ORDINANCE NO. 12580

AN ORDINANCE introduced by Mayor Joan Wagonon, 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 Street Improvement Project No. 60549-H with pavement, curb and gutter and all other contingencies needed to complete Street Improvement Project No. 60549-H as defined and described in Resolution No. 6975, adopted and approved April 20, 1999.

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 Street Improvement Project No. 60549-H, 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 Cambridge Avenue from the south line of S.W. 45th Street to a point 175 feet north of the center line of S.W. 46th Street; with asphalt pavement, concrete curb and gutter, sidewalk ramps, storm drainage facilities, engineering and all other contingencies required for a complete project.

B. IMPROVEMENT DISTRICT:

A part of Lot 1, Block A and Lot 1, Block B, in Colly Creek Subdivision No. 8 and that part of S.W. Cambridge Avenue adjacent thereto all in the City of Topeka, Shawnee County, Kansas, being more particularly described as follows: Beginning at the Northwest corner of said Lot 1, Block A in said Colly Creek Subdivision No. 8; thence N89°36'42"E, 525.13 feet along the North line of said Lot 1, Block A and Lot 1, Block B, Colly Creek Subdivision No. 8; thence continuing along the North line of said Lot 1, Block B, S87°35'02"E, 9.94 feet; thence S02°24'58"W, 132.50 feet to the centerline of a proposed road; thence S87°35'02"E, 103.77 feet along the centerline of said proposed road; thence S00°13'06"E, 236.50 feet along the centerline of a proposed road; thence along the centerline of said proposed road on a 100.00 foot radius curve right an arc distance of 57.28
feet, said curve having along chord bearing N73°48'31"W, 56.50 feet; thence continuing along the centerline of said proposed road N57°23'56"W, 35.00 feet; thence S32°36'04",139.54 feet to a point on the Westerly line of said Lot 1, Block B; thence southerly along the Westerly line of said Lot 1, Block B on a 325.00 foot radius curve right an arc distance of 21.38 feet, said curve having a long chord bearing S55°04'12"E, 21.38 feet thence S36°48'53"W, 60.00 feet to a point on the Easterly line of Lot 1, Block A, Colly Creek Subdivision No. 8; thence southerly along the Easterly line of said Lot 1, Block A on a 265.0 foot radius curve right an arc distance of 110.43 feet, said curve having a long chord bearing S41°14'51"E, 109.63 feet; thence S77°46'45"W, 140.51 feet; thence N86°27'29"W, 25.70 feet; thence S77°46'45"W, 128.25 feet to a point on the West line of said Lot 1, Block A; thence N12°13'15"W, 133.15 feet along the West line of said Lot, thence continuing northerly along the West line of said Lot; N28°18'56"W, 375.65 feet; thence continuing along the West line of said Lot, N18°17'21"W, 124.28 feet; thence continuing along the West line of said Lot, N03°44'13"E, 72.38 feet to the point of beginning.

The above description includes Units 1 through 11 and Unit 19 in Lot 1, Block A, Colly Creek Subdivision No. 8 of the Colly Creek Villa's Master Planned Unit Development Plan filed of record in Book 34, Page 119 in the Shawnee County Register of Deeds and Proposed Units 1 through 5 and Units 20 through 27 in Lot 1, Block B, Colly Creek Subdivision No. 8.

C. METHOD OF ASSESSMENT:

Assessment method is on a unit basis for all lots or individual dwelling sites which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = $118,400.00

Improvement district will pay 100% of the costs.

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:

STREET IMPROVEMENT PROJECT NO. 60549-H
Parcel Identification Number | Description                          | Assessment  
----------------------------|--------------------------------------|------------
Colly Creek Subdivision No. 8 Block “A”
1472602002001030          Lot 1                         $56,832.00
Contains 12 units at $4,736.00 each

Colly Creek Subdivision No. 8 Block “B”
1472602001002000          Lot 1                         $61,568.00
Contains 13 units at $4,736.00 each

Section 3. Such assessments with accrued interest are hereby levied concurrent with general property taxes and shall be payable in ten (10) 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 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          OCT 24 2000

Joan Wagonon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE 9/15/00 BY

TO BE CODIFIED

NOT TO BE CODIFIED X

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