

ORDINANCE NO. 617-17

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF NORTH NEWTON, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. 348-16 AND 349-16 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of North Newton, Kansas (the "City") has previously 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 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 NORTH NEWTON, KANSAS:

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

Project No. 1 - North Woods Plaza - Water Improvements

Resolution No. 348-16

Extend the existing water system along the west side of the Improvement District north to North Woods Plaza, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer; and

Project No. 2 - North Woods Plaza - Sewer Improvements

Resolution No. 349-16

Extend the existing sewer along the west side of K-15 north to North Woods Plaza, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer;

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* hereof 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 by January 22, 2018.

Section 3. Notification. The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto (insofar as known to the City Clerk) of the amounts of their respective

assessments. The notice shall also state that unless such assessments are paid by January 22, 2018, 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 Harvey 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 of the Ordinance or a summary thereof once in the official City newspaper.

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PASSED by the governing body of the City on December 11, 2017 and signed and APPROVED by the Mayor.

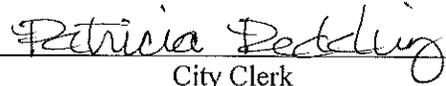
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ATTEST:

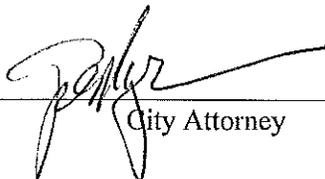


Mayor



City Clerk

APPROVED AS TO FORM ONLY.

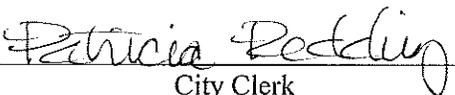


City Attorney

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that the Ordinance was passed on December 11, 2017; 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 *Newton Now* on December 21, 2017.

DATED: December 21, 2017.



City Clerk

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EXHIBIT A-1

**NORTH WOODS PLAZA - WATER IMPROVEMENTS
RESOLUTION NO. 348-16**

Description of Property	Amount of Assessment
North Woods Plaza Addition to the City of North Newton, Kansas:	
<i>Parcel 1:</i> Lot 1, Block 1	\$26,636.76
<i>Parcel 1:</i> Lot 2, Block 1	\$8,878.92
<i>Parcel 2:</i> A parcel of land located in the North half of Section 5, Township 23 South, Range 1 East of the 6th P.M. Meridian, Harvey County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter, thence S00°03'47"W along the East line of said Quarter a distance of 1712.46 feet, thence N89°15'38"W a distance of 29.69 feet to a point on the West Right-of-Way line of Kansas Highway No. 15, said point also being the Point of Beginning of parcel to be described; thence S07°01'20"E along said Right-of-Way line a distance of 289.13 feet; thence S07°03'38"E along said Right-of-Way line a distance of 466.48 feet to the North Right-of-Way line of 30th Street; thence S89°47'15"W along said Right-of-Way line a distance of 63.83 feet; thence N89°38'28"W along said Right-of-Way line a distance of 310.40 feet to the Southeast corner of a parcel described in Book 226, Pages 163-164; thence N23°09'37"W along the East line of said parcel and also a parcel described in Book 226, Pages 167-168 a distance of 401.62 feet; thence N16°21'28"E along said East line of a parcel described in Book 226, Pages 167-168 a distance of 101.30 feet to the Southeast corner of a parcel described in Book 226, Pages 161-162; thence continuing N16°21'28"E along the East line of said parcel a distance of 293.12 feet; thence N00°34'09"E along said East line a distance of 4.73 feet; thence S89°15'38"E a distance of 328.39 feet to the Point of Beginning	\$35,515.68

EXHIBIT A-2

**NORTH WOODS PLAZA - SEWER IMPROVEMENTS
RESOLUTION NO. 349-16**

Description of Property	Amount of Assessment
North Woods Plaza Addition to the City of North Newton, Kansas:	
<i>Parcel 1:</i> Lot 1, Block 1	\$41,470.49
<i>Parcel 1:</i> Lot 2, Block 1	\$13,823.50
<i>Parcel 2:</i> A parcel of land located in the North half of Section 5, Township 23 South, Range 1 East of the 6th P.M. Meridian, Harvey County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter, thence S00°03'47"W along the East line of said Quarter a distance of 1712.46 feet, thence N89°15'38"W a distance of 29.69 feet to a point on the West Right-of-Way line of Kansas Highway No. 15, said point also being the Point of Beginning of parcel to be described; thence S07°01'20"E along said Right-of-Way line a distance of 289.13 feet; thence S07°03'38"E along said Right-of-Way line a distance of 466.48 feet to the North Right-of-Way line of 30th Street; thence S89°47'15"W along said Right-of-Way line a distance of 63.83 feet; thence N89°38'28"W along said Right-of-Way line a distance of 310.40 feet to the Southeast corner of a parcel described in Book 226, Pages 163-164; thence N23°09'37"W along the East line of said parcel and also a parcel described in Book 226, Pages 167-168 a distance of 401.62 feet; thence N16°21'28"E along said East line of a parcel described in Book 226, Pages 167-168 a distance of 101.30 feet to the Southeast corner of a parcel described in Book 226, Pages 161-162; thence continuing N16°21'28"E along the East line of said parcel a distance of 293.12 feet; thence N00°34'09"E along said East line a distance of 4.73 feet; thence S89°15'38"E a distance of 328.39 feet to the Point of Beginning	\$29,773.68