

ORDINANCE NO. 2018-5

AN ORDINANCE LEVYING AND ASSESSING SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF CERTAIN STREET IMPROVEMENTS IN THE POWERCAT RIDGE ADDITION, UNIT SEVEN, IN THE CITY OF ST. GEORGE, POTTAWATOMIE COUNTY, KANSAS, AS AUTHORIZED BY RESOLUTION 2016-03 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of St. George, Kansas (the "City"), has authorized construction of certain street improvements in Powercat Ridge Addition, Unit Seven (the "Street Improvements"), all as provided in Resolution 2016-03 of the City (the "Resolution 2016-03"); and

WHEREAS, the construction of the Street Improvements is complete, and a hearing pursuant to K.S.A. 12-6a09 was held on July 23, 2018, at which time the assessments for the Street Improvements hereinafter described were set, approved and authorized to be levied upon the property in Powercat Ridge Addition, Unit Seven, Lots 47 through 58, inclusive (the "Street Improvement District"), all as provided by K.S.A. 12-6a01 *et. seq.*, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY THE CITY OF ST. GEORGE, KANSAS:

Section 1. The total costs of the Street Improvements authorized in the City's Resolution No. 2016-03 and described below is \$114,347.66:

The general nature of the street improvements: 5-inch asphalt street pavement (on 4-inch AB-3 gravel base) with combined concrete curb and gutter (Type II), including excavation, embankment, compaction and utility sleeve installations; the backfill, restoration, erosion control and incidental construction to make a complete street improvement project; the engineering design, inspection, administration and interest on temporary notes issued to pay the costs of such street improvements; and, all things necessary and incidental thereto, all to provide for the construction of certain street improvements to be made to certain portions of Snyder Drive, lying within the Street Improvement District described herein (the "Street Improvements").

Section 2. The method of assessing the costs of the Street Improvements to and upon benefited property in the Street Improvement District is to spread and assess the total costs for the Street Improvements among and equally upon and to each lot in the Street Improvement District with one hundred percent (100%) of such costs to be paid by the benefited property in the Street Improvement District.

Section 3. Special assessments to pay the costs of the Street Improvements are levied and assessed against Lots 47 through 58, inclusive, in the Street Improvement District, and in the amounts set forth on **Exhibit A**, attached hereto, following the description of each lot.

Section 4. The amounts so levied and assessed shall be due and payable from and after the date of publication of this Ordinance No. 2018-5 (the "Ordinance"), and the City Clerk (a) shall notify the owners of the properties identified in said **Exhibit A** of the amounts of their respective assessments; (b) inform the owners that unless their respective assessments are paid within thirty (30) days from the date of the publication of this Ordinance in the official newspaper of the City, general obligation bonds will be issued therefor by the City. Such assessments shall be levied concurrently with general taxes and be payable in twenty (20) annual installments with the first such levy to begin in November, 2018.

Section 5. The City Clerk shall levy in the same manner and at the same time as other taxes are certified and levied for a period of twenty (20) years all of the assessments which have not been paid to the City within thirty (30) days after the publication of this Ordinance, together with interest on such unpaid amount thereof at a rate not exceeding the maximum rate as prescribed by the laws of the State of Kansas; and such unpaid amounts shall be placed on the tax rolls and collected as other taxes are collected, the levy for each year being a portion of the principal amount of the assessment plus one (1) year's interest on the amount remaining unpaid.

Section 6. This Ordinance shall take effect and be in force from and after its publication once in the official city newspaper.



[SEAL]

CITY OF ST. GEORGE, KANSAS

A handwritten signature in black ink, appearing to read "Tim Pralle", is written over a horizontal line.

Tim Pralle, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Elizabeth Wagoner", is written over a horizontal line.

Elizabeth Wagoner, City Clerk

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EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
CITY OF ST. GEORGE, KANSAS
HELD ON JULY 23, 2018

The governing body of City of St. George, Kansas (the "City"), met in public hearing at the usual meeting place in the St. George City Hall, St. George, Kansas, at 7:30 p.m., with the following members present and participating: Tim Arale, Rodney Harber, Chris Collins, Ins Holloway, Steve Zimmerman and _____.

Absent: Bruce Worth.

A Ordinance was presented entitled:

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Rodney Harber moved that the Ordinance be adopted. The motion was seconded by Ins Holloway. The Ordinance was read and considered, and upon being put, the motion for the adoption of the Ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: 4
Nay: 0

CERTIFICATE

I, **THE UNDERSIGNED**, City Clerk of the City of St. George, Kansas, hereby certify that the above and foregoing is a true and correct copy of portions of the minutes of the meeting of the Governing Body held on July 23, 2018, as recorded on Page 1 of the Journal of Proceedings of the City.

Witness my hand and official seal of said City of St. George, Kansas.

[SEAL]

Elizabeth Wagoner
Elizabeth Wagoner, City Clerk
City of St. George, Kansas



EXHIBIT A
(Ordinance No. 2018-5)

ASSESSMENT ROLL

STREET IMPROVEMENTS – POWERCAT RIDGE ADDITION, UNIT SEVEN
PROPERTY OWNERS
CITY OF ST. GEORGE, KANSAS

<u>LEGAL DESCRIPTION</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Lot 47 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 48 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 49 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 50 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 51 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 52 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 53 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 54 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 55 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 56 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97
Lot 57 in Powercat Ridge Addition, Unit Seven	Michael A. Bales	305 Snyder Drive, St. George, KS 66535	\$9,528.97
Lot 58 in Powercat Ridge Addition, Unit Seven	Dream Builders 2, LLC	PO Box 399, Westmoreland, KS 66549	\$9,528.97

* All references to lots are lots lying within the City of St. George, Pottawatomie County, Kansas.