

(Published in The Western Butler County Times, ^{March} February 10, 1962)

ORDINANCE NO. 36

AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF ANDOVER, KANSAS, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF

WHEREAS, On August 5, 1961, the governing body of the City of Andover, Kansas, duly adopted a resolution declaring it necessary to improve the portions of streets hereinafter referred to; and

WHEREAS, Said resolution was duly published for two consecutive weeks in The Western Butler County Times, the official city paper; and

WHEREAS, No sufficient protests were filed with the City Clerk within twenty days after said last publication against the making of any of the improvements on portions of streets hereinafter referred to:

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

SECTION 1. That it is deemed and declared necessary to grade, pave with a prime and double asphaltic surface treatment and otherwise improve the following streets:

Glancey Street from South Street to Lafayette Street;

Church Street from 50 feet north of South Street to the St. Louis-San Francisco Railroad right of way;

Church Street from Market Street to the street north of Market Street;

Main Street from 150 feet south of South Street to the street north of Market Street;

Heorman Street from South Street to St. Louis-San Francisco Railroad right of way;

South Street from Main Street to Heorman Street;

Lafayette Street from Glancey Street to Heorman Street;

Harrison Street from Church Street to El Dorado Street;

Market Street from Church Street to El Dorado Street; and

Market Street from Church Street to Main Street.

SECTION 2. That all work in connection with said improvements provided for in Section 1 of this ordinance shall be done in accordance with plans and specifications prepared by Reiss & Goodness Engineers of Wichita, Kansas, the city's engineer.

SECTION 3. That the cost of the improvements herein provided for except intersections of streets, avenues and alleys and along city owned property shall be assessed against the lots, pieces and parcels of land liable therefor in the manner and form provided by law; and that the cost of the improvements of intersections of streets, avenues and alleys and abutting city owned property shall be assessed against the city at large and paid from taxes levied against all taxable property in the city as provided by law.

SECTION 4. That the portion of the cost of said improvements, when ascertained, chargeable against specific property shall be assessed against the property liable therefor by ordinance and the city clerk shall thereupon notify owners of such real estate, giving a description of the lots or parcels of land and the amounts of the respective assessments against each, and if paid within thirty days from the date of the publication of such assessment ordinance then such lots and parcels of land against which the assessments are paid shall be released from further payment on account thereof; and for the assessments not so paid by property owners the City Clerk shall certify to the County Clerk one-tenth thereof each year for a period of ten years with interest as determined and specified in such assessment ordinance until the whole sum against each lot or parcel of land shall have been certified, and assessments shall be collected in like manner and subject to like penalties as other city taxes.

SECTION 5. That for the purpose of providing funds to pay the cost of said improvements assessed against specific property and not paid within the thirty-day period and also that portion of the cost chargeable to the city at large there shall be issued Internal Improvement Bonds of the City of Andover, Kansas, as provided by law.

SECTION 6. That in order to temporarily finance the cost of making said improvements until the sale of the bonds provided for in the preceding section there shall be issued temporary improvement notes of the City of Andover, Kansas, the aggregate amount of which shall not exceed the sum of \$15,000.00, the estimated cost of said street improvement project. Said temporary improvement 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 date 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 of said notes in accordance with the terms of this ordinance and the said resolutions providing for the same and the governing body 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 of said street improvements.

SECTION 7. 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, the official city paper.

Passed and approved ^{M. Z. rck} February 10, 1962.

ATTEST:

Charles E. Clay
CITY CLERK

Hal Baker
MAYOR