

ORDINANCE NO. 2025-04  
AN ORDINANCE AMENDING ORDINANCE NO. 2023-10 OF THE CITY OF SPRING HILL, KANSAS, AND LEVYING AND ASSESSING THE FINAL COSTS OF THE IMPROVEMENTS ON CERTAIN LOTS, PIECES, AND PARCELS OF LAND IN THE CITY (WEBSTER ROAD SPECIAL BENEFIT DISTRICT).

WHEREAS, pursuant to K.S.A. 12-6a01 *et seq.* and Resolution No. 2022-R-28 of the City of Spring Hill, Kansas (the “City”), adopted on December 8, 2022 (the “SBD Resolution”), the Governing Body of the City established the Webster Road Special Benefit District (the “Improvement District”) to finance certain improvements within the Improvement District (the “Improvements”);

WHEREAS, pursuant to K.S.A. 12-6a09(c) and Ordinance No. 2023-10 of the City, passed on May 25, 2023 (the “Maximum Assessment Ordinance”), the Governing Body of the City levied special assessments against the lots, pieces, and parcels of land in the Improvement District at the maximum amount deemed necessary by the Governing Body to pay the costs of the Improvements based upon estimated costs of the Improvements;

WHEREAS, Section 2 of the Maximum Assessment Ordinance provides that if the final cost of the completed Improvements is less than the maximum amount of the assessments set forth in *Exhibit A* to the Maximum Assessment Ordinance, the Governing Body shall adjust the assessments to reflect the costs of the completed improvements;

WHEREAS, construction of the Improvements has been completed, and the final costs of the Improvements, together with costs of financing and interest during construction, are less than the amount used to calculate the maximum special assessments levied in the Maximum Assessment Ordinance;

WHEREAS, the Governing Body finds it necessary and desirable to reduce the assessments levied as set forth in *Exhibit A* to the Maximum Assessment Ordinance to an amount equal to the final costs of the Improvements and set the prepayment date;

WHEREAS, since the passage of the Maximum Assessment Ordinance, two portions of the property contained in the Improvement District have been platted as residential subdivisions known as Wiswell Farms, Second Plat and Wiswell Farms, Third Plat (the “Second Plat” and “Third Plat,” respectively);

WHEREAS, pursuant to Section 1(d) of the SBD Resolution, the cost of the Improvements are to be spread equally per square foot against property in the Improvement District, provided that upon platting or otherwise subdividing the property, the assessments are to be respread in a manner reasonably determined by the City; and

WHEREAS, as a result, the Governing Body of the City must determine the manner of respreading the special assessments against the residential lots contained in the Second Plat and Third Plat;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRING HILL, KANSAS, AS FOLLOWS:

SECTION 1. The Governing Body hereby finds and determines that, pursuant to Section 1(d) of the SBD Resolution, the costs of the Improvements which would have been assessed equally per square foot against the property comprising the Second Plat and Third Plat shall be respread equally among each of the ninetyfour (94) and sixty-eight (68) platted residential lots contained, respectively, in such Second Plat and Third Plat.

SECTION 2. Section 3 of the Maximum Assessment Ordinance is hereby deleted in its entirety and replaced with the following:

SECTION 3. The amounts so levied and assessed shall be due and payable from and after the date of publication of this Ordinance; and, unless waived, the City Clerk shall notify the owners of the affected properties of the maximum amounts of their assessments, that unless the assessments are paid by May 26, 2025, bonds will be issued therefor and such assessment will be levied concurrently with general taxes and payable in twenty (20) annual installments.

SECTION 3. *Exhibit A* to the Maximum Assessment Ordinance is hereby deleted in its entirety and replaced and superseded by *Exhibit A* attached to this Ordinance.

SECTION 4. Except as provided in Sections 2 and 3 to this Ordinance, all other terms and provisions of the Maximum Assessment Ordinance shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized and directed to mail a notice of final assessment and notice of the prepayment period to the owners of the property in the Improvement District described on *Exhibit A* attached to this Ordinance, which is incorporated herein by reference. The Finance Director, City Clerk, and other employees and representatives of the City are hereby authorized and directed to take such additional action as may be required to assess the final costs of the Improvements against the properties in the Improvement District as described in this Ordinance.

SECTION 6. This Ordinance shall take effect and be in force from and after its publication (including publication of *Exhibit A* hereto) once in the official City newspaper. Following publication, this Ordinance shall be recorded in the office of the Register of Deeds of Johnson County, Kansas.

PASSED by the Governing Body of the City of Spring Hill, Kansas, and approved by the Mayor on April 24, 2025.

CITY OF SPRING HILL, KANSAS  
/s/ Joe Berkey  
Joe Berkey, Mayor

ATTEST:  
/s/ Glenda Gerrity (Seal)  
Glenda Gerrity, City Clerk

APPROVED AS TO FORM:  
/s/ Spencer Low  
Spencer Low, City Attorney

APPROVED AS TO FORM:  
/s/ Bridget Morris  
Bridget Morris, Bond Counsel

EXHIBIT A  
WEBSTER ROAD SPECIAL BENEFIT DISTRICT ASSESSMENTS

DESCRIPTION OF PROPERTY SUBJECT TO ASSESSMENT		FINAL ASSESSMENT
Wiswell Farms, First Plat, Lot 1	Tax ID# EP99500000 0001	\$4,407
Wiswell Farms, First Plat, Lot 2	Tax ID# EP99500000 0002	\$4,407
Wiswell Farms, First Plat, Lot 3	Tax ID# EP99500000 0003	\$4,407
Wiswell Farms, First Plat, Lot 4	Tax ID# EP99500000 0004	\$4,407
Wiswell Farms, First Plat, Lot 5	Tax ID# EP99500000 0005	\$4,407
Wiswell Farms, First Plat, Lot 6	Tax ID# EP99500000 0006	\$4,407
Wiswell Farms, First Plat, Lot 7	Tax ID# EP99500000 0007	\$4,407
Wiswell Farms, First Plat, Lot 8	Tax ID# EP99500000 0008	\$4,407
Wiswell Farms, First Plat, Lot 9	Tax ID# EP99500000 0009	\$4,407
Wiswell Farms, First Plat, Lot 10	Tax ID# EP99500000 0010	\$4,407
Wiswell Farms, First Plat, Lot 11	Tax ID# EP99500000 0011	\$4,407
Wiswell Farms, First Plat, Lot 12	Tax ID# EP99500000 0012	\$4,407
Wiswell Farms, First Plat, Lot 13	Tax ID# EP99500000 0013	\$4,407
Wiswell Farms, First Plat, Lot 14	Tax ID# EP99500000 0014	\$4,407
Wiswell Farms, First Plat, Lot 15	Tax ID# EP99500000 0015	\$4,407
Wiswell Farms, First Plat, Lot 16	Tax ID# EP99500000 0016	\$4,407
Wiswell Farms, First Plat, Lot 17	Tax ID# EP99500000 0017	\$4,407
Wiswell Farms, First Plat, Lot 18	Tax ID# EP99500000 0018	\$4,407
Wiswell Farms, First Plat, Lot 19	Tax ID# EP99500000 0019	\$4,407
Wiswell Farms, First Plat, Lot 20	Tax ID# EP99500000 0020	\$4,407
Wiswell Farms, First Plat, Lot 21	Tax ID# EP99500000 0021	\$4,407
Wiswell Farms, First Plat, Lot 22	Tax ID# EP99500000 0022	\$4,407
Wiswell Farms, First Plat, Lot 23	Tax ID# EP99500000 0023	\$4,407
Wiswell Farms, First Plat, Lot 24	Tax ID# EP99500000 0024	\$4,407
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Wiswell Farms, First Plat, Lot 31	Tax ID# EP99500000 0031	\$4,407
Wiswell Farms, First Plat, Lot 32	Tax ID# EP99500000 0032	\$4,407
Wiswell Farms, First Plat, Lot 33	Tax ID# EP99500000 0033	\$4,407
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Wiswell Farms, First Plat, Lot 73	Tax ID# EP99500000 0073	\$4,407
Wiswell Farms, First Plat, Lot 74	Tax ID# EP99500000 0074	\$4,407
Wiswell Farms, First Plat, Lot 75	Tax ID# EP99500000 0075	\$4,407
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Wiswell Farms, First Plat, Lot 100	Tax ID# EP99500000 0100	\$4,407
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Wiswell Farms, Second Plat, Lot 195	Tax ID# EP99500000 0195	\$6,584
Wiswell Farms, Third Plat, Lot 196	Tax ID# EP99500000 0196	\$4,336
Wiswell Farms, Third Plat, Lot 197	Tax ID# EP99500000 0197	\$4,336
Wiswell Farms, Third Plat, Lot 198	Tax ID# EP99500000 0198	\$4,336
Wiswell Farms, Third Plat, Lot 199	Tax ID# EP99500000 0199	\$4,336
Wiswell Farms, Third Plat, Lot 200	Tax ID# EP99500000 0200	\$4,336
Wiswell Farms, Third Plat, Lot 201	Tax ID# EP99500000 0201	\$4,336
Wiswell Farms, Third Plat, Lot 202	Tax ID# EP99500000 0202	\$4,336
Wiswell Farms, Third Plat, Lot 203	Tax ID# EP99500000 0203	\$4,336