

IMPROVEMENT DISTRICT PETITION

TO: THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS

We, the undersigned being owners of record of 100% of the property liable for assessment for the proposed Improvement described in Paragraph 1, below, for our petition to create an Improvement District pursuant to K.S.A. 12-6a01 et seq., hereby understand and agree as follows:

- 1. The proposed Improvements consist of the following:
- 2. The estimated or probable cost of making such Improvement is _____ Million, _____ Hundred, _____ Thousand, _____ Hundred _____ and Zero One Hundredths Dollars (\$, , .00).
- 3. The extent of the proposed Improvement District to be assessed for the costs of making the proposed public improvement shall be the following described tracts:

Metes **and bounds description of** the entire Improvement District

Description of each tract of land included in the Improvement District

- Tract I
- Tract 2
- Tract 3

- 4. The properties in the Improvement District shall be assessed one hundred percent (100%) of the total cost of the project which shall include engineering, financing, administration and legal fees, construction, right-of-way acquisition, if

necessary, inspection and any other items associated with the completion of the project based on the following method of assessment:

Each tract in the Improvement District shall be assessed a percentage of the total project cost, which percentage shall be calculated by dividing that tract's area by the total area of the Improvement District. The percentages are shown below to be assessed against the tracts described above. The amount assessed against each tract shall then be apportioned over the entire tract on a square foot basis.

Tract	Share of Project Cost
1	%
2	%
3	%
Total	100%

5. The apportionment of costs between the Improvement District and City-at-Large will be as follows:

Improvement District	100%
City-at-Large	0%

6. As soon as the Governing Body has approved an estimate of the total cost of the Improvement, the Governing Body, prior to commencement of construction of the Improvement, may determine the maximum amount of the assessment against each lot, piece or parcel of land deemed to be benefited by the Improvement, may hold a hearing to consider the proposed assessments and may levy such assessments in the manner provided by KSA 12-6a10 and 12-6a11.

7. The Governing Body shall not be precluded from levying supplemental assessments as authorized by and for the reasons stated in K.S.A. 12-6a12 and amendments thereto.

8. Without cost to the Improvement District or to the City, we agree to grant to the City of Overland Park, all temporary construction easements and permanent storm drainage easements, and to dedicate all right-of-way necessary to make the above described Improvements, such grants and dedications to be in a form prescribed by the city.

9. The names of the undersigned may not be withdrawn from the petition by the signers hereof after the Governing Body commences consideration of the petition or later than seven (7) days after such filing, whichever occurs first.

10. The undersigned hereby request that said Improvements be made without notice and hearing as provided by K.S.A. 12-6a04(2).

11. The undersigned hereby agree that they will place a written recitation in all real estate contracts of future purchasers of land or platted lots within the proposed Improvement District indicating that the Improvement District has been formed and that there will be an assessment levied upon the land being purchased at some time in the future.

12. The undersigned hereby expressly waive all further rights to claim any damages from the City of Overland Park , Kansas, which may be caused to their properties during construction of the proposed public Improvement.

NOW, THEREFORE, we the undersigned petitioners, request:

(i) that the proposed public improvement be made without notice and hearing as required by K.S.A 12-6a04 (1) as amended, and herein expressly waive such right.

(ii) that the Governing Body of the City of Overland Park make findings by resolution as to the advisability of the Improvements, the nature of the Improvements, the estimated cost, the boundaries of the Improvement District, the method of assessment and apportionment of the cost and such other pertinent matters, all as requested and provided herein; and

(iii) that the Governing Body adopt a resolution authorizing the Improvements in accordance with its findings as to the advisability thereof.

IN WITNESS WHEREOF, we, the undersigned petitioners, have executed the above and foregoing petition to create an Improvement District on the dates set forth opposite our respective names below.

TRACT I

Address: _____

Date: _____

VERIFICATION

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

_____, as a member of _____, a Kansas limited liability company, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signature and address thereon, and that said signature and address of the signer thereto is genuine, and that he is one of the signers of said petition.

WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My appointment/commission expires:

Notary Public

TRACT 2

Address: _____

Date: _____

VERIFICATION

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

_____, as a member of _____, a Kansas limited liability company, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signature and address thereon, and that said signature and address of the signer thereto is genuine, and that he is one of the signers of said petition.

WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My appointment/commission expires:

Notary Public

TRACT 3

Address: _____

Date: _____

VERIFICATION

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

_____, as a member of _____, a Kansas limited liability company, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signature and address thereon, and that said signature and address of the signer thereto is genuine, and that he is one of the signers of said petition.

WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My appointment/commission expires:

Notary Public
