

(Published in *The Hillsboro Star Journal* on July 25, 2018)

ORDINANCE NO. 1288

AN ORDINANCE OF THE CITY OF HILLSBORO, KANSAS, LEVYING SPECIAL ASSESSMENT TAXES ON CERTAIN REAL PROPERTIES IN THE CITY, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS BENEFITING SUCH REAL PROPERTIES; PROVIDING FOR THE GIVING OF NOTICE OF SAID SPECIAL ASSESSMENT TAXES BY PUBLICATION AND MAILING; AND PROVIDING FOR THE COLLECTION OF SAID SPECIAL ASSESSMENT TAXES (GROVES FIRST ADDITION SANITARY SEWER IMPROVEMENTS).

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS:

SECTION 1. For the purpose of paying the benefit district's \$115,293.15 portion of the \$125,455.00 total costs of the construction of Groves First Addition Sanitary Sewer Improvements, as authorized by Resolution No. 2017-10 adopted on October 17, 2017 and published October 25, 2017 to the City of Hillsboro, Kansas (the "City"), there are hereby levied and assessed against the properties liable therefor, the several amounts set forth below following the description of each lot, piece or parcel of land situated in the City of Hillsboro, Marion County, Kansas, which are liable for assessment for said costs:

<u>Legal Description</u>	<u>Groves First Addition Sanitary Sewer Improvements</u>
<u>GROVES FIRST ADDITION:</u>	
Lots 1 through 6, Block 1	\$6,369.23 each
Lots 1 through 10, Block 2	\$6,369.23 each
<u>Unplatted Church Tract:</u> Part of the Northwest ¼ of Section 34, Township 19 South, Range 2 East of the 6 th P.M., Marion County, Kansas, described as follows: Commencing at the Northeast corner of the Northwest ¼ of Section 34, Township 19 South, Range 2 East of the 6 th P.M., Marion County, Kansas; thence South on the East line of said Northwest ¼ on an assumed bearing of S0°50'32"E a distance of 390.52 feet to a point 60 feet South of the Southeast corner of the North 10 acres of the Northeast ¼ of said Northwest ¼, said point being the point of beginning; thence continuing S0°50'32"E 567.16 feet; thence S89°00'32"W, 767.90 feet; thence N0°50'32"W 567.37 feet; thence N89°01'30"E, 767.90 feet to the point of beginning, subject to existing road right of way on the East. Said tract of land containing 10.00 acres (the "Unplatted Church Tract").	\$10,099.68

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\$3,285.85

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Unplatted Tract A: Part of Lot 1, Block 1, County Clerk's Fourth Hillsboro Plat of the metes and bounds tracts in the S½ of the NW¼ of Section 34, Township 19 South, Range 2 East of the 6th P.M., described as follows: Beginning at the Northeast Corner of Lot 1; said Block 1, said point is 20 feet West of the Northeast corner of the S½ of said NW ¼; thence with bearings based on the Kansas Grid, NAD 1927, South 00 degrees 51 minutes 32 seconds East, 52.72 feet; thence South 85 degrees 59 minutes 34 seconds West, 283 feet; thence South 00 degrees 44 minutes 32 seconds East, 206 feet; thence South 37 degrees 13 minutes 33 seconds West, 70 feet to the South line of said Lot 1; thence South 89 degrees 00 minutes 32 seconds West along the South line of said Lot 1, 1690.86 feet to the Southeast corner of Lot 2 of said Block 1; thence North 00 degrees 59 minutes 28 seconds West along the east line of said Lot 2, 208.52 feet to the Northeast corner of said Lot 2; thence North 13 degrees 44 minutes 40 seconds East, 123.50 feet to the North line of said Lot 1; thence North 88 degrees 59 minutes 25 seconds East along the North line of said Lot 1, 1986.35 feet to the point of beginning, containing 13.39 acres.

AND

A 30 feet wide easement for a natural gas pipeline in part of Lot 1, Block 1, County Clerk's Fourth Hillsboro Plat, the center of the 30 foot wide easement described as follows: Beginning at a point on the North line of said Lot 1, 1986.35 feet West of the Northeast corner of said Lot 1; thence with bearings based on the Kansas Grid, NAD 1927, South 02 degrees 41 minutes 58 seconds East, 288.08 feet to a point 40 feet north of the South line of said Lot 1, thence South 82 degrees 06 minutes 47 seconds East, 161.97 feet to a point 15 feet North of the South line of said Lot 1; thence North 89 degrees 00 minutes 32 seconds East and parallel with the South line of said Lot 1, 1490.86 feet; thence North 14 degrees 04 minutes 44 seconds East, 168.47 feet to a point on the East line of said Lot 1 and there ending at a point described as follows: Commencing at the Northeast corner of said Lot 1; thence South 00 degrees 51 minutes 32 seconds East, 52.72 feet; thence South 85 degrees 59 minutes 34 seconds West, 283 feet; thence South 00 degrees 44 minutes 32 seconds East, 83.32 feet to the point of ending of said easement.

AND

Part of the N½ of the NW¼ of Section 34, Township 19 South, Range 2 East of the 6th P.M., described as follows: Beginning at the Southeast corner of the N½ of said NW¼; thence with bearings based on the Kansas Grid, NAD 1927, North 00 degrees 51

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minutes 32 seconds West along the East line of said N½ of the NW¼, 930.26 feet to a point 390 feet South of the Northeast corner of said NW¼; thence South 89 degrees 01 minutes 12 seconds West and parallel with the North line of said NW¼, 1190.48 feet; thence South 02 degrees 32 minutes 44 seconds West, 398.13 feet; thence North 89 degrees 07 minutes 21 seconds West, 144.95 feet; thence South 83 degrees 57 minutes 50 seconds West, 478.82 feet; thence South 85 degrees 57 minutes 30 seconds West, 222.40 feet; thence South 09 degrees 34 minutes 12 seconds East, 434.72 feet; thence South 13 degrees 44 minutes 40 seconds West, 56.56 feet to the South line of the N½ of said NW¼; thence North 88 degrees 59 minutes 25 seconds East along the South line of the N½ of said NW¼, 2006.35 feet to the point of beginning, containing 35.38 acres, and subject to a road easement on the East 20 feet thereof; and subject to a 20 foot wide easement for sewer lines in the N½ of the NW¼ of Section 34, Township 19 South, Range 2 East, the center of the 20 foot wide easement described as follows: Commencing at a point on the South line of the N½ of said NW¼, 2006.35 feet West of the Southeast corner of the N½ of said NW¼; thence with bearings based on the Kansas Grid, NAD 1927, North 13 degrees 44 minutes 40 seconds East, 56.56 feet; thence North 09 degrees 34 minutes 12 seconds West, 358.16 feet to the point of beginning; thence South 59 degrees 51 minutes 50 seconds East, 28.77 feet; thence North 64 degrees 17 minutes 52 seconds East, 254.54 feet to the North line of the above described tract and there ending ("Unplatted Tract A").

SECTION 2. The amounts so levied and assessed as set forth above shall be due and payable from and after the date of adoption of this Ordinance; and the City Clerk shall notify each and all of the owners of the above described properties, insofar as known to the City Clerk and at their last known post office address, of the amounts of their respective special assessments; and said notice shall further state that the owners of the properties will be given a period until Noon on Wednesday, August 8, 2018, during which the special assessments may be paid in full at the Hillsboro City Hall, 118 E. Grand, Hillsboro, Kansas, and the lien against any property for which the special assessment is paid shall thereupon be discharged and satisfied. Said notice shall further state that for any assessments not paid by the specified date and time, general obligation bonds of the City, payable in installments over a period of Twenty years, will be issued, and the principal amount of the unpaid assessments, together with interest of the unpaid principal balance thereof at a rate equal to the average annual interest rate on such general obligation bonds (such rate not to exceed the maximum rate allowed on such general obligation bonds by the laws of the State of Kansas) will be certified to the County Clerk of Marion County, Kansas for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem

property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made in November 2018.

SECTION 3. The Mayor and City Clerk are hereby authorized and directed to take all such other actions not inconsistent herewith as may be appropriate or desirable to accomplish the purposes contemplated by this Ordinance.

SECTION 4. This Ordinance shall be in force and take effect from and after its passage, approval and publication one time in the City's official newspaper.

ADOPTED, PASSED AND APPROVED by the governing body of the City of Hillsboro, Kansas on July 17, 2018.

CITY OF HILLSBORO, KANSAS

[seal]

By _____/s/_____
Louis Thurston, Mayor

ATTEST:

By _____/s/_____
Janice K. Meisinger, City Clerk