

ORDINANCE NO. 1520

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF COLBY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NO. 1055 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of Colby, 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 City Council has heretofore received waivers (the "Waivers") of public hearing and right to protest the levy of special assessment from the owners of 100% of the property liable for assessment for the cost of the Improvements; and

WHEREAS, the governing body 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 CITY OF COLBY, KANSAS:

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

Cooper First Addition - Water Line Improvements

Resolution No. 1055

Acquisition of water line improvements commencing at Sunflower Avenue extending South approximately 300 feet to the North side of the utility easement, thence East along the utility easement to the start of the property line;

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.

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 pursuant to the Waivers, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

Section 4. Certification. The special assessments shall be certified by the City Clerk to the County Clerk in the same manner and at the same time as other taxes are certified and will be collected in 20 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 once in the official City newspaper.

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

(SEAL)

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM ONLY.

City Attorney

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CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on May 7, 2013; that the record of the final vote on its passage is found in my office; and that the Ordinance or a summary thereof was published in *The Colby Free Press* on May 10, 2013.

DATED: May 10, 2013.

City Clerk

EXHIBIT A

**COOPER FIRST ADDITION/WATER LINE IMPROVEMENTS
RESOLUTION NO. 1055**

Description of Property	Amount of Assessment
<p>A portion of Lots One (1), Two (2), and Three (3), Block Two (2), Cooper First Addition, to the City of Colby, Thomas County, Kansas, more particularly described as follows:</p> <p>Beginning at the northeast corner of Lot 1, Block 2 Cooper First Addition; thence on an assumed bearing of South 40 degrees 49 minutes 10 seconds East along the East line of said Block 2 a distance of 740.06 feet; thence South 02 degrees 05 minutes 48 seconds West along the East line of said Block 2 a distance of 244.93 feet to the Southeast corner of said Lot 3, Block 2; thence North 88 degrees 19 minutes 33 seconds West along the South line of said Block 2 a distance of 1519.79 feet; thence North 01 degrees 58 minutes 21 seconds East parallel with the West line of said Block 2 a distance of 520.92 feet to the point on the South line of said Lot 1, Block 2; thence South 88 degrees 19 minutes 33 seconds East along the South line of said Lot 1, Block 2 a distance of 718.24 feet; thence North 01 degrees 58 minutes 21 seconds East parallel with the West line of said Block 2 a distance of 270.93 feet to a point on the North line of said Block 2; thence South 88 degrees 05 minutes 20 seconds East along the North line of said Block 2 a distance of 299.32 feet to the point of beginning.</p>	<p>\$90,000</p>

