

ORDINANCE NO 660

An ordinance providing for the improvement of Oak Street and Eighth Avenue in the City of Garnett, Kansas; from the South Line of Fifth Avenue to the Atchison Topeka and Santa Fe. Railway Companies Depot in said City, and ordering the grading, curbing, guttering, and paving the same and providing for the payment of the cost thereof.

Whereas, ~~whereas~~ a majority of the resident property owners fronting on Oak Street and Eighth Avenue, in Blocks Fifty four (54) Fifty Five (55) Sixty six (66) Sixty Seven (67) Seventy Four (74) and Seventy Five (75) according to the Original Plat of the City of Garnett, and Blocks One (1) and Two (2) and One (1) and Ten (10) in Chapmans Addition to the City of Garnett, Kansas: have signed a petition to the Board of Commissioners of said city, to have said <sup>Street and</sup> avenue graded, curbed, guttered and paved in front of and between said blocks, and said petition having been presented to said board, and said board having carefully examined and investigated said petition as to the sufficiency thereof, find <sup>Street and</sup> that a majority of all of the resident owners of property abutting on said <sup>Street and</sup> avenue in said blocks have signed said petition, and said improvement being deemed necessary;

Therefore be it ordained by the Board of Commissioners of the city of Garnett, Kansas,

Section 1. That Oak Street in said city from the South line of Fifth Avenue, to the South line of Eighth Avenue in said city and said Eighth Avenue, from said Oak Street to the Atchison Topeka and Santa Fe Railway Company's Depot be graded, Curbed, Guttered and paved, the said Curb and Gutter shall be of cement Concrete, and said gutter shall be Twenty Four inches wide, said paving shall be of No 1. Repressed Vitriified brick or blocks, on a four inch concrete base on a sand cushion two inches deep, after same has been thoroughly tamped and packed; or with Asphaltic Concrete on <sup>not less than</sup> four inch concrete base; or with <sup>Portland Cement</sup> Concrete <sup>not less than six inches thick;</sup> said paving to be <sup>53</sup> feet wide between blocks 54 and 55 and <sup>134</sup> feet wide between blocks 66 and 67 and between blocks 74 and 75, and between blocks One and two and between blocks One and Ten, between the curbs. Said improvements shall include the intersections of Sixth Avenue, Seventh Avenue, and Eighth Avenue on said Oak Street and the construction and adjustment of all sidewalk extentions from lot to curb lines, and the grading and finishing of all parkings and the construction of needed catchbasins and extentions.

Section 2. That <sup>for the purpose of paving</sup> for the purpose of paving for the payment of the cost of curbing, guttering and paving said <sup>Street and</sup> avenue and for doing all grading and excavating for the same, except for the squares and areas formed by the intersections of Sixth Avenue, Seventh Avenue and Eighth Avenue, after the same has been brought to grade as provided by law, the assessment shall be made for each block separately on all lots to the center of the block on either side of the street and avenue the distance to be improved, according to the assessed value of the lots, without regard to the buildings and improvements thereon, which value shall be ascertained by three disinterested appraisers appointed by the Board of Commissioners. And the said Board of Commissioners shall provide for the cost of said improvement in ten installments of equal amounts, payable one each year from one to ten years. Said bonds shall bear interest at the rate not to exceed Five and one half percent per annum and said interest shall be payable semi-annually. For each of said installments of interest on all sums unpaid, coupons shall be attached to said bonds. Special assessments shall be made upon the property chargeable for the cost of such improvement, and levied and collected against each lot above named, according to the assessed valuation thereof as hereinafter provided, but the assessed valuation of the property liable to such cost which is established for the first year's assessment shall be retained for the assessment for the succeeding installments of such bonds.

The owner of any lot liable to such assessment may at any time within thirty days after the amount due from such lot is ascertained and before the bonds herein provided for are issued, pay his proportion of such assessment to the City Treasurer, and his property so paid shall not be thereafter liable for any further assessment for the cost of said work, nor for said bonds. That for the purpose of providing for the payment of the cost of paving and improving the squares and areas formed by the intersections of Sixth Avenue, Seventh Avenue and eighth Avenue, and for the construction and adjusting of all sidewalk extentions from lot to curb lines, the grading and finishing of all parking, the construction of needed catch basins and extentions, and bringing said avenue to grade, an assessment shall be made on all of the taxable property of the city and the board of commissioners shall issue special improvement bonds of said city, and leavy taxes and assessments in addition to all other taxes and assessments now authorized by <sup>Law, to pay said bonds and the interest thereon.</sup> Said bonds shall be issued