

ORDINANCE NO. 936

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, AND AMENDING RESOLUTION NO. 03-0308-2023 OF THE CITY (SIXTH AND WILLOW 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 Sixth and Willow Street Special Benefit District in the City (the “Improvement District”) pursuant to Resolution No. 03-0308-2023, adopted on March 8, 2023 (the “SBD Resolution”);

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; and

WHEREAS, the final cost of the Improvements, including costs of financing, is \$1,525,000, which exceeds the maximum estimated or probable cost contained in Section 1(b) of the SBD Resolution, and the Governing Body of the City finds it necessary and desirable: (i) to amend the SBD Resolution to increase the maximum estimated or probable cost of the Improvements, (ii) to correspondingly increase the portion of such cost payable by the City at large, and (iii) to keep the portion of the cost of the Improvements assessed to the properties in the Improvement District at no more than \$450,000 as stated in Section 1(e) of the SBD Resolution;

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

SECTION 1. Section 1(b) of the SBD Resolution is hereby deleted in its entirety and replaced with the following:

(b) The maximum estimated or probable cost of the Improvements to be financed through the Improvement District, including costs of financing, is \$1,525,000.

SECTION 2. Pursuant to K.S.A. 12-6a01 *et seq.*, as amended, special assessments to pay a portion of 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, with the balance of the costs of the Improvements paid by the City at large.

SECTION 3. 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.

SECTION 4. 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.

SECTION 5. 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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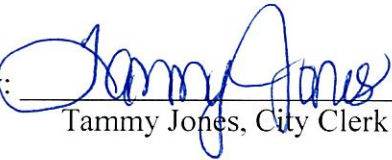
PASSED by the Governing Body of the City of Wellsville, Kansas, and approved by the Mayor on January 8, 2025.

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**Sixth and Willow Street Special Benefit District Special Assessments**

Address	Parcel ID #	Legal Description	Principal Assessed
705 E. 6th Street	030-18-27-0-00-00-004.04-0 QuickrefID = R307434	Lot 1, ICON VALLEY SUBDIVISION, a subdivision in the City of Wellsville, Franklin County, Kansas	\$18,226
608 Willow Street	030-18-27-0-00-00-004.05-0 QuickrefID = R307435	Lot 2, ICON VALLEY SUBDIVISION, a subdivision in the City of Wellsville, Franklin County, Kansas	\$16,783
616 Willow Street	030-18-27-0-00-00-004.06-0 QuickrefID = R307436	Lot 3, ICON VALLEY SUBDIVISION, a subdivision in the City of Wellsville, Franklin County, Kansas	\$16,783
811 E. 6th Street	030-18-27-0-00-00-004.02-0 QuickrefID = R307432	Lot 4, ICON VALLEY SUBDIVISION, a subdivision in the City of Wellsville, Franklin County, Kansas	\$31,206
802 E. 7th Street	030-18-27-0-00-00-005.00-0 QuickrefID = R296	Lot 7, ICON VALLEY SUBDIVISION, a subdivision in the City of Wellsville, Franklin County, Kansas	\$23,864
851 E. 6th Street	030-018-27-0-00-00-004.11-0 QuickrefID = R307563	Lot 9, ICON VALLEY, SUBDIVISION, SECOND PLAT, a subdivision in the City of Wellsville, Franklin County, Kansas	\$38,942
850 E. 6th Street	030-018-27-0-00-00-004.12-0 QuickrefID = R307564	Lot 10, ICON VALLEY SUBDIVISION, SECOND PLAT, a subdivision in the City of Wellsville, Franklin County, Kansas	\$79,327

Address	Parcel ID #	Legal Description	Principal Assessed
900 E. 6th Street	030-018-27-0-00-00-004.00-0 QuickrefID = R295	Lot 11, ICON VALLEY SUBDIVISION, SECOND PLAT, a subdivision in the City of Wellsville, Franklin County, Kansas	\$224,869