

ORDINANCE NO. B-429

AN ORDINANCE OF THE CITY OF VICTORIA, KANSAS, LEVYING SPECIAL ASSESSMENT TAXES ON CERTAIN REAL PROPERTIES IN THE CITY, FOR THE PURPOSE OF PAYING THE RESPECTIVE COSTS OF CERTAIN INTERNAL IMPROVEMENTS CONSTRUCTED IN THE CITY WHICH BENEFITTED SUCH REAL PROPERTIES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND PROVIDING FOR THE COLLECTION OF SAID SPECIAL ASSESSMENT TAXES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VICTORIA, KANSAS:

SECTION 1. For the purpose of paying the benefit district's \$31,421.12 share of the \$52,959.92 total costs of the following described improvements:

The construction of curb and gutter, drainage, paving and otherwise improving of EIGHTH STREET from the west side of the alley between Jefferson Street and Kansas Street to the east side of the alley between Kansas Street and Lincoln Street, as authorized by Resolution No. C-210, adopted June 9, 1997 and published June 19, 1997 (the "Eighth Street Project"),

to the City of Victoria, Kansas (the "City"), there are hereby levied and assessed against the respective properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Victoria, Ellis County, Kansas:

<u>Description of Property</u>	<u>Assessment</u>
THE FOLLOWING LOTS ALL SITUATED IN ROBBEN ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 1, Block 1	\$ 3,596.66
Lot 2, Block 1	1,985.84
Lot 3, Block 1	1,478.38
Lot 4, Block 2	1,879.22
Lot 5, Block 2	2,805.21
Lot 6, Block 2	4,847.83
Lot 5, Block 3	1,461.61

<u>Description of Property</u>	<u>Assessment</u>
Lot 6, Block 3	2,181.82
Lot 7, Block 3	3,770.54
Lot 1, Block 4	3,776.58
Lot 2, Block 4	2,085.04
Lot 3, Block 4	<u>1,552.38</u>
TOTALS	<u>\$31,421.12</u>

SECTION 2. For the purpose of paying the \$47,438.90 total costs of the following described improvements:

The construction of curb and gutter, drainage, paving and otherwise improving of KANSAS STREET from the north side of Supplemental Plat of Braun's Second Addition to Eighth Street, as authorized by Resolution No. C-211, adopted June 9, 1997 and published June 19, 1997 (the "Kansas Street Project"),

to the City of Victoria, Kansas (the "City"), there are hereby levied and assessed against the respective properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Victoria, Ellis County, Kansas:

<u>Description of Property</u>	<u>Assessment</u>
THE FOLLOWING LOTS ALL SITUATED IN ROBBEN ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 1, Block 1	\$ 8,153.56
Lot 2, Block 1	7,412.33
Lot 3, Block 1	8,153.56
Lot 1, Block 4	8,153.56
Lot 2, Block 4	7,412.33
Lot 3, Block 4	<u>8,153.56</u>
TOTALS	<u>\$47,438.90</u>

SECTION 3. For the purpose of paying the benefit district's \$30,894 share of the \$41,423.97 total costs of the following described improvements:

The construction and installation of a sanitary sewer, manholes and related appurtenances, from the sewer line located in the alley between Kansas Street and Lincoln Street at the north line of Braun's Fourth Addition thence north to the alley at the north side of Eighth Street, as authorized by Resolution No. C-212, adopted June 9, 1997 and published June 19, 1997, as amended by Resolution No. C-219, adopted October 13, 1997 and published October 23, 1997 (the "Sanitary Sewer Project"),

to the City of Victoria, Kansas (the "City"), there are hereby levied and assessed against the respective properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Victoria, Ellis County, Kansas:

<u>Description of Property</u>	<u>Assessment</u>
THE FOLLOWING LOTS ALL SITUATED IN ROBBEN ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 1, Block 4	\$ 5,149.00
Lot 2, Block 4	5,149.00
Lot 3, Block 4	5,149.00
Lot 4, Block 4	5,149.00
Lot 5, Block 4	5,149.00
Lot 6, Block 4	<u>5,149.00</u>
TOTALS	<u>\$30,894.00</u>

SECTION 4. For the purpose of paying the \$8,543.08 total costs of the following described improvements:

The construction of curb and gutter to the south side, and paving of the entire width, and otherwise improving of EIGHTH STREET from the east side of Jefferson Street to the west side of the alley between Jefferson Street and Kansas Street, as an unimproved intervening portion of said Eighth Street lying between two improved portions, as authorized by Resolution No. C-213, adopted June 9, 1997 and published June 19, 1997 (the "Eighth Street Intervening Link Project"),

to the City of Victoria, Kansas (the "City"), there are hereby levied and assessed against the respective properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Victoria, Ellis County, Kansas:

<u>Description of Property</u>	<u>Assessment</u>
THE FOLLOWING LOTS ALL SITUATED IN PARKLANE ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 4, Block 3	\$ 492.68
Lot 5, Block 3	651.69
Lot 6, Block 3	882.69
Lot 7, Block 3	1,308.69
Lot 8, Block 3	2,042.94
Lot 9, Block 3	1,377.95
Lot 10, Block 3	1,017.33
Lot 11, Block 3	<u>769.10</u>
TOTALS	<u>\$8,543.08</u>

SECTION 5. For the purpose of paying the \$29,359.05 total costs of the following described improvements:

The construction of curb and gutter, drainage, paving an otherwise improving of KANSAS STREET from the north side of Fourth Street to the south side of Sixth Street, as an unimproved intervening portion of said Kansas Street lying between two improved portions, as authorized by Resolution No. C-220, adopted October 28, 1997 and published November 6, 1997 (the "Kansas Street Intervening Link Project"),

to the City of Victoria, Kansas (the "City"), there are hereby levied and assessed against the respective properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Victoria, Ellis County, Kansas:

<u>Description of Property</u>	<u>Assessment</u>
THE FOLLOWING LOTS ALL SITUATED IN BRAUN'S 3 RD ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 4, Block 2	\$ 4,566.75

<u>Description of Property</u>	<u>Assessment</u>
Lot 5, Block 2	4,566.75
Lot 6, Block 2	4,487.59
Lot 1, Block 3	4,566.75
Lot 2, Block 3	4,566.75
THE FOLLOWING LOTS ALL SITUATED IN ANNEX OF BRAUN'S 3 RD ADDITION TO THE CITY OF VICTORIA, ELLIS COUNTY, KANSAS:	
Lot 1	\$ 5,084.32
Lot 2	<u>1,522.25</u>
TOTALS	<u>\$29,359.05</u>

SECTION 6. The amounts so levied and assessed as set forth above shall be due and payable from and after April 15, 1999 (the date of adoption of this Ordinance); and the City Clerk shall notify each and all of the owners of the above described properties, insofar as known to her and at their last known post office address, of the amounts of their respective special assessments; and said notice shall further state that the owners of the properties will be given a period until 4:30 o'clock P.M. on Friday, April 30, 1999, during which the special assessments may be paid in full at the Victoria City Hall, Victoria, Kansas, and the lien against any property for which the special assessment is paid shall thereupon be discharged and satisfied. Said notice shall further state that for any portion of the assessments which are not paid by the specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed Fifteen (15) years, will be issued, and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate equal to the average annual interest rate on such general obligation bonds (such rate not to exceed the maximum rate allowed on such general obligation bonds by the laws of the State of Kansas) will be certified to the County Clerk of Ellis County, Kansas for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made in November, 1999.

SECTION 7. It is hereby found and determined that the City's share of the costs of the foregoing described improvements is in the aggregate amount of \$32,068.77; and it is hereby authorized, ordered and directed that such amount shall be paid by the issuance of general obligation bonds to be issued by the City for the unpaid specially assessed portions of the costs of the improvements, and/or may be paid from other available and otherwise unencumbered funds of the City as may be determined to be in the best interests of the City.

SECTION 8. This Ordinance shall be in force and take effect from and after its passage, approval and publication one time in the City's official newspaper.

{The Remainder of This Page Intentionally Left Blank}

**PASSED AND APPROVED by the Governing Body of the City of Victoria, Kansas, on
April 12, 1999.**

(Seal)

Allen P. Dreiling
ALLEN P. DREILING, Mayor

ATTEST:

Jeannie Burkhardt
JEANNIE BURKHARDT, City Clerk