

(Published in *The Baldwin City Signal*, on January 10, 2013)

ORDINANCE NO. 1289

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BALDWIN CITY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NO. 2011-13 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of Baldwin City, Kansas (the "City") has heretofore authorized certain internal improvements (the "Improvements") to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body has heretofore conducted a public hearing in accordance with the Act and desires to levy assessments on certain property benefited by the construction of the Improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS:

Section 1. Levy of Assessments. For the purpose of paying the costs of the following described Improvements:

Ames and North 6th Street - Sanitary Sewer-- Resolution No. 2011-13--Eight inch sanitary sewer, and all necessary appurtenances, to serve area near Ames Street and North Sixth Street

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the City Attorney) against the property described on *Exhibit A* attached hereto.

Section 2. Payment of Assessments. The amounts so levied and assessed in *Section 1* of this Ordinance shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part within thirty (30) days from the date of publication of this Ordinance.

Section 3. Notification. The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto insofar as known to said City Clerk, of the amounts of their respective assessments; and, said notice shall further state that unless such assessments are paid within thirty (30) days from the date of publication of this Ordinance, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

Section 4. Certification. Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Douglas County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in 15 annual

installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Section 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

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PASSED by the governing body of the City on January 7, 2013 and **APPROVED** and **SIGNED** by the Mayor.


(SEAL)



ATTEST:



Mayor



Acting City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on January 7, 2013; that the record of the final vote on its passage is found on page ____ of journal ____; and that the Ordinance or a summary thereof was published in *The Baldwin City Signal* on January 10, 2013.

DATED: January 10, 2013.



Acting City Clerk

EXHIBIT A

AMES AND NORTH 6TH STREET - SANITARY SEWER--RESOLUTION NO. 2011-13

Description of Property	Amount of Per Parcel Assessment	Address	Plat #	Amount of Property Assessment
34-14-20 BEG 40 FT E OF SW CORSEC 34 TH E 250 FT N 430 FT W 250 FT TH S TO BEG IN CITY OF BALDWIN 2.46A	\$12,927	522 Ames Street	B02653	\$12,927
34-14-20 TR I:W 130 FT OF A TRBEG AT PT 290 FT E OF SW COR 34-14-20 TH N 457 FT TH E 250 FT TH S 457 FT TH W TO PT BEG,EXCEPTING LTS 5 & 6 BLK 90 ALL IN VACATED TOWNSITE OF PALMYRA IN CITY OF BALDWIN;TR II:W 9 FT LTS 5 & 6 BLK 90 IN VACATED TOWNSITE OF PALMYRA & DESC AS FOLLOWS:BEG 6.2 CHS E OF SW COR 34-14-20 TH N 2.73 CHS E 1.97 CHS TH S 2.73 CHS TH W 1.97 CHS TO PT BEG,BEING SITUATED IN 34-14-20 & BEING IN CITY OF BALDWIN,LESS S 120 FT OF ABOVE TWO DESC TRACTS OF LAND (DIV 1992 B02654A) and 34-14-20 S 120 FT OF THE FOLLOWING TWO DESC TRACTS OF LAND: TR 1:W 130 FT OF A TR BEG AT PT 290 FT E OF SW COR 34-14-20 TH N 457 FT TH E 250 FT TH S 457 FT TH W TO PT BEG,EXCEPTING LTS 5 & 6 BLK 90 ALL IN VACATED TOWNSITE OF PALMYRA IN CITY OF BALDWIN;TR II:W 9 FT LTS 5 & 6 BLK 90 IN VACATED TOWNSITE OF PALMYRA & DESC AS FOLLOWS: BEG 6.2 CHS E OF SW COR 34-14-20 TH N 2.73 CHS TH E 1.97 CHS TH S 2.73 CHS TH W 1.97 CHS TO PT BEG BEING SITUATED IN 34-14-20 & BEING IN CITY OF BALDWIN(DIV 1992 B02654A)	\$12,927	504 Ames Street	B02654A	\$10,358
		516 Ames Street	B02654B	\$2,569
MURPHY'S FIRST ADD LT 1 and A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 SOUTH, RANGE 20 EAST OF THE 6 TH P.M., DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89°56'38" WEST 165.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH LINE OF THE SOUTHEAST QUARTER; THENCE CONTINUING ALONG SAID LINE SOUTH 89°56'38" WEST 165.00 FEET; THENCE NORTH 00°04'36" WEST 396.00 FEET; THENCE NORTH 89°56'38" EAST 165.00 FEET; THENCE SOUTH 00°04'36" EAST 396.00 FEET TO THE POINT OF BEGINNING.	\$12,927	602 Ames Street	B02663A02	\$4,292
		700 Ames Street, Block 1	B02664A	\$8,635

33-14-20 COM AT SE COR SEC 33 TH N 0DEG01'13"W 660 FT TO PT BEG ON E LINE SE 1/4 TH N90DEGW 237.8 FT TH N 0DEG47'44"E 231.62 FT TH S90DEGE 124 FT TH N0DEG01'13"W 47.4 FT TH S90DEGE 110.5 FT TO E LINE SD SE 1/4 TH S 0DEG01'13"E 279 FT TO PT BEG 1.38A TCW82 (ANNEXED TO CITY OF BALDWIN ORD NO 1009 ADOPTED 06/15/1998 BK 623/1050 REPLACES 700345B)	\$12,927	215 N. Sixth Street	B02663C	\$12,927
34-14-20 COM AT SW COR SW 1/4 TH S89DEG41'56"E 431.89 FT TO PT BEG,SD PT BEING ON S LINE SW 1/4;TH N 0DEG25'02"E 180.06 FT,SD PT BEING 9 FT E OF NW COR LT 5;TH N89DEG41'53"W 9 FT,SD PT BEING SW COR LT 4;TH N 0DEG25'02"E 280.13 FT,SD PT BEING CENTERLINE KIBBEE ST OR 2ND ST (VAC 02/14/1871);TH ALONG SD LINE S89DEG41'51"E 121.25 FTTH S 0DEG24'49"W 220.1 FT,SD PT BEING SE COR LT 3;TH S89DEG41'52"E 40 FT,SD PT BEING CENTERLINE JASPER ST (VAC 03/22/1999 BK 640/1848);TH ALONG SD LINE S 0DEG24'49"W 240.09 FT,SD PT BEING ON S LINE SW 1/4;TH N89DEG41'56"W 152.28 FT TO PT BEG (CONTAINING LTS 1,2,3 & 4;ALSO LTS 5 & 6,LESS W 9 FT THEREOF;AND ALSO VAC SOUTH HALF KIBBEE ST N OF LT 1 & VAC WEST HALF JASPER ST,E OF LTS 4,5 & 6 BLK 90 IN VAC TOWNSITE OF PALMYRA)(NEW LEGAL DESC 2000) and BLK 91 LT 12 & N 1/2 LT 11 (DIV 2008 B02445A01)	\$12,927	502 Ames Street	B02655A	\$10,564
		100 Jasper Street, Block 1A	B02445A01	\$2,363
BLK 86 LTS 7 & 8 (B02436 & B02437A COMBINED 1993) and BLK 86 LTS 9 THRU 12 INCL & VAC S 20 FT OF 3RD ST (NOW QUAYLE ST) ADJ TO LT 12 ORD #288 PASSED 1-12-1977 BK 315/969	\$12,927	700 Jasper Street, Block 2	B02436	\$10,629
		100 Jasper Street, Block 3A	B02438B	\$2,298
34-14-20 BEG 457 FT (M) (463 FT DEED) N & 290 FT (M) (291 FTDEED) E OF SW COR SD SEC TH N 403 FT TH E 250 FT (M) (251 FTDEED) TH S 403 FT TH W 250 FT (M) (251 FT DEED) TO PT BEG 2.32A (NEW LEGAL DESC 1991)	\$12,927	512 Quayle Street	B02657A	\$12,927
34-14-20 BEG 430 FT N & 40 FT E OF SW COR SEC 34 TH N 430 FTE 250 FT S 430 FT W 250 FT TO PT BEG IN CITY OF BALDWIN 2.46A	\$12,927	210 N. Sixth Street	B02659	\$12,927
33-14-20 COM AT SE COR SD SEC TH N 0DEG01'13"W 396 FT TO PT BEG,SD PT BEING ON E LINE SE 1/4;TH N90DEGW 165 FT TH N 0DEG01'13"W 264 FT TH S90DEGE 165 FT,SD PT BEING ON E LINE SE 1/4;TH S 0DEG01'13"E 264 FT TO PT BEG (1A);ALSO 33-14-20 COM AT SE COR SE 1/4 TH S89DEG56'38"W 165 FT,SD PT BEING ON S LINE SE 1/4;TH N 0DEG04'36"W 396 FT TO PT BEG:TH S89DEG56'38"W 165 FT TH N 0DEG04'36"W 264 FTTH N89DEG56'38"E 165 FT TH S 0DEG04'36"E 264 FT TO PT BEG (1A) 2A (B02663B & B02664 COMBINED 2003)	\$12,927	201 N. Sixth Street	B02663B	\$12,927

KMC\600998.017\ASSESSMENT DOCUMENTS PHASE I

Murphy's First Add Lot 2	\$12,927	151 N. Sixth Street	B02663A03	\$12,927
City-at-large	\$25,730	N/A	N/A	\$25,730
Total	\$155,000			\$155,000