(Published in the Topeka Metro News on June 11, 2018)

ORDINANCE NO. 20125

AN ORDINANCE introduced by City Manager Brent Trout, apportioning and levying a special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, Misty Harbor Estates No. 5 Street Improvement Project No. T-601067.00, authorized by Resolution of Advisability and Authorization No 8871, adopted and approved April 4, 2017 amending Resolution of Advisability and Authorization No. 8841, adopted and approved January 3, 2017.

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

Section 1. For the purpose of paying the cost of Sanitary Sewer Improvement Project No.T-601067.00, 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:

To Pave:
SW 43rd Street from the west line of Lot 1, Block A, Misty Harbor Estates No. 5 to its intersection with SW Lakeside Drive; SW Lakeside Drive from the south line of Lot 4, Block C, Misty Harbor Estates No. 5 to the north line of Lot 1, Block D, Misty Harbor Estates No. 5; SW Misty Harbor Drive, from the south line of Lot 1, Block B, Misty Harbor Estates No. 5, to its intersection with SW 43rd Street; with asphalt pavement, and curb and gutter, grading, curb inlets, and storm sewer pipes. Included with the project are engineering costs and all other contingencies needed to complete the project.

B. IMPROVEMENT DISTRICT:

Misty Harbor Estates No. 5
Lots 1 through 7, Block A
Lot 1, Block B
Lots 1 through 4, Block C
Lots 1 through 2, Block D

The improvement district does not include all the property which may be deemed to be benefited by the proposed improvement and the entity
signing the petition, F & L Enterprises, Inc., has acknowledged in the petition that it is willing to pay the costs of the proposed improvement as set forth in the petition.

C. **METHOD OF ASSESSMENT:**

On a unit basis for all lots or individual dwelling sites which are included in the described Improvement District. This project consists of 14 lots with 1 unit per lot.

D. **TOTAL COST & APPORTIONMENT OF COSTS:**

$331,051.63
100% paid by the Improvement District.

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:

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Block</th>
<th>Lot</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>MISTY HARBOR ESTATES NO 5</td>
<td>A</td>
<td>7</td>
<td>$23,646.55</td>
</tr>
<tr>
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<td>A</td>
<td>2</td>
<td>$23,646.55</td>
</tr>
<tr>
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<td>1</td>
<td>$23,646.55</td>
</tr>
<tr>
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<td>A</td>
<td>6</td>
<td>$23,646.55</td>
</tr>
<tr>
<td>MISTY HARBOR ESTATES NO 5</td>
<td>A</td>
<td>3</td>
<td>$23,646.55</td>
</tr>
<tr>
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<td>$23,646.55</td>
</tr>
<tr>
<td>MISTY HARBOR ESTATES NO 5</td>
<td>A</td>
<td>4</td>
<td>$23,646.55</td>
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<tr>
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<td>1</td>
<td>$23,646.55</td>
</tr>
<tr>
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<td>C</td>
<td>3-4</td>
<td>$47,293.09</td>
</tr>
<tr>
<td>MISTY HARBOR ESTATES NO 5</td>
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<td>2</td>
<td>$23,646.55</td>
</tr>
<tr>
<td>MISTY HARBOR ESTATES NO 5</td>
<td>D</td>
<td>1-2</td>
<td>$47,293.09</td>
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<tr>
<td>MISTY HARBOR ESTATES NO 6</td>
<td>B</td>
<td>1</td>
<td>$23,646.55</td>
</tr>
</tbody>
</table>

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 a portion or the entire amount of the assessment against any lot or parcel, to the City Treasurer.

Section 6. Assessment amounts not paid prior to the date provided in Section 5 hereof, shall be certified by the City Clerk to the County Clerk. The assessments with accrued interest shall be levied as a special tax upon the property as prescribed in K.S.A. 12-6A10 and amendments thereto.

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 on June 5, 2018.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

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Brenda Younger, City Clerk