

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

**STORM DRAINAGE IMPROVEMENT PETITION
(RC-3 West)**

**EAST OF WALMER STREET;
SOUTH OF 67TH STREET**

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 improvement:

The installation of a concrete storm sewer and the necessary surface appurtenances and lateral lines to improve certain channels, ditches, and substandard storm drainage systems, and to help alleviate certain flooding and eroding conditions, located along the existing earthen ditch beginning on the east side of Walmer Street and approximately 400 feet south of 67th Street, thence east to an existing concrete box culvert; in the southwest quarter of Section 17 Township 12, Range 25, including SOUTHMOOR, a subdivision of land in the city of overland Park, Johnson County, Kansas, hereby propose that such improvement 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 improvement is NINETY SEVEN THOUSAND TREE HUNDRED TWENTY TWO DOLLARS (\$97,322.00); AND

WHEREAS, I understand that those properties abutting or near earthen ditches or ditches with improvements not to present city standards as well as properties subject to frequent 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 improvement shall be the following described tract:

Beginning at the northwest corner of Lot 50 of Southmoor; a subdivision, in the City of Overland Park, Johnson County, Kansas; thence east along the north lot line of said Lot 50 to the west lot line of Lot 7 of Lamar Circle; a subdivision, in the city of Overland Park, Johnson County, Kansas; thence south along the west lot line of said Lot 7 to the north lot line of Lot 10 of said Lamar Circle, thence west along the north lot line of said Lot 10 to the northwest corner of said Lot 10; thence south along the west lot line of said Lot 10 to a point 165.7 feet north of the south line of Lot 50 of said Southmoor, said point being on the south line of the north half of said Lot 50; thence west and parallel with the south lot line of said Lot 50 to the southwest corner of the north half of said Lot 50; thence northerly along the west lot line of said Lot 50 to the point of beginning.

Including in the **above tract**, the following described real property:

Parcels of land, all in the Southwest quarter of Section 17, Township 12S, Range 25E, in the City of Overland Park., Johnson County, Kansas, more particularly described as follows:

The North half of Lot 50 of Southmoor; a subdivision, in the City of Overland Park, Johnson County, Kansas, except that part replatted as Lamar Circle.

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

All properties in the Improvement District shall be assessed at least four and one half percent (4.5%) of their total property and improvement valuation as recorded in the Johnson County Clerk's office. Any assessment in excess of four and five tenth percent shall be limited to whatever additional percentage is necessary for the improvement district share to equal five (5) percent of the total project cost.

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

- a. The properties within the Improvement District shall pay the amounts as set out in the preceding paragraph.
- b. The City-at-Large shall pay the balance of all costs.

WHEREAS, I understand that after the total cost of the improvement has been determined, 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 K.S.A. 12-6a10 and 12-6all.

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 public Improvement District described in the foregoing recitals hereof and make such other findings as are authorized and provided in K.S.A. 12-6a04 (1), et. seq. and amendments thereof.

NOW, THEREFORE, I request 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. 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, whichever occurs first. I further understand that the project will include the replacement of fences, finish grading and sodding 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 public 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 above and foregoing petition to create IMPROVEMENT DISTRICT NO. _____ this 15th day of March, 1996 .

Legal Signature	Address of Property Owned Within Proposed Improvement District	Date & Time of Signing Petition	Residence or Mailing Address
Bennett, Craig	NP80000000 0050A 6727 Walmer Street		6727 Walmer street Overland Park, KS 66204
Bennett, Gloria	NP80000000 0050A 6727 Walmer Street		6727 Walmer street Overland Park, KS 66204

VERIFICATION

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

I, _____ being first duly sworn upon my oath dispose and say that I have personally witnessed the signing of the petition by each person whose name appears hereon, that I am an owner of property located within the I.D., that the signatures and addresses of the signers hereto are genuine, and that I am one of the signers of the petition.

IN 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: _____

INFORMAL RESIDENTIAL SIDEWALK PETITION

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

We, the undersigned, being owners of record of property abutting

(name of street)

in Overland Park, Kansas, do hereby petition the Governing Body of the City of Overland Park to install sidewalks within the right-of-way or on sidewalk easements along one side of the above-described street(s).

In so petitioning, we understand that we may be asked to dedicate permanent sidewalk easements and/or temporary construction easements to the City for its use in constructing the project, that the project will not go forward unless and until all of such easements have been so dedicated, and it is our present intention to make such required dedications.

We further understand that the location of the sidewalk will be determined by the City depending on continuity of sidewalks in, the neighborhood, topography, presence of trees, shrubs and other conflicts or economic considerations.

We further understand that no portion of the cost of construction of the project shall be assessed against the abutting properties, no special assessment district will be created pursuant to K.S.A. 12-6a01 et sea. in connection with the project, and no exactions other than dedication of easements shall be required of the abutting property owners as a condition of proceeding with the project.

Where Sidewalk Variance Agreements exist requiring construction of sidewalks by property owners the City may require property owner installation of these sidewalks at the time of construction of the petitioned sidewalks. [Sidewalk Variance Agreements are currently in effect at:

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