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ORDINANCE NO. 8

AN ORDINANCE PROVIDING FOR THE CREATION OF SEWER DISTRICT NO. 1 IN THE CITY OF ANDOVER, KANSAS, AUTHORIZING THE CONSTRUCTION OF CERTAIN SEWERS THEREIN, AUTHORIZING THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

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

SECTION 1. That the following described territory in the City of Andover, Kansas, shall constitute and shall hereafter be known as Sewer District No. 1, to wit:

Beginning at the east quarter corner of Section 7, Township 27 South, Range 3 East of the 6th P.M, Butler County, Kansas; thence west to the northeast corner of Rison's Reserve; thence south on the west line of Church Street to the north right of way line of the St. Louis and San Francisco Railroad; thence northwest on the north right of way line of the St. Louis and San Francisco Railroad to a point being the east line of Glancey Street extended; thence south on the east line of Glancey Street to the northwest corner of Lot 6, Block 10, Glancey's Reserve; thence west on the north line of Lots 5 and 6, Block 9, Glancey's Reserve to the east line of West Street; thence south on the east line of West Street to the north line of South Street; thence east on the north line of South Street to the east line of Church Street; thence south on the east line of Church Street to the northwest corner of Lot 19, Block 6, Town Company Addition to Andover; thence east on the north line of Lots 19 and 12, Block 6, Town Company Addition to the east line of Main Street; thence north on the east line of Main Street to the north line of South Street; thence east on the north line of South Street to the east line of El Dorado Street; thence south to the southwest corner of Hoerman's Addition to the City of Andover; thence east on the south line of Hoerman's Addition to the southeast corner of Hoerman's Addition; thence north on the east line of Hoerman's Addition to the north line of the St. Louis and San Francisco Railroad right of way; thence northwesterly on the north line of the St. Louis and San Francisco Railroad to the east line of El Dorado Street; thence north on the east line of El Dorado Street to the point directly 30 feet east of the East quarter corner of Section 7, Township 27 South, Range 3 East of the 6th P.M.; thence west 30 feet to the east quarter corner of Section 7, Township 27 South, Range 3 East of the 6th P.M., Butler County, Kansas, also being the point of beginning.

All of the above lots, blocks, pieces and parcels of ground lying wholly within the corporate limits of the City of Andover, Kansas.

SECTION 2. That it is hereby deemed necessary that the following sewers with the necessary appurtenances be constructed, and the same are hereby ordered constructed in said Sewer District No. 1, to wit:

Beginning with an 8-inch pipe sewer in the alley of Block 5, Original Town of Andover, Kansas and South Street; thence north to Lafayette Street; thence east in Lafayette Street to a point 150 feet east of the east line of El Dorado Street; thence north parallel to the east line of El Dorado Street to a point 10 feet north of the north right of way of the St. Louis and San Francisco Railroad, tere to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-A;

Also, beginning with an 8-inch pipe sewer at a point 150 feet east of the east line of El Dorado Street and on the north line of South Street extended; thence north parallel to the east line of El Dorado Street to Lafayette Street, there to intercept and connect with Lateral 1-A, to be known for sewage purposes as Lateral 1-A-1;

Also, beginning with an 8-inch pipe sewer 90 feet south of the south line of Harrison Street and in the vacated alley of Block 4, Original Town of Andover, Kansas; thence south to Lafayette Street, there to intercept and connect with Lateral 1-A, to be known for sewage purposes as Lateral 1-A-2;

Also, beginning with an 8-inch pipe sewer 25 feet south and 160 feetwest of the east quarter corner of Section 7, Township 27 South, Range 3 East; thence south to Market Street, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-B;

Also, beginning with an 8-inch pipe sewer 85 feet south of the quarter line of Section 7, Township 27 South, Range 3 East and in the vacated alley of Block 2, Original Town of Andover, Kansas; thence south to Market Street, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-C;

Also, beginning with an 8-inch pipe sewer 110 feet west of the vacated alley of Block 2, Original Town of Andover, Kansas and Market Street; thence east on Market Street, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-D;

Also beginning with an 8-inch pipe sewer 210 feet south of Lafayette Street and the vacated alley of Glancey's Reserve; thence north to Lafayette Street, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-E;

Also, beginning with an 8-inch pipe sewer in the alley of Block 7, and South Street, Original Town of Andover, Kansas; thence north to Lafayette Street, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-F;

Also, beginning with an 8-inch pipe sewer 150 feet north of the centerline of Oak Street and the alley in Block 6, Town Company Addition to Andover, Kansas; thence north through Block 6, Town Company Addition, Blocks 3 and 6, Original Town of Andover, Kansas and continuing north in the alley extended to a point 10 feet north of the south line of the St. Louis and San Francisco Railroad right of way, there to intercept and connect with Main No. 1, to be known for sewage purposes as Lateral 1-G;

All of the above and foregoing lines of sewers lying wholly the corporate limits of the City of Andover, Kansas.

SECTION 3. That in order to receive and collect the sewage from the various laterals in Sewer District No. 1, it is hereby deemed and declared necessary to construct and there is hereby ordered constructed the following main sewer, to wit:

Beginning with an 8-inch pipe sewer in the vacated alley in the centerline of Lafayette Street in Glancey's Reserve, Andover, Kansas; thence east in Lafayette Street to the alley of Block 10, Glancey's Reserve; thence north in the alley of Block 10 and Block 10 extended to a point 10 feet north of the south right of way line of the St. Louis and San Francisco Railroad; thence southeasterly on a line parallel to the south line of the St. Louis and San Francisco Railroad to the alley of Blocks 3 and 6 extended; thence north on the extension of the alley through Blocks 3 and 6, Original Town of Andover to Market Street; thence east in Market Street to El Dorado Street; thence south in El Dorado Street to a point lying 10 feet north of the St. Louis and San Francisco Railroad right of way; thence southeasterly on a line 10 feet north and parallel to the St. Louis and San Francisco Railroad right of way a distance of 180 feet, there to intercept and connect with the Outfall Sewer to be known for sewage purposes as Main No. 1.

SECTION 4. That in order to furnish an outlet for the sewage from said Sewer District No. 1 and its laterals, sublaterals and mains, it is deemed and declared necessary to construct, and there is hereby ordered constructed an outfall sewer, said outfall sewer beginning with an 8-inch pipe sewer 180 feet east of the east line of El Dorado Street and 10 feet north of the north line of the St. Louis and San Francisco Railroad right of way; thence southeasterly parallel to the St. Louis and San Francisco Railroad right of way to a point 50 feet south of the Kansas Turnpike south right of way line, there to intercept and connect with the sewage disposal plant, to be known for sewage purposes as Outfall Sewer.

SECTION 5. That in order to purify the sewage from said sewer system, it is hereby deemed and declared necessary to construct, and there is hereby ordered constructed a sewage disposal plant consisting of three-cell waste stabilization ponds, together with necessary piping, connections and flow control structures and appurtenances.

SECTION 6. That the cost of constructing the sewers in said Sewer District No. 1 as set forth in Section 2 of this ordinance shall be charged to the lots, parcels and pieces of ground in said sewer district according to the special benefits accruing to the respective tracts and special assessments therefor shall be levied against said properties payable in ten annual installments; provided, however, that the owner of any such tract shall have the right to pay the assessment within thirty days and all tracts on which the assessments are so paid in cash within thirty days shall not thereafter be liable for the cost of such sewers. To provide funds to pay the unpaid balance of thecost of such sewers internal improvement bonds of the city shall be issued as provided by law.

SECTION 7. That the cost of constructing the main sewer described in Section 3, the outfall sewer described in Section 4 and the sewage disposal plant described in Section 5 of this ordinance shall be paid for by the city at large and funds for that purpose shall be provided by the issuance of general obligation bonds of the city as provided by law.

SECTION 8. That to provide funds for temporarily financing the cost of making the improvements authorized in this ordinance until the sale of bonds to be issued therefor, there shall be issued temporary improvement notes of the City of Andover, Kansas, the aggregate amount of which shall not exceed the sum of $49,000.00, the estimated cost of said project. Said temporary notes shall be issued from time to time upon resolutions adopted by the governing body of the city, fixing the dates, terms, denominations, interest rates and maturity dates (not exceeding four years from the dates of said notes and redeemable at any time before maturity) as funds are needed and required for carrying on said improvement project; and the mayor and city clerk are hereby authorized and directed to prepare and execute each and all of said notes in accordance with the terms of this ordinance and of the said resolutions providing for the same, and the governing body of said city may deliver said notes to persons having claims against the city in connection with the making of said improvements or sell the same at private sale at not less than par and accrued interest; and the proceeds of said notes shall be applied to the payment of actual costs and expenses in connection with the making of said improvements.

SECTION 9. That this ordinance shall take effect and be in force from and after its passage, approval and publication once in the Western Butler County Times (Towanda) the official city paper.

Passed and approved this 9th day of April, 1958.

Hal Baker
MAYOR

ATTEST:

Linda E. Clay
CITY CLERK