ORDINANCE NO. 18884

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a corrected special assessment on certain lots and pieces of ground in the City of Topeka, Shawnee County, Kansas, for the improvement of Lateral Sanitary Sewer District No. 40886-02 established by City of Topeka Ordinance No. 18393 and specifically repealing said ordinance.

WHEREAS, City Council passed Ordinance No. 18393 which apportioned and levied special assessments and certain costs according to a square footage basis; and

WHEREAS, the Petition and Resolution of Authorization for improvement of Lateral Sanitary Sewer District No. 40886-02 provides for a unit basis method of assessment; and

WHEREAS, the parcel identification numbers and descriptions have been reassigned; and

WHEREAS, the assessments need to be corrected to reflect a unit basis and the new parcel numbers and descriptions.

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 Lateral Sanitary Sewer District No. 40886-02 in the City of Topeka, Shawnee County, Kansas, there is hereby levied and assessed a corrected special assessment on all lots and pieces of ground liable therefore. Said corrected assessments are computed as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To provide sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies needed for a complete project.
B. IMPROVEMENT DISTRICT:

RED OAKS PLACE NO. 3
Lots 1 through 21, Block “A”

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 = $52,009.10

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:

LATERAL SANITARY SEWER DISTRICT
NO. 40886-02

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Description</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>0993203001003240</td>
<td>Beginning 30.17’ North of SE corner of Lot 1; thence West 145.06’; thence North 194.98’; thence Northeast 10’; thence Southeasterly along curve 237.88’; thence South 30.75’ to point of beginning.</td>
<td>$1368.66</td>
</tr>
<tr>
<td>0993203001003230</td>
<td>Part of Lot 1; Described as South 30.17’ of said lot, and the North 10’ of Lot 2.</td>
<td>$1368.66</td>
</tr>
<tr>
<td>0993203001003360</td>
<td>Beginning 20.12’ North of SE corner of Lot 2; thence West 144.36’; thence North 39.76’; thence East 144.67’ thence South 39.70’ to point of beginning.</td>
<td>$1368.66</td>
</tr>
</tbody>
</table>
North 20’ of Lot 3 and South 20’ of Lot 2 $1368.66
Northerly 30’ of Lot 4 and Lot 3, less the North 20’ $2737.32
Beginning 0.30’ North of SE corner of Lot 4; thence West 143.22’; thence N. 40.83’; thence East 143.54’; thence South 39.70’ to point of beginning. $1368.66
Beginning at NE corner of Lot 5; thence South 40’; thence West 142.90’; thence North 39.64’; thence East 143.22’; thence South 0.30’ to point of beginning. $1368.66
Lot 5, except North 40’ and Lot 6, except South 20’ $2737.32
Part of Lots 6 and 7, described as follows: Beginning at SW corner of Lot 6; thence North 20’; thence East 100.61’; thence Southerly 67.51’; thence Southwest 160.17’; thence North 155.69’ to point of beginning. $2737.32
Part of Lots 7 and 8, Described as follows: Beginning at SW corner of Lot 7; thence North 45.64’; thence Northeasterly 160.17’; thence Easterly 47.12’; thence South 140’; thence West 155.30’ to point of beginning. $2737.32
Part of Lots 9 and 10, Described as follows: Beginning at the SW corner of Lot 9; thence North 140’; thence Easterly 47.12’; thence Southeast 159.47’; thence South 43.50’; thence West 155.20’ to point of beginning. $2737.32
Part of Lot 10, Beginning 40.96’ South of NE corner of Lot 10; thence South 113.99’; thence Northwest 159.47’; thence Northerly along a curve 23.42’; thence Southeast 77.96’ to the point of beginning. $1368.66
Beginning at NE corner of Lot 10, thence South 40.96’; thence West 77.96’; thence Northwest 28.39’; thence Northerly 23.57’; thence East 95.22’ to the point of beginning. $1368.66
0993203001003130  Part of Lot 11, Beginning at SE corner of Lot 11; thence West 95.19'; thence Northerly along a curve 43.13'; thence East 109.07'; thence South 40.35' to point of beginning.  $1368.66

0993203001003120  Beginning 40.35' North of the SE corner of Lot 11; thence West 109.07'; thence Northerly 6.71'; thence North 33.34'; thence East 110.19'; thence South 39.78' to point of beginning.  $1368.66

0993203001003110  Lot 12, less South 10' and the South 20' of Lot 13.  $2737.32

0993203001003100  South 30' of Lot 14 and North 10' of Lot 13.  $1368.66

0993203001003090  South 40' of Lot 15.  $1368.66

0993203001003080  South 50' of Lot 16, and Lot 15, less the South 40'.  $2737.32

0993203001003070  Lot 17, less the Northerly 10' and less the South 17.33'.  $1368.66

0993203001003060  Lot 18, less beginning 53.74' North of SE corner of Lot 18; thence Southwest 151.29'; thence Northerly 38.10'; thence Northeast 189.33'; thence South 71.90' to the point of beginning and the North 10' of Lot 17.  $1368.66
0993203001003370 Part of Lot 18, beginning 53.74' North of SE corner of Lot 18; thence Southwest 151.29'; thence Northerly 38.16'; thence Northeast 189.33'; thence South 71.90' to point of beginning. $1368.66

0993203001003350 Lot 19, less beginning at the West Corner of Lot 19; thence Northeast 125.51'; thence Southeast 66.98'; thence Southwest 155.23'; thence Northwest 32.39' to point of beginning. $1368.66

0993203001003050 Lot 19, described as beginning at West corner of Lot 19; thence Northeast 125.51'; thence Southeast 66.98'; thence Southwest 155.23'; thence Northwest 32.39' to point of beginning. $1368.66

0993203001003040 Lot 20, less beginning at NW corner of Lot 20; thence Easterly 75.26'; thence Southwest 109.34'; thence Westerly 58.43'; thence Northeast 90' to point of beginning. $1368.66

0993203001003320 Part of Lot 20; beginning at the NW corner of Lot 20; thence Easterly 75.26'; thence Southwest 109.34'; thence Westerly 58.43'; thence Northeast 90' to the point of beginning. $1368.66

0993203001003030 Lot 21 $2737.32

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 twenty (20) year period shall commence with the first payment of property tax following publication of Ordinance No. 18393. In the event installment payments made under Ordinance No. 18393 differ from the installments assessed under this Ordinance, the property owner shall be responsible for underpayment or given credit for overpayment.

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. That City of Topeka Ordinance No. 18393 is hereby specifically repealed.

Section 8. 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 22, 2007.

CITY OF TOPEKA, KANSAS

_________________________________
William W. Bunten, Mayor

ATTEST:

_________________________________
Brenda Younger, City Clerk