

**ORDINANCE NO. 5150-24**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF NEWTON, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. I-1200 AND I-1202 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

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**WHEREAS**, the governing body of the City of Newton, Kansas (the “City”) has previously authorized certain internal improvements (the “Improvements”) to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the “Act”); and

**WHEREAS**, the governing body has conducted a public hearing in accordance with the Act and 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 NEWTON, KANSAS:**

**Section 1. Levy of Assessments.** For the purpose of paying the costs of the following described **Project No. 1 – Autumn Glen Third Addition – Paving and Drainage Improvements**

**Resolution No. I-1200**

Street paving with incidental drainage improvements shall be constructed on Glen Creek Street, from the east line of Kansas Avenue to the east line of Lot 12, Block 5, Autumn Glen Third Addition; on Maple Leaf Circle, from the north line of Glen Creek Street to the east line of Lot 15, Block 1, Autumn Glen Third Addition; on Glen Creek Court, from the south line of Glen Creek Street to and including the cul-de-sac; on Maple Leaf Court, from the west line of Maple Leaf Circle to and including the cul-de-sac, serving Lots 4 through 8, Block 1, Autumn Glen Addition; and on Maple Leaf Court, from the west line of Maple Leaf Circle to and including the cul-de-sac, serving Lots 9 through 15, Block 1, Autumn Glen Addition.

Sidewalk improvements shall be constructed on the south side of Glen Creek Street, from the east line of Kansas Avenue to the east line of Lot 12, Block 5, Autumn Glen Third Addition.

**Project No. 2 – Full Vision Addition – Sanitary Sewer Improvements**

**Resolution No. I-1202**

The extension of sanitary sewer main including approximately 1,450 LF of 12” sewer pipe, approximately 350 LF of 8” sewer pipe, 7 manholes, and related appurtenances.

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 *Exhibits A-1* and *A-2* attached hereto.

**Section 2. Payment of Assessments.** The amounts so levied and assessed in *Section 1* hereof shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part on or before **12:00 noon on August 12, 2024.**

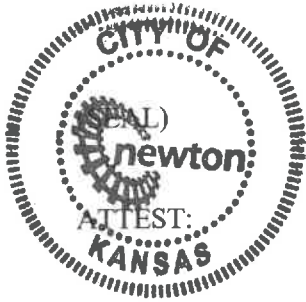
**Section 3. Notification.** The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto (insofar as known to the City Clerk) of the amounts of their respective assessments. The notice shall also state that unless such assessments are paid on or before **12:00 noon on August 12, 2024**, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

**Section 4. Certification.** Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Harvey County, Kansas, 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 of the Ordinance or a summary thereof once in the official City newspaper.

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PASSED by the governing body of the City on July 9, 2024 and signed by the Mayor.



Mayor

City Clerk

### CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that the Ordinance was passed on July 9, 2024; that the record of the final vote on its passage is found on page \_\_\_\_ of journal \_\_\_\_; and that the Ordinance or a summary thereof was published in the *Newton Kansan* on July 13, 2024.

DATED: July 13, 2024.

City Clerk

**EXHIBIT A-1**

**AUTUMN GLEN THIRD ADDITION – PAVING AND DRAINAGE  
RESOLUTION NO. I-1200**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Autumn Glen Third Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 1	\$73,815.80
Lot 2, Block 1	73,815.80
Lot 3, Block 1	73,815.80
Lot 4, Block 1	24,605.27
Lot 5, Block 1	24,605.27
Lot 6, Block 1	24,605.27
Lot 7, Block 1	24,605.27
Lot 8, Block 1	24,605.27
Lot 9, Block 1	24,605.27
Lot 10, Block 1	24,605.26
Lot 11, Block 1	24,605.26
Lot 12, Block 1	24,605.26
Lot 13, Block 1	24,605.26
Lot 14, Block 1	24,605.26
Lot 15, Block 1	24,605.26
Lot 1, Block 2	24,605.26
Lot 2, Block 2	24,605.26
Lot 3, Block 2	24,605.26
Lot 4, Block 2	24,605.26
Lot 5, Block 2	24,605.26
Lot 1, Block 5	24,605.26
Lot 2, Block 5	24,605.26
Lot 3, Block 5	24,605.26
Lot 4, Block 5	24,605.26
Lot 5, Block 5	24,605.26
Lot 6, Block 5	24,605.26
Lot 7, Block 5	24,605.26
Lot 8, Block 5	24,605.26
Lot 9, Block 5	24,605.26
Lot 10, Block 5	24,605.26
Lot 11, Block 5	24,605.26
Lot 12, Block 5	24,605.26
<b>Total</b>	<b>\$935,000.00</b>

**EXHIBIT A-2**

**FULL VISION ADDITION – SANITARY SEWER IMPROVEMENTS  
RESOLUTION NO. I-1202**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Full Vision Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block A; Lot 1, Block B; and Reserve A	\$550,000.00