

(Published in the *Times Sentinel* on July 22, 2021)

**ORDINANCE NO. 1067**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NO. 9-2018; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

**WHEREAS**, the governing body of the City of Clearwater, Kansas (the "City") has heretofore authorized certain improvements (the "Improvements") to be constructed pursuant to K.S.A. 12-6a01 *et seq.*(the "Act"); and

**WHEREAS**, the governing body has heretofore conducted a public hearing in accordance with the Act and desires to levy assessments and benefit fees on certain property benefited by the construction of the Improvements and certain other prior improvements, all pursuant to the Act, K.S.A. 12-6a19 and Article 12, Section 5 of the Kansas Constitution.

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

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

**Project No. 1 – Chisholm Ridge Addition Phase 3 – Street, Water, Sewer and Drainage Project  
- Originally Authorized by Resolution No. 9-2018**

Constructing street, water system, sanitary sewer system and drainage improvements and appurtenances thereto, to serve Chisholm Ridge Addition Phase 3 to the City of Clearwater, Sedgwick County, Kansas;

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. Such amounts may be paid in whole or in part by August 20, 2021.

**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 unless such assessments are paid by August 20, 2021 bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

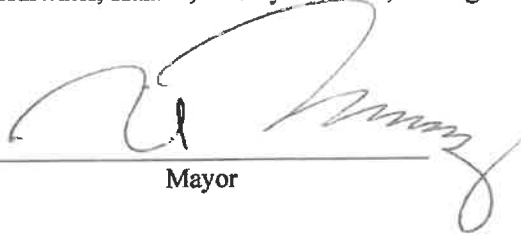
**Section 4. Certification.** Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Sedgwick County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in twenty (20) 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.

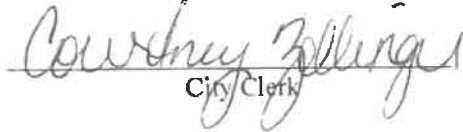
**Section 5. Effective Date.** This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City newspaper.

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**PASSED** by the governing body of the City of Clearwater, Kansas, on July 13, 2021, and signed and **APPROVED** by the Mayor.



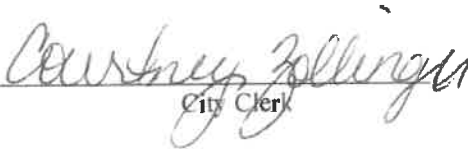
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on July 13, 2021; that the record of the final vote on its passage is found on page \_\_\_\_ of journal \_\_\_\_; and that the Ordinance or a summary thereof was published in the *Times Sentinel* on July 22, 2021.

DATED: July 13, 2021.

  
\_\_\_\_\_  
City Clerk

**EXHIBIT A-1**

**CHISHOLM RIDGE ADDITION PHASE 3 IMPROVEMENTS**

<b>Legal Description (Chisholm Ridge Addition Phase 3)</b>	<b>Streets</b>	<b>Water*</b>
Block 1, Lot 40	\$14,332.34	
Block 1, Lot 41	\$14,332.34	
Block 1, Lot 42	\$14,332.34	
Block 1, Lot 43	\$14,332.34	
Block 1, Lot 44	\$14,332.34	
Block 1, Lot 45	\$14,332.34	
Block 1, Lot 46	\$14,332.34	
Block 1, Lot 47	\$14,332.34	
Block 1, Lot 48	\$14,332.34	
Block 1, Lot 49	\$14,332.34	
Block 1, Lot 50	\$14,332.34	
Block 1, Lot 51	\$14,332.34	
Block 3, Lot 15	\$14,332.34	\$4,044.90
Block 3, Lot 16	\$14,332.34	\$4,044.90
Block 3, Lot 17	\$14,332.34	\$4,044.90
Block 3, Lot 18	\$14,332.34	\$4,044.90
Block 3, Lot 19	\$14,332.34	\$4,044.90
Block 3, Lot 20	\$14,332.34	\$4,044.90
Block 3, Lot 21	\$14,332.34	\$4,044.90
Block 3, Lot 22	\$14,332.34	\$4,044.90
Block 3, Lot 23	\$14,332.34	
Block 3, Lot 24	\$14,332.34	
Block 3, Lot 25	\$14,332.34	
Block 3, Lot 26	\$14,332.34	
Block 3, Lot 27	\$14,332.34	
Block 3, Lot 28	\$14,332.34	

\*Amounts prepaid with respect to Lots 40-51, Block 1 and Lots 23-28, Block 3, so that only Lots 15-22, Block remain to be assessed for water project costs.

## NOTICE OF ASSESSMENT

July 13, 2021  
Clearwater, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that pursuant to Ordinance No. ~~1067~~ (the "Ordinance") of the City of Clearwater, Kansas (the "City") there has been assessed against said property, the costs of certain internal improvements heretofore 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.

You may pay this assessment in whole or in part to the City Treasurer of the City by August 20, 2021, and if the amount is not paid within said time period, bonds will be issued therefor, and the balance of such assessment will be collected in twenty (20) annual installments, together with interest on such amounts remaining unpaid 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.

Courtney Zollinger, City Clerk

**SCHEDULE I**  
**CHISHOLM RIDGE ADDITION PHASE 3 IMPROVEMENTS**

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Block 1, Lot 49	\$14,332.34	
Block 1, Lot 50	\$14,332.34	
Block 1, Lot 51	\$14,332.34	
Block 3, Lot 15	\$14,332.34	\$4,044.90
Block 3, Lot 16	\$14,332.34	\$4,044.90
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Block 3, Lot 25	\$14,332.34	
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Block 3, Lot 27	\$14,332.34	
Block 3, Lot 28	\$14,332.34	

\*Amounts prepaid with respect to Lots 40-51, Block 1 and Lots 23-28, Block 3, so that only Lots 15-22, Block remain to be assessed for water project costs.

**CERTIFICATE OF MAILING**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SEDGWICK    )

The undersigned, City Clerk of the City of Clearwater, Kansas, does hereby certify that on or before July 22, 2021, the date on which Ordinance No. 1067 (the "Ordinance") of the City 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 13, 2021.



*Courtney Zollinger*  
Courtney Zollinger, City Clerk

[attach sample copy of form]