

(Published in the Andover Journal, Andover, Kansas, Dec 5, 1974)

ORDINANCE NO. 220

AN ORDINANCE LEVYING AND ASSESSING THE VARIOUS LOTS AND PIECES OF LAND IN THE CITY OF ANDOVER, KANSAS FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF THE SO-CALLED PAVING BENEFIT DISTRICT P-1974-A, THE SAME BEING PAVING IMPROVEMENTS UPON PHILLIP STREET, ELLEN LANE AND WILLOW ROAD, IN SAID CITY AS AUTHORIZED BY RESOLUTION OF THE GOVERNING BODY OF SAID CITY PASSED ON THE 17TH DAY OF SEPTEMBER, 1973.

WHEREAS, Pursuant to proceedings duly had and taken according to law, contracts have been let and work completed for the following paving improvements in the City of Andover, Kansas:

(A)

PHILLIP STREET from its intersection with the North line of Central Avenue to its intersection with the South line of Ellen Lane, and

(B)

PHILLIP STREET from its intersection with the North line of Ellen Lane northward to its intersection with the South line of Willow Road extended, and

(C)

ELLEN LANE from its intersection with the West line of Phillip Street extended eastward to the West line of Prosperity Lane, and

(D)

WILLOW ROAD from the northeast corner of Lot 17, Lake-side Tracts to the City of Andover, Kansas westward for a distance of 250 feet.

by paving all such streets, or portions of streets; said paving improvements to be comprised of 6 inches of 95% compacted earth overlaid with $4\frac{1}{2}$ inches of 95% compacted crushed rock, or equivalent or better, base overlaid with a prime seal which in turn is overlaid with a double asphaltic seal. The wearing surface on the portion described under (A) above to have a wearing surface of 22 feet in width with a $2\frac{1}{2}$ feet compacted gravel shoulder on each side; and the remaining portions of said improvements to have a 20 feet wearing surface with a 6 inch compacted gravel

shoulder on each side. Said improvements will not include curb and gutter intergral thereto,

WHEREAS, The Governing Body of the City of Andover, Kansas has determined that the total cost of such improvements is \$13,020.19 which sum includes accrued and recurring estimated interest cost in the amount of \$750.00 on the temporary note issued to pay the cost of said project. This interest cost will be prorata deducted from any cash payment made as herein is defined in said Resolution of the Governing Body dated the 17th day of September, 1973, and the remainder of such cost. that is \$651.00 being chargeable to and to be paid by the City of Andover at large, and

WHEREAS, the Governing Body of said City has, after due notice, net and determined the amount of such special assessment:

NOW THEREFORE

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

Section 1. Special assessments to pay for the cost of said improvement be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

Tract No. 1 LAKESIDE TRACTS, lot 7	\$475.63
TRACT No. 2 LAKESIDE TRACTS, Lot 9	326.03
TRACT No. 3 LAKESIDE TRACTS, Lot 11	326.03
TRACT No. 4 LAKESIDE TRACTS, Lot 13	326.03
TRACT No. 5 LAKESIDE TRACTS, Lot 15	326.03
TRACT No. 6 LAKESIDE TRACTS, Lot 17	475.63
TRACT No. 7 LAKESIDE TRACTS, Lot 28	384.11
TRACT No. 8 LAKESIDE TRACTS, Lot 26	326.03
TRACT No. 9 LAKESIDE TRACTS, Lot 24	298.16
TRACT No. 10 LAKESIDE TRACTS, Lot 22	298.16
TRACT No. 11 LAKESIDE TRACTS, Lot 20	298.16
TRACT No. 12 LAKESIDE TRACTS, Lot 18	298.16
TRACT No. 13 LAKESIDE TRACTS, Lot 16	298.16

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Tract No. 14	LAKESIDE TRACTS, Lot 14	\$298.16
Tract No. 15	LAKESIDE TRACTS, Beg. 40.4 N SW/C of Lot 10, N. 209.6' to NW/C of Lot 12, E 250' to NE/C of Lot 12, S 36.4' SWLY to p.o.b., being part of Lots 10 and 12	369.18
	LAKESIDE TRACTS, Beg. SE/C of Lot 10, N 213.6' to pt. 36.4' S NE/C of Lot 12, SWLY to pt. on W line of Lot 10, 40' 4 N SW/C Lot 10, E 250' to beg., being part of Lots 10 and 12	416.13
Tract No. 16	C.M.PHILLIPS, Lot 4	428.36
Tract No. 17	C.M.PHILLIPS, West Half of Lot 5	280.72
Tract No. 18	C.M.PHILLIPS, West Half of Lot 6	280.72
Tract No. 19	C.M.PHILLIPS, West Half of Lot 7	280.72
Tract No. 20	C.M.PHILLIPS, West Half of Lot 8	280.72
Tract No. 21	C.M.PHILLIPS, West Half of Lot 9	280.72
Tract No. 22(a)	C.M.PHILLIPS, West Half of Lot 10	
Tract No. 22(b)	C.M.PHILLIPS, West Half of Lot 11	369.25
Tract No. 23	LAKESIDE TRACTS, Lot 2 & Beg. NW/C of Lot 11, Phillip Subdivision N 7' to SW/C Lot 2, Lakeside Tracts, 150' E S 7', W 150 to beg.	505.05
Tract No. 24	LAKESIDE TRACTS, Lot 3	347.25
Tract No. 25	LAKESIDE TRACTS, Lot 1	369.25
Tract No. 26	FIRST ADD. PHILLIPS, Lot 12, & Beg. NW/C of Lot 12, E 300', N 7', W&S to beg.	
Tract No. 27	FIRST ADD. PHILLIPS, Lot 13 and $\frac{1}{2}$ of Lot 14	326.03
Tract No. 28	FIRST ADD. PHILLIPS, Lot 14 and Lot 15	326.03
Tract No. 29	FIRST ADD. PHILLIPS Lot 16	280.72
Tract No. 30	FIRST ADD. PHILLIPS Lot 17	280.72
Tract No. 31	FIRST ADD. PHILLIPS Lot 18	280.72
Tract No. 32	FIRST ADD. PHILLIPS Lot 19 and N 25' of Lot 20	298.16
Tract No. 33	FIRST ADD. PHILLIPS E 125' of S 75 of Lot 20 and E 125' of Lot 21	333.06
Tract No. 34	LAKESIDE TRACTS, Lot 4	326.03
Tract No. 35	LAKESIDE TRACTS, Lot 8	314.31
Tract No. 36	E.CENT. ROLLING ACRES Lot 11	320.43
Tract No. 37	Beg. at SE/C of Lot 13, Jones Tracts to the City of Andover, Kansas, S 220' along the W line of Prosperity Lane, thence W 145' to the SW/C of Lot 10, Lakeside Tracts, thence N 220' thence E 145' to p.o.b.	320.43

Section 2. Such assessments with accrued interest, are levied concurrent with general property taxes, and shall be payable in three equal instalments and collected by special assessment upon the property liable therefor. The first of said installments shall be payable for the year 1975 and one installment for each year thereafter for the full term of three years.

Section 3. All assessments shall bear interest at a rate sufficient to retire the interest on bonds to be issued by the City of Andover, Kansas for the payment of the cost of such project but not to exceed 6% per annum.

Section 4. The owner of any property so assessed may at any time on or before the 5th day of January, 1975 pay the whole of the assessment against any lot or piece of land liable for assessments under the provisions of this Ordinance to the City Clerk. If not paid before said date said assessment shall be paid in three equal installments in the manner, and with interest charges, as aforesaid.

Section 5. Assessments not paid prior to the date provided for in Section 4 hereinabove shall be certified together with the interest accrued, or to accrue, by the City Clerk of said City to the County Clerk of Butler County, Kansas and collected in the same manner as other taxes.

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

The above Ordinance duly adopted on the 26th day of November, 1974.

Eugene Miller
EUGENE MILLER, Mayor

ATTEST:

Patricia M. Stuenkel
PATRICIA M. STUENKEL
(SEAL)

C E R T I F I C A T E

April 28, 1975

STATE OF KANSAS

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COUNTY OF BUTLER

I, Patricia M. Stuenkel, being the duly appointed, qualified and acting City Clerk of the City of Andover do hereby certify that the foregoing is a true copy of Ordinance No. 220 as passed and adopted by the Governing Body of Andover, Kansas on 26 day of November 1974.

Patricia M. Stuenkel
City Clerk