

1 (Published in the Topeka Metro News May 30, 2007)
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4 **ORDINANCE NO. 18884**
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6 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning
7 and levying a corrected special assessment on certain lots and pieces
8 of ground in the City of Topeka, Shawnee County, Kansas, for the
9 improvement of Lateral Sanitary Sewer District No. 40886-02
10 established by City of Topeka Ordinance No. 18393 and specifically
11 repealing said ordinance.
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13 WHEREAS, City Council passed Ordinance No. 18393 which apportioned and levied
14 special assessments and certain costs according to a square footage basis; and

15 WHEREAS, the Petition and Resolution of Authorization for improvement of Lateral
16 Sanitary Sewer District No. 40886-02 provides for a unit basis method of
17 assessment; and

18 WHEREAS, the parcel identification numbers and descriptions have been reassigned; and

19 WHEREAS, the assessments need to be corrected to reflect a unit basis and the new
20 parcel numbers and descriptions.

21 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:
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23 Section 1. For the purpose of paying the cost of piping, manholes, engineering
24 and all other contingencies needed to complete the project, the same being Lateral
25 Sanitary Sewer District No. 40886-02 in the City of Topeka, Shawnee County, Kansas,
26 there is hereby levied and assessed a corrected special assessment on all lots and pieces
27 of ground liable therefore. Said corrected assessments are computed as follows:

28 A. GENERAL NATURE OF IMPROVEMENT:
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30 To provide sanitary sewer service to the following described area with
31 piping, manholes, engineering and all other contingencies needed for a
32 complete project.
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34 B. IMPROVEMENT DISTRICT:

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36 RED OAKS PLACE NO. 3
37 Lots 1 through 21, Block "A"

38
39 C. METHOD OF ASSESSMENT:

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41 On a unit basis for all lots or individual dwelling sites which are included in
42 the improvement district.

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44 D. TOTAL COST & APPORTIONMENT OF COSTS:

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46 FINAL PROJECT COST = \$52,009.10

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48 Improvement district will pay 100% of the costs

49 Section 2. The several amounts are apportioned, levied and assessed against
50 each of said lots and pieces of ground according to the benefits to be derived by reason of
51 the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

52 LATERAL SANITARY SEWER DISTRICT
53 NO. 40886-02

54	55	56	57	58	59	60	61
	Parcel						
	Identification		<u>Description</u>				<u>Assessment</u>
	<u>Number</u>						
			RED OAKS PLACE SUBDIVISION NO. 3				
			<u>BLOCK "A"</u>				
	0993203001003240		Beginning 30.17' North of SE corner of Lot 1; thence West 145.06'; thence North 194.98'; thence Northeast 10'; thence Southeasterly along curve 237.88'; thence South 30.75' to point of beginning.				\$1368.66
	0993203001003230		Part of Lot 1; Described as South 30.17' of said lot, and the North 10' of Lot 2.				\$1368.66
	0993203001003360		Beginning 20.12' North of SE corner of Lot 2; thence West 144.36'; thence North 39.76'; thence East 144.67' thence South 39.70' to point of beginning.				\$1368.66

0993203001003220	North 20' of Lot 3 and South 20' of Lot 2	\$1368.66
0993203001003210	Northerly 30' of Lot 4 and Lot 3, less the North 20'	\$2737.32
0993203001003200	Beginning 0.30' North of SE corner of Lot 4; thence West 143.22'; thence N. 40.83'; thence East 143.54'; thence South 39.70' to point of beginning.	\$1368.66
0993203001003190	Beginning at NE corner of Lot 5; thence South 40'; thence West 142.90'; thence North 39.64'; thence East 143.22'; thence South 0.30' to point of beginning.	\$1368.66
0993203001003400	Lot 5, except North 40' and Lot 6, except South 20'	\$2737.32
0993203001003390	Part of Lots 6 and 7, described as follows: Beginning at SW corner of Lot 6; thence North 20'; thence East 100.61'; thence Southerly 67.51'; thence Southwest 160.17'; thence North 155.69' to point of beginning.	\$2737.32
0993203001003380	Part of Lots 7 and 8, Described as follows: Beginning at SW corner of Lot 7; thence North 45.64'; thence Northeasterly 160.17'; thence Easterly 47.12'; thence South 140'; thence West 155.30' to point of beginning.	\$2737.32
0993203001003160	Part of Lots 9 and 10, Described as follows: Beginning at the SW corner of Lot 9; thence North 140'; thence Easterly 47.12'; thence Southeast 159.47'; thence South 43.50'; thence West 155.20' to point of beginning.	\$2737.32
0993203001003140	Part of Lot 10, Beginning 40.96' South of NE corner of Lot 10; thence South 113.99'; thence Northwest 159.47'; thence Northerly along a curve 23.42'; thence Southeast 77.96' to the point of beginning.	\$1368.66
0993203001003150	Beginning at NE corner of Lot 10, thence South 40.96'; thence West 77.96'; thence Northwest 28.39'; thence Northerly 23.57'; thence East 95.22' to the point of beginning.	\$1368.66

0993203001003130	Part of Lot 11, Beginning at SE corner of Lot 11; thence West 95.19'; thence Northerly along a curve 43.13'; thence East 109.07'; thence South 40.35' to point of beginning.	\$1368.66
0993203001003120	Beginning 40.35' North of the SE corner of Lot 11; thence West 109.07'; thence Northerly 6.71'; thence North 33.34'; thence East 110.19'; thence South 39.78' to point of beginning.	\$1368.66
0993203001003110	Lot 12, less South 10' and the South 20' of Lot 13.	\$2737.32
0993203001003330	Beginning 10.39' South of NW corner of Lot 13; thence East 110.41'; thence South 39.98'; thence West 110.19'; thence North 39.61' to the point of beginning.	\$1368.66
0993203001003100	South 30' of Lot 14 and North 10' of Lot 13.	\$1368.66
0993203001003310	Beginning at NE corner of Lot 14; thence South 40.12'; thence West 110.19'; thence North 40.16'; thence East 110.19' to point of beginning.	\$1368.66
0993203001003090	South 40' of Lot 15.	\$1368.66
0993203001003080	South 50' of Lot 16, and Lot 15, less the South 40'.	\$2737.32
0993203001003300	Part of Lot 16 and 17, Beginning at NE corner of Lot 16; thence South 24.58'; thence West 110.19'; thence Northerly 34.91'; thence East 111.73'; thence South 17.33' to point of beginning.	\$1368.66
0993203001003070	Lot 17, less the Northerly 10' and less the South 17.33'.	\$1368.66
0993203001003060	Lot 18, less beginning 53.74' North of SE corner of Lot 18; thence Southwest 151.29'; thence Northerly 38.10'; thence Northeast 189.33'; thence South 71.90' to the point of beginning and the North 10' of Lot 17.	\$1368.66

0993203001003370	Part of Lot 18, beginning 53.74' North of SE corner of Lot 18; thence Southwest 151.29'; thence Northerly 38.16'; thence Northeast 189.33'; thence South 71.90' to point of beginning.	\$1368.66
0993203001003350	Lot 19, less beginning at the West Corner of Lot 19; thence Northeast 125.51'; thence Southeast 66.98'; thence Southwest 155.23'; thence Northwest 32.39' to point of beginning.	\$1368.66
0993203001003050	Lot 19, described as beginning at West corner of Lot 19; thence Northeast 125.51'; thence Southeast 66.98'; thence Southwest 155.23'; thence Northwest 32.39' to point of beginning.	\$1368.66
0993203001003040	Lot 20, less beginning at NW corner of Lot 20; thence Easterly 75.26'; thence Southwest 109.34'; thence Westerly 58.43'; thence Northeast 90' to point of beginning.	\$1368.66
0993203001003320	Part of Lot 20; beginning at the NW corner of Lot 20; thence Easterly 75.26'; thence Southwest 109.34'; thence Westerly 58.43'; thence Northeast 90' to the point of beginning.	\$1368.66
0993203001003030	Lot 21	\$2737.32

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63 Section 3. Such assessments with accrued interest are hereby levied concurrent
64 with general property taxes and shall be payable in twenty (20) equal annual installments.
65 The twenty (20) year period shall commence with the first payment of property tax following
66 publication of Ordinance No. 18393. In the event installment payments made under
67 Ordinance No. 18393 differ from the installments assessed under this Ordinance, the
68 property owner shall be responsible for underpayment or given credit for overpayment.

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

71 Section 5. The owner of any property so assessed may at any time prior to ninety
72 (90) days from the date of publication of this Ordinance, pay the whole of the assessment
73 against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

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

77 Section 7. That City of Topeka Ordinance No. 18393 is hereby specifically
78 repealed.

79 Section 8. This Ordinance shall take effect and be in force from and after its
80 passage, approval and publication in the official city newspaper.

81 PASSED and APPROVED by the City Council May 22, 2007.

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CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk