

## BACKGROUND

### STANLEY STORM DRAINAGE IMPROVEMENT DISTRICT

**December 7, 2009 – PREPARATION OF FEASIBILITY STUDY AND CIRCULATION OF PETITION.** Governing Body approves preparation of a feasibility study and the circulation of a formal petition to create an improvement district for a flood control project on Negro Creek between Metcalf and Glenwood, South of 151<sup>st</sup> Terrace.

**Approximately March 15, 2011 – RESIDENTS SIGN PETITION.** Storm Drainage Improvement Petition; Stanley Storm Drainage Improvements, 151st Terrace and Metcalf, City of Overland Park, Johnson County, Kansas.

- Estimated cost of improvement: \$4,500,000.00

**April 4, 2011 – DIRECTION TO REVISE PETITION TO PROVIDE FOR DONATION OF EASEMENTS OR ASSESSMENT OF ACQUISITION COSTS.** Governing Body declines approval of the Petition and directs staff to revise Petition and Feasibility Study to contemplate donation of easement and/or assessment of the easement acquisition costs to the benefited parties who did not donate easements.

**April 18, 2011 – NEW PETITION PROVIDING FOR DONATION OF EASEMENTS OR ASSESSMENT OF ACQUISITION COSTS.**

**May 16, 2011 – GOVERNING BODY APPROVES CREATION OF STANLEY STORM DRAINAGE IMPROVEMENT DISTRICT** (April 18, 2011 Petition).

-Governing Body approves Resolution No. 3879 – A Resolution setting forth Findings and Determinations of the Governing Body on the Advisability of the Creation of an Improvement District for the Construction of a Flood Control Project along Negro Creek between Metcalf Avenue and Glenwood Street, South of 151<sup>st</sup> Terrace. (I.D. No. 11-198/SD-1057).

**Approximately April – May 2015 – ESTIMATED PROJECT COSTS INCREASE.**

-Estimated Project costs increased from approximately \$4.5 Million to approximately \$7.3 Million.

-Because of the increase in estimated costs, the improvement district has to be reformed.

**May 27, 2015 & May 39, 2017 – NEW PETITION FILED & FIRST AMENDMENT TO PETITION FILED WITH THE CITY.** Storm Drainage Improvement Petition; Stanley Storm Drainage Improvements, 151st Terrace and Metcalf, City of Overland Park, Johnson County, Kansas

-Estimated cost of improvement: \$7,289,848.00

-City at large will pay 95% of the total cost of the Project, excluding the costs of acquiring land necessary for the Project (the "Base Project Costs"). The Improvement District shall pay 5% of the Base Project Costs and shall pay the costs of land necessary for the Project (the "Improvement District Portion").

-Each benefited tract within the Improvement District shall be assessed its proportionate share of the Improvement District Portion based upon a percentage determined by the amount of the assessed valuation of each benefitted tract as recorded in the Johnson County Appraiser's office on January 1, 2015 (the "Assessed Valuation") bears to the assessed valuation of all benefitted tracts located within the Improvement District on such date, subject to the following:

- a. Assessments for tracts of land for which an owner had dedicated or conveyed property in accordance with K.S.A. 12-692:

...shall exclude costs of acquiring land necessary for the Project within the Improvement District.

- b. Assessments for tracts of land for which an owner of such land has not dedicated or conveyed property in accordance with K.S.A. 12-692:

...shall include the costs of acquiring land necessary for the Project within the Improvement District.

-8 of the 12 property owners within the improvement district signed the revised Petition.

-8 of the 10 property owners who will receive an assessment signed the revised Petition.

**June 1, 2015 – GOVERNING BODY APPROVES RECREATION OF IMPROVEMENT DISTRICT AND DISSOLUTION OF EXISTING IMPROVEMENT DISTRICT.**

-Governing Body approves directing staff to create an improvement district and authorize the dissolution of the existing improvement district; approve project budget and authorize a mitigation purchase agreement.

-Resolution No. 4146 – A Resolution Authorizing and Providing for the Recreation of an Improvement District for the Construction of a Flood Control Project along Negro Creek between Metcalf Avenue and Glenwood Street, South Of 151<sup>st</sup> Terrace; Rescinding Resolution No. 3880 (I.D. No. 11-198/SD-1057).

**EXHIBITS\***

A – May 27, 2017 – Storm Drainage Improvement Petition

B – May 29, 2017 – First Amendment to Storm Drainage Improvement Petition

C – Resolution No. 4146

\*Signatures redacted.

**EXHIBIT A**

**STORM DRAINAGE IMPROVEMENT PETITION  
STANLEY STORM DRAINAGE IMPROVEMENTS,  
151<sup>ST</sup> TERRACE AND METCALF  
CITY OF OVERLAND PARK  
JOHNSON COUNTY, KANSAS**



*email: Saw Dept (Oweas)  
PW - Keenan  
Hermann  
5-27-15 me*

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

I, as an undersigned owner of record of property liable for assessment for the following proposed improvements:

The construction of a public flood control project along Negro Creek between Metcalf Avenue and Glenwood Street, south of 151<sup>st</sup> Terrace, to reduce flooding and benefit various properties adjacent to Negro Creek, including the following locations: part of Section 8, Township 14 South, Range 25 East, including but not limited to, land in LIGON'S 1<sup>ST</sup> ADDITION, a subdivision, all of which lies within the City of Overland Park, Johnson County, Kansas, which will include but not be limited to storm sewer improvements consisting of excavation, storm sewer and inlet installation, grade control measures, roadway repairs, restoration, utility relocations, retaining wall construction, design, inspection, and easement acquisition (the "Improvements").

hereby propose that such Improvements be made in the manner provided by Article 6a, Chapter 12, of the Kansas Statutes Annotated, as amended.

WHEREAS, I understand that the probable or estimated cost of making such Improvements is **SEVEN MILLION TWO HUNDRED EIGHTY NINE THOUSAND EIGHT HUNDRED FORTY EIGHT DOLLARS (\$7,289,848.00) (the "Project Cost")**; and

WHEREAS, I understand that those properties abutting or near Negro Creek that have buildings or property subject to frequent or periodic flooding will be assessed for benefits received; and, that the extent of the proposed improvement district to be assessed for the costs of making the proposed public Improvements shall be the following described tract (the "Improvement District"):



All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, and 60 feet East of the Southwest corner thereof, as measured along said South line, said point also being on the Easterly right-of way line of Metcalf Avenue, as now established; thence  $N 0^{\circ} E$  along said Easterly right-of way line and parallel to the West line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, a distance of 100 feet (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North  $0^{\circ}$  East); thence  $N 90^{\circ} W$ , continuing along said Easterly right-of way line and along the line parallel to the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, a distance of 30 feet; thence  $N 0^{\circ} E$ , continuing along said Easterly right-of way line and parallel to the West line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8 a distance of 511.60 feet to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established; thence  $N 88^{\circ} 27' E$ , along the centerline of said Kansas City, Clinton and Springfield Railroad, 357.14 feet; thence  $S 0^{\circ} E$ , a distance of 50.02 feet, to a point on the Southerly right-of-way line of the Kansas City, Clinton and Springfield Railroad; thence  $N 88^{\circ} 27' E$ , along the Southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, a distance of 12.76 feet, to a point of curvature; thence Easterly, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right, having a radius of 1860.08 feet, a distance of 8.16 feet; thence  $S 0^{\circ} E$ , a distance of 162.09 feet; thence  $N 90^{\circ} E$ , a distance of 258.08 feet, to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence North  $0^{\circ}$  East along the southerly extension of the East line of said Lot 11, a distance of 150 feet to a point on the southerly right-of-way line of the abandon Kansas City, Clinton and Springfield Railroad, thence Easterly, and Southeasterly, along the southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1860.8 feet, a central angle of  $1^{\circ} 51' 53''$  and whose initial tangent bearing is  $S 83^{\circ} 20' 02'' E$ , a distance of 60.54 feet, to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence  $S 0^{\circ} E$ , along the Southerly extension of the West line of said Lot 1, a distance of 100 feet, to a point; thence  $N 90^{\circ} E$ , a distance of 175 feet; thence  $N 0^{\circ} E$ , a distance of

116.59 feet to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established; thence Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet, a central angle of  $13^{\circ}34'27''$  and whose initial tangent bearing is  $S\ 76^{\circ}20'42''\ E$ , a distance of 452.53 feet to a point; said point being on the East line of the Northwest Quarter of the Northwest Quarter of said Section 8; thence  $S\ 0^{\circ}07'56''\ W$ , along the East line of the Northwest Quarter of the Northwest Quarter, a distance of 415.51 feet to the Southeast corner thereof; thence  $N\ 89^{\circ}50'44''\ W$ , along the South line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8, a distance of 943.09 feet to a point; thence  $S\ 65^{\circ}18'44''\ W$ , a distance of 190.42 feet; thence  $S\ 89^{\circ}50'32''\ W$ , a distance of 80.93 feet; thence  $S\ 64^{\circ}56'13''\ W$ , a distance of 95 feet to a point on the West line of Lot 1 of the RESURVEY OF FRYE INDUSTRIAL PARK, a subdivision in the City of Overland Park, Johnson County, Kansas; said point also being on the Easterly right-of-way of Metcalf Avenue; thence  $N\ 0^{\circ}\ E$ , along said right-of-way, a distance of 120.48 feet to the Northwest corner of said Lot 1; thence East, along the North line of said Lot 1, and along the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, a distance of 20 feet to the Point of Beginning (the Improvement District").

Total area within this Improvement District, excluding the area within existing public right-of way is 15.66 acres, more or less.

Included in the above tract, is the following described real property:

#### **TRACT 1**

All the part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 8; thence North 0 degrees East, along the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, 261.96 feet; thence North 90 degrees East, along a line perpendicular to the West line of the Northwest Quarter of the Northwest Quarter 341 feet, to the true point of beginning of subject tract; thence continuing North 90 degrees East, 325 feet; thence South 0 degrees East 85 feet; thence North 90 degrees West, 325 feet; thence North 0 degrees East, 85 feet, to the true point of beginning of subject tract.

## TRACT 2

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the South right-of-way line of the Kansas City, Clinton and Springfield Railroad as now located at its intersection with the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence South 0 degrees East (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East), 160 feet, to the true point of beginning of subject tract; thence continuing South 0 degrees East, along the Southerly extension of the West line of said Lot 1, 215 feet; thence North 90 degrees East, 200 feet; thence North 0 degrees East, 215 feet; thence North 90 degrees West, 200 feet, to the true point of beginning of subject tract.

## TRACT 3

All that part of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8 and 726 feet East of the Southwest corner thereof, as measured along said South line, said point also being on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence N 0° E, along the Southerly extension of the West line of said Lot 1, and along a line parallel to the West line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section 8, a distance of 179.99 feet; thence N 90° E, a distance of 200 feet; thence N 0° E, a distance of 58.63 feet; thence N 70° 12' 49" E, a distance of 73 feet; thence N 79° 43' 26" E, a distance of 112.39 feet; thence S 75° 43' 13" E, a distance of 165.14 feet; thence S 57° 01' 08" E, a distance of 69.44 feet, to a point on the East line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8; thence S 0° 07' 56" W, along the East line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8, a distance of 206.46 feet, to the

Southeast corner thereof; thence N 89° 50' 44" W, along the South line of the NW ¼ of the NW ¼ of said Section 8, a distance 597.09 feet, to the point of beginning.

#### **TRACT 4**

All that part of the Northwest ¼ of the Northwest ¼ of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of Northwest ¼ of the Northwest ¼ of said Section 8, and 341 feet East of the Southwest corner thereof, as measured along said South line; thence North 0 degrees East along a line parallel to the West line of the Northwest ¼ of the Northwest ¼ of said Section 8, a distance of 176.96 feet; thence North 90 degrees East, a distance of 325 feet to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence South 0 degrees East along the Southerly extension of the East line of said Lot 11, a distance of 177.84 feet, to a point on the South line of the Northwest ¼ of the Northwest ¼ of said Section 8; thence North 89 degrees 50' 44" West, along the South line of the Northwest ¼ of the Northwest ¼ of said Section 8, a distance of 325 feet, to the point of beginning.

#### **TRACT 5**

All that part of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest ¼ of the Northwest ¼ of said Section 8, thence North 0 degrees East, along the West line of the Northwest ¼ of the Northwest ¼ of Section 8, a distance of 346 feet, thence South 89 degrees 50' 44" East along a line parallel to the South line of the Northwest ¼ of the Northwest ¼ of said Section 8, a distance of 341 feet to the True Point of Beginning of Subject tract; thence continuing South 89 degrees 50' 44" East a distance of 66.92 feet, thence North 0 degrees East, a distance of 66.14 feet, thence North 90 degrees East a distance of 258.08 feet, to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence South 0 degrees East along the Southerly extension of the East line of said Lot 11, a distance of

150 feet, thence North 90 degrees West a distance of 325 feet, thence North 0 degrees East, a distance of 84.04 feet to the True Point of Beginning of Subject Tract, subject to the rights of the public to use any part in public roads.

#### **TRACT 6**

Part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 8; thence North 0° East, along the West line of the Northwest Quarter of the Northwest Quarter of Section 8, 612.13 feet, to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established; thence North 88°27' East, along the centerline of said Kansas City, Clinton and Springfield Railroad, 398.55 feet, to a point of curvature; thence Easterly, and Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet and a central angle of 15°12'18", 506.90 feet, to the true point of beginning of subject tract; thence continuing, Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet, a central angle of 13°34'27" and whose initial tangent bearing is South 76° 20' 42" East, 452.53 feet, to a point on the East line of the Northwest Quarter of the Northwest Quarter of said Section 8; thence South 0°07'56" West, along the East line of the Northwest Quarter of the Northwest Quarter 209.05 feet; thence North 57°01'08" West, 69.44 feet; thence North 75°43'14" West, 165.14 feet; thence South 79°43'26" West, 112.39 feet; thence South 70°12'49" West, 73 feet; thence North 0° East, 156.37 feet; thence North 90° West, 200 feet; thence North 0° East, 60 feet; thence North 90° East, 175 feet; thence North 0° East, 116.59 feet, to the True Point of Beginning of subject tract, except that part in streets and roads.

#### **TRACT 7**

Part of the Northwest ¼ of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 8; thence North 346 feet; thence East 341 feet; thence South 346

feet; thence West 341 feet; to the point of beginning, except the south 100 feet, and subject to any part thereof in street or road.

**TRACT 8 (A)**

Part of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 8; thence North 100 feet; thence East 341 feet; thence South 100 feet; thence West 341 feet to the point of beginning, subject to any part thereof in streets, roads or highways.

**TRACT 8 (B)**

Beginning at the N.W. corner of Lot 1 of the RESURVEY OF FRYE INDUSTRIAL PARK, a subdivision in the City of Overland Park, Johnson County, Kansas; thence S.  $89^{\circ} 50' 43''$  E., along the N. line of said Lot 1, a distance of 340.00 feet to a point; thence S.  $65^{\circ} 18' 44''$  W. a distance of 190.42 feet to a point; thence N.  $89^{\circ} 50' 32''$  W. a distance of 80.93 feet to a point; thence S.  $64^{\circ} 56' 13''$  W., a distance of 95.00 feet to a point in the Easterly right-of-way of Metcalf Avenue; thence N.  $0^{\circ} 00' 00''$  E., along the said Easterly right-of-way, a distance of 120.48 feet to the point of beginning.

**TRACT 9**

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, in the City of Overland Park, Johnson County, Kansas, more particularly described as follows: beginning at a point on the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, and 346 feet North of the Southwest corner thereof; thence North  $0^{\circ}$  East, along the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, a distance of 133.60 feet; thence South  $68^{\circ} 23' 38''$  East, a distance of 366.77 feet; thence North  $89^{\circ} 50' 44''$  West, a distance of 341 feet, to the point of beginning, subject to that portion thereof now being used, dedicated or condemned for highway purposes.

#### TRACT 10

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the West line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8, and 479.60 feet North of the Southwest corner thereof; thence North 0 degrees East, along the West line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 8, a distance of 132 feet, to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now located; thence North 88 degrees 27 minutes East, along the centerline of said Kansas City, Clinton and Springfield Railroad, a distance of 387.14 feet; thence South 0 degrees East, a distance of 50.02 feet, to a point on the Southerly right-of-way line of the Kansas City, Clinton and Springfield Railroad; thence North 88 degrees 27 minutes East, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, a distance of 12.76 feet, to a point of curvature; thence Easterly, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right, having a radius of 1860.08 feet, a distance of 8.16 feet; thence South 0 degrees East, a distance of 228.23 feet; thence North 89 degrees 50 minutes 44 seconds West, a distance of 66.92 feet; thence North 68 degrees 23 minutes 38 seconds West, a distance of 366.77 feet, to a point of beginning, subject to that portion thereof now being used or dedicated or condemned for highway purposes.

#### TRACT 11

All that part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, and 666 feet East of the Southwest corner thereof, as measured along said South line; said point also being on the Southerly extension of the East line of Lot 11, Block 6, LIGNON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence North 0 degrees East along a line parallel to the West line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, and along the Southerly extension of the east line of said Lot 11, a distance of 177.84 feet; thence North 88 degrees 05 minutes 27 seconds East, a distance of 60.03 feet to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision of land



in Johnson County, Kansas; thence South 0 degrees East along the Southerly extension of the West line of said Lot 1, a distance of 179.99 feet, to a point on the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8; thence North 89 degrees 50 minutes 44 seconds West, along the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, a distance of 60 feet, to the point of beginning.

## **TRACT 12**

All that part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, and 666 feet East of the Southwest corner thereof, as measured along said South line; thence North 0 degrees East along a line parallel to the West line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 8, a distance of 177.84 feet to the True Point of Beginning; thence continuing North 0 degrees East, a distance of 385.00 feet, said point being on the southerly right-of-way line of the abandon Kansas City, Clinton and Springfield Railroad, said point also being on the Southerly extension of the East line of Lot 11, Block 6, LIGNON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence Easterly, and Southeasterly, along the southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1860.8 feet, 60.54 feet, to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence South 0 degrees West (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East), along the Southerly extension of the West line of said Lot 1, a distance of 375 feet, to a point; thence South 88 degrees 05 minutes 27 seconds West, a distance of 60.03 feet to the True Point of Beginning.

WHEREAS, I understand that the proposed method of assessing the costs of the proposed public Improvements is as follows:

METHOD OF ASSESSMENT: The City-at-large will pay 95% of the total cost of the Project, excluding the costs of acquiring land necessary for the Project within the Improvement District



(the "Base Project Costs"). The Improvement District shall pay 5% of the Base Project Costs and shall pay the costs of acquiring land necessary for the Project within the Improvement District (the "Improvement District Portion"). Each benefitted tract within the Improvement District shall be assessed its proportionate share of the Improvement District Portion based upon a percentage determined by the amount of the assessed valuation of each benefitted tract as recorded in the Johnson County Appraiser's office on January 1, 2014 (the "Assessed Valuation") bears to the assessed valuation of all benefitted tracts located within the Improvement District on such date, subject to the following:

- a. Assessments for tracts of land for which an owner of such land has dedicated or conveyed property in accordance with K.S.A.12-692:

The percentage of the Assessed Valuation calculated as set forth above in an amount necessary to pay each parcel's proportionate share of the Improvement District Portion; provided that for the purposes of determining the Improvement District Portion for such tracts such Improvement District Portion shall exclude the costs of acquiring land necessary for the Project within the Improvement District.

- b. Assessments for tracts of land for which an owner of such land has not dedicated or conveyed property in accordance with K.S.A.12-692:

The percentage of the Assessed Valuation calculated as set forth above in an amount necessary to pay each parcel's proportional share of the Improvement District Portion, provided that for the purposes of determining the Improvement District Portion for such tracts such Improvement District Portion shall include the costs of acquiring land necessary for the Project within the Improvement District.

The estimated Improvement District assessment for each tract is detailed in **Attachment E**.

WHEREAS, I understand the apportionment of costs between the Improvement District and City-at-Large will be as follows:

APPORTIONMENT OF COSTS: The apportionment of costs between the Improvement District and City-at-Large will be as follows:

- a. The Improvement District shall pay the amounts as set forth in the preceding paragraph.
- b. The City-at-large will pay the balance of all costs.

WHEREAS, I understand that after the total cost of the Improvements has been determined, the Governing Body will cause the assessment against each lot, piece or parcel of land within the Improvement District, to be determined in a manner set forth in K.S.A. 12-6a09 and 12-6a10.

WHEREAS, I further propose that the Governing Body of the CITY OF OVERLAND PARK, KANSAS, find by resolution that it is advisable to create the Improvement District described in the foregoing recitals hereof and make such other findings as are authorized and provided in K.S.A. 12-6a04 and amendments thereto and authorize the Improvements as provided in K.S.A. 12-6a06 and amendments thereto.

NOW, THEREFORE, I request that the proposed public improvement be made without notice and hearing as required by K.S.A. 12-6a04 as amended, and herein expressly waive such right. I understand that names 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 with the City Clerk, whichever occurs first. I further understand that the construction of the Improvements will include the replacement of fences, finish grading and sodding or seeding of all disturbed areas. I hereby expressly waive all further rights to claim any other damages from the CITY OF OVERLAND PARK, KANSAS, which may be caused to my property during construction of the proposed Improvement. I have personally signed this petition. I am an owner of property located in the proposed improvement district and my property and residence addresses are correctly written after my name

IN WITNESS WHEREOF, we, the undersigned petitioners, have executed the above and foregoing petition to create IMPROVEMENT DISTRICT NO. 11-198 this 14<sup>th</sup> day of MAY, 2019.

TRACT 2

Tract Owner: **AMNI GROUP LLC**  
a Kansas corporation

Authorized Signatory (Printed Name & Title) PARTNER

Signature: \_\_\_\_\_

Address: 15237 BROADMOOR ST

Date: 5/14/15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

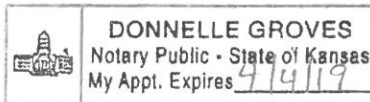
\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

My appointment/commission expires:



***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***

TRACT 3

Tract Owner: **ODONNELL & SONS  
CONSTRUCTION**

Authorized Signatory (Printed Name & Title) Pres

Signature \_\_\_\_\_

Address: 15501 BROADMOOR ST

Date: 5/20/15

VERIFICATION

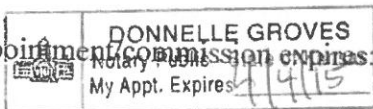
STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

Signature \_\_\_\_\_

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

My appointment/Commission expires: 7/4/15



Notary Public \_\_\_\_\_

***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***

TRACT 4

Tract Owner: **FLOYD BAIR**

Signature: \_\_\_\_\_

Tract Owner: **BESSIE BAIR**

Signature: Deceased

Address: 15300 BROADMOOR ST

Date: 5/14/15

VERIFICATION

STATE OF KANSAS

)  
) SS  
)

COUNTY OF JOHNSON

\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

Signature of Verifying Petitioner

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

Notary Public

appointment/commission expires:



TRACT 5

Tract Owner: **STANLEY WOOD PRODUCTS, INC.**

Authorized Signatory (Printed Name & Title) CEO

Signature: \_\_\_\_\_

Address: 15248 BROADMOOR ST

Date: 5/20/2015

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

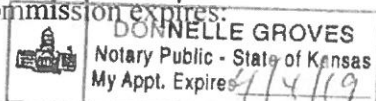
\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

appointment/commission expires:



***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***

TRACT 6

Tract Owner: **CONCRETE PROPERTIES, L.L.C.**  
a Kansas general partnership

Authorized Signatory (Printed Name & Title)

Signature: \_\_\_\_\_

Address: 15233 BROADMOOR ST

Date: 5.12.15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

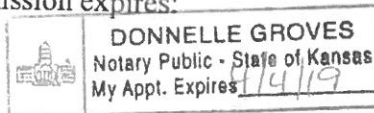
\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature of Verifying Person

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

\_\_\_\_\_  
Notary Public

appointment/commission expires:



*If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.*

**TRACT 7**

Tract Owner: **PAUL J. KRANKER JR.**

Signature: \_\_\_\_\_

Tract Owner: **SHERRYL L. KRANKER**

Signature: \_\_\_\_\_

Address: 15265 METCALF AVE

Date: 5/12/15

**VERIFICATION**

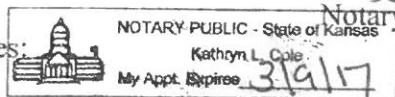
STATE OF KANSAS                    )  
  ) SS  
COUNTY OF JOHNSON            )

\_\_\_\_\_ eing first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

/ Signature of Verifying Petitioner \_\_\_\_\_

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

/commission expires: \_\_\_\_\_



Notary Public \_\_\_\_\_

***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***



TRACT 8

Tract Owner: TINAS QUICKWASH, INC

Authorized Signatory (Printed Name & Title)

Signature:

Address: 15271 METCALF AVE

Date: 5-21-15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

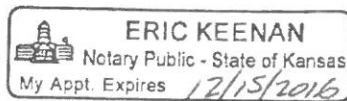
\_\_\_\_\_ being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
(Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

/commission expires:



***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***

TRACT 9

Tract Owner: MOHSEN POURMEMAR

Signature: \_\_\_\_\_

Address: 15245 METCALF AVE

Date: 26/may/15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

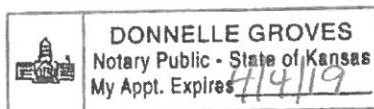
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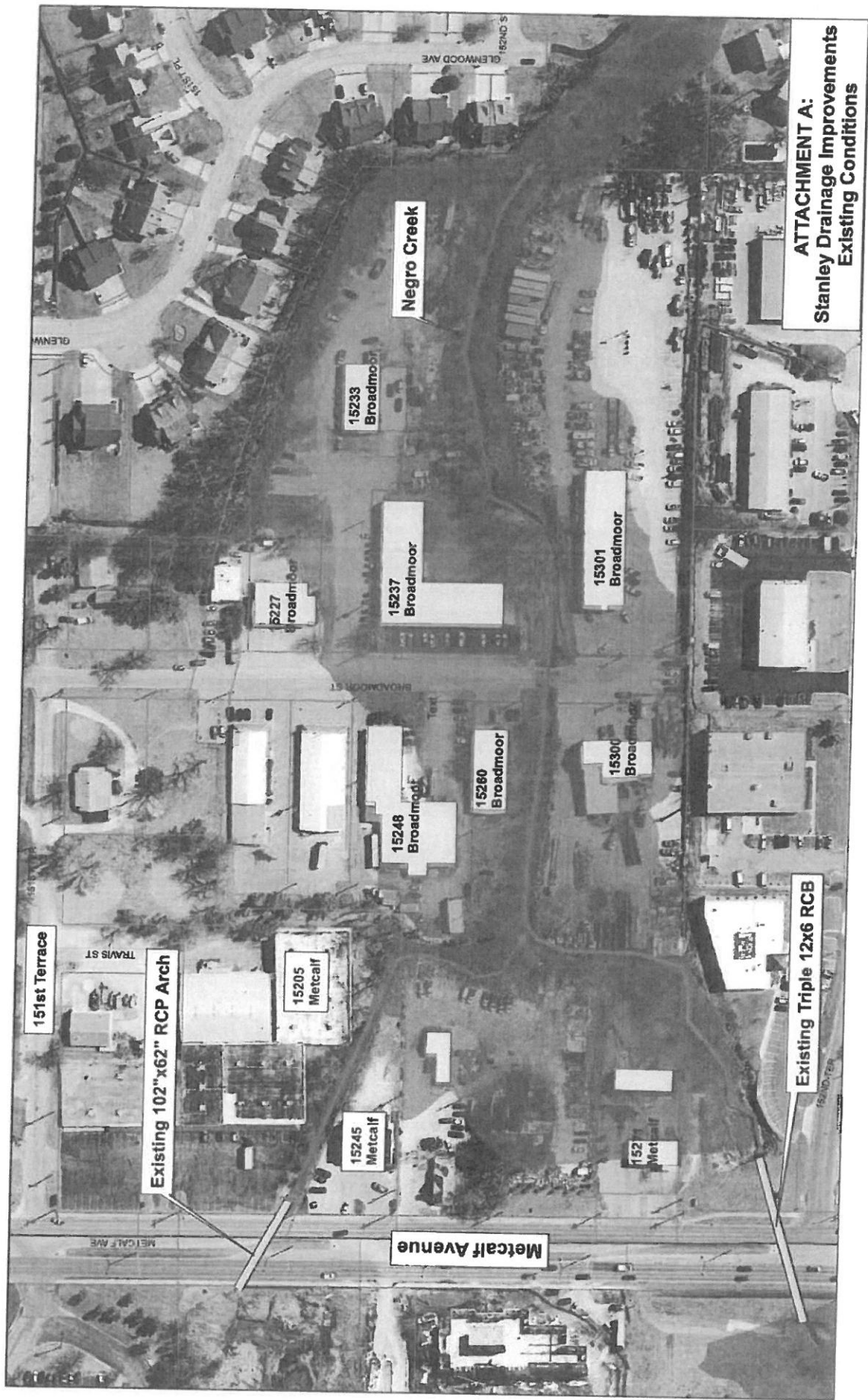
\_\_\_\_\_  
Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

appointment/commission expires:





**ATTACHMENT A:**  
**Stanley Drainage Improvements**  
**Existing Conditions**

151st Terrace

TRAVIS ST

Existing 102"x62" RCP Arch

15205 Metcalf

15245 Metcalf

Metcalf Avenue

15248 Broadmoor

15280 Broadmoor

15237 Broadmoor

15233 Broadmoor

15227 Broadmoor

Negro Creek

15301 Broadmoor

15300 Broadmoor

Existing Triple 12x6 RCB

GLENWOOD AVE

GLENWOOD AVE

15301 Broadmoor

Attachment B  
Estimate of Project Costs

Item No.	Description	Unit	Amount	Cost/Unit	Cost
1	Force Account	L.S.	1	\$ 200,000.00	\$200,000.00
2	Maintenance Bond	L.S.	1	\$ 25,000.00	\$25,000.00
3	Maintenance Bond (JCW) (3-year)	L.S.	1	\$ 2,500.00	\$2,500.00
4	Clearing and Grubbing	L.S.	1	\$ 130,000.00	\$130,000.00
5	Unclassified Excavation	C.Y.	35200	\$ 25.00	\$880,000.00
6	Excavation (Unsuitable)	C.Y.	500	\$ 60.00	\$30,000.00
7	Excavation (Unstable)	C.Y.	500	\$ 60.00	\$30,000.00
8	Compaction of Earthwork (Type AA)	C.Y.	1130	\$ 4.00	\$4,520.00
9	Removal of Existing Structures	L.S.	1	\$ 80,000.00	\$80,000.00
10	Removal of Septic Tank	L.S.	1	\$ 3,500.00	\$3,500.00
11	Demolish Building	Ea.	2	\$ 12,000.00	\$24,000.00
12	Tree Removal	L.S.	1	\$ 72,000.00	\$72,000.00
13	KCMMB 5K Concrete (Triple Cell RCB 2-12'x6' and 1-9'x6')	C.Y.	3630	\$ 545.00	\$1,978,350.00
14	KCMMB 5K Concrete (Double Cell RCB 2-12'x6')	C.Y.	1300	\$ 600.00	\$780,000.00
15	KCMMB 5K Concrete (Single Cell RCB 9'x4')	C.Y.	512	\$ 650.00	\$332,800.00
16	KCMMB 5K Concrete (RCB Transition Double 12'x6' to Triple 12'x6')	C.Y.	115	\$ 700.00	\$80,500.00
17	KCMMB 5K Concrete (RCB Transition 9'x6' to 9'x4')	C.Y.	14	\$ 1,500.00	\$21,000.00
18	KCMMB 5K Concrete (RCB Transition 9'x4' to 102"x60" RCPA)	C.Y.	11	\$ 1,500.00	\$16,500.00
19	KCMMB 5K Concrete (8' Wide Rectangular Concrete Channel)	C.Y.	71	\$ 800.00	\$56,800.00
20	KCMMB 5K Concrete (Rectangular Concrete Channel Transition)	C.Y.	8	\$ 1,500.00	\$12,000.00
21	KCMMB 5K Concrete (Outlet Structure Headwall, Retaining Walls, and Concrete Apron)	C.Y.	42	\$ 1,500.00	\$63,000.00
22	KCMMB 5K Concrete (Access Road Retaining Walls)	C.Y.	18	\$ 1,500.00	\$27,000.00
23	KCMMB 4K Concrete (6" Concrete Ditch Lining)	C.Y.	4	\$ 700.00	\$2,800.00
24	Riprap (1/2 Ton KDOT)	S.Y.	1118	\$ 45.00	\$50,310.00
25	Grate Inlet (6'x6')(Complete) (Special)	Ea.	1	\$ 6,000.00	\$6,000.00
26	Grate Inlet (4'x4')(Complete) (Special)	Ea.	2	\$ 3,000.00	\$6,000.00
27	Grate Inlet (4'x4')(Complete)	Ea.	1	\$ 3,000.00	\$3,000.00
28	Area Inlet (6'x6')(Complete) (Special)	Ea.	1	\$ 3,500.00	\$3,500.00
29	Area Inlet (6'x6')(Complete)	Ea.	1	\$ 4,600.00	\$4,600.00
30	Area Inlet (4'x4')(Complete) (Special)	Ea.	4	\$ 3,000.00	\$12,000.00
31	Area Inlet (4'x4')(Complete)	Ea.	3	\$ 3,500.00	\$10,500.00
32	Area Inlet (4'x4' w/Wall)(Complete)	Ea.	1	\$ 6,000.00	\$6,000.00
33	Junction Box (5'x4')(Complete)	Ea.	1	\$ 4,500.00	\$4,500.00
34	Junction Box (4'x4')(Complete)	Ea.	2	\$ 3,500.00	\$7,000.00
35	4' RCB Access Manholes (Complete)	Ea.	11	\$ 1,500.00	\$16,500.00
36	Adjustment of Manholes	Ea.	3	\$ 1,000.00	\$3,000.00
37	Concrete Collar	Ea.	6	\$ 2,000.00	\$12,000.00
38	Connection to RCB	Ea.	9	\$ 900.00	\$8,100.00
39	36" Storm Sewer (RCP Class III)	L.F.	5	\$ 250.00	\$1,250.00
40	30" Storm Sewer (Temporary) (Triple)	L.F.	45	\$ 200.00	\$9,000.00
41	24" Storm Sewer (RCP Class III)	L.F.	212	\$ 100.00	\$21,200.00
42	15" Storm Sewer (RCP Class III)	L.F.	105	\$ 75.00	\$7,875.00
43	12" Storm Sewer (RCP Class III)	L.F.	5	\$ 70.00	\$350.00
44	30" End Section (RCP Class III)	Ea.	1	\$ 1,200.00	\$1,200.00
45	12" End Section (RCP Class III)	Ea.	1	\$ 850.00	\$850.00
46	6" Sanitary Sewer (Class 50 DIP)	L.F.	100	\$ 85.00	\$8,500.00
47	Casing Pipe (12" Steel)	L.F.	100	\$ 75.00	\$7,500.00
48	Pipe Underdrain (6" Type H)	L.F.	475	\$ 20.00	\$9,500.00
49	Casing Pipe (8" SDR 35 PVC)	L.F.	50	\$ 35.00	\$1,750.00
50	Casing Pipe (6" HDPE)(WaterOne)	L.F.	40	\$ 45.00	\$1,800.00
51	Electric Service Relocation	Ea.	1	\$ 20,070.00	\$20,070.00
52	Curb and Gutter, Combined (Type B)	L.F.	98	\$ 42.00	\$4,116.00
53	Curb and Gutter, Combined (Type C-1)	L.F.	69	\$ 42.00	\$2,898.00

54	Concrete Pavement (7" Access Road)	S.Y.	122	\$ 57.00	\$6,954.00
55	Concrete Pavement (8" Parking Lot)	S.Y.	1044	\$ 48.00	\$50,112.00
56	Concrete Pavement (6" Trail)	S.Y.	40	\$ 46.00	\$1,840.00
57	Temporary Surfacing Material (8" AB-3 O.P. Modified Gravel Parking Lot)	Tons	587	\$ 32.00	\$18,784.00
58	Asphaltic Concrete (8" Asphalt Pavement Parking Lot)	Tons	2310	\$ 72.00	\$166,320.00
59	Asphaltic Concrete (2" Surface Course)	Tons	46	\$ 77.00	\$3,542.00
60	Asphaltic Concrete (8" Intermediate Course)	Tons	183	\$ 70.00	\$12,810.00
61	Fly Ash Treated Subgrade (8")	Tons	19	\$ 70.00	\$1,330.00
62	Manipulation for Fly Ash Treated Subgrade (8")	S.Y.	420	\$ 10.00	\$4,200.00
63	Asphaltic Concrete (4" Walking Trail)	Tons	31	\$ 105.00	\$3,255.00
64	Sidewalk Ramp (Type A)	S.F.	85	\$ 65.00	\$5,525.00
65	Temporary Asphaltic Concrete (6" Intermediate Shoefly)	Tons	140	\$ 85.00	\$11,900.00
66	Aggregate for Base (4" AB-3 O.P. Modified Shoefly)	Tons	567	\$ 40.00	\$22,680.00
67	Pavement Marking Paint (4" White)	L.F.	54	\$ 5.00	\$270.00
68	Fence (Chain Link)(Temporary)	L.F.	936	\$ 13.00	\$12,168.00
69	Fence (PVC)(48")	L.F.	378	\$ 34.00	\$12,852.00
70	Fence (Security Fence)(72")	L.F.	740	\$ 33.00	\$24,420.00
71	Fence (Chain Link)(72")	L.F.	260	\$ 30.00	\$7,800.00
72	Fence (Wood Privacy Fence)(72")	L.F.	16	\$ 51.00	\$816.00
73	Fence (Chain Link)(42")	L.F.	31	\$ 31.00	\$961.00
74	Gate (Access Road)	Ea.	1	\$ 3,000.00	\$3,000.00
75	Temporary Seed	Acre	6.5	\$ 900.00	\$5,850.00
76	Hydraulic Mulching	Acre	6.5	\$ 1,000.00	\$6,500.00
77	Sod (Fescue)	S.Y.	18766	\$ 5.00	\$93,830.00
78	Lawn Sprinkler System	L.S.	1	\$ 7,500.00	\$7,500.00
79	Stabilized Construction Entrance	Tons	120	\$ 45.00	\$5,400.00
80	Silt Fence	L.F.	4560	\$ 1.40	\$6,384.00
81	Rock Ditch Check	L.F.	5	\$ 400.00	\$2,000.00
82	Inlet Protection	Ea.	13	\$ 60.00	\$780.00
83	Project Sign (SMAC)	Ea.	2	\$ 400.00	\$800.00
84	Traffic Control	L.S.	1	\$ 3,000.00	\$3,000.00
85	Contractor Furnished Staking	L.S.	1	\$ 10,000.00	\$10,000.00
86	PreConstruction Survey	Ea.	4	\$ 3,000.00	\$12,000.00
<b>SANITARY SEWER IMPROVEMENTS</b>					
1	6' Inside Drop Manhole	Ea.	1	\$ 13,000.00	\$13,000.00
2	5' Inside Drop Manhole	Ea.	3	\$ 12,000.00	\$36,000.00
3	4' Manhole	Ea.	1	\$ 7,500.00	\$7,500.00
4	21" PVC S115 ASTM F679	L.F.	257	\$ 210.00	\$53,970.00
5	20" Class 50 DIP	L.F.	127	\$ 300.00	\$38,100.00
6	8" PVC SDR 26	L.F.	182	\$ 130.00	\$23,660.00
7	8" Class 50 DIP	L.F.	224	\$ 190.00	\$42,560.00
8	6" PVC Service Line	L.F.	22	\$ 120.00	\$2,640.00
9	6" HDPE Service Line	L.F.	168	\$ 110.00	\$18,480.00
10	Casing Pipe (30" Steel)	L.F.	127	\$ 130.00	\$16,510.00
11	Casing Pipe (18" Steel)	L.F.	50	\$ 80.00	\$4,000.00
12	Cleanout	Ea.	2	\$ 400.00	\$800.00
	Stream Mitigation	LS	1	\$ 427,209.00	\$427,209.00

Subtotal Construction Costs

\$6,313,151

Construction Contingency

\$294,297

Engineering, Utility Relocation & Construction Engineering

\$643,000

Project Administration

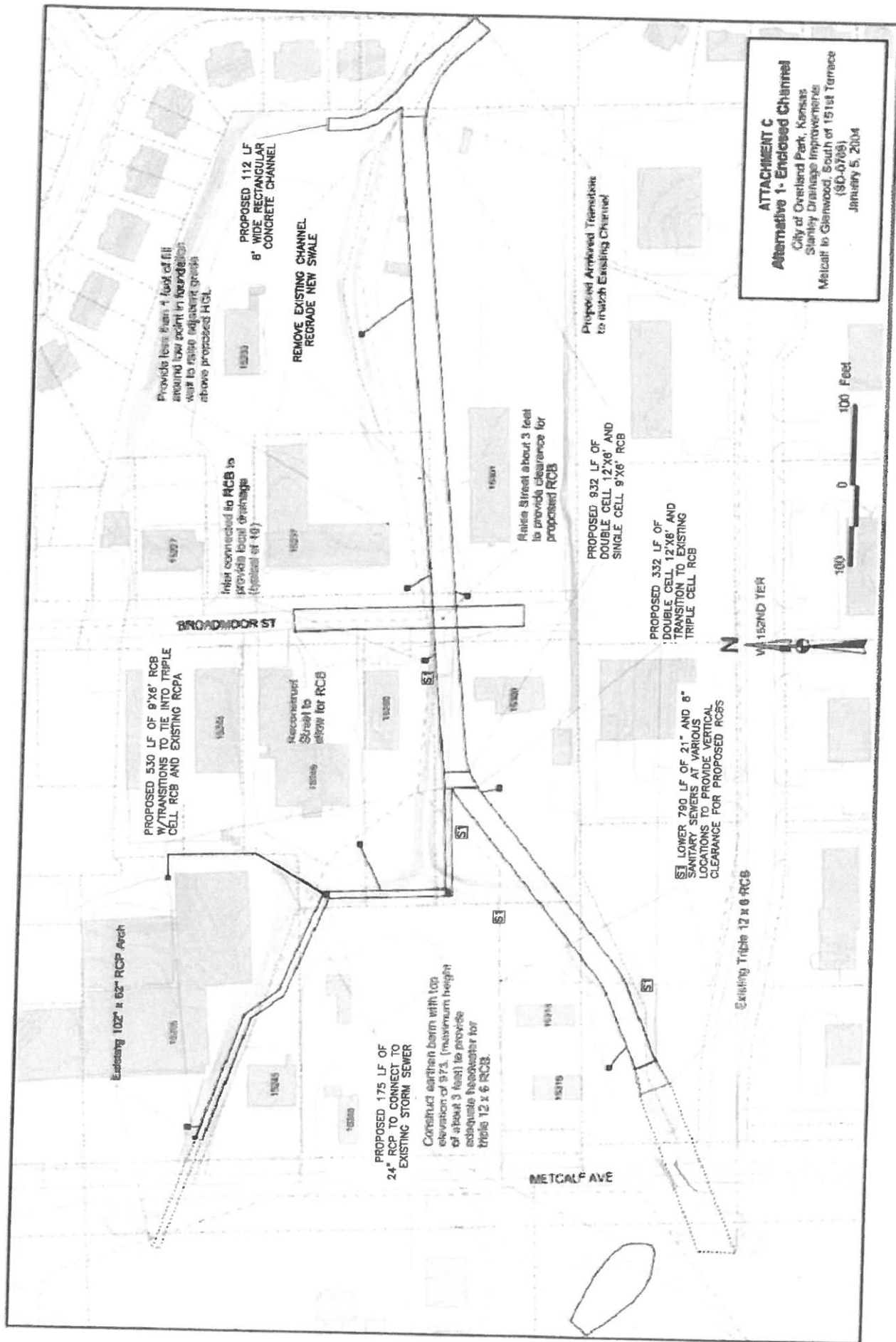
\$23,000

R/W and Easement Acquisition

\$16,400

**Total Project Costs**

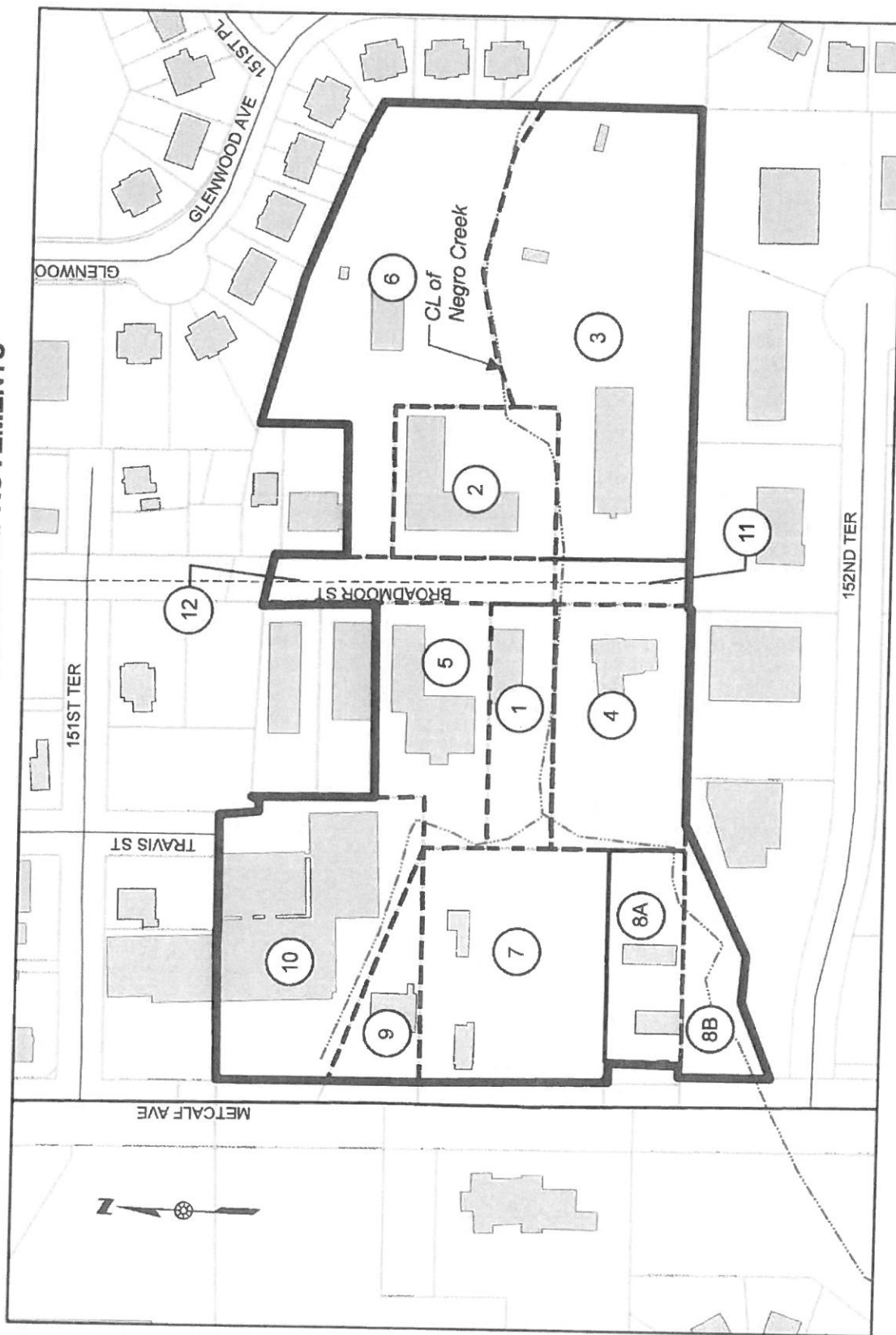
**\$7,289,848**



**ATTACHMENT C**  
**Alternative 1- Enclosed Channel**  
City of Overland Park, Kansas  
Stanley Drainage Improvements  
Metcalf to Glenwood, South of 151st Terrace  
(9D-0768)  
January 5, 2004



# ATTACHMENT D IMPROVEMENT DISTRICT AND TRACT BOUNDARIES STANLEY STORM DRAINAGE IMPROVEMENTS



## LEGEND

Parcel Boundary



Improvement District Boundary



Tract Number



**Attachment E**  
**Stanley Storm Drainage Improvements, 151st Terrace and Metcalf**  
**Proposed Improvement District Property Owners and Assessment Estimate**

Tract No.	Parcel ID	Property Address	Property Owner	2014 County Appraisal	Assessment of Project Costs	Assessment of Cost of Land w/in ID	Estimated Total Assessment (1)	Size of Tract (acres)	% of Assessed Valuation of ID
1	NF251408-1019	15260 Broadmoor Street	ONERENOVATION LLC	\$175,000	\$15,491		\$15,491	0.63	4.3%
2	NF251408-1016	15237 Broadmoor Street	AMNI Group LLC	\$417,000	\$36,887		\$36,887	0.99	10.1%
3	NF251408-1027	15301 Broadmoor Street	ODonnell & Sons Construction Company	\$616,380	\$54,528		\$54,528	3.19	15.0%
4	NF251408-1028	15300 Broadmoor Street	Bair, Floyd M. Trustee And Bair, Bessie L. Trustee	\$214,760	\$18,990		\$18,990	1.32	5.2%
5	NF251408-1015	15248 Broadmoor Street	Stanley Wood Products, Inc.	\$445,000	\$39,365		\$39,365	1.02	10.8%
6	NF251408-1022	15233 Broadmoor Street	Concrete Properties, L.L.C.	\$158,000	\$13,960		\$13,960	2.55	3.8%
7	NF251408-1006	15265 Metcalf Avenue	KRANKER, PAUL J. JR And KRANKER, SHERRYLL	\$335,450	\$29,670		\$29,670	1.75	8.1%
8A	NF251408-1023	15271 Metcalf Avenue	TINASQUIKWASH, INC	\$212,630	\$18,808		\$18,808	0.64	5.2%
8B	NP21000000 0001A	Vacant Land	TINASQUIKWASH, INC	\$0	\$0		\$0	0.51	0.0%
9	NF251408-1018	15245 Metcalf Avenue	Pourmemar, Mohsen	\$379,000	\$33,533	\$14,600	\$48,133	0.44	9.2%
10	NF251408-1013	15205 Metcalf Avenue	Orman, Timothy J.	\$1,168,000	\$103,297		\$103,297	1.85	28.3%
11	NF251408-1005	Private Street/Road	B & H Industries	\$0	\$0		\$0	0.25	0.0%
12	NF251408-1013	Non-Deeded Right of Way	Harry and Brenda Sharp	\$0	\$0		\$0	0.52	0.0%
<b>TOTAL</b>				<b>\$4,121,220</b>	<b>\$364,529</b>	<b>\$14,600</b>	<b>\$379,129</b>	<b>15.66</b>	<b>100%</b>

(1) The Improvement District shall pay 5.0% of the Project Cost of the Improvements, excluding the cost of Right-of-way and easement acquisition (the "Base Project Cost"), and shall additionally pay the cost of Right-of-way and easement acquisition. Cost of land for the project is divided between costs outside the Improvement District that will be included in the project cost and costs within the improvement district that will be assessed back to the owners that did not donate. Base Project Cost + R/W and Easement Cost Outside ID = Project Cost (\$7,273,448+\$16,400=\$7,289,848).

(1) Estimated Total Assessment = \$7,289,848\*0.05+ \$14,600 (cost of land w/in ID)= \$379,092



**EXHIBIT B**

FIRST AMENDMENT TO STORM DRAINAGE IMPROVEMENT PETITION

STANLEY STORM DRAINAGE IMPROVEMENTS  
151<sup>st</sup> TERRACE AND METCALF  
CITY OF OVERLAND PARK  
JOHNSON COUNTY, KANSAS



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

We, as the Petitioners on the Storm Drainage Improvement Petition for the Stanley Storm Drainage Improvements filed with the City Clerk on May 27, 2015 (the "Petition"), desire to amend the original Petition to correct a discrepancy in the Petition between the METHOD OF ASSESSMENT section and Exhibit E.

*email: Law Owens  
PW-Helmann  
PW-Kelman  
5-29-15*

WHEREAS, it is and was in the original Petition the Petitioner's intent that the value used to assess the tracts in the Improvement District be the 2014 assessed valuation, and

WHEREAS, the 2014 assessed value would be the value of each benefitted tract as recorded in the Johnson County Appraiser's office on **January 1, 2015**; and

WHEREAS, while the 2014 assessed value is correctly reflected in Exhibit E to the Petition, the METHOD OF ASSESSMENT section of the Petition states the date of determining the assessed value is January 1, 2014 rather than the date of January 1, 2015, which is the correct date for determining the 2014 assessment value; and

WHEREAS, Petitioners therefore desire to amend the Petition to reflect the correct date of determining the 2014 assessed valuation for the properties in the METHOD OF ASSESSMENT section of the Petition.

NOW THEREFORE, Petitioners hereby amend the Petition to remove the reference to **January 1, 2014** in the METHOD OF ASSESSMENT section of the Petition and replace it with **January 1, 2015** so that the correct date for determining the 2014 value is consistent with the intent of the Petitioners. All other provisions of the Petition shall remain the same.

IN WITNESS WHEREOF, we, the undersigned Petitioners, have executed the above and foregoing First Amendment to the Storm Drainage Improvement Petition this 29<sup>th</sup> day of May, 2015.

TRACT 2

Tract Owner: **AMNI GROUP LLC**  
a Kansas corporation

Authorized Signatory (Printed Name & Title)

Signature: < \_\_\_\_\_

Address: 15237 BROADMOOR ST

Date: 5/28/15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS  
)

\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

~~Signature~~ of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

My appointment/commission expires:

*If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.*



TRACT 3

Tract Owner: **ODONNELL & SONS  
CONSTRUCTION**

Authorized/Signatory (Printed Name & Title)

Signature: \_\_\_\_\_

Address: 15301 BROADMOOR ST

Date: 5/29/15

VERIFICATION

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF JOHNSON            )

\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Notary Public

My appointment/commission expires:

*If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.*



**TRACT 4**

Tract Owner: **FLOYD BAIR**

Signature: \_\_\_\_\_

Tract Owner: **BESSIE BAIR**

Signature: Deceased

Address: 15300 BROADMOOR ST

Date: \_\_\_\_\_

VERIFICATION

STATE OF KANSAS

COUNTY OF JOHNSON

)  
) SS  
)

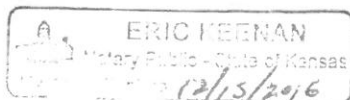
\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

appointment/commission expires:



TRACT 5

Tract Owner: **STANLEY WOOD PRODUCTS, INC.**

Authorized Signatory (Printed Name & Title) CEO

Signature: \_\_\_\_\_

Address: 15248 BROADMOOR ST

Date: 5/29/15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS

\_\_\_\_\_ being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is ~~one~~ of the signers of said petition.

Signature of Verifying Petitioner

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

Notary Public

appointment/commission expires:

*If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.*



TRACT 6

Tract Owner: **CONCRETE PROPERTIES, L.L.C.**  
a Kansas general partnership

Authorized Signatory (Printed Name & Title) Owner / President

Signature: \_\_\_\_\_

Address: 15233 BROADMOOR ST

Date: 5.29.15

VERIFICATION

STATE OF KANSAS )  
COUNTY OF JOHNSON ) SS

\_\_\_\_\_ being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

Signature of Verifying Petitioner \_\_\_\_\_

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

appointment/commission expires:

Notary Public \_\_\_\_\_



***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***

TRACT 7

Tract Owner: ~~PAUL J. KRANKER JR.~~

Signature: \_\_\_\_\_

Tract Owner: **SHERRYL L. KRANKER**

Signature: \_\_\_\_\_

Address: 15265 METCALF AVE

Date: \_\_\_\_\_

VERIFICATION

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF JOHNSON            )

\_\_\_\_\_ being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

/commission expires:

*If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.*



**TRACT 8**

Tract Owner: **TINAS QUICKWASH, INC**

\_\_\_\_\_  
Authorized Signatory (Printed Name & Title) **OWNER**

Signature: /

Address: 15271 METCALF AVE

Date: 5-29-2015

VERIFICATION

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF JOHNSON            )

\_\_\_\_\_ being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

\_\_\_\_\_  
Verifying Person

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

/commission expires:

\_\_\_\_\_  
Notary Public



***If the petition is not signed by the president of the corporation or general partner of the partnership, please provide documentation which authorizes the signatory to bind the corporation or partnership.***



**TRACT 9**

Tract Owner: **MOHSEN POURMEMAR**

Signature: \_\_\_\_\_

Address: 15245 METCALF AVE.

Date: \_\_\_\_\_

29/5/15

VERIFICATION

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF JOHNSON            )

\_\_\_\_\_, being first duly sworn upon his oath deposes and says that he has read and examined the foregoing petition and the signatures and addresses thereon, and that said signatures and addresses of the signers thereto are genuine, and that he is one of the signers of said petition.

Signature of Verifying Petitioner

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

\_\_\_\_\_  
Notary Public

appointment/commission expires:



EXHIBIT C

20150604-0002531 06/04/2015  
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Register of Deeds T201506038754  
JO CO KS BK:201506 PG:002531

RESOLUTION NO. 4146

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE RE-CREATION OF AN IMPROVEMENT DISTRICT FOR THE CONSTRUCTION OF A FLOOD CONTROL PROJECT ALONG NEGRO CREEK BETWEEN METCALF AVENUE AND GLENWOOD STREET, SOUTH OF 151<sup>ST</sup> TERRACE; RESCINDING RESOLUTION NO. 3880 (I.D. No. 11-198/SD-1057).

WHEREAS, the Governing Body of the City of Overland Park, Kansas, did on the 16<sup>th</sup> day of May, 2011, find that the petition to create an improvement district for the below-described improvements was sufficient; and,

WHEREAS, the Governing Body did on the 16<sup>th</sup> day of May, 2011, adopt Resolution No. 3879 finding it advisable to make the improvements as provided by Chapter 12, Article 6a, of the Kansas Statutes Annotated; and

WHEREAS, on the 16<sup>th</sup> day of May, 2011, an improvement district for the above-described construction was authorized by the Governing Body of the City via passage of Resolution No. 3880; and

WHEREAS, a delay in environmental costs prevented the project from moving forward and it was determined that project costs had escalated to the point that the original petition and resolutions creating the improvement district were no longer current; and

WHEREAS, on the 27<sup>th</sup> day of May, 2015, a petition for re-creation of the improvement district was filed with the office of the City Clerk of Overland Park, Kansas, requesting the following improvements be made and reflecting the updated project costs; and

WHEREAS, the Governing Body of the City of Overland Park, Kansas, did on the 1<sup>st</sup> day of June, 2015, find that the petition for re-creation for the improvements was sufficient; and

WHEREAS, the Governing Body did on the 1<sup>st</sup> day of June, 2015, adopt Resolution No. 4145 finding it advisable to make the improvements as provided by Chapter 12, Article 6a, of the Kansas Statutes Annotated.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. That the following improvements is hereby authorized and ordered to be made in accordance with Resolution No. 4145 and the findings of the Governing Body as follows:

The construction of a public flood control project along Negro Creek between Metcalf Avenue and Glenwood Street, south of 151<sup>st</sup> Terrace, to reduce flooding and benefit various properties adjacent to Negro Creek, including the following locations: part of Section 8, Township 14 South, Range 25 East, including but not limited to, land in LIGON'S 1<sup>ST</sup> ADDITION, a subdivision, all of which lies within the City of Overland Park, Johnson County, Kansas, which will include but not be limited to storm sewer improvements consisting of excavation, storm sewer and inlet installation, grade control measures, roadway repairs, restoration, utility relocations, retaining wall construction, design, inspection, and easement acquisition (the "Improvements" or "Project").

SECTION 2. The estimated or probable cost of the Improvements is Seven Million Two Hundred Eighty-Nine Thousand Eight Hundred Forty-Eight and Zero One Hundredths Dollars (\$7,289,848.00).

SECTION 3. The extent of the proposed improvement district to be assessed is as follows:

a) Metes and bounds description of the entire improvement district.

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14 South, Range 25 East, in Overland Park, Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the South line of the Northwest quarter of the Northwest quarter of said Section 8, and 60 feet East of the Southwest corner thereof, as measured along said South line, said point also being on the Easterly right-of way line of Metcalf Avenue, as now established; thence North 0 degrees East along said Easterly right-of way line and parallel to the West line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 100 feet (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East); thence North 90 degrees West, continuing along said Easterly right-of way line and along the line parallel to the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 30 feet; thence North 0 degrees East, continuing along said Easterly right-of way line and parallel to the West line of the Northwest quarter of the Northwest quarter of said Section 8 a distance of 511.60 feet to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established;

thence North 88 degrees 27 minutes East, along the centerline of said Kansas City, Clinton and Springfield Railroad, 357.14 feet; thence South 0 degrees East, a distance of 50.02 feet, to a point on the Southerly right-of-way line of the Kansas City, Clinton and Springfield Railroad; thence North 88 degrees 27 minutes East, along the Southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, a distance of 12.76 feet, to a point of curvature; thence Easterly, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right, having a radius of 1860.08 feet, a distance of 8.16 feet; thence South 0 degrees East, a distance of 162.09 feet; thence North 90 degrees East, a distance of 258.08 feet, to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence North 0 degrees East along the southerly extension of the East line of said Lot 11, a distance of 150 feet to a point on the southerly right-of-way line of the abandoned Kansas City, Clinton and Springfield Railroad, thence Easterly, and Southeasterly, along the southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1860.8 feet, a central angle of 1 degree 51 minutes 53 seconds and whose initial tangent bearing is South 83 degrees 20 minutes 02 seconds East, a distance of 60.54 feet, to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence South 0 degrees East, along the Southerly extension of the West line of said Lot 1, a distance of 100 feet, to a point; thence North 90 degrees East, a distance of 175 feet; thence North 0 degrees East, a distance of 116.59 feet to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established; thence Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet, a central angle of 13 degrees 34 minutes 27 seconds and whose initial tangent bearing is South 76 degrees 20 minutes 42 seconds East, a distance of 452.53 feet to a point; said point being on the East line of the Northwest Quarter of the Northwest Quarter of said Section 8; thence South 0 degrees 07 minutes 56 seconds West, along the East line of the Northwest Quarter of the Northwest Quarter, a distance of 415.51 feet to the Southeast corner thereof; thence North 89 degrees 50 minutes 44 seconds West, along the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 943.09 feet to a point; thence South 65 degrees 18 minutes 44 seconds West, a distance of 190.42 feet; thence South 89 degrees 50 minutes 32 seconds West, a distance of 80.93 feet; thence South 64 degrees 56 minutes 13 seconds West, a distance of 95 feet to a point on the West line of Lot 1 of the RESURVEY OF FRYE INDUSTRIAL PARK, a subdivision in the City of Overland Park, Johnson County, Kansas; said point also being on the Easterly right-of-way line of Metcalf Avenue; thence North 0 degrees East, along said right-of-way, a distance of 120.48 feet to the Northwest corner of said Lot 1; thence North 84 degrees 37 minutes 43 seconds East, along the North line of said Lot 1, and along the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 20.09 feet to the Point of Beginning (the "Improvement District").

Total area within this Improvement District, excluding the area within existing public right-of-way is 15.66 acres, more or less.

b) Description of each tract of land included in the Improvement District.

**TRACT 1**

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 8; thence North 0 degrees East, along the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, 261.96 feet; thence North 90 degrees East, along a line perpendicular to the West line of the Northwest Quarter of the Northwest Quarter, 341 feet, to the true point of beginning of subject tract; thence continuing North 90 degrees East, 325 feet; thence South 0 degrees East, 85 feet; thence North 90 degrees West, 325 feet; thence North 0 degrees East, 85 feet, to the true point of beginning of subject tract.

**TRACT 2**

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the South right-of-way line of the Kansas City, Clinton and Springfield Railroad as now located at its intersection with the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence South 0 degrees East (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East), 160 feet, to the true point of beginning of subject tract; thence continuing South 0 degrees East, along the Southerly extension of the West line of said Lot 1, 215 feet; thence North 90 degrees East, 200 feet; thence North 0 degrees East, 215 feet; thence North 90 degrees West, 200 feet, to the true point of beginning of subject tract.

**TRACT 3**

All that part of the Northwest quarter of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of the Northwest quarter of the Northwest quarter of said Section 8 and 726 feet East of the Southwest corner thereof, as measured along said South line, said point also being on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence North 0 degrees East, along the Southerly extension of the West line of said Lot 1, and along a line parallel to the West line of the Northwest quarter of the Northwest quarter of said section 8, a distance of 179.99 feet; thence North 90 degrees East, a distance of 200 feet; thence North 0 degrees East, a distance of 58.63 feet; thence North 70 degrees 12 minutes 49 seconds East, a distance of 73 feet; thence North 79 degrees 43 minutes 26 seconds East, a distance of 112.39 feet; thence South 75 degrees 43 minutes 13 seconds East, a distance of 165.14 feet; thence South 57 degrees 01 minutes 08 seconds East, a distance of 69.44 feet, to a point on the East line of



the Northwest quarter of the Northwest quarter of said Section 8; thence South 0 degrees 07 minutes 56 seconds West, along the East line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 206.46 feet, to the Southeast corner thereof; thence North 89 degrees 50 minutes 44 seconds West, along the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance 597.09 feet, to the point of beginning.

#### TRACT 4

All that part of the Northwest quarter of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of Northwest quarter of the Northwest quarter of said Section 8, and 341 feet East of the Southwest corner thereof, as measured along said South line; thence North 0 degrees East along a line parallel to the West line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 176.96 feet; thence North 90 degrees East, a distance of 325 feet to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence South 0 degrees East along the Southerly extension of the East line of said Lot 11, a distance of 177.84 feet, to a point on the South line of the Northwest quarter of the Northwest quarter of said Section 8; thence North 89 degrees 50 minutes 44 seconds West, along the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 325 feet, to the point of beginning.

#### TRACT 5

All that part of the Northwest quarter of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest quarter of the Northwest quarter of said Section 8, thence North 0 degrees East, along the West line of the Northwest quarter of the Northwest quarter of Section 8, a distance of 346 feet, thence South 89 degrees 50 minutes 44 seconds East along a line parallel to the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 341 feet to the True Point of Beginning of Subject tract; thence continuing South 89 degrees 50 minutes 44 seconds East a distance of 66.92 feet, thence North 0 degrees East, a distance of 66.14 feet, thence North 90 degrees East a distance of 258.08 feet, to a point on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence South 0 degrees East along the Southerly extension of the East line of said Lot 11, a distance of 150 feet, thence North 90 degrees West a distance of 325 feet, thence North 0 degrees East, a distance of 84.04 feet to the True Point of Beginning of Subject Tract, subject to the rights of the public to use any part in public roads.

#### TRACT 6

Part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25,

Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 8; thence North 0 degrees East, along the West line of the Northwest Quarter of the Northwest Quarter of Section 8, 612.13 feet, to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now established; thence North 88 degrees 27 minutes East, along the centerline of said Kansas City, Clinton and Springfield Railroad, 398.55 feet, to a point of curvature; thence Easterly, and Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet and a central angle of 15 degrees 12 minutes 18 seconds, 506.90 feet, to the true point of beginning of subject tract; thence continuing, Southeasterly, along the centerline of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1910.08 feet, a central angle of 13 degrees 34 minutes 27 seconds and whose initial tangent bearing is South 76 degrees 20 minutes 42 seconds East, 432.53 feet, to a point on the East line of the Northwest Quarter of the Northwest Quarter of said Section 8; thence South 0 degrees 07 minutes 56 seconds West, along the East line of the Northwest Quarter of the Northwest Quarter 209.05 feet; thence North 57 degrees 01 minutes 08 seconds West, 69.44 feet; thence North 75 degrees 43 minutes 14 seconds West, 165.14 feet; thence South 79 degrees 43 minutes 26 seconds West, 112.39 feet; thence South 70 degrees 12 minutes 49 seconds West, 73 feet; thence North 0 degrees East, 156.37 feet; thence North 90 degrees West, 200 feet; thence North 0 degrees East, 60 feet; thence North 90 degrees East, 175 feet; thence North 0 degrees East, 116.59 feet, to the True Point of Beginning of subject tract, except that part in streets and roads.

#### TRACT 7

Part of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 8; thence North 346 feet; thence East 341 feet; thence South 346 feet; thence West 341 feet; to the point of beginning, except the south 100 feet, and subject to any part thereof in street or road.

#### TRACT 8 (A)

Part of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 8; thence North 100 feet; thence East 341 feet; thence South 100 feet; thence West 341 feet to the point of beginning, subject to any part thereof in streets, roads or highways.

#### TRACT 8 (B)

Beginning at the Northwest corner of Lot 1 of the RESURVEY OF FRYE INDUSTRIAL PARK, a subdivision in the City of Overland Park, Johnson County, Kansas; thence South 89

degrees 50 minutes 43 seconds East, along the North line of said Lot 1, a distance of 340.00 feet to a point; thence South 65 degrees 18 minutes 44 seconds West a distance of 190.42 feet to a point; thence North 89 degrees 50 minutes 32 seconds West a distance of 80.93 feet to a point; thence South 64 degrees 56 minutes 13 seconds West, a distance of 95.00 feet to a point in the Easterly right-of-way of Metcalf Avenue; thence North 0 degrees 00 minutes 00 seconds East, along the said Easterly right-of-way, a distance of 120.48 feet to the point of beginning.

#### TRACT 9

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, in the City of Overland Park, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, and 346 feet North of the Southwest corner thereof; thence North 0 degrees East, along the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, a distance of 133.60 feet; thence South 68 degrees 23 minutes 38 seconds East, a distance of 366.77 feet; thence North 89 degrees 50 minutes 44 seconds West, a distance of 341 feet, to the point of beginning, subject to that portion thereof now being used, dedicated or condemned for highway purposes.

#### TRACT 10

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the West line of the Northwest quarter of the Northwest quarter of said Section 8, and 479.60 feet North of the Southwest corner thereof; thence North 0 degrees East, along the West line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 132 feet, to a point on the centerline of the Kansas City, Clinton and Springfield Railroad, as now located; thence North 88 degrees 27 minutes East, along the centerline of said Kansas City, Clinton and Springfield Railroad, a distance of 387.14 feet; thence South 0 degrees East, a distance of 50.02 feet, to a point on the Southerly right-of-way line of the Kansas City, Clinton and Springfield Railroad; thence North 88 degrees 27 minutes East, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, a distance of 12.76 feet, to a point of curvature; thence Easterly, along the South right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right, having a radius of 1860.08 feet, a distance of 8.16 feet; thence South 0 degrees East, a distance of 228.23 feet; thence North 89 degrees 50 minutes 44 seconds West, a distance of 66.92 feet; thence North 68 degrees 23 minutes 38 seconds West, a distance of 366.77 feet, to the point of beginning, subject to that portion thereof now being used or dedicated or condemned for highway purposes.

#### TRACT 11



All that part of the Northwest quarter of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of Northwest quarter of the Northwest quarter of said Section 8, and 666 feet East of the Southwest corner thereof, as measured along said South line; said point also being on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence North 0 degrees East along a line parallel to the West line of the Northwest quarter of the Northwest quarter of said Section 8, and along the Southerly extension of the East line of said Lot 11, a distance of 177.84 feet; thence North 88 degrees 05 minutes 27 seconds East, a distance of 60.03 feet to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas; thence South 0 degrees East along the Southerly extension of the West line of said Lot 1, a distance of 179.99 feet, to a point on the South line of the Northwest quarter of the Northwest quarter of said Section 8; thence North 89 degrees 50 minutes 44 seconds West, along the South line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 60 feet, to the point of beginning.

#### TRACT 12

All that part of the Northwest quarter of the Northwest quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the South line of Northwest quarter of the Northwest quarter of said Section 8, and 666 feet East of the Southwest corner thereof, as measured along said South line; thence North 0 degrees East along a line parallel to the West line of the Northwest quarter of the Northwest quarter of said Section 8, a distance of 177.84 feet to the True Point of Beginning; thence continuing North 0 degrees East, a distance of 385.00 feet, said point being on the southerly right-of-way line of the abandoned Kansas City, Clinton and Springfield Railroad, said point also being on the Southerly extension of the East line of Lot 11, Block 6, LIGON'S 1ST ADDITION, a subdivision of land in Johnson County, Kansas, thence Easterly, and Southeasterly, along the southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right having a radius of 1860.08 feet, and whose initial tangent bearing is South 83 degrees 20 minutes 02 seconds East, a distance of 60.54 feet, to a point on the Southerly extension of the West line of Lot 1, Block 7, LIGON'S 1ST ADDITION, a subdivision in Johnson County, Kansas; thence South 0 degrees West (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East), along the Southerly extension of the West line of said Lot 1, a distance of 375 feet, to a point; thence South 88 degrees 05 minutes 27 seconds West, a distance of 60.03 feet to the True Point of Beginning.

**SECTION 4.** The proposed method of assessment of the property in the Improvement District is as follows:

The City-at-large will pay 95% of the total cost of the Project, excluding the costs of acquiring land necessary for the Project within the Improvement District (the "Base Project Costs"). The Improvement District shall pay 5% of the Base Project Costs and shall pay the costs of acquiring land within the Improvement District necessary for the Project (the "Improvement District Portion"). Each benefitted tract within the Improvement District shall be assessed its proportionate share of the Improvement District Portion based upon a percentage determined by the amount the assessed valuation of each benefitted tract as recorded in the Johnson County Appraiser's Office on January 1, 2015 (the "Assessed Valuation") bears to the assessed valuation of all benefitted tracts located within the Improvement District on such date, subject to the following:

- a. Assessments for tracts of land for which an owner of such land has dedicated or conveyed property in accordance with K.S.A.12-692:

The percentage of the Assessed Valuation calculated as set forth above in an amount necessary to pay each parcel's proportionate share of the Improvement District Portion; provided that for the purposes of determining the Improvement District Portion for such tracts such Improvement District Portion shall exclude the costs of acquiring land necessary for the Project within the Improvement District.

- b. Assessments for tracts of land for which an owner of such land has not dedicated or conveyed property in accordance with K.S.A.12-692:

The percentage of the Assessed Valuation calculated as set forth above in an amount necessary to pay each parcel's proportional share of the Improvement District Portion, provided that for the purposes of determining the Improvement District Portion for such tracts such Improvement District Portion shall include the costs of acquiring land necessary for the Project within the Improvement District.

**SECTION 5.** The proposed apportionment of cost between the Improvement District and the City-at-Large shall be as follows:

The City-at-Large will pay 95% of the total cost of the Project, excluding the costs of acquiring land within the Improvement District necessary for the Project. The Improvement District shall pay 5% of the Base Project Costs and shall pay the costs of acquiring land necessary for the Project.

All costs shall be assessed against the following tracts at the percentages shown below.

TRACT	PERCENT
TRACT 1	4.3%
TRACT 2	10.1%
TRACT 3	15.0%
TRACT 4	5.2%
TRACT 5	10.8%
TRACT 6	3.8%
TRACT 7	8.1%
TRACT 8A	5.2%
TRACT 8B	0.0%
TRACT 9	9.2%
TRACT 10	28.3%
TRACT 11	0.0%
TRACT 12	0.0%
TOTAL	100.0%

**SECTION 6.** The Improvements shall commence regardless of protest, and the City Clerk is ordered not to receive any protest, all as provided in K.S.A. 12-6a04, as amended.

**SECTION 7.** The City expects to incur expenses in connection with the Improvements prior to the issuance of the general obligation bonds and temporary notes which will be used to finance the Improvements. The City reasonably expects to reimburse a portion of the expenditures in connection with the Improvements from the proceeds of the general obligation debt. This declaration is a declaration of official intent of the City under Treasury Regulations. The maximum principal amount of debt expected to be issued is Seven Million Two Hundred Eighty-Nine Thousand Eight Hundred Forty-Eight and Zero One Hundredths Dollars (\$7,289,848.00).

**SECTION 8.** Resolution No. 3880 is hereby rescinded.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its passage and adoption by the Governing Body and its publication in an official City newspaper.

ADOPTED by the City Council this 1<sup>st</sup> day of June, 2015.

APPROVED AND SIGNED by the Mayor this 1<sup>st</sup> day of June, 2015.



Marian Cook City Clerk

Carl Gerlach, Mayor

APPROVED AS TO FORM:

Tammy M. Owens  
Deputy City Attorney