

ORDINANCE No. 632

AN ORDINANCE providing for the improvement of FIFTH AVENUE from the WEST line of MAIN STREET, to the WEST line of OAK STREET, and OAK STREET from the NORTH line of FIFTH AVENUE to the SOUTH line of FOURTH AVENUE, and FOURTH AVENUE from the WEST line of MAIN STREET to the WEST line of WALNUT STREET in the city of Garnett, Kansas, and ordering the grading, curbing, guttering and paving the same and providing for the payment of the cost thereof.

WHEREAS, a majority of the resident property owners fronting on FIFTH AVENUE in Block Fifty-five and on Oak Street in Block Forty-seven, and on Fourth Avenue in Blocks Thirty-four, Thirty-five, ~~and~~ ^{and Forty-seven} Forty-six, have signed a petition to the Board of Commissioners of said city to have said avenues and streets 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 that a majority of all of the resident owners of property abutting on said avenues and streets in said blocks have signed said petition, and said Board improvement being deemed necessary;

THEREFORE, Be it ordained by the Board of Commissioners of the City of Garnett, Kansas,

Section 11-That Fifth Avenue in said city from the West line of Main Street, to the West line of Oak Street in said city, and that Oak Street from the North line of Fifth Avenue to the South line of Fourth Avenue in said city, and that Fourth Avenue from the West line of Main Street to the ^{West Line} center of Walnut Street in said city, 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, and said paving shall be of No. 1 Repressed Vitri-fied Brick or Blocks on a four inch concrete base with a sand cushion two inches deep, after the same has been thoroughly tamped and packed. Said paving to be ~~feet wide~~

Fifty Three feet wide on Fifth Avenue and on oak street and Eighty-Seven feet wide on Fourth Avenue between Blocks 35 and 46 and between Lots 22, 23, and 24 in Block 34 and Lots 1, 2, and 3 in Block 47 and Sixty feet wide from the west line of said lots to walnut street between the curbs provided an extension of 12 feet shall be made in front of lots Four, Five and Six in Block Forty Seven and between the Gutters. Said improvement shall include the intersections of said avenues and streets, and the construction and adjusting of all sidewalk extensions from lots to curb lines, the grading and finishing of all parkings and the construction of needed catch basins and extensions.

Board 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.

Section 2- That for the ~~purpose~~ purpose of providing for the pavement of the cost of curbing, guttering, and paving said street and for doing all grading and excavating for the same, except the squares and areas formed by the intersections of said Avenues and 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 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 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 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 in each year to pay the installments of the principal and ~~and~~ interest on such bonds next thereafter maturing and such assessments shall be made upon the property chargeable for the cost of such improvement, and levied and collected by the Board of Commissioners 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 square and area formed by the intersections of said Avenues ~~and~~ and 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 extension, and bringing said street to grade, an assessment shall be made upon all the taxable property of the city and the board of Commissioners shall issue Special Improvement

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

Mayor.

Attest:

City Clerk.