

ORDINANCE NO. 307

**AN ORDINANCE PROVIDING FOR THE ASSESSMENT OF A
BENEFIT FEE AGAINST REAL PROPERTY WHICH WAS NOT
INCLUDED IN THE ORIGINAL SEWER BENEFIT DISTRICT NO. 12.**

WHEREAS, the City of Basehor, Kansas has previously approved the creation of a Sewer Benefit District known as Sewer Benefit District No. 12; and

WHEREAS, the Governing Body has determined that there should be a benefit fee assessed against real property which was not originally included in the Sewer Benefit District #12 but will utilize the original sewer line; and

WHEREAS, the Governing Body deems it appropriate that the original members of the Sewer Benefit District No. 12 should be reimbursed to the extent allowed by K.S.A. 12-6a19.

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

Section 1: That the owners of real property which will receive benefits from the original Sewer District Benefit #12 improvements but which were not included within the original Sewer District #12 shall pay a benefit fee at such time as the owners of such real property request to be served by said sewer improvement.

SCANNED

1-17-07 *lt*

Section 2: That the amount of the benefit fee shall be calculated as follows:

The average residential cost for Sewer District #12 is Six Thousand Seven Hundred Dollars (\$6,700.00) and the average commercial cost is Fifteen Thousand Dollars (\$15,000.00). Therefore, there is \$0.263, a valuation per square foot of residential property and \$0.678, a valuation per square foot for commercial property. Therefore, the assessment benefit fee shall be benefitted as follows:

Section 3: PROVIDED, HOWEVER, the amount of such benefit fee shall not exceed the amount as provided in K.S.A. 12-6a18 which provides that the benefit fee shall not exceed the amount of the assessment, including principal and interest which would have been levied against the property, had it been included in the original improvement district, reduced in the proportion which each month or part of the month that has passed from the date of the assessment for the improvement was levied to the date of such property begins being served by the improvement bears to the total number of months or of assessments against property included within the original improvement district.

Section 4: Said benefit fees shall be due and payable at the time that the real property begins being served by the improvement and shall be assessed, collected and paid in the same manner and subject to the same interest as assessments against the real property originally included in the Sewer Benefit District #12.

Section 5: Any benefit fees paid shall be applied to the remaining principal and outstanding interest on the bonds issued to finance the improvement with a result in prorata reduction of the assessments against the real property originally included in the improvement district for such improvement.

Section 6: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the Basehor Sentinel, the official paper of the City.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF
BASEHOR, KANSAS, on this 21st day of April, 1997.



JOHN PFANNENSTIEL, Mayor

ATTEST:



MARY ANN MOGLE, City Clerk