

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF EL DORADO, KANSAS  
HELD ON NOVEMBER 7, 2022**

The governing body met in regular session at the usual meeting place in the City at 5:30 p.m., the following members being present and participating, to-wit: Mayor Bill Young, Commissioners Kelly Tetrick, Gregg Lewis, Leon Leachman and Kendra Wilkinson.

Absent:

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

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(Other Proceedings)

The Mayor opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain internal improvements previously authorized by the governing body of the City. It was determined by the governing body that notice of the public hearing was duly published and mailed in accordance with K.S.A. 12-6a01 *et seq.* Thereafter, the Mayor adjourned the public hearing.

An Ordinance was presented entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. 2922 AND 2923 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

The Ordinance was considered and discussed, and on motion of Commissioner Kelly Tetrick, seconded by Commissioner Gregg Lewis, the Ordinance was passed by the following vote:

Yea: Mayor Bill Young, Commissioners Kelly Tetrick, Gregg Lewis, Leon Leachman and Kendra Wilkinson.

Nay: \_\_\_\_\_.

The Mayor declared the Ordinance duly passed and the Ordinance was then numbered Ordinance No. G-1376, was signed by the Mayor and attested by the City Clerk and the Ordinance or a summary thereof was directed to be published one time in the official newspaper of the City. The City Clerk was further directed to cause a Notice of Assessment to be mailed 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 El Dorado, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.



  
City Clerk

**ORDINANCE NO. G-1376**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. 2922 AND 2923 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

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**WHEREAS**, the governing body of the City of El Dorado, 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 governing body has conducted a public hearing in accordance with the Act and 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 EL DORADO, KANSAS:**

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

**Project No. 584 – Paving Skyview Drive**

**Resolution No. 2923**  
Paving Skyview Drive

**Project No. 585 - Sanitary Sewer Improvements**

**Resolution No. 2922**  
Sanitary Sewer Improvements

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* hereof 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 within thirty (30) days from the date of publication of this Ordinance or a summary thereof.

**Section 3. Notification.** The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto (insofar as known to the City Clerk) of the amounts of their respective assessments. The notice shall also state that unless such assessments are paid within thirty (30) days from the date of publication of this Ordinance or a summary thereof, 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 Butler County, Kansas, in

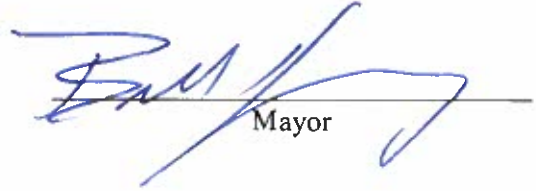
the same manner and at the same time as other taxes are certified and will be collected in 20 annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective 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 of the Ordinance or a summary thereof once in the official City newspaper.

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PASSED by the governing body of the City on November 7, 2022 and signed by the Mayor.



  
Mayor

  
City Clerk

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that the Ordinance was passed on November 7, 2022; 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 Butler County Times-Gazette* on November 12, 2022.

DATED: November 12, 2022.

  
City Clerk

**EXHIBIT A-1**

**PAVING SKYVIEW DRIVE - PROJECT NO. 584  
RESOLUTION NO. 2923**

<b>Description of Property</b>	<b>Amount of Assessment</b>
Lot 1, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 2, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 3, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 4, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 5, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 6, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 7, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 8, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 9, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 10, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 11, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 12, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 13, Block 1 of Myers East 2nd Addition	\$11,915.21
Lot 14, Block 1 of Myers East 2nd Addition	\$11,915.22
Lot 15, Block 1 of Myers East 2nd Addition	\$11,915.22
	<b>\$178,728.17</b>

**EXHIBIT A-2**

**SANITARY SEWER IMPROVEMENTS - PROJECT NO. 585  
RESOLUTION NO. 2922**

Description of Property	Amount of Assessment
Lot 1, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 2, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 3, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 4, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 5, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 6, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 7, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 8, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 9, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 10, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 11, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 12, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 13, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 14, Block 1 of Myers East 2nd Addition	\$11,047.74
Lot 15, Block 1 of Myers East 2nd Addition	\$11,047.75
Beginning at the NE/c of the NW4 of the NW4 of Section 25, Township 25 South, Range 5 East of the 6th PM in Butler County, Kansas; thence S86°33'47"W, a distance of 37.88' thence N01°19'24"W, a distance of 390.59' to a point on the South line of Hazlett Heights Addition; thence N88°35'08"E a distance of 25' to the SW/c of Lot 18 Block C in Myers East Addition; thence N88°36'22"E, a distance of 166.30' to the NW/c of Lot 15 Block C of said Myers East Addition; thence S01°24'22"E, a distance of 359.99 feet; thence S00°19'26"E, a distance of 29.80' to a point on said South line of said SW4; thence S88°48'30"W, a distance of 153.28' to the Point of Beginning.	\$11,047.75
Beginning at the SE/c of Lot 12, in Blk 6 Hazlett Heights Addition to the City of El Dorado thence running N 125.93' thence E 159' thence S 125.93' thence W 159' to the POB, being in the SW Quarter of Section 25 Township 25 S, Range 5 E of the 6th PM Butler County, KS	\$11,047.75
	<b><u>\$187,811.61</u></b>

## NOTICE OF ASSESSMENT

November 12, 2022  
City of El Dorado, 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. G-1376 (the "Ordinance") of the City of El Dorado, Kansas (the "City") there has been assessed against the 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.

You may pay this assessment in whole or in part to the City Treasurer of the City within thirty (30) days from the date hereof; and if the amount is not paid within the time period, bonds will be issued therefor, and the balance of such assessment will be collected in 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.

Tabitha Sharp, City Clerk



**SCHEDULE I-1**

**PAVING SKYVIEW DRIVE - PROJECT NO. 584  
RESOLUTION NO. 2923**

<b>Description of Property</b>	<b>Amount of Assessment</b>
Lot 1, Block 1 of Myers East 2nd Addition	\$11,915.21
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Lot 15, Block 1 of Myers East 2nd Addition	\$11,915.22
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**SCHEDULE I-2**

**SANITARY SEWER IMPROVEMENTS - PROJECT NO. 585  
RESOLUTION NO. 2922**

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	<b>\$187,811.61</b>

**CERTIFICATE OF MAILING**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF BUTLER        )

The undersigned, City Clerk of the City of El Dorado, Kansas, does hereby certify that on November 12, 2022, the date on which Ordinance No. G-1376 (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 the 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 November 12, 2022.



*[Handwritten signature in blue ink]*  
\_\_\_\_\_  
Tabitha Sharp, City Clerk

[attach sample copy of form]

**CERTIFICATE OF CITY CLERK**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF BUTLER        )

The undersigned, City Clerk of the City of El Dorado, Kansas (the "City"), does hereby certify that within the time allowed by Ordinance No. G-1376 of the City for the payment of special assessments in cash, property owners specially assessed for the costs of certain internal improvements previously authorized by the governing body of the City, paid in cash the amounts set forth below:

<b>Resolution No.</b>	<b>Amount</b>
2923	
2922	
<b>TOTAL</b>	<b>\$</b> _____

WITNESS my hand on December 13, 2022

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

(Published in *The Butler County Times-Gazette* on November 12, 2022)

**SUMMARY OF ORDINANCE NO. G-1376**

On November 7, 2022, the governing body of the City of El Dorado, Kansas, passed an ordinance entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. 2923 AND 2922 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

The Ordinance levies special assessments on certain property located in Myers East 2<sup>nd</sup> Addition, which have been benefitted from certain internal improvements constructed pursuant to K.S.A. 12-6a01 *et seq.* and provides an opportunity for prepayment, in whole or in part, of the special assessments. A schedule of the amounts of the special assessments and the property benefitted are attached to the Ordinance. Any amount of special assessments not paid within the time prescribed in the Ordinance shall be certified by the City Clerk to the Clerk of Butler County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by law. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 200 E. 1st El Dorado, Kansas 67042. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at <https://www.eldoks.com/>.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: November 7, 2022.

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City Attorney