

(Published in the *Wamego Times*, July 25, 2019)

ORDINANCE NO. 2019-07

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 GRAND OAK ADDITION, UNIT ONE, IN THE CITY OF ST. GEORGE, POTTAWATOMIE COUNTY, KANSAS, AS AUTHORIZED BY RESOLUTION NO. 2018-06 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 Grand Oak Addition, Unit One (the "Street Improvements") all as described and provided in Resolution No. 2018-06 of the City (the "Resolution No. 2018-06"); and

WHEREAS, the construction of the Street Improvements is complete, and a hearing pursuant to K.S.A. 12-6a09 was held on July 22, 2019, at which time the assessments for the Street Improvements hereinafter described were set, approved and authorized to be levied upon certain property in Grand Oak Addition, Unit One (the "Street Improvement District") all as provided by K.S.A. 12-6a01 *et. seq.*, as amended (the "Act").

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. 2018-06 and described below is \$305,424.87:

- (1) The construction of a 27-foot wide (back of curb to back of curb) to certain portions of Shady Oak Drive lying within and fronting on the lots within the Street Improvement District street pavement (6-inch concrete on 3-inch aggregate base course) with concrete curb and gutter, including excavation, embankment, compaction and utility sleeve installations;
- (2) the installation of storm sewers, inlets and manholes including trenching, bedding, backfill, restoration, erosion control and incidental construction to make a complete project;
- (3) the engineering design, inspection, administration and costs of issuance and interest on temporary notes issued to pay the costs of such sanitary sewer improvements; and,
- (4) all things necessary and incidental thereto,

all to provide main street service to each of the individual lots lying within the Street Improvement District (the "Street Improvements")

Section 2. The method of assessing the costs of the Street Improvements to benefited property in the Street Improvement District is to spread and assess the total costs for the Street Improvements among and equally to each lot in the Street Improvement District with 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 the following lots in the Street Improvement District, Lots 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 8a, 8b, 9a, 9b, 10a, 10b, 11a, 11b, 12a, and 12b of Grand Oak Addition, Unit One, an addition to the City of St. George, Pottawatomie County, Kansas, 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. 2019-07 (the "Ordinance"); and the City Clerk shall notify the owners of the properties indentified in said **Exhibit A** of the amounts of their respective assessments, 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, bonds will be issued therefor by the City and that such assessments will be levied concurrently with general taxes and be payable in twenty (20) annual installments with the first such levy to begin in November, 2019.

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 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 blue ink, appearing to read "Tim Pralle", is written over a horizontal line. The signature is somewhat stylized and scribbled.

Tim Pralle, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Elizabeth Wagoner", is written over a horizontal line. The signature is cursive and clearly legible.

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 22, 2019

The governing body of City of St. George, Kansas (the "City"), met in special meeting duly called and in a public hearing at the usual meeting place in the Lighthouse Baptist Church at 308 Lincoln Street, in the City of St. George, Kansas, at 7:00 p.m., with the following members present and participating: Mayer Tim Dralle, W. S. Hollaway and Dobbyworth Steuo Zimmerman

Absent: Kathryn Bauer Chris Collins

An Ordinance was presented entitled:

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Dobbyworth Steuo Zimmerman moved that the Ordinance be adopted. The motion was seconded by Steuo Zimmerman. 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: 3
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 22, 2019, as recorded on Page ___ 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. 2019-07)**

ASSESSMENT ROLL
STREET IMPROVEMENTS

<u>LEGAL DESCRIPTION OF PROPERTY ASSESSED</u>	<u>PROPERTY OWNER(S)</u>	<u>PROPERTY OWNER(S)'S ADDRESS</u>	<u>ASSESSMENT AMOUNT</u>
[All references to lots are within the City of St. George, Pottawatomie County, Kansas]			
Lot 1a, Grand Oak Addition, Unit One (Street Address: 525 Shady Oak)	Mankan, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 1b, Grand Oak Addition, Unit One (Street Address: 523 Shady Oak)	Mankan, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 2a, Grand Oak Addition, Unit One (Street Address: 521 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 2b, Grand Oak Addition, Unit One (Street Address: 519 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 3a, Grand Oak Addition, Unit One (Street Address: 513 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 3b, Grand Oak Addition, Unit One (Street Address: 511 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 4a, Grand Oak Addition, Unit One (Street Address: 509 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04

Lot 4b, Grand Oak Addition, Unit One (Street Address: 507 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 5a, Grand Oak Addition, Unit One (Street Address: 515 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 5b, Grand Oak Addition, Unit One (Street Address: 503 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 6a, Grand Oak Addition, Unit One (Street Address: 500 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 6b, Grand Oak Addition, Unit One (Street Address: 502 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 7a, Grand Oak Addition, Unit One (Street Address: 504 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 7b, Grand Oak Addition, Unit One (Street Address: 506 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 8a, Grand Oak Addition, Unit One (Street Address: 508 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 8b, Grand Oak Addition, Unit One (Street Address: 510 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04

Lot 9a, Grand Oak Addition, Unit One (Street Address: 512 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 9b, Grand Oak Addition, Unit One (Street Address: 514 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 10a, Grand Oak Addition, Unit One (Street Address: 516 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 10b, Grand Oak Addition, Unit One (Street Address: 518 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 11a, Grand Oak Addition, Unit One (Street Address: 520 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 11b, Grand Oak Addition, Unit One (Street Address: 522 Shady Oak)	SG 25, LLC	P.O. Box 3987 Crested Butte, CO 81224	\$12,726.04
Lot 12a, Grand Oak Addition, Unit One (Street Address: 524 Shady Oak)	Brayden J. Rudzinski	40 Marcellina Lane, Unit 34 Crested Butte, CO 81225	\$12,726.04
Lot 12b, Grand Oak Addition, Unit One (Street Address: 526 Shady Oak)	Brayden J. Rudzinski	40 Marcellina Lane, Unit 34 Crested Butte, CO 81225	\$12,726.04