

(Summary published in The Haysville Sun-Times on October 13, 2016)

THE CITY OF HAYSVILLE, KANSAS

ORDINANCE NO. 1035

AN ORDINANCE CONFIRMING THE AGREEMENT OF THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS, WITH THE HAYSVILLE CITY LAND BANK TO ABATE AND REMOVE PAST DUE INSTALLMENTS OF SPECIAL ASSESSMENTS FROM THE TAX ROLLS ON PARCELS OWNED BY THE LAND BANK AND DECLARING THE INTENT OF THE GOVERNING BODY TO REAMORTIZE SUCH SPECIAL ASSESSMENTS WHEN THE LAND BANK PARCELS ARE CONVEYED BY THE LAND BANK.

WHEREAS, The parcels of land legally described on the attached Exhibit A (hereinafter referred to as the “Land Bank Parcels”) have been acquired by and are owned by the Haysville City Land Bank (the “Land Bank”);

WHEREAS, K.S.A. 2014, Supp. 12-5909, as amended by Section 17 of Senate Substitute for House Bill No. 2109, which became effective July 1, 2015, provides that:

*(e) The governing body of any municipality which has levied special assessments on property acquired by the bank may enter into an agreement with the bank to defer or reamortize part or all of the special assessments. The Governing Body of the municipality shall provide for such deferral or reamortization by passage of an ordinance, if a city, and by passage of a resolution by any other municipality. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.*

WHEREAS, In accordance with the foregoing statute, the Board of Trustees of the City Land Bank has requested that the Governing Body of the City of Haysville abate and reamortize the special assessments associated with the Land Bank Parcels, and the Governing Body of the City of Haysville has determined it is in the best interest of the City to currently abate the delinquent installments of special assessments against the Land Bank Parcels and direct the County Treasurer to remove such delinquent installments from the tax rolls, subject to the City’s right, under the foregoing statute, to reamortize all of the installments of special assessments against each of the Land Bank Parcels, including those abated herein, at such time as the Land Bank Parcels are sold or otherwise conveyed by the Land Bank.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS:**

1. All delinquent installments of special assessments, tax years 2008 through 2015 inclusive, on the Land Bank Parcels are abated upon the effective date of this ordinance. All remaining special assessments due and owing, tax years 2016 through 2027 inclusive, on

the Land Bank Parcels are deferred until such time as the Land Bank parcels are sold or otherwise conveyed by the Land Bank.

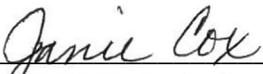
2. The Governing Body of the City of Haysville, Kansas, hereby declares its intent to reamortize all of the installments of special assessments against each of the Land Bank Parcels upon the conveyance of each such parcel by the Land Bank, such reamortization to be in such amounts and for such periods as determined by the Governing Body by ordinance to be adopted at the time of such conveyance.
3. The City Clerk is directed to deliver a copy of this Ordinance to the Sedgwick County Treasurer, and in conformance with K.S.A. 12-5909, direct the Treasurer to take the following action upon the effective date of this Ordinance:
  - a. Verify that all Land Bank parcels are shown as exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state in accordance with K.S.A. 12-5909(a);
  - b. Verify that the Treasurer has, in accordance with K.S.A. 12-5909(b), removed from the tax rolls all taxes, assessments, charges, penalties and interest that were due and payable on the property at the time of acquisition by the Land Bank;
  - c. Remove the installments of past due special assessments currently showing on the tax rolls for the Land Bank Parcels, in accordance with K.S.A. 12-5909(d) and this Ordinance; and
  - d. Take notice that the Governing Body of Haysville has herein provided for the deferral and reamortization of the remaining special assessments due and owing, tax years 2016 through 2027 inclusive, on these Land Bank Parcels by passage of this Ordinance, with the intent to respread over a fifteen year period such remaining special assessments due and owing against each of the Land Bank Parcels at such time as the Land Bank Parcels are sold or otherwise conveyed by the Land Bank.
4. The City Clerk is also directed to deliver a copy of this Ordinance to the Register of Deeds of Sedgwick County, Kansas for recording.
5. All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.
6. This Ordinance shall take effect and be in force from and after the publication of its summary in the official city newspaper.

Passed by the City Council this 11<sup>th</sup> day of October, 2016.

Approved by the Mayor this 11<sup>th</sup> day of October, 2016.

  
MAYOR BRUCE ARMSTRONG

ATTEST:

  
CITY CLERK, Janie Cox



SEAL