\$ 28,772.86
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Block A, Lot 4	\$ 28,772.86
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Tract No.1 Is the following: A TRACT OF LAND IN THE SOUTH HALF OF THE WEST 40 ACRES OF THE SOUTH EAST QUARTER OF SECTIONS, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, DESCRIBED AS FOLLOWS: Begin at the Southwest corner of said Southeast quarter; thence on an assumed North Azimuth at 01degrees 38 minutes 43 seconds, 549.85 feet along the West line of said Southeast quarter to the South right of way line of SW 20th Street; thence on an azimuth of 91 degrees 37 minutes 23 seconds, 174.26 feet along said right of way line to the West right of way line of SW Arvonja Place; thence on an azimuth of 181 degrees 37 minutes 23 seconds, 167.09 feet along said West right of way line to the South line of Legend Ridge estates, according to the recorded plat thereof; thence on an azimuth of 89 degrees 1 minutes 37seconds, 25.02 feet along said South line to the West line of Westridge Business Park, according to the recorded plat thereof; thence on an azimuth of 181 degrees 37 minutes 23 seconds, 375.36 feet along said West line and its extension to the South inn of said Southeast quarter; thence on an azimuth of 269 degrees 11 minutes 40 seconds, 199.65 feet along said South line to the point of beginning.	\$ 23,977.38
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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 Governing Body June 14, 2011.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk