

(Published in the Topeka Metro News August 8, 2011)

## ORDINANCE NO. 19614

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, in the area of the Rockfire at the Lake and East Lake Shawnee Estates subdivisions for the improvement of the intersection of SE 45<sup>th</sup> Street and Croco Road as well as improvements to SE Croco Road from SE 39<sup>th</sup> Street to SE 44<sup>th</sup> Street as provided for in Trafficway Improvement Project No. 70203-00 as defined and described in Resolution No. 7785, adopted and approved on April 18, 2006.

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 Trafficway Improvement Project No. 70203-00, 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:

This project provides for improvements to the intersection of SE 45<sup>th</sup> Street and SE Croco Road as well as improvements to SE Croco Road from SE 39<sup>th</sup> Street to SE 44<sup>th</sup> Street. Additionally, the intersection improvements include either a roundabout or a standard intersection with left turn lanes and traffic signals. Specially the project includes the design, construction, appraisal and acquisition of right-of-way and relocation of conflicting utilities necessary to improve this section of road from a 2-lane rural section to a multi-lane urban arterial with storm sewers and sidewalks.

B. IMPROVEMENT DISTRICT:

A tract in Sections 22 and 23, Township 12 South, Range 16 east of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as: Beginning at the Southeast corner of the Southeast Quarter of said Section 22; thence on an assumed bearing of North 89°52'00" West on the South line of said Southeast Quarter, 2643.81 feet to the Southwest corner of said Southeast Quarter; thence South 89°54'30" West on the South line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 22, 660.93 feet to the

Southwest corner of said East Half; thence North 00°11'08" West on the West line of said East Half, 1319.23 feet to the Northwest corner of said East Half; thence North 89°55'34" East on the North line of said East Half, 661.52 feet to the Northeast corner of said East Half; thence North 00°09'36" West on the West line of the Southeast Quarter of said Section 22, 185.85 feet; thence North 14°08'29" East on a West line of Rockfire at the Lake Subdivision, 588.22 feet; thence North 29°50'56" East on a West line of Rockfire at the Lake Subdivision, 179.74 feet; thence North 45°33'23" East on a Northwest line of Rockfire at the Lake Subdivision, 581.97 feet, to a point on the North line of the Southeast Quarter of said Section 22; thence North 89°56'57" East on the North line of the Southeast Quarter of said Section 22, to the Southwest corner of East Shawnee Lake Estates Subdivision; thence northerly on the West line of East Shawnee Lake Estates Subdivision to the Northwest corner thereof; thence easterly on the North line of the South Half of the Northeast Quarter of said Section 22, to the Northeast corner of the South Half of said Northeast Quarter; thence easterly on the North line of the South Half of the Northwest Quarter of said Section 23, to the Northeast corner of the South Half of said Northwest Quarter; thence southerly on the East line of the Northwest Quarter of said Section 23, to the Southeast corner of said Northwest Quarter; thence southerly on the East line of the Southwest Quarter of said Section 23, to the Southeast corner of said Southwest Quarter; thence westerly on the South line of the Southwest Quarter of said Section 23, to the point of beginning.

C. METHOD OF ASSESSMENT:

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

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST TO BENEFIT DISTRICT= \$966,277.95

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:

IMPROVEMENT PROJECT NO. 70203-00

<u>Legal Description</u>	<u>Assessment</u>
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*ROCKFIRE AT THE LAKE*

83	Block B, Lot 8	\$854.13
84	Block B, Lot 9	\$1,798.16
85	Block B, Lot10	\$1,753.21
86	Block B, Lot 11	\$719.25
87	Block B, Lot 12	\$606.87
88	Block B, Lot 13	\$1,213.74
89	Block B, Lot 14	\$1,146.35
90	Block B, Lot 15	\$629.37
91	Block B, Lot 16	\$696.81
92	Block B, Lot 17	\$1,326.12
93	Block B, Lot 18	\$1,191.29
94	Block B, Lot 19	\$1,123.85
95	Block B, Lot 20	\$1,101.35
96	Block B, Lot 21	\$472.04
97	Block B, Lot 22	\$1,213.74
98	Block B, Lot 23	\$1,146.35
99	Block B, Lot 24	\$966.52
100	Block B, Lot 25	\$921.58
101	Block B, Lot 26	\$1,281.18
102	Block B, Lot 27	\$1,640.83
103	Block B, Lot 28	\$2,899.51
104	Block B, Lot 29	\$1,191.29
105	Block B, Lot 30	\$876.58

106	Block B, Lot 31	\$651.81
107	Block B, Lot32	\$651.81
108	Block B, Lot 33	\$764.20
109	Block B, Lot 34	\$1,708.27
110	Block B, Lot 35	\$2,225.20
111	Block B, Lot 36	\$1,573.39
112	Block B, Lot 37	\$629.37
113	Block B, Lot 38	\$786.69
114	Block B, Lot 39	\$764.20
115	Block B, Lot 40	\$921.58
116	Block B, Lot 41	\$1,191.29
117	Block B, Lot 42	\$854.13
118	Block B, Lot 43	\$674.31
119	Block B, Lot 44	\$741.75
120	Block B, Lot 45	\$1,033.96
121	Block B, Lot 46	\$2,989.45
122	Block B, Lot 47	\$1,168.79
123	Block B, Lot 48	\$966.52
124	Block B, Lot 49	\$1,078.90
125	Block B, Lot 50	\$1,461.00
126	Block B, Lot 51	\$741.75
127	Block B, Lot 52	\$854.13
128	Block B, Lot 53	\$1,236.23

129	Block B, Lot 54	\$1,416.06
130	Block B, Lot 55	\$1,505.95
131	Block B, Lot 56	\$899.08
132	Block B, Lot 57	\$674.31
133	Block B, Lot 58	\$561.92
134	Block B, Lot 59	\$786.69
135	Block B, Lot 60	\$1,371.12
136	Block B, Lot 61	\$1,078.90
137	Block B, Lot 62	\$944.02
138	Block B, Lot 63	\$854.13
139	Block B, Lot 64	\$1,933.04
140	Block B, Lot 65	\$1,213.74
141	Block B, Lot 66	\$2,674.74
142	Block B, Lot 67	\$1,595.88
143	Block B, Lot 68	\$1,393.56
144	Block B, Lot 69	\$696.81
145	Block B, Lot 70	\$741.75
146	Block B, Lot 71	\$854.13
147	Block B, Lot 72	\$854.13
148	Block B, Lot 73	\$1,438.50
149	Block B, Lot 74	\$1,078.90
150	Block B, Lot 75	\$764.20
151	Block B, Lot 76	\$1,416.06

152	Block B, Lot 77	\$1,888.04
153	Block B, Lot 78	\$3,214.22
154	Block B, Lot 79	\$1,146.35
155	Block B, Lot 80	\$1,685.77
156	Block B, Lot 81	\$786.69
157	Block B, Lot 82	\$1,033.96
158	Block B, Lot 83	\$1,056.41
159	Block B, Lot 84	\$1,078.90
160	Block B, Lot 85	\$831.64
161	Block B, Lot 86	\$629.87
162	Block B, Lot 87	\$606.87
163	Block B, Lot 88	\$606.87
164	Block B, Lot 89	\$606.87
165	Block B, Lot 90	\$606.87
166	Block B, Lot 91	\$606.87
167	Block B, Lot 92	\$606.87
168	Block B, Lot 93	\$606.87
169	Block B, Lot 94	\$606.87
170	Block B, Lot 95	\$606.87
171	Block B, Lot 96	\$606.87
172	Block B, Lot 97	\$1,011.46
173	Block C, Lot 1	\$9,867.36
174	Block C, Lot 2	\$25,106.75

175	Block C, Lot 3	\$741.75
176	Block C, Lot 4	\$539.43
177	Block C, Lot 5	\$539.43
178	Block C, Lot 6	\$516.98
179	Block C, Lot 7	\$584.42
180	Block C, Lot 8	\$539.43
181	Block D, Lot 1	\$44,967.42
182	Block D, Lot 2	\$516.98
183	Block D, Lot 3	\$516.98
184	Block D, Lot 4	\$516.98
185	Block D, Lot 5	\$516.98
186	Block D, Lot 6	\$516.98
187	Block D, Lot 7	\$516.98
188	Block D, Lot 8	\$516.98
189	Block D, Lot 9	\$516.98
190	Block D, Lot 10	\$516.98
191	Block D, Lot 11	\$516.98
192	Block D, Lot 12	\$516.98
193	Block D, Lot 13	\$494.48
194	Block D, Lot Part 14	\$772.76
195	Block D, Lot Part 14	\$460.32
196	Block D, Lot Part 15	\$319.61
197	Block D, Lot Part 15	\$350.73

198	Block D, Lot 16	\$472.04
199	Block D, Lot 17	\$674.31
200	Block D, Lot 18	\$539.43
201	Block D, Lot 19	\$539.43
202	Block D, Lot 20	\$516.98
203	Block D, Lot 21	\$719.25
204	Block E, Lot 1	\$696.81
205	Block E, Lot 2	\$494.48
206	Block E, Lot 3	\$516.98
207	Block E, Lot 4	\$651.81
208	Block E, Lot 5	\$629.37
209	Block E, Lot 6	\$696.81
210	Block E, Lot 7	\$539.43
211	Block E, Lot 8	\$539.43
212	Block E, Lot 9	\$539.43
213	Block E, Lot 10	\$539.43
214	Block E, Lot 11	\$764.20
215	Block E, Lot 12	\$629.37
216	Block E, Lot 13	\$629.37
217	Block E, Lot 14	\$988.97
218	Block E, Lot 15	\$651.81
219	Block E, Lot 16	\$921.58
220	Block E, Lot 17	\$472.04



221	Block E, Lot 18	\$606.87
222	Block E, Lot 19	\$741.75
223	Block E, Lot 20	\$651.81
224	Block E, Lot 21	\$516.98
225	Block E, Lot 22	\$516.98
226	Block E, Lot 23	\$516.98
227	Block E, Lot 24	\$516.98
228	Block E, Lot 25	\$516.98
229	Block E, Lot 26	\$516.98
230	Block E, Lot 27	\$516.98
231	Block E, Lot 28	\$606.87
232	Block E, Lot 29	\$651.81
233	Block E, Lot 30	\$584.42
234	Block E, Lot 31	\$584.42
235	Block E, Lot 32	\$921.58
236	Block E, Lot 33	\$854.13
237	Block E, Lot 34	\$1,438.50
238	Block E, Lot 35	\$1,595.88
239	Block E, Lot 36	\$719.25
240	Block E, Lot 37	\$921.58
241	Block E, Lot 38	\$516.98
242	Block E, Lot 39	\$674.31
243	Block E, Lot 40	\$1,011.46

244	Block E, Lot 41	\$674.31
245	Block E, Lot 42	\$539.43
246	Block E, Lot 43	\$584.42
247	Block E, Lot 44	\$561.92
248	Block E, Lot 45	\$651.81
249	Block E, Lot 46	\$899.08
250	Block E, Lot 47	\$809.19
251	Block E, Lot 48	\$831.64
252	Block E, Lot 49	\$516.98
253	Block E, Lot 50	\$516.98
254	Block E, Lot 51	\$516.98
255	Block E, Lot 52	\$719.25
256	Block F, Lot 1	\$719.25
257	Block F, Lot 2	\$516.98
258	Block F, Lot 3	\$516.98
259	Block F, Lot 4	\$719.25
260	Block F, Lot 5	\$696.81
261	Block F, Lot 6	\$516.98
262	Block F, Lot 7	\$516.98
263	Block F, Lot 21	\$764.20
264	Block F, Lot 22	\$764.20
265	Block F, Lot 23	\$404.60
266	Block F, Lot 24	\$472.04

267	Block F, Lot 25	\$472.04
268	Block F, Lot 26	\$539.43
269	Block F, Lot 27	\$472.04
270	Block F, Lot 28	\$606.87
271	Block F, Lot 29	\$1,258.73
272	Block F, Lot 30	\$516.98
273	Block F, Lot 31	\$516.98
274	Block F, Lot 32	\$516.98
275	Block F, Lot 33	\$516.98
276	Block F, Lot 34	\$516.98
277	Block F, Lot 35	\$516.98
278	Block F, Lot 36	\$516.98
279	Block F, Lot 37	\$516.98
280	Block F, Lot 38	\$516.98
281	Block F, Lot 39	\$516.98
282	Block F, Lot 40	\$516.98
283	Block F, Lot 41	\$921.58
284	Block F, Lot 42	\$696.81
285	Block F, Lot 43	\$494.48
286	Block F, Lot 44	\$494.48
287	Block F, Lot 45	\$494.48
288	Block F, Lot 46	\$516.98
289	Block F, Lot 47	\$427.04

290	Block F, Lot 48	\$1,213.74
291	Block F, Lot 49	\$921.58
292	Block F, Lot 50	\$1,236.23
293	Block F, Lot 51	\$516.98
294	Block F, Lot 52	\$494.48
295	Block F, Lot 53	\$494.48
296	Block F, Lot 54	\$494.48
297	Block F, Lot 55	\$494.48
298	Block F, Lot 56	\$674.31
299	<i>ROCKFIRE AT THE LAKE NO. 2</i>	
300	Block A, Lot 1	\$899.08
301	Block A, Lot 2	\$854.13
302	Block A, Lot 3	\$899.08
303	Block A, Lot 4	\$786.69
304	Block A, Lot 5	\$651.81
305	Block A, Lot 6	\$921.58
306	Block A, Lot 7	\$1,191.29
307	Block A, Lot 8	\$831.64
308	Block A, Lot 9	\$786.69
309	Block A, Lot 10	\$786.69
310	Block A, Lot 11	\$494.48
311	Block A, Lot 12	\$786.69
312	Block A, Lot 13	\$764.20

313	Block A, Lot 14	\$854.13
314	Block B, Lot 1	\$3,596.31
315	EAST LAKE SHAWNEE ESTATES SUBDIVISION	
316	Block A, Lot 1	\$52,303.88
317	Block A, Lot 1	\$1,011.46
318	Block A, Lot 2	\$1,056.41
319	Block A, Lot 3	\$2,022.93
320	Block A, Lot 4	\$1,685.77
321	Block A, Lot 5	\$1,101.35
322	Block A, Lot 6	\$921.58
323	Block A, Lot 7	\$606.87
324	Block A, Lot 8	\$1,011.46
325	Block A, Lot 9	\$696.81
326	Block A, Lot 10	\$696.81
327	Block A, Lot 11	\$741.75
328	Block A, Lot 12	\$1,213.74
329	Block A, Lot 13	\$696.81
330	Block A, Lot 14	\$719.25
331	Block A, Lot 15	\$719.25
332	Block A, Lot 16	\$719.25
333	Block A, Lot 17	\$1,011.46
334	Block B, Lot 1	\$988.97
335	Block B, Lot 2	\$696.81

336	Block B, Lot 3	\$696.81
337	Block B, Lot 4	\$696.81
338	Block B, Lot 5	\$674.31
339	Block B, Lot 6	\$809.19
340	Block B, Lot 7	\$1,056.41
341	Block B, Lot 8	\$741.75
342	Block B, Lot 9	\$944.02
343	Block B, Lot 10	\$1,258.73
344	Block B, Lot 11	\$1,977.98
345	Block B, Lot 12	\$1,933.04
346	Block B, Lot 13	\$1,303.67
347	Block B, Lot 14	\$1,011.46
348	Block B, Lot 15	\$831.64
349	Block B, Lot 16	\$854.13
350	Block B, Lot 17	\$854.13
351	Block B, Lot 18	\$899.08
352	Block B, Lot 19	\$1,033.96
353	Block B, Lot 20	\$1,303.67
354	Block B, Lot 21	\$1,708.27
355	Block B, Lot 22	\$1,855.02
356	Block B, Lot 23	\$1,722.46
357	Block B, Lot Pt 22 & 23	\$738.09
358	Block B, Lot 24	\$1,416.06

359	Block B, Lot 25	\$1,078.90
360	Block B, Lot 26	\$876.58
361	Block B, Lot 27	\$1,146.35
362	Block B, Lot 28	\$516.98
363	Block B, Lot 29	\$1,618.33
364	Block B, Lot 30	\$1,056.41
365	Block B, Lot 31	\$1,101.35
366	Block B, Lot 32	\$1,483.50
367	Block B, Lot 33	\$1,191.29
368	Block B, Lot 34	\$1,056.41
369	Block B, Lot 35	\$921.58
370	Block B, Lot 36	\$899.08
371	Block B, Lot 37	\$719.25
372	Block B, Lot 38	\$696.81
373	Block B, Lot 39	\$696.81
374	Block B, Lot 40	\$696.81
375	Block B, Lot 41	\$696.81
376	Block B, Lot 42	\$696.81
377	Block B, Lot 43	\$696.81
378	Block B, Lot 44	\$1,056.41
379	Block C, Lot 1	\$1,191.29
380	Block C, Lot 2	\$719.25
381	Block C, Lot 3	\$764.20

382	Block C, Lot 4	\$786.69
383	Block C, Lot 5	\$764.20
384	Block C, Lot 6	\$854.13
385	Block C, Lot 7	\$899.08
386	Block C, Lot N1/2 8	\$472.04
387	Block C, Lot S1/2 8	\$449.54
388	Block C, Lot 9	\$944.02
389	Block C, Lot 10	\$899.08
390	Block C, Lot 11	\$831.64
391	Block C, Lot 12	\$764.20
392	Block C, Lot 13	\$741.75
393	Block C, Lot 14	\$674.31
394	Block C, Lot 15	\$966.52
395	Block C, Lot 16	\$516.98
396	Block C, Lot 17	\$1,033.96
397	Block C, Lot 18	\$1,236.23
398	Block C, Lot 19	\$1,348.62
399	Block C, Lot 20	\$1,393.56
400	Block C, Lot 21	\$809.19
401	Block D, Lot 1	\$921.58
402	Block D, Lot 2	\$696.81
403	Block D, Lot 3	\$1,168.79
404	Block D, Lot 4	\$786.69



405	Block D, Lot 5	\$764.20
406	Block D, Lot 6	\$809.19
407	Block D, Lot 7	\$854.13
408	Block D, Lot 8	\$854.13
409	Block D, Lot 9	\$831.64
410	Block D, Lot 10	\$696.81
411	Block D, Lot 11	\$1,011.46
412	Block D, Lot 12	\$854.13
413	Block D, Lot 13	\$876.58
414	Block D, Lot 14	\$719.25
415	Block D, Lot 15	\$854.13
416	Block D, Lot 16	\$944.02
417	Block D, Lot 17	\$1,056.41
418	Block D, Lot 18	\$876.58
419	Block D, Lot 19	\$831.64
	A TRACT OF LAND IN SECTION 22 TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE 6TH P.M. IN SHAWNEE COUNTY KANSAS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 30 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION 347 FEET; THENCE NORTH AT A RIGHT ANGLES 208.71 FEET; THENCE WEST AT RIGHT ANGLES 267.0 FEET; THENCE NORTH AT RIGHT ANGLES 250.6 FEET; THENCE EAST 615.4 FEET TO POINT 486.45 FEET NORTH OF THE	\$10,586.67

SOUTHEAST CORNER OF SAID  
QUARTER SECTION; THENCE SOUTH  
456.45 FEET TO THE POINT OF  
BEGINNING.

PART OF THE NORTHEAST QUARTER  
OF SECTION 22 TOWNSHIP 12 SOUTH,  
RANGE 16 EAST OF THE 6TH P.M. IN  
SHAWNEE COUNTY KANSAS  
DESCRIBED AS FOLLOWS: BEGINNING  
AT THE SOUTHEAST CORNER THERE  
OF; THENCE WEST ALONG THE SOUTH  
LINE THEREOF 614 FEET; THENCE  
NORTH AT RIGHT ANGLES 238.71  
FEET; THENCE EAST AT RIGHT  
ANGLES 267 FEET; THENCE SOUTH AT  
RIGHT ANGLES 208.71 FEET; THENCE  
EAST 347 FEET TO A POINT 30 FEET  
NORTH OF SAID SOUTHEAST  
CORNER; THENCE SOUTH 30 FEET TO  
THE POINT OF BEGINNING, EXCEPT  
THE EAST PART THERE OF IN PUBLIC  
ROAD.

\$3,798.59

A TRACT OF LAND IN SECTION 23  
TOWNSHIP 12 SOUTH, RANGE 16 EAST  
OF THE 6TH P.M. IN SHAWNEE  
COUNTY KANSAS DESCRIBED AS  
FOLLOWS: THE SOUTHWEST  
QUARTER AND THE SOUTH HALF OF  
THE NORTHWEST QUARTER OF  
SECTION 23.

\$529,242.33

420

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

425        Section 4.    All assessments shall bear interest in an amount not to exceed the  
426 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 August 2, 2011.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk