

**ORDINANCE NO. 5170-25**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF NEWTON, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. I-1204, I-1206, I-1205, I-1203 AND I-1207 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

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**WHEREAS**, the governing body of the City of Newton, 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 NEWTON, KANSAS:**

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

**Project No. 1 – Fox Ridge Addition – Water Distribution Improvements – Phase 1**

**Resolution No. I-1204**

Construct a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances.

**Project No. 2 – Fox Ridge Addition – Intersection Improvements**

**Resolution No. I-1206**

Construct intersection improvements to the intersection of **SE 10<sup>th</sup> Street and SE 14<sup>th</sup> Connector** for the purpose of adding turn lanes, by extending SE 10<sup>th</sup> Street to intersect with SE 14<sup>th</sup> Connector, with southbound SE 14<sup>th</sup> Connector having a southbound deceleration lane into Fox Ridge Addition, and northbound SE 14<sup>th</sup> Connector having a dedicated northbound left turn lane into Fox Ridge Addition with the addition of an additional northbound lane.

**Project No. 3 – Fox Ridge Addition – Paving Improvements – Phase 1**

**Resolution No. I-1205**

Construct pavement on **SE 10<sup>th</sup> Street** from the west line of SE 10<sup>th</sup> Street Terrace to SE 14<sup>th</sup> Connector; **SE 10<sup>th</sup> Street Terrace** from the south line of SE 10<sup>th</sup> Street (west and east connections); **S Logan Street** from the north line of SE 10<sup>th</sup> Street to the west line of Fox Ridge; **SE 8<sup>th</sup> Street/SE 8<sup>th</sup> Circle** from the east line of Fox Ridge to and including cul-de-sac; **Fox Ridge** from the north line of SE 10<sup>th</sup> Street to the south line of Country Club Drive; and **S Blaine Street** from the north line of SE 10<sup>th</sup> Street to the south line of SE 8<sup>th</sup> Circle; said pavement on SE 10<sup>th</sup> Street between aforesaid limits to be constructed with a width of thirty-six (36) feet from gutter line

to gutter line and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of forty-one (41) feet, and paving on all other petitioned streets to be constructed with a width of twenty-six (26) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of thirty-one (31) feet, with drainage to be installed where necessary and sidewalks on both sides of the streets.

**Project No. 4 – Fox Ridge Addition – Sanitary Sewer Improvements – Phase 1**

**Resolution No. I-1203**

Construct a lateral sanitary sewer.

**Project No. 5 – Rolling Hills Seventh Addition - Traffic Signal Improvements**

**Resolution No. I-1207**

Installation of a traffic signal at the intersection of East 1<sup>st</sup> Street and South Spencer Road and all related appurtenances.

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 *Exhibits A-1* through *A-5* attached hereto.

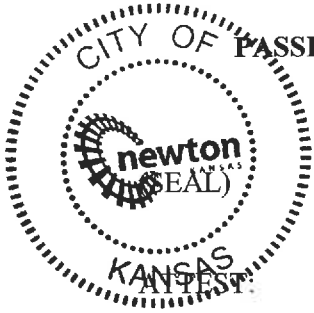
**Section 2. Payment of Assessments.** The amounts so levied and assessed in *Section 1* hereof shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part on or before **12:00 noon on August 11, 2025**.

**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 on or before **12:00 noon on August 11, 2025**, 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 Harvey 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 July 8, 2025 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 July 8, 2025; 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 *Newton Kansan* on July 17, 2025.

DATED: July 17, 2025.

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

**EXHIBIT A-1**

**FOX RIDGE ADDITION – WATER DISTRIBUTION IMPROVEMENTS – PHASE 1  
RESOLUTION NO. I-1204**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Fox Ridge Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 4	\$6,494.25
Lot 2, Block 4	6,494.25
Lot 3, Block 4	6,494.25
Lot 1, Block 5	6,494.25
Lot 2, Block 5	6,494.25
Lot 3, Block 5	6,494.25
Lot 4, Block 5	6,494.25
Lot 5, Block 5	6,494.25
Lot 6, Block 5	6,494.25
Lot 7, Block 5	6,494.25
Lot 8, Block 5	6,494.25
Lot 9, Block 5	6,494.25
Lot 10, Block 5	6,494.25
Lot 11, Block 5	6,494.25
Lot 12, Block 5	6,494.25
Lot 1, Block 6	6,494.25
Lot 2, Block 6	6,494.25
Lot 3, Block 6	6,494.25
Lot 4, Block 6	6,494.25
Lot 5, Block 6	6,494.25
Lot 6, Block 6	6,494.25
Lot 7, Block 6	6,494.25
Lot 8, Block 6	6,494.25
Lot 9, Block 6	6,494.25
Lot 10, Block 6	6,494.25
Lot 11, Block 6	6,494.25
Lot 1, Block 7	6,494.25
Lot 2, Block 7	6,494.25
Lot 3, Block 7	6,494.25
Lot 4, Block 7	6,494.25
Lot 5, Block 7	6,494.25
Lot 6, Block 7	6,494.25
Lot 7, Block 7	6,494.25
Lot 8, Block 7	6,494.25
Lot 9, Block 7	6,494.25
Lot 1, Block 8	6,494.25
Lot 2, Block 8	6,494.25
Lot 3, Block 8	6,494.25
Lot 4, Block 8	6,494.25
Lot 5, Block 8	6,494.25
Lot 6, Block 8	6,494.25

Lot 7, Block 8	6,494.25
Lot 8, Block 8	6,494.25
Lot 9, Block 8	6,494.25
Lot 10, Block 8	6,494.25
Lot 11, Block 8	6,494.25
Lot 12, Block 8	6,494.25
Lot 1, Block 9	6,494.25
Lot 2, Block 9	6,494.25
Lot 3, Block 9	6,494.25
Lot 4, Block 9	6,494.25
Lot 5, Block 9	6,494.25
Lot 6, Block 9	6,494.25
Lot 7, Block 9	6,494.25
Lot 8, Block 9	6,494.25
Lot 9, Block 9	6,494.25
Lot 10, Block 9	6,494.25
Lot 11, Block 9	6,494.25
Lot 12, Block 9	6,494.25
Lot 13, Block 9	6,494.25
Lot 14, Block 9	6,494.25
Lot 15, Block 9	6,494.25
Lot 16, Block 9	6,494.25
Lot 17, Block 9	6,494.25
Lot 1, Block 10	6,494.25
Lot 2, Block 10	6,494.25
Lot 3, Block 10	6,494.25
Lot 4, Block 10	6,494.25
Lot 5, Block 10	6,494.25
Lot 6, Block 10	6,494.25
Lot 7, Block 10	6,494.25
Lot 8, Block 10	6,494.25
Lot 9, Block 10	6,494.25
Lot 10, Block 10	6,494.25
Lot 11, Block 10	6,494.25
Lot 12, Block 10	6,494.25
Lot 13, Block 10	6,494.25
Lot 14, Block 10	6,494.25
Lot 15, Block 10	6,494.25
Lot 16, Block 10	51,954.25
<b>Total</b>	<b>\$565,000.00</b>

**EXHIBIT A-2**

**FOX RIDGE ADDITION – INTERSECTION IMPROVEMENTS  
RESOLUTION NO. I-1206**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Fox Ridge Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 1	\$732.48
Lot 2, Block 1	732.48
Lot 3, Block 1	732.48
Lot 4, Block 1	732.48
Lot 5, Block 1	732.48
Lot 6, Block 1	732.48
Lot 7, Block 1	732.48
Lot 8, Block 1	732.48
Lot 9, Block 1	732.48
Lot 10, Block 1	732.48
Lot 11, Block 1	732.48
Lot 12, Block 1	732.48
Lot 13, Block 1	732.48
Lot 14, Block 1	732.48
Lot 15, Block 1	732.48
Lot 16, Block 1	732.48
Lot 17, Block 1	732.48
Lot 18, Block 1	732.48
Lot 19, Block 1	732.48
Lot 20, Block 1	732.48
Lot 21, Block 1	732.48
Lot 22, Block 1	732.48
Lot 23, Block 1	732.48
Lot 24, Block 1	732.48
Lot 1, Block 2	732.48
Lot 2, Block 2	732.48
Lot 3, Block 2	732.48
Lot 4, Block 2	732.48
Lot 5, Block 2	732.48
Lot 6, Block 2	732.48
Lot 7, Block 2	732.48
Lot 8, Block 2	732.48
Lot 9, Block 2	732.48
Lot 10, Block 2	732.48
Lot 11, Block 2	732.48
Lot 12, Block 2	732.48
Lot 13, Block 2	732.48
Lot 14, Block 2	732.48
Lot 15, Block 2	732.48
Lot 16, Block 2	732.48
Lot 17, Block 2	732.48

Lot 18, Block 2	732.48
Lot 19, Block 2	732.48
Lot 20, Block 2	732.48
Lot 21, Block 2	732.48
Lot 22, Block 2	732.48
Lot 23, Block 2	732.48
Lot 24, Block 2	732.48
Lot 25, Block 2	732.48
Lot 26, Block 2	732.48
Lot 27, Block 2	732.48
Lot 28, Block 2	732.48
Lot 29, Block 2	732.48
Lot 30, Block 2	732.48
Lot 31, Block 2	732.48
Lot 32, Block 2	732.48
Lot 1, Block 3	732.48
Lot 2, Block 3	732.48
Lot 3, Block 3	732.48
Lot 4, Block 3	732.48
Lot 5, Block 3	732.48
Lot 6, Block 3	732.48
Lot 7, Block 3	732.48
Lot 8, Block 3	732.48
Lot 9, Block 3	732.48
Lot 10, Block 3	732.48
Lot 11, Block 3	732.48
Lot 12, Block 3	732.48
Lot 13, Block 3	732.48
Lot 14, Block 3	732.48
Lot 1, Block 4	732.48
Lot 2, Block 4	732.48
Lot 3, Block 4	732.48
Lot 1, Block 5	732.48
Lot 2, Block 5	732.48
Lot 3, Block 5	732.48
Lot 4, Block 5	732.48
Lot 5, Block 5	732.48
Lot 6, Block 5	732.48
Lot 7, Block 5	732.48
Lot 8, Block 5	732.48
Lot 9, Block 5	732.48
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Lot 11, Block 5	732.48
Lot 12, Block 5	732.48
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Lot 2, Block 6	732.48
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Lot 4, Block 6	732.48
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Lot 9, Block 6	732.48
Lot 10, Block 6	732.48
Lot 11, Block 6	732.48
Lot 1, Block 7	732.48
Lot 2, Block 7	732.48
Lot 3, Block 7	732.48
Lot 4, Block 7	732.48
Lot 5, Block 7	732.48
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Lot 7, Block 7	732.48
Lot 8, Block 7	732.48
Lot 9, Block 7	732.48
Lot 1, Block 8	732.48
Lot 2, Block 8	732.48
Lot 3, Block 8	732.48
Lot 4, Block 8	732.48
Lot 5, Block 8	732.48
Lot 6, Block 8	732.48
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Lot 10, Block 8	732.48
Lot 11, Block 8	732.48
Lot 12, Block 8	732.48
Lot 1, Block 9	732.48
Lot 2, Block 9	732.48
Lot 3, Block 9	732.48
Lot 4, Block 9	732.48
Lot 5, Block 9	732.48
Lot 6, Block 9	732.48
Lot 7, Block 9	732.48
Lot 8, Block 9	732.48
Lot 9, Block 9	732.48
Lot 10, Block 9	732.48
Lot 11, Block 9	732.48
Lot 12, Block 9	732.48
Lot 13, Block 9	732.48
Lot 14, Block 9	732.48
Lot 15, Block 9	732.48
Lot 16, Block 9	732.48
Lot 17, Block 9	732.48
Lot 1, Block 10	732.48
Lot 2, Block 10	732.48
Lot 3, Block 10	732.48
Lot 4, Block 10	732.48
Lot 5, Block 10	732.48



Lot 6, Block 10	732.48
Lot 7, Block 10	732.48
Lot 8, Block 10	732.48
Lot 9, Block 10	732.48
Lot 10, Block 10	732.48
Lot 11, Block 10	732.48
Lot 12, Block 10	732.48
Lot 13, Block 10	732.48
Lot 14, Block 10	732.48
Lot 15, Block 10	732.48
Lot 16, Block 10	5,860.48
<b><i>Total</i></b>	<b><i>\$115,000.00</i></b>

**EXHIBIT A-3**

**FOX RIDGE ADDITION – PAVING IMPROVEMENTS – PHASE 1  
RESOLUTION NO. I-1205**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Fox Ridge Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 4	\$33,160.92
Lot 2, Block 4	33,160.92
Lot 3, Block 4	33,160.92
Lot 1, Block 5	33,160.92
Lot 2, Block 5	33,160.92
Lot 3, Block 5	33,160.92
Lot 4, Block 5	33,160.92
Lot 5, Block 5	33,160.92
Lot 6, Block 5	33,160.92
Lot 7, Block 5	33,160.92
Lot 8, Block 5	33,160.92
Lot 9, Block 5	33,160.92
Lot 10, Block 5	33,160.92
Lot 11, Block 5	33,160.92
Lot 12, Block 5	33,160.92
Lot 1, Block 6	33,160.92
Lot 2, Block 6	33,160.92
Lot 3, Block 6	33,160.92
Lot 4, Block 6	33,160.92
Lot 5, Block 6	33,160.92
Lot 6, Block 6	33,160.92
Lot 7, Block 6	33,160.92
Lot 8, Block 6	33,160.92
Lot 9, Block 6	33,160.92
Lot 10, Block 6	33,160.92
Lot 11, Block 6	33,160.92
Lot 1, Block 7	33,160.92
Lot 2, Block 7	33,160.92
Lot 3, Block 7	33,160.92
Lot 4, Block 7	33,160.92
Lot 5, Block 7	33,160.92
Lot 6, Block 7	33,160.92
Lot 7, Block 7	33,160.92
Lot 8, Block 7	33,160.92
Lot 9, Block 7	33,160.92
Lot 1, Block 8	33,160.92
Lot 2, Block 8	33,160.92
Lot 3, Block 8	33,160.92
Lot 4, Block 8	33,160.92
Lot 5, Block 8	33,160.92
Lot 6, Block 8	33,160.92

Lot 7, Block 8	33,160.92
Lot 8, Block 8	33,160.92
Lot 9, Block 8	33,160.92
Lot 10, Block 8	33,160.92
Lot 11, Block 8	33,160.92
Lot 12, Block 8	33,160.92
Lot 1, Block 9	33,160.92
Lot 2, Block 9	33,160.92
Lot 3, Block 9	33,160.92
Lot 4, Block 9	33,160.92
Lot 5, Block 9	33,160.92
Lot 6, Block 9	33,160.92
Lot 7, Block 9	33,160.92
Lot 8, Block 9	33,160.92
Lot 9, Block 9	33,160.92
Lot 10, Block 9	33,160.92
Lot 11, Block 9	33,160.92
Lot 12, Block 9	33,160.92
Lot 13, Block 9	33,160.92
Lot 14, Block 9	33,160.92
Lot 15, Block 9	33,160.92
Lot 16, Block 9	33,160.92
Lot 17, Block 9	33,160.92
Lot 1, Block 10	33,160.92
Lot 2, Block 10	33,160.92
Lot 3, Block 10	33,160.92
Lot 4, Block 10	33,160.92
Lot 5, Block 10	33,160.92
Lot 6, Block 10	33,160.92
Lot 7, Block 10	33,160.92
Lot 8, Block 10	33,160.92
Lot 9, Block 10	33,160.92
Lot 10, Block 10	33,160.92
Lot 11, Block 10	33,160.92
Lot 12, Block 10	33,160.92
Lot 13, Block 10	33,160.92
Lot 14, Block 10	33,160.92
Lot 15, Block 10	33,160.92
Lot 16, Block 10	265,287.32
<b>Total</b>	<b>\$2,885,000.00</b>

**EXHIBIT A-4**

**FOX RIDGE ADDITION – SANITARY SEWER IMPROVEMENTS – PHASE 1  
RESOLUTION NO. I-1203**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Fox Ridge Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 4	\$9,827.59
Lot 2, Block 4	9,827.59
Lot 3, Block 4	9,827.59
Lot 1, Block 5	9,827.59
Lot 2, Block 5	9,827.59
Lot 3, Block 5	9,827.59
Lot 4, Block 5	9,827.59
Lot 5, Block 5	9,827.59
Lot 6, Block 5	9,827.59
Lot 7, Block 5	9,827.59
Lot 8, Block 5	9,827.59
Lot 9, Block 5	9,827.59
Lot 10, Block 5	9,827.59
Lot 11, Block 5	9,827.59
Lot 12, Block 5	9,827.59
Lot 1, Block 6	9,827.59
Lot 2, Block 6	9,827.59
Lot 3, Block 6	9,827.59
Lot 4, Block 6	9,827.59
Lot 5, Block 6	9,827.59
Lot 6, Block 6	9,827.59
Lot 7, Block 6	9,827.59
Lot 8, Block 6	9,827.59
Lot 9, Block 6	9,827.59
Lot 10, Block 6	9,827.59
Lot 11, Block 6	9,827.59
Lot 1, Block 7	9,827.59
Lot 2, Block 7	9,827.59
Lot 3, Block 7	9,827.59
Lot 4, Block 7	9,827.59
Lot 5, Block 7	9,827.59
Lot 6, Block 7	9,827.59
Lot 7, Block 7	9,827.59
Lot 8, Block 7	9,827.59
Lot 9, Block 7	9,827.59
Lot 1, Block 8	9,827.59
Lot 2, Block 8	9,827.59
Lot 3, Block 8	9,827.59
Lot 4, Block 8	9,827.59
Lot 5, Block 8	9,827.59
Lot 6, Block 8	9,827.59

Lot 7, Block 8	9,827.59
Lot 8, Block 8	9,827.59
Lot 9, Block 8	9,827.59
Lot 10, Block 8	9,827.59
Lot 11, Block 8	9,827.59
Lot 12, Block 8	9,827.59
Lot 1, Block 9	9,827.59
Lot 2, Block 9	9,827.59
Lot 3, Block 9	9,827.59
Lot 4, Block 9	9,827.59
Lot 5, Block 9	9,827.59
Lot 6, Block 9	9,827.59
Lot 7, Block 9	9,827.59
Lot 8, Block 9	9,827.59
Lot 9, Block 9	9,827.59
Lot 10, Block 9	9,827.59
Lot 11, Block 9	9,827.59
Lot 12, Block 9	9,827.59
Lot 13, Block 9	9,827.59
Lot 14, Block 9	9,827.59
Lot 15, Block 9	9,827.59
Lot 16, Block 9	9,827.59
Lot 17, Block 9	9,827.59
Lot 1, Block 10	9,827.59
Lot 2, Block 10	9,827.59
Lot 3, Block 10	9,827.59
Lot 4, Block 10	9,827.59
Lot 5, Block 10	9,827.59
Lot 6, Block 10	9,827.59
Lot 7, Block 10	9,827.59
Lot 8, Block 10	9,827.59
Lot 9, Block 10	9,827.59
Lot 10, Block 10	9,827.59
Lot 11, Block 10	9,827.59
Lot 12, Block 10	9,827.59
Lot 13, Block 10	9,827.59
Lot 14, Block 10	9,827.59
Lot 15, Block 10	9,827.59
Lot 16, Block 10	78,620.39
<b>Total</b>	<b>\$855,000.00</b>

***EXHIBIT A-5***

**ROLLING HILLS SEVENTH ADDITION – TRAFFIC SIGNAL IMPROVEMENTS  
RESOLUTION NO. I-1207**

<b>Description of Property</b>	<b>Amount of Proposed Assessment</b>
<b>Rolling Hills Seventh Addition, an Addition to the City of Newton, Harvey County, Kansas</b>	
Lot 1, Block 1	\$24,084.77
Lot 2, Block 1	25,708.73
Lot 1, Block 2	140,992.35
Lot 2, Block 2	19,214.15
<b><i>Total</i></b>	<b><i>\$210,000.00</i></b>