

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

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3 **ORDINANCE NO. 19584**

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5 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning
6 and levying a special assessment on certain lots and pieces of ground
7 in the City of Topeka, Shawnee County, Kansas, for the improvement
8 of Legend Ridge Estates Subdivision No. 2 with pavement, curb and
9 gutter and all other contingencies needed to complete Street
10 Improvement Project No. 60635-01 as defined and described in
11 Resolution No. 8155, adopted and approved April 28, 2009.

12
13 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

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15 Section 1. For the purpose of paying the cost of pavement, curb and gutter and all
16 other contingencies needed to complete the project, same being Street Improvement
17 Project No. 60635-01, in the City of Topeka, Shawnee County, Kansas, there is hereby
18 levied and assessed a special assessment on all lots and pieces of ground liable therefore.

19 Said assessments are computed as follows:

20 A. GENERAL NATURE OF IMPROVEMENT:

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22 To pave SW Arvonias Place from a point approximately 14 feet south of the
23 south lot line of Lot 1, Block A, Legend Ridge Estates No. 2 and north to
24 its terminus in a cul de sac; to pave SW 20th Street from its intersection
25 with SW Arvonias Place west to the west lot line of Lot 5, Block A, Legend
26 Ridge Estates No. 2; to construct the stormwater detention structure
27 located within the detention facility easement within Lot 3, Block A, Legend
28 Ridge Estates No. 2 to serve said subdivision. To provide streets to the
29 above noted area with asphalt pavement, curb & gutter, storm sewer
30 structures, piping and detention facility, engineering and all other
31 contingencies required for a complete project.

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33 B. IMPROVEMENT DISTRICT:

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

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38 Along with the following:

39
40 TRACT NO. 1
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42 A TRACT OF LAND IN THE SOUTH HALF OF THE WEST 40 ACRES OF
43 THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH,
44 RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE
45 COUNTY, KANSAS, DESCRIBED AS FOLLOWS:
46

47 BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST
48 QUARTER; THENCE ON AN ASSUMED NORTH AZIMUTH OF 01
49 DEGREES 38 MINUTES 43 SECONDS, 549.85 FEET ALONG THE
50 WEST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTH RIGHT
51 OF WAY LINE OF SW 20TH STREET; THENCE ON AN AZIMUTH OF 91
52 DEGREES 37 MINUTES 23 SECONDS, 174.26 FEET ALONG SAID
53 RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF SW
54 ARVONIA PLACE; THENCE ON AN AZIMUTH OF 181 DEGREES 37
55 MINUTES 23 SECONDS, 167.09 FEET ALONG SAID WEST RIGHT OF
56 WAY LINE TO THE SOUTH LINE OF LEGEND RIDGE ESTATES,
57 ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ON AN
58 AZIMUTH OF 89 DEGREES 11 MINUTES 37 SECONDS, 25.02 FEET
59 ALONG SAID SOUTH LINE TO THE WEST LINE OF WESTRIDGE
60 BUSINESS PARK, ACCORDING TO THE RECORDED PLAT THEREOF;
61 THENCE ON AN AZIMUTH OF 181 DEGREES 37 MINUTES 23
62 SECONDS, 375.36 FEET ALONG SAID WEST LINE AND ITS
63 EXTENSION TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER;
64 THENCE ON AN AZIMUTH OF 269 DEGREES 11 MINUTES 40
65 SECONDS, 199.65 FEET ALONG SAID SOUTH LINE TO THE POINT OF
66 BEGINNING.
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69 C. METHOD OF ASSESSMENT:
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71 On a unit basis for all parcels or tracts which are included in the
72 improvement district as follows:
73

74 *Legend Ridge Estates No. 2*

75 Block A, Lot 1: 7 units

76 Block A, Lot 2: 33.75 units

77 Block A, Lot 3: 9 units

78 Block A, Lot 4: 9 units

79 Block A, Lot 5: 33.75 units
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81 Tract No. 1: 7.5 units
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84 D. TOTAL COST & APPORTIONMENT OF COSTS:
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86 FINAL PROJECT COST = \$319,698.39

87 Improvement district will pay 100% of the costs.

88
 89 Section 2. The several amounts are apportioned, levied and assessed against
 90 each of said lots and pieces of ground according to the benefits to be derived by reason of
 91 the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

92 STREET IMPROVEMENT PROJECT NO. 60635-01

	<u>Legal Description</u>	<u>Assessment</u>
96	LEGEND RIDGE ESTATES SUBDIVISION No. 2	
97	Block A, Lot 5	\$107,898.21
98		
99	Block A, Lot 1	\$ 22,378.89
100		
101	Block A, Lot 2	\$107,898.21
102		
103	Block A, Lot 3	\$ 28,772.86
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105	Block A, Lot 4	\$ 28,772.86
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	Tract No.1 Is the following: A TRACT OF LAND IN THE	\$ 23,977.38
	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.	

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

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

114 Section 5. The owner of any property so assessed may at any time prior to 30
115 days from the date of publication of this Ordinance, pay the whole of the assessment
116 against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

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

120 Section 7. This Ordinance shall take effect and be in force from and after its
121 passage, approval and publication in the official city newspaper.

122 PASSED and APPROVED by the Governing Body June 14, 2011.

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CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

129 ATTEST:

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Brenda Younger, City Clerk