(Published in the Topeka Metro News May 12, 2004)

ORDINANCE NO. 18230

AN ORDINANCE introduced by Mayor James A. McClinton, 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 Trafficway Improvement Project No. 70193-H, Phase 1 with pavement, curb and gutter, and all other contingencies needed to complete Trafficway Improvement Project No. 70193-H, Phase 1 as defined and described in Resolution No. 7123, adopted and approved January 24, 2001.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. For the purpose of paying the cost of piping, manholes, engineering and all other contingencies needed to complete the project, the same being Trafficway Improvement Project No. 70193-H, Phase 1, 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 widen the pavement on 37th Street from the east line of SW Burlingame Road to a point approximately 750 feet east of the east line of SW Burlingame Road.

To remove the existing median island and provide an additional left turn lane for west bound traffic on 37th Street. Construct a new island approximately 133 feet east of SW Burlingame Road to channel traffic into the turn lanes.

Project will provide paving, including concrete curb and gutter, sidewalk and ramps, storm drainage, engineering and all other contingencies needed for a complete project.

B. IMPROVEMENT DISTRICT:

Begin 707.09 feet east and 50 feet south of the northwest corner of the northwest quarter of Section 24, Township 12 South, Range 15 east of the Sixth P.M., said point being the northeast corner of Lot 3, Block “A” of L. and F. Falley Subdivision; thence southerly 877.16 feet to the southeast
and F. Falley Subdivision; thence southerly 877.16 feet to the southeast corner of said Lot 3; thence northwesterly on the southerly line of Lot 3 to its intersection with the easterly right of way of SW Burlingame Road; thence northerly on said easterly right of way line to the southerly right of way line of 37th Street being a point 50 feet southerly of the north line of the northwest quarter of Section 24, Township 12 South, Range 15 east of the Sixth P.M.; thence easterly 504.04 feet to the northeast corner of Lot 3, Block "A", L. and F. Falley Subdivision and the point of beginning.

C. **METHOD OF ASSESSMENT:**

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 = $256,140.00

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:

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Description</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>L &amp; F Falley Subdivision</td>
<td>Lots 1, 2, and 3</td>
<td>$4,490.07</td>
</tr>
<tr>
<td>Block &quot;A&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1462402002009000</td>
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Lukert Second Subdivision

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Description</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1462402002010000</td>
<td>Lot 1</td>
<td>$563.49</td>
</tr>
</tbody>
</table>

**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 ninety (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 ________ MAY 04 2004 ________.

ATTEST:

Iris E. Walker, City Clerk

James A. McClinton, Mayor

APPROVED AS TO FORM AND LEGALITY

DATE 7/24/04 BY BSC
NOT TO BE CODIFIED X