

ORDINANCE NO. 935

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 INTERNAL IMPROVEMENTS IN THE CITY OF WELLSVILLE, KANSAS (ASH STREET SPECIAL BENEFIT DISTRICT).

WHEREAS, the Governing Body of the City of Wellsville, Kansas (the “City”), has authorized the establishment of a special benefit district known as the Ash Street Special Benefit District in the City (the “Improvement District”) pursuant to Resolution No. 01-0308-2023, adopted on March 8, 2023 (the “SBD Resolution”); and

WHEREAS, the improvements authorized by such SBD Resolution (the “Improvements”) are complete, the final cost has been determined by the City, and the Governing Body of the City has conducted a public hearing on the proposed assessments against the property in the Improvement District following notice by the City in accordance with K.S.A. 12-6a09;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WELLSVILLE, KANSAS, AS FOLLOWS:

SECTION 1. Pursuant to K.S.A. 12-6a01 *et seq.*, as amended, special assessments to pay the costs of the Improvements authorized by the SBD Resolution are hereby levied and assessed against the lots, pieces, and parcels of land liable therefore as described on *Exhibit A* to this Ordinance, which is incorporated herein by reference, and in the amounts set forth on *Exhibit A* following the description of each lot, piece, or parcel of land, subject to the provisions of Section 3 below.

SECTION 2. The amounts so levied and assessed shall be due and payable from and after the date of publication of this Ordinance, and the City Clerk shall notify the owners of the affected properties of the amounts of their assessments, that unless the assessments are paid by February 7, 2025, bonds will be issued therefor and such assessments will be levied concurrently with general taxes and be payable in twenty (20) annual installments, subject to the provisions of Section 3 below.

SECTION 3. The City Clerk shall certify to the County Clerk, in the same manner and at the same time as other taxes are certified, for a period of twenty (20) years, all of the assessments which have not been paid by February 7, 2025, together with interest on such amount thereof at a rate not exceeding the maximum rate as prescribed by the laws of the State of Kansas, and such 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 year’s interest on the amount remaining unpaid; provided, however, that pursuant to Section 1(e) of the SBD Resolution, for each year following completion of each single-family home on each of the parcels in the Improvement District liable for the assessments, the assessment for each such parcel in each year shall be reduced, but not below zero dollars (\$0) per year, to the extent of the real property tax increment attributed to such parcel and generated in

such year from the Ash Street Rural Housing Incentive District (the “RHID”) created by the City pursuant to Ordinance No. 925, passed on November 18, 2022. In other words, the special assessments levied against each such single-family parcel for the allocable costs of the Improvements as set forth on *Exhibit A* and certified in each year by the City Clerk to the County Clerk shall be reduced, but not below zero dollars (\$0) per year, by the amount of real property tax increment generated from such parcel within the RHID in such year.

SECTION 4. This Ordinance shall take effect and be in force from and after its publication (including publication of *Exhibit A* hereto) once in the official City newspaper and shall also be filed of record in the office of the Register of Deeds of Franklin County, Kansas.

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PASSED by the Governing Body of the City of Wellsville, Kansas, and approved by the Mayor on January 8, 2025.

CITY OF WELLSVILLE, KANSAS

(Seal)

By: _____
William Lytle, Mayor

ATTEST:

By:  _____
Tammy Jones, City Clerk

APPROVED AS TO FORM:

By: _____
Tyler Ellsworth, Bond Counsel

EXHIBIT A**Ash Street Special Benefit District Special Assessments**

Address	Parcel ID #	Legal Description	Principal Assessed
412 Ash Street	030-018-28-0-20-02-004.57-0 QuickrefID = R776	Lot 57, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
410 Ash Street	030-018-28-0-20-02-004.58-0 QuickrefID = R777	Lot 58, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
408 Ash Street	030-018-28-0-20-02-004.59-0 QuickrefID = R778	Lot 59, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
406 Ash Street	030-018-28-0-20-02-004.60-0 QuickrefID = R779	Lot 60, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
405 Ash Street	030-018-28-0-20-02-004.61-0 QuickrefID = R780	Lot 61, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
407 Ash Street	030-018-28-0-20-02-004.62-0 QuickrefID = R781	Lot 62, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
409 Ash Street	030-018-28-0-20-02-004.63-0 QuickrefID = R782	Lot 63, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154

Address	Parcel ID #	Legal Description	Principal Assessed
411 Ash Street	030-018-28-0-20-02-004.64-0 QuickrefID = R783	Lot 64, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
413 Ash Street	030-018-28-0-20-02-004.65-0 QuickrefID = R784	Lot 65, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
415 Ash Street	030-018-28-0-20-02-004.66-0 QuickrefID = R785	Lot 66, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
417 Ash Street	030-018-28-0-20-02-004.67-0 QuickrefID = R786	Lot 67, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
419 Ash Street	030-018-28-0-20-02-004.68-0 QuickrefID = R787	Lot 68, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,154
421 Ash Street	030-018-28-0-20-02-004.69-0 QuickrefID = R788	Lot 69, Walnut Creek Meadows II, a subdivision in the City of Wellsville, Franklin County, Kansas	\$76,152