

ORDINANCE 679.

An Ordinance providing for the improvement of Fifth Avenue in the City of Garnett, Kansas, from the West line of Oak Street in said City west to the East line of Maple Street in said City and ordering the grading, curbing, guttering and paving of <sup>the</sup> same, and providing for the payment of the cost thereof.

Whereas, a majority of the resident property owners fronting on Fifth Avenue in blocks 47, 48, 49, 50, 51, 52, 53, 54 according to the original plat of said city, on said Fifth Avenue, where said improvement is to be made, have signed a petition to the Board of Commissioners of said City of Garnett, to have said Fifth 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 to require said Board to make said improvement. Said Board finds that a majority of all of the resident property owners abutting on said Fifth Avenue in said blocks have signed said petition and it is by said Board deemed and found to be necessary that said improvement be made.

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

Section 1- That Fifth Avenue in said City from the west line of Oak Street, west to the East line of Maple Street, in said city be graded, curbed, guttered and paved; said curb and gutter shall be of cement concrete, and said gutter shall be <sup>inches</sup> 24" wide; said paving shall be of No. 1 Repressed Vitrified Brick <sup>or</sup> Brick blocks, on <sup>inches</sup> 4" concrete ~~base~~ on a sand cushion <sup>inches</sup> 2" deep after same has been thoroughly tamped and packed, or with Asphaltic concrete on said base, or with asphalt on said base, or with Portland cement concrete not less than 6" thick. Said paving to be Not less than <sup>Twenty</sup> feet wide between curb. Said improvement shall include the intersection of 5th. Avenue and ~~Oak St.~~ Walnut St., Elm St, <sup>inches</sup> Vine Street, and ~~Maple Street~~, and the construction and adjustment of all sidewalk extensions from lot to curb line and the grading and finishing of all parking and the construction of needed catch basins and extensions.

Section 2- That for the purpose of providing for the payment of the cost of curbing, guttering and paving said Avenue, and for doing all grading and excavating for the same, except the squares and areas formed

by the intersections of ~~Oak~~, Walnut, Elm, Vine <sup>and</sup> ~~and Maple~~ Streets, after the same has been brought to grade as provided by law, the assessment shall be made for each block separately on all lots <sup>and pieces of ground</sup> to the center of the block on either side of the street 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~~ said Commissioners shall provide for the cost of said improvement in ten equal amounts, payable one each year from one to ten years. Said bonds shall bear interest at a rate not to exceed five and one-half per cent 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 each year to pay the installments of the principal and interest on such bonds next there after maturing and such 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 hereinbefore provided, but the assessed valuation of the property liable for 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 thereafter be 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 ~~Oak~~, Walnut, Elm, <sup>and</sup> Vine ~~and Maple~~ Streets, and for the construction and adjusting of all sidewalk extensions from lot to curb lines, the grading and finishing of all parkings, the construction of needed catch basins and extensions, and bringing said Avenue to grade, an assessment shall be made upon all the taxable property of the city and the Board of Commissioners shall issue special ~~improvement~~ <sup>improvement</sup> bonds of said City, and levy taxes and assessments in addition to all other taxes and assessments now authorized by law, to pay said bonds and the interest thereon. Said bonds shall be issued in ten equal amounts; payable one each year from one to ten

years; said bonds shall bear interest at not to exceed five and one-half per cent per annum and said interest shall be payable semi-annually. For each of such installments of interest on all sums unpaid, coupons shall be attached to said bonds.

Section 3 - That this ordinance shall take effect and be in force from and after its passage and publication according to law.

*R. J. Amoff*  
Mayor.

Attest:

*J. S. Mitchell*  
City Clerk.