ORDINANCE NO. 1767

AN ORDINANCE introduced by Mayor Felker, 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. 60554 with pavement, curb and gutter and all other contingencies needed to complete Street Improvement Project No. 60554, as defined and described in Resolution No. 7051, adopted and approved March 14, 2000.

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. 60554, 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 Aries Avenue from the easterly line of Aquarius Drive Northeasterly to the east line of Lot 9, Block "P," Aquarian Acres Subdivision, with pavement, 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 intersection of the northerly line of Aries Avenue and the northeasterly line of Lot 15, Block "P," Aquarian Acres Subdivision; thence northwesterly on the northeasterly line of said Lot 15 for a distance of 140 feet; thence northeasterly on the northerly line of Lots 1, 2, 3, and 4 in Block "A," Aquarian Acres Subdivision No. 6 to the northwesterly corner of Lot 11, Block "P," Aquarian Acres Subdivision; thence continuing northeasterly on the northerly line of Lots 11, 10, and 9 to the east line of
Aquarian Acres Subdivision; thence southerly on the east line of said subdivision to it's intersection with the southerly line of Lot 5, Block "B," Aquarian Acres Subdivision No. 6; thence westerly 53.33 feet to the southwest corner of said Lot 5; thence southwesterly on the southerly line of Lots 4, 3, 2, and 1, Block "B," Aquarian Acres Subdivision No. 6 and Lot 2, Block "Q," Aquarian Acres Subdivision to the most southerly corner of said Lot 2, Block "Q"; thence northwesterly on the southwesterly line of said Lot 2 and its extension for a distance of 340 feet to the point of beginning.

C. METHOD OF ASSESSMENT:

On a unit basis for all lots or parcels which are included in the improvement district.

D. TOTAL COST & APPORTIONMENT OF COSTS:

FINAL PROJECT COST = $75,800.00
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. 60554
SE Aries Avenue

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Description</th>
<th>Assessment</th>
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</table>
| Aquarian Acres Subdivision No. 6 Block "A"
1321003001008000 | Lot 1        | $5830.77   |
| 1321003001008010 | Lot 2        | $5830.77   |
| 1321003001008020 | Lot 3        | $5830.77   |
| 1321003001008030 | Lot 4        | $5830.77   |
Aquarian Acres Subdivision
Block “P”

1321003001011000 Lot 11 $5830.77
1321003001012000 Lot 10 $5830.77
1321003001013000 Lot 9 $5830.77

Aquarian Acres Subdivision No. 8
Block “A”

1321003008001000 Lot 5 $5830.77

Aquarian Acres Subdivision No. 6
Block “B”

1321003008001010 Lot 4 $5830.77
1321003008001020 Lot 3 $5830.77
1321003008001030 Lot 2 $5830.77
1321003008001040 Lot 1 $5830.77

Aquarian Acres Subdivision
Block “Q”

1321003008004000 Lot 2 $5830.77

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 April 17, 2001.

ATTEST:

Harry Felker, Mayor

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE 4/17/2001 BY

TO BE CODIFIED

NOT TO BE CODIFIED