

(Published in the *LEAVENWORTH TIMES*, on July 21, 2015)

ORDINANCE NO. 946

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF LANSING, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. B-4-14 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of Lansing, 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 City Council has previously received a waiver (the "Waiver") of public hearing and right to protest the levy of special assessment from the owners of 100% of the property liable for assessment for the cost of the Improvements; and

WHEREAS, the governing body 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 LANSING, KANSAS:

Section 1. Levy of Assessments. For the purpose of paying the costs of the following described Improvements:

**DE SOTO ROAD/147TH STREET IMPROVEMENT DISTRICT
RESOLUTION NO. B-4-14**

The construction and installation of traffic signals, turn lanes and modification of the high school entrance, and all appurtenances thereto at the De Soto Road/147th Street and Ridge Drive intersection; the construction and installation of a four-way stop and related signage and all appurtenances thereto at the intersection of De Soto Road/147th Street and 4-H Road; and the installation of 7,900 linear feet of 24-inch PVC sewer main as well as the installation of manholes along the main, and all other appurtenances thereto.

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 *Exhibit A* attached hereto.

Section 2. Payment of Assessments. The amounts so levied and assessed in *Section 1* of this Ordinance shall be due and payable from and after the date of publication of this Ordinance.

Section 3. Notification. The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto insofar as known to said City Clerk, of the amounts of their respective

assessments; and, said notice shall further state that pursuant to the Waiver, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

Section 4. Certification. The special assessments shall be certified by the City Clerk to the County Clerk in the same manner and at the same time as other taxes are certified and will be collected in fifteen (15) 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.

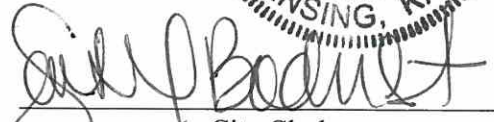
Section 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City newspaper.

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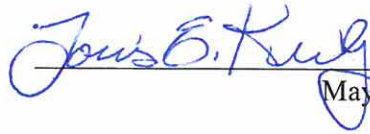
PASSED by the governing body of the City on July 16, 2015 and signed and **APPROVED** by the Mayor.

(SEAL)

ATTEST:


City Clerk




Mayor

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[12-6a01 ASSESSMENT PROCEEDINGS]

- A. Excerpt of Minutes re acceptance of Waiver and passage of assessment Ordinance, w/attachments:
 - Exhibit A*-Statement of Final Costs
 - Exhibit B*-Assessment Roll Certification
 - Exhibit C*-Waiver of Assessment Proceedings
 - B. Ordinance levying assessments
 - C. Notice of Assessment
 - D. Certificate of Mailing
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**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF LANSING, KANSAS
HELD ON JULY 16, 2015**

The Governing Body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Louis Kirby, Tony McNeill, Kim Brungart, Don Studnicka, Dave Trinkle,
Ken Gardner, Andi Pawlowski, Jesse Garvey

Absent: Gregg Buehler

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there were presented certain documents relating to the following described improvements previously authorized by the City Council:

The construction and installation of traffic signals, turn lanes and modification of the high school entrance, and all appurtenances thereto at the De Soto Road/147th Street and Ridge Drive intersection; the construction and installation of a four-way stop and related signage and all appurtenances thereto at the intersection of De Soto Road/147th Street and 4-H Road; and the installation of 7,900 linear feet of 24-inch PVC sewer main as well as the installation of manholes along the main, and all other appurtenances thereto.

The documents presented are as follows:

Exhibit A - Statement of Final Costs

Exhibit B - Assessment Roll Certification

Exhibit C - Waiver of Assessment Proceedings

After full consideration thereof, Councilmember Pawlowski moved to take the following action:

1. Approve each of said documents;
2. File each of said documents of record in the office of the City Clerk and make the same available for public inspection.

The motion was seconded by Councilmember McNeill, and approved by the following roll call vote:

Yea: Tony McNeill, Kerry Brungardt, Don Studnicka, Dave Trinkle, Kevin Gardner, Andi Pawlowski, Jesse Garvey
Nay: _____.

(Other Proceedings)

Thereupon, an Ordinance was presented entitled:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF LANSING, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. B-4-14 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

The Ordinance was considered and discussed; and on motion of Councilmember Pawlowski seconded by Councilmember McNeill the Ordinance as a whole was passed by the following roll call vote:

Yea: Tony McNeill, Kerry Brungardt, Don Studnicka, Dave Trinkle, Kevin Gardner, Andi Pawlowski, Jesse Garvey
Nay: _____.

Thereupon, a majority of the members of the Council having voted in favor of the adoption of the Ordinance, it was given No. 946, was approved and signed by the Mayor and attested by the City Clerk; and the City Clerk was ordered to cause the Ordinance or a summary thereof to be published one time in the official City newspaper as required by law, and to cause to be mailed a Notice of Assessment to each and all of the known property owners affected thereby on the same date that the Ordinance or a summary thereof is published.

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Lansing, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)



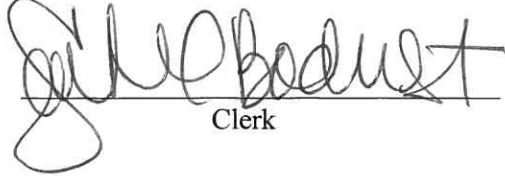

Clerk

EXHIBIT A

CITY OF LANSING, KANSAS

**DE SOTO ROAD/147TH STREET IMPROVEMENT DISTRICT
RESOLUTION NO. B-4-14**

STATEMENT OF FINAL COSTS

Traffic Signal Installation 147th St./Ridge Dr.			Public Works
Construction		\$316,552	
Engineering		\$25,860	
147th St. Turn Lanes @ Ridge Dr.			
Construction		\$159,515	
Engineering		\$39,355	
Main entrance Modification			
Construction		\$117,713	
Engineering		\$11,810	
Street and Signal Total		\$670,805	

Sanitary Sewer Interceptor Extension			Wastewater
Construction		\$1,265,995	
Additional Construction		\$116,097	
Engineering		\$80,280	
Easements		\$44,840	
Sewer Total		\$1,507,212	

TOTAL COST OF IMPROVEMENTS **\$2,178,017**

Temp Note Issuance Costs \$19,022
Interest on Temp Notes \$16,637
Bond Issuance Costs \$51,324

TOTAL COST	\$2,265,000
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EXHIBIT B

ASSESSMENT ROLL CERTIFICATION

The undersigned having been designated by the City of Lansing, Kansas (the "City"), to determine the amounts of the respective assessments and to prepare the proposed Assessment Roll therefor in connection with certain internal improvements previously authorized by the City Council, hereby reports that each and all of said respective assessments have been determined to be as shown on the Schedule attached hereto and made a part hereof by reference as though fully set out herein.

Dated July 16, 2015.

By Elizabeth Sanford
Name: Elizabeth Sanford
Title: Finance Director

SCHEDULE I

**DE SOTO ROAD/147TH STREET IMPROVEMENT DISTRICT
RESOLUTION NO. B-4-14**

Description of Property	Amount of Assessment
All that part of the Northeast Quarter of Section 35, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as follows: Commencing at the Southeast corner of the Northeast Quarter of said Section 35; thence along the south line of said northeast quarter S87° 57' 45"W a distance of 50.00' to the Point of Beginning; thence continuing S87° 57; 45"W a distance of 2596.27' to the southwest corner of said Northeast Quarter; thence along the west line of said quarter section N01° 33' 47"W a distance of 2643.56' to the northwest corner of said quarter section; thence along the north line of said northeast quarter N87° 59' 47"E a distance of 1916.73'; thence departing said line S01° 52' 39"E a distance of 2441.96' to the Point of Beginning, subject to easements and restrictions of record.	\$1,132,500.00
Total Costs to be Assessed =	\$1,132,500.00
Costs Paid by City-At-Large =	\$1,132,500.00
Total Improvement Costs =	\$2,265,000.00

EXHIBIT C

WAIVER OF ASSESSMENT PROCEEDINGS

TO THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

The undersigned, (the "Owner"), hereby states that the Owner is the record titled owner of 100% of the real estate situated in the City of Lansing, Leavenworth County, Kansas (the "City") hereinafter described (the "Property"), which is all of the property liable for special assessment for the costs of constructing the following described improvements (the "Improvements"):

**DE SOTO ROAD/147TH STREET IMPROVEMENT DISTRICT
RESOLUTION NO. B-4-14**

The construction and installation of traffic signals, turn lanes and modification of the high school entrance, and all appurtenances thereto at the De Soto Road/147th Street and Ridge Drive intersection; the construction and installation of a four-way stop and related signage and all appurtenances thereto at the intersection of De Soto Road/147th Street and 4-H Road; and the installation of 7,900 linear feet of 24-inch PVC sewer main as well as the installation of manholes along the main, and all other appurtenances thereto.

The Owner hereby further states that the Owner has received a copy of the Statement of Final Costs and Assessment Roll Certification relating to the Improvements, which have been prepared by or on behalf of the City.

After being advised of the Owner's right to a public hearing and other matters related to the Improvements, the Owner hereby agrees to the following:

1. Waiver of formal notice of and the holding of a public hearing by the governing body of the City for the purpose of considering special assessments against the Property;
2. Consent to the levy of special assessments against the Property in the amounts hereinafter described (the "Special Assessment"), to be paid in fifteen (15) approximately equal annual installments together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.*, all by appropriate proceedings of the governing body of the City;
3. Waiver of the thirty (30) day period after publication of the assessment ordinance of the City to contest the levy of the Special Assessment;
4. Consent that the City may immediately proceed to issue its general obligation bonds to finance the costs of the Improvements in accordance with K.S.A. 12-6a01 *et seq.*

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Dated: _____

Signature	Amount of Assessment	Property Owned and Liable for Assessment
	\$1,132,500.00	<p>All that part of the Northeast Quarter of Section 35, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as follows:</p> <p>Commencing at the Southeast corner of the Northeast Quarter of said Section 35; thence along the south line of said northeast quarter S87° 57' 45"W a distance of 50.00' to the Point of Beginning; thence continuing S87° 57; 45"W a distance of 2596.27' to the southwest corner of said Northeast Quarter; thence along the west line of said quarter section N01° 33' 47"W a distance of 2643.56' to the northwest corner of said quarter section; thence along the north line of said northeast quarter N87° 59' 47"E a distance of 1916.73'; thence departing said line S01° 52' 39"E a distance of 2441.96' to the Point of Beginning, subject to easements and restrictions of record.</p>

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RESOLUTION NO. B-4-14**

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Total Costs to be Assessed =	\$1,132,500.00
Costs Paid by City-At-Large =	\$1,132,500.00
Total Improvement Costs =	\$2,265,000.00



The City of Lansing

Administration Department

www.lansing.ks.us


NOTICE OF ASSESSMENT

July 21, 2015

Unified School District 469:

You are hereby notified, as owner of record of the property described on ***Schedule I*** attached hereto, that pursuant to Ordinance No. 946 (the "Ordinance") of the City of Lansing, Kansas (the "City") there has been assessed against said property, the costs of certain internal improvements previously authorized by the governing body of the City (the "Improvements"). The description of the Improvements, the resolution number authorizing the same and the amount of assessment are set forth on ***Schedule I*** attached hereto.

Pursuant to the Waiver of Assessment Proceedings previously submitted to the City, bonds will be issued by the City for the amount of such assessment, and the balance of such assessment remaining unpaid will be collected in fifteen (15) annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.* Interest accruing between the date set forth above 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.



Sarah Bodensteiner, City Clerk

SCHEDULE I

**DE SOTO ROAD/147TH STREET IMPROVEMENT DISTRICT
RESOLUTION NO. B-4-14**

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CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF LEAVENWORTH)

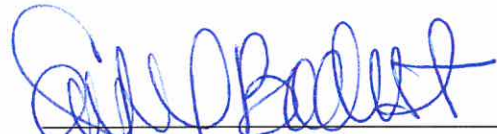
The undersigned, City Clerk of the City of Lansing, Kansas, does hereby certify that on July 21, 2015, the date on which Ordinance No. 946 of the City (the "Ordinance") was published, I caused to be mailed to the owners of the properties liable for the assessments set out in the Ordinance, at their last known post office addresses, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which said assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal as of July 21, 2015.

(Seal)





Sarah Bodensteiner, City Clerk

[attach sample copy of form]