

(Published in the Topeka Metro News November 1, 2006)

**ORDINANCE NO. 18739**

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 Industrial Boulevard with pavement, curb and gutter and all other contingencies needed to complete Trafficway Improvement Project No. 70197-01 as defined and described in Resolution No. 7231 adopted and approved April 16, 2002.

BE IT ORDAINED BY THE COUNCIL 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. 70197-01, 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:

Industrial Boulevard from the south line of SW 53<sup>rd</sup> Street to the north line of SW 57<sup>th</sup> Street with 41 feet wide paving, including concrete curb and gutter, sidewalk ramps, storm drainage facilities, engineering and all other contingencies needed for a complete project.

B. IMPROVEMENT DISTRICT:

Begin at the northwest corner of the east on half of the east one half of the northeast quarter of Section 36, Township 12 south, Range 15 east of the Sixth Principal Meridian; thence south to the southwest corner of the north one half of the east one half of the east one half of the northeast quarter of said Section 36; thence westerly 33 feet; thence southerly 33 feet west of, parallel with the west line of the east one half of the east one half of the northeast quarter of Section 36, Township 12 south, Range 15 east of the Sixth P.M. to the north right of way line of the SW 57<sup>th</sup> Street; thence Westerly on said north line of SW 57<sup>th</sup> Street to the southeast corner of Lot 1, Block A, 57<sup>th</sup> Street Industrial Park Subdivision; thence north to the northeast corner of said Lot 1; thence west 242.50 feet to the northwest corner of said Lot 1; thence south to the southwest corner of Lot 1, Block A, 57<sup>th</sup> Street

Industrial Park Subdivision; thence westerly on the north line of SW 57<sup>th</sup> Street to the center line of Southwest Lincoln Street; thence northerly on the center line of SW Lincoln Street for a distance of 510 feet to the north line of Block B, Thompson Industrial Park Subdivision; thence westerly for a distance of 237.50 feet to the northwest corner of Lot 5, Block B, Thompson Industrial Park Subdivision; thence southerly 300 feet to the southwest corner of Lot 3, Block B, Thompson Industrial Park Subdivision; thence easterly 200 feet to the southeast corner of said Lot 3; thence south 210 feet to the north right of way line of SW 57<sup>th</sup> Street; thence westerly on the north line of SW 57<sup>th</sup> Street to the easterly right of way line U.S. Highway 75; thence northerly along the easterly right of way line of said Highway 75 to the north line of Section 36, Township 12 South, Range 15 east of the Sixth P.M.; thence easterly on the north line of said Section 36 to the northwest corner of the east one half of the east one half of the northwest corner of the east one half of the northeast quarter of Section 36, Township 12 South, Range 15 east of the Sixth P.M. and the point of beginning.

C. METHOD OF ASSESSMENT:

On a square foot of area basis for all lots or parcels which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

95%	Paid by City at Large, General Obligation Bonds and any other lawfully available funds	\$1,393,441.00
<u>5%</u>	<u>Paid by Improvement District</u>	<u>\$ 73,339.00</u>
FINAL PROJECT COST		\$1,466,780.00

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:

TRAFFICWAY IMPROVEMENT PROJECT NO.70197-01

<u>Parcel Identification Number</u>	<u>Description</u>	<u>Assessment</u>
	SW 57 <sup>th</sup> St. Distribution Center Subdivision <u>Block "A"</u>	
1473600001011070	Lot 1	\$47,860.80
1473600001011000	Lot 2	\$1,988.36
1473600001011000	Lot 2A Part of NE quarter and NW quarter Described as: Begin at the NE Corner of Lot 1, Block "A"; thence North 448 feet; thence West 3528 feet to East right-of-way of Hwy. 75; thence Southerly along right-of-way 934 feet; thence East 200 feet; thence South 200 feet; thence West 200 feet; thence Southerly 275 feet; thence SE 102 feet; thence East 31 feet; thence South 17 feet; thence SE 19 feet; thence South 49 feet; thence SE 154 feet; thence SE 44 feet; thence South 43 feet; thence SE 47.12 feet; thence Southerly 30 feet; thence SE 61 feet; thence Westerly 18 feet; thence Southerly 100.14 feet; thence SW 252.57 feet; thence SE 401.31 feet to North right-of-way line of 57 <sup>th</sup> Street; thence East 582 feet; thence Northerly 2,207.93 feet; thence Easterly 3,444.79 feet to point of beginning.	\$19,623.86
	South View Subdivision <u>Block "A"</u>	
1473600001012020	Lot 1	\$3,865.66

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 ninety (90) 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 City Council October 24, 2006.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Iris E. Walker, City Clerk