

Approved Ivan Sand
Date

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at
Chairperson

1:30 a.m./p.m. on February 23, 1983 in room 521-S of the Capitol.

All members were present except:

Committee staff present:
Theresa Kiernan, Revisor of Statutes Office
Mike Heim, Legislative Research Department
Jeanne Mills, Secretary to the Committee

Conferees appearing before the committee:
Representative David Webb
Representative Fred Rosenau
Carol O'Keefe, Chairman, Stanley Citizen's Committee
Hazel Ball, Stanley Citizen's Committee
Mark Anson, Cities of Merriam, Prairie Village, Lenexa, Westwood
Gerry Ray, Administrative Assistant, Johnson County Commission
Bruce Craig, Fifth District Commissioner for Olathe
Ailie Speer, City of Overland Park, City Council Member

Chairman Ivan Sand called the meeting to order. He opened the hearings on HB 2305 (See Attachment I), HB 2306 (See Attachment II), HB 2307 (See Attachment III). The attachments give background and intent of the legislation. Chairman Sand announced the bills would be heard at the same time, due to the similar content.

- HB 2305 - AN ACT concerning sewer districts; authorizing the delay in special assessments.
- HB 2306 - AN ACT concerning counties; relating to the creation of special benefit districts.
- HB 2307 - AN ACT concerning the payment of the cost of certain improvements in sewer districts in counties declared to be an urban area.

Representative David Webb, sponsor of the bills, appeared before the Committee. He stated that all the bills are permissive pieces of legislation that could be used as tools to solve the sewer problems in Stanley, Kansas. He stated that the people in Stanley are in a no-win situation, but they want to get relief and get on with living. He provided a packet of information for the members (See Attachment IV).

Representative Rosenau appeared in support of the three bills. He stated his district is in Wyandotte County but he was born and raised in Johnson County and has gotten involved with the problems in Stanley. He suggested that the cost of the sewer be paid for by the landowners at 25% and the remaining 75% be spread over the county. He suggested letting the people who elected the county commissioners pay the price for this situation. Discussion followed.

Carol O'Keefe, Chairman of the Stanley Citizen's Committee, appeared in support and thanked Representative Webb and Rosenau for their positive direction in trying to obtain a solution. Ms. O'Keefe responded to questions for the members. She stated that at present there are three or four citizens, the middle school, and the elementary school hooked on to the sewer.

Nancy Brown, Township Trustee, Stanley, Kansas, gave information on a blue ribbon committee which has been formed in response to the sewer problems. She said it is understood that the assessments will be based on square footage. She further stated that their group in Stanley is eager to work with the county commission.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,
 room 521-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on February 23, 1983

The Chairman asked Ms. Brown what they expected the State of Kansas to do. He said he feels that the Committee is at the same place as they were a year ago. He further stated that he feels it is time for the Johnson County officials to step forward. Ms. Brown expressed the feeling that the Committee's action has kept this issue alive. The situation in Stanley is not good. A school bond referendum failed, businesses are closing, and the climate is not desirable.

Lillian Dale, Stanley Citizen's Committee, gave further input including history of the sewer district and offered solutions.

Hazel Ball, Stanley Citizen's Committee, pointed out that the people in Stanley are not only going to pay their assessments but those on their church as well.

Mark Anson, representing the cities of Merriam, Prairie Village, Lenexa, and Westwood, appeared in opposition to the bills. He stated the feeling in these areas is very strong that each area should carry its own weight. They agree with the blue ribbon committee established by the county that assessments should be on a square footage basis.

Gerry Ray, Administrative Assistant to the Johnson County Commission, appeared to introduce Bruce Craig, Fifth District County Commissioner. Mr. Craig announced that a hearing is scheduled in six weeks to set assessments on the district. They will change the formula for assessment. Mr. Craig was asked by a member if the cost could be spread across the county and he said the sentiment is not in favor of this. Another member asked if they could enlarge sewer districts and he said this has not been investigated and the possibility is not great. A member asked Mr. Craig how this situation happened in the first place. He said it was a combination of a number of things. In the late 1970's the property in this area was prime for great growth and development. A member pointed out that ultimately the county will have to pay for this if nothing is done.

Ailie Speer, a member of the Overland Park City Council, appeared in opposition to HB 2305 and HB 2307. A copy of her testimony is attached (See Attachment V). A member asked if her council would oppose a concept involving a countywide tax with a pay-back later and she responded they would. Representative Webb said he would provide members with the figures from the county commission and the county treasurer as to the cost of the spread over the entire county. Discussion followed.

The Chairman asked for the Johnson County Commission to meet with the Committee. Representative Baker made the motion, seconded by Representative M. J. Johnson, for the Committee to invite the Board of County Commissioners to attend a meeting with the House Local Government Committee. Discussion followed. Representative Francisco stated for the record that he intends to support the concept of the three bills being heard and the concept of a countywide distribution with a method of recovering when the economy is better. Motion carried.

Another member asked that the county commission provide figures on the assessed valuation of the county, cost per month to each taxpayer on countywide spread, and what the tax rate would be. The Chairman asked Representative Webb and Representative Rosenau to be present at the meeting with the Johnson County Commission.

Meeting adjourned.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE Feb. 23, 1983

NAME	ADDRESS	REPRESENTING
<u>Arthur Brewer</u>	<u>1711 S. Kiowa St.</u> <u>Olathe, Ks</u>	<u>Postmaster - Olathe</u>
<u>Gerry Fay</u>	<u>Jo Co Courthouse</u> <u>Olathe</u>	<u>Jo Co Board of Commissioners</u>
<u>John Hood</u>	<u>1570 College Way</u> <u>Olathe</u>	<u>City of Olathe</u>
<u>Jerry McKenna</u>	<u>PO Box 768,</u> <u>Olathe</u>	<u>City of Olathe</u>
<u>Ron Mason</u>	<u>2109 Mohawk</u>	<u>City of Olathe</u>
<u>Lamine Scuraw</u>	<u>9435 W 151 St</u>	<u>Stanley, Ks</u>
<u>Ellen T. Dale</u>	<u>P.O. Box 23164</u>	<u>Stanley, Ks 66223</u>
<u>Hazel W. Ball</u>	<u>7525 Key Lyme Rd</u>	<u>Stanley, Ks. 66223</u>
<u>Gilie Spear</u>	<u>8813 W. 106th Co. Op.</u>	<u>City of Overland Park</u>
<u>Mark Arsen</u>	<u>Overland Park</u>	<u>City of Prairie Village etc.</u>
<u>Elinor Jorgensen</u>	<u>8895 W 154th Stanley</u>	<u>self</u>
<u>Juanita Rose</u>	<u>15003 Mitcalf</u>	<u>self - Stanley, Ks</u>
<u>Mike Hollis</u>	<u>115 Cherry</u>	<u>Stanley, Ks.</u>
<u>Donald Rawie</u>	<u>6860 W 151st</u>	<u>Stanley, Ks - Sewer Dist #5</u>
<u>Evelora Eastland</u>	<u>15260 Mitcalf</u>	<u>Stanley, Ks. Sewer Dist #5</u>
<u>Carol O'Keefe, Ch.</u>	<u>21315 S. 7th St</u>	<u>Stanley City's Sewer Dist #5</u>
<u>Nancy Brown</u>	<u>15429 Overbrook Lane,</u> <u>Stanley</u>	<u>OXFORD TOWNSHIP TRUSTEE</u>
<u>Joan Sanders</u>	<u>6380 W 151st</u>	<u>Stanley</u>
<u>A N Crooks</u>	<u>6680 W 151st</u>	<u>Stanley 66223</u>
<u>M. K. Shygin</u>	<u>14940 Mitcalf</u>	<u>Stanley, Ks 66223</u>
<u>Mary Louise Bryan</u>	<u>116 Cherry St.</u>	<u>Stanley Ks. 66223</u>
<u>Gron Muller</u>	<u>6325 W 151</u>	<u>Stanley</u>
<u>Nick Gullickson</u>	<u>9129 Slater</u>	<u>O.P.</u>
<u>Ron Gullickson</u>	<u>9129 Slater</u>	<u>O.P.</u>

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE 23 Feb 83

NAME

ADDRESS

REPRESENTING

NAME	ADDRESS	REPRESENTING
Mark Schiffer	2415 W. Dennis	Olathe, Ko.
Rod Schiffer	2415 W Dennis	Olathe Ks
Ryce Bonham	901 Stonewest	Olathe Ks
BARRY GENTRY	TOPEKA	KS ENGIN. SOL.
John Price	708 S Arle	Gardner Kansas
John Blythe	Manhattan	K F B
Chromel Boyer	1032 Valley Rd.	Olathe Ks
Doniefert	P.O. Box 768 - Olathe, Ks.	Olathe, Ks.
Roger R. Gandy	1524 S. W. Olathe	Olathe Ks
Cindy Glinstra	P.O. Box 768, ^{Olathe}	Kansas
Tom Glinstra	P.O. Box 768	Olathe, Ks.
Rev. Maclure Stillwell	Box 425	Olathe, Ks.
Tom Davies	12390 Pflumm	Olathe, Ks
J. Mack Bowen	1405 Sunvale Terr	Olathe, Ks
Vincent K. Swoboda	1955 Sheridan Bridge	Olathe, Ks
Steve Engel	626 S. OAK, Gardner, Ks	Olathe, Ks.
Blaster Duck	704 Church Terrace	Olathe, Ks - 66061
Mary Fischman	Franklin St Olathe, Ks	DOBudget
Ted Rice	2004 Arrowhead Dr	Olathe Ks 66062
Manny Hall	1933 E. Frontier	OLATHE Ks 66062
J.R. Brun	11500 Pflumm Shawnee Mission, Ks	Olathe Ks 66215

MEMORANDUM

ATTACHMENT I

February 21, 1983

TO: House Local Government Committee Chairman
FROM: Mike Heim, Kansas Legislative Research Department
RE: H.B. 2305

H.B. 2305 authorizes Johnson County to delay special assessment payments for sewer district improvements for not to exceed 15 years. The principal and interest payments on bonds shall be paid during the period of delay by a countywide tax levy. Revenues derived from service charges from the sewer improvements may be used to pay bond principal and interest costs. All costs incurred by the county at large by reason of the delay shall be paid by the special assessments and when paid shall be placed in the county general bond and interest fund. In no event shall the amount charged to affected property owners exceed the original assessment plus the prorated interest which would have been charged for a 10 year installment schedule.

Atch. I

MEMORANDUM

ATTACHMENT II

February 21, 1983

TO: House Local Government Committee Chairman
FROM: Mike Heim, Kansas Legislative Research Department
RE: H.B. 2306

H.B. 2306 prohibits counties from including any undeveloped area in a benefit district without consent of the owner. Undeveloped area is defined as an area in excess of four acres which has not been platted which is used primarily for agricultural purposes and has a population density of less than one family per acre. An undeveloped area adjacent to or surrounded by a benefit district may be included within the district after 10 years and the cost of any benefit received may be assessed at that time.

Atch. II

MEMORANDUM

ATTACHMENT III

February 21, 1983

TO: House Local Government Committee Chairman
FROM: Mike Heim, Kansas Legislative Research Department
RE: H.B. 2307

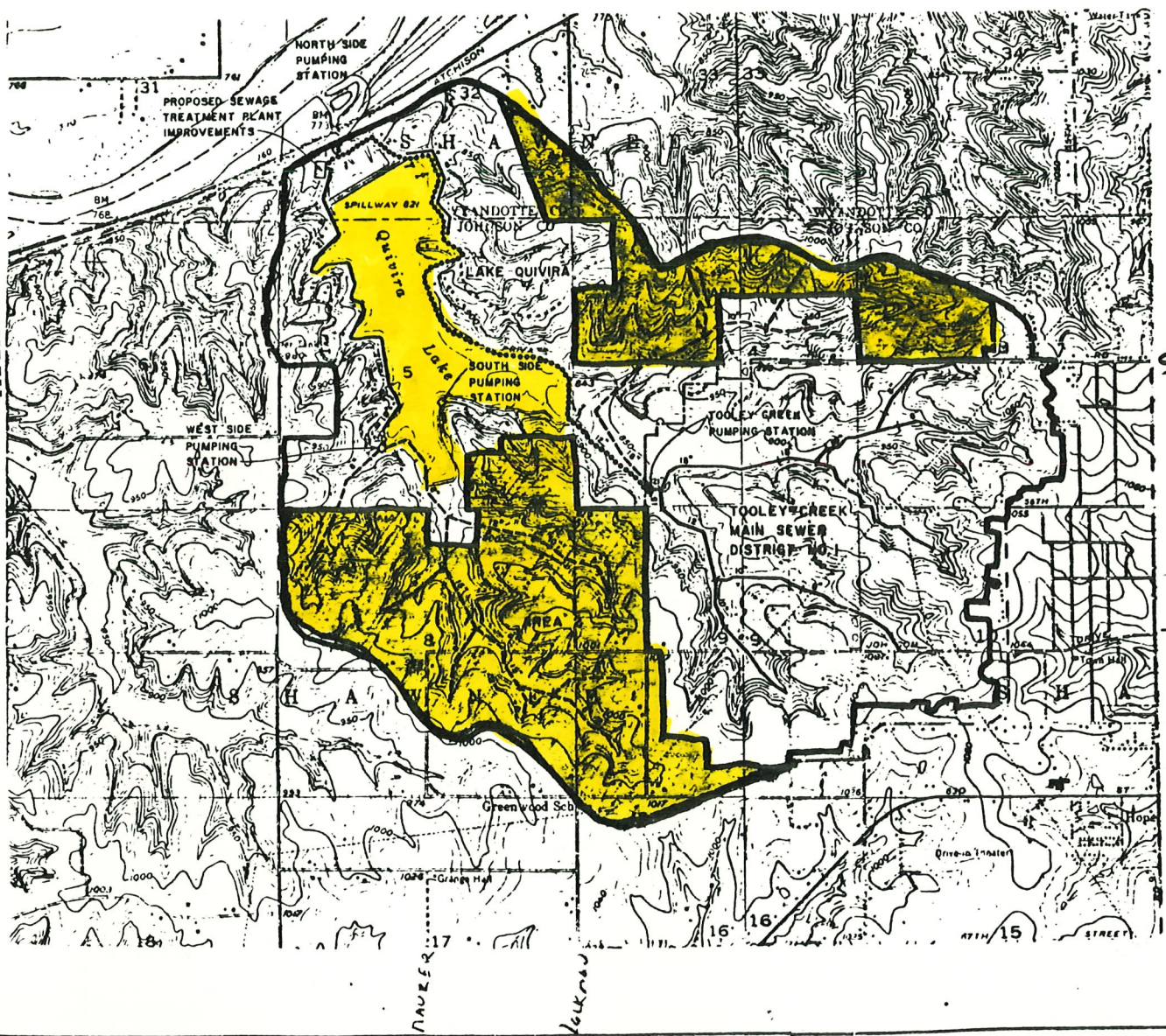
H.B. 2307, which applies to Johnson County, establishes a petition procedure whereby owners of not less than 66 2/3 percent of the property subject to special assessments for improvements for any main, lateral, subdistrict sewer district may require a public hearing before the board of county commissioners. The petition must allege that the improvements exceed by 100 percent the anticipated needs of the district for more than 10 years. If the board of county commissioners, after the public hearing makes the findings contained in lines 39 through 49, then the board must provide the county at large shall pay 75 percent of the costs originally assessed against the property. The county is given the authority to issue general obligation bonds for this purpose.

The bill is effective upon publication in the Kansas Register.

Atch. III

North

ATTACHMENT IV



LEGEND

- EXISTING PUMPING STATION TO BE ENLARGED
- PROPOSED PUMPING STATION
- PROPOSED GRAVITY SEWER
- - - FUTURE GRAVITY SEWER
- PUMPING STATION
- PROPOSED FORCE MAIN
- FUTURE FORCE MAIN
- - - AREA BOUNDARY

5th
8th

Johnson Drive

WATERSHED

EXCLUDED LANDS

TOOLEY CREEK BASIN
PROPOSED IMPROVEMENTS
BLACK & VEATCH
1978

FIGURE 5

Atch. IV

LEONARD O. THOMAS
J. D. LYSAUGHT
GEORGE MAIER, JR.
ROGER D. STANTON
JON C. CHRISTIEB
ERVIN G. JOHNSTON
RICHARD MILLSAP
CHARLES O. THOMAS
LARRY E. BENSON
DAVID K. FROMME
DAVID L. HIGGINS
JAMES P. ZAKOURA
HOWARD L. ROSENTHAL
MONTI L. BELOT
LEE M. SMITHMAN
DONALD C. RAMSAY
WADE A. DOROTHY
JOHN D. PETERSEN
H. DAVID BARR
KAREN L. SMITH
WILLIAM J. PAPROTA
EDMUND S. GROSS
PEGGY GRANT-COBB
ROBERT E. JOHNSTON
J. DONALD LYSAUGHT, JR.
MARK D. HINDERKS

LAW OFFICES
WEEKS, THOMAS & LYSAUGHT
CHARTERED
STATE WOODS-SUITE 420
WEST 10TH STREET
P. O. BOX 12245
OVERBROOK PARK, KANSAS 66212-0245
AREA CODE 913
642-7770

ARTHUR J. STANLEY
(1874-1967)
J. E. SCHROEDER
(1905-1967)
LEE E. WEEKS
RETIRED

WYANDOTTE COUNTY OFFICE
HOME STATE BANK BUILDING
MINNESOTA AT FIFTH
P. O. BOX 1028
KANSAS CITY, KANSAS 66117
321-7500

October 15, 1982

Citizens Legal Fund
Blue River Sub-Sewer District No. 5
c/o Charles D. Ehinger,
Chairman, Executive Committee
Box 23057
Stanley, Kansas 66084

Mrs. Hazel Ball
Member, Executive Committee
7527 Kay-Lynne Road
Stanley, Kansas 66223

Ms. Carol O'Keefe
Member, Executive Committee
7225 West 151st Street
Stanley, Kansas 66223

Ms. Nancy Brown
Member, Executive Committee
15429 Overbrook Lane
Stanley, Kansas 66224

Mr. Albert Lowman
Member, Executive Committee
7355 West 151st Street
Stanley, Kansas 66223

Mr. Paul Dutoit
Member, Executive Committee
c/o Dutoit Construction Company
Box 23297
Stanley, Kansas 66223

✓ Mr. Norm Legend
Member, Executive Committee
Box 23221
Stanley, Kansas 66223

Dear Sirs and Madames:

This is with regard to our opinion and report to your Committee relative to our interpretation of the results of the title search conducted

LAW OFFICES
WEEKS, THOMAS & LYSAUGHT

CHARTERED
14 CORPORATE WOODS - SUITE 420
8717 WEST 110TH STREET
P. O. BOX 12245
OVERLAND PARK, KANSAS 66212-0245

Citizens Legal Fund, et al.
October 15, 1982
Page Two

29
signature
LW2084

by Chicago Title Insurance Company relative to the acreage and owners thereof within Sub-Sewer District No. 5 and, based thereon, whether or not the requisite 51% ownership was in favor of the creation of the District at the time of its formation on June 26, 1978.

As stated, our opinion is given only with regard to the area of the originally created District and no opinion whatsoever is given with regard to additional district areas arising from enlargement applications.

The Title Company ownership search period covered the period May 9, 1978 through June 26, 1978, said later date being the date of the creation of Blue River Sub-Sewer District No. 5.

We have delivered to your Chairman, Charles Ehinger, copies of the Title Company certificates for the total area searched and we have retained the originals together with the area maps in our office and file. If any of you should desire to review the Title Company's certificates or the maps themselves, please contact the undersigned.

As a preliminary matter, I deem it best to confirm to you that the applicable statutes under which Blue River Sub-Sewer District No. 5 were created were K.S.A. 19-2704(a), et seq., and said K.S.A. 19-2704(a) generally provides that a Board of County Commissioners may, after complying with other requisite requirements not germane for the purposes of this opinion and discussion, create a Sub-Sewer District such as No. 5 ". . . upon presentation of a petition signed by the owners, or others having expressly reserved the right to do so, of fifty-one percent (51%) or more of the acreage in the main sewer districts, lateral or joint sewer districts or taxing districts sought to be created, . . . provided, that all public roads, public parks and public cemeteries in such districts shall be exempt from assessment . . ." (Emphasis supplied).

With the foregoing in mind, as well as the fact that the District created constitutes a Sub-Sewer District and not a Main Sewer District, it is our opinion that the applicable area to which the 51% consenting requirement must be applied is the taxing district area subject to assessment and the same is not to include areas within public roads, etc., which are not subject to assessment.

For your information, we attach as Attachment 8 hereto a Xerox copy of a map of the district area as originally created which supposedly shows the boundary and the determined acreage within the boundaries of the district in favor of the creation, with such

LAW OFFICES
WEEKS, THOMAS & LYSAUGHT
CHARTERED
14 CORPORATE WOODS - SUITE 420
8717 WEST 110TH STREET
P. O. BOX 12245
OVERLAND PARK, KANSAS 66212-0245

Citizens Legal Fund, et al.
October 15, 1982
Page Three

showing being represented by the black shaded areas depicted upon said map. For your further information, the map attached was copied from the original thereof maintained in the composite file of the Johnson County Unified Wastewater District's Office in connection with the creation of Sub-Sewer District No. 5. Please note that the shaded areas on said map also exclude right-of-way areas.

We attach as Attachments 1 through 6 hereto applicable spread and/or calculation sheets pertaining to the ownership areas, in square footage amounts, contained within the boundaries of Sub-Sewer District No. 5 as created by the Board of County Commissioners on June 26, 1978, with such calculations being of area exclusive of areas within public roads, etc. We also attach, as Attachment 7, a map and accompanying sub-maps showing the Title Company search areas within the district and Attachments 1-5 pertain to those respective areas. With regard to those mentioned attachments and calculation sheets, the designated Title Company search certificates are correspondingly numbered to coincide to the tract numbers represented under the attachments to the petition circulated for signature to create the Sub-Sewer District. In those instances wherein land within the boundaries of the Sub-Sewer District was not included within the petition designations or attachments at the time of submission for creation to the Board of County Commissioners, those omitted parcels or tracts are indicated by the words "Not on Petition". Also, with respect to such omitted tracts which were not described on the originally submitted petition, since no signatures whatsoever with regard thereto were obtained since the same were not attached to the petition, the areas thereof were assigned to the nonconsenting or "no" category. Similarly, if a tract was listed upon the petition but no signatures obtained, such tract and the area thereof was assigned to the "no" category. With regard to the "yes" category, if the petition and/or the tract description was signed by the record owner(s) as shown by the title certificates, the tract and the area thereof was assigned to the "yes" category. However, if the signature(s) obtained did not meet or conform to the record title ownership as evidenced by the title certificates, such was noted by the reference "Signature Error" and, in such case, the supposed "yes" square footage was assigned to the "no" category.

With regard to square footage determinations, the amounts as set forth on Attachments 1 through 6 were compiled from one of two sources being: (1) computations obtained or verified from computations set out on maps obtained from the offices of the Johnson County Unified Wastewater Districts which were, we are advised, prepared for square footage assessment purposes for the spread of special assessments on

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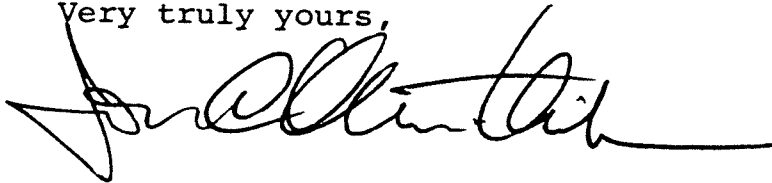
Citizens Legal Fund, et al.
October 15, 1982
Page Four

the main sewer line within Sub-Sewer District No. 5; and (2) to the extent not set out or provided on said maps described in (1) above, by independent calculations either by this firm or by Chicago Title Insurance Company. You should understand that this opinion is subject to the express limitation that such square footages can only be finally confirmed or verified as either correct or incorrect or subject to adjustment plus or minus by appropriate field survey.

Based upon and subject to the foregoing, it is our opinion that, at the time of the creation of Blue River Sub-Sewer District No. 5, on June 26, 1978, the area within the boundaries thereof, exclusive of portions within public roads, public parks and public cemeteries, constituted 43,522,022.99 square feet or 999.13 acres. It is our further opinion that, based upon our interpretation of the submitted title evidence, the percent opposed to the creation of the district was 51.77 percent and the percent in favor was 48.23 percent. Accordingly, in our opinion, less than the required 51% of the owners of the acreage within the taxing district approved of the creation of the district.

If any of you have any questions with regard to this matter, please do not hesitate to contact the undersigned.

Very truly yours,



Jon C. Christlieb
for
WEEKS, THOMAS & LYSAUGHT, CHARTERED

JCC:BF
Encls.

DISTRICT AREA ALLOCATIONS - ORIGINAL DISTRICT

Reference area within District:

SW 1/4, Sec. 5-14-25;
 Title Co. Search Map 1,
 Certificates Numbered 1-51,
 both inclusive

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
1	225	9,576.0	9,576.0	
2	226	4,200.0		4,200.0
3	222	12,510.0	12,510.0	
4	223	12,510.0	12,510.0	
5	224	12,510.0		12,510.0
6	227	22,304.0	22,304.0	
7	228	6,614.0	6,614.0	
8	229	20,558.0	20,558.0	
	242	17,010.0	17,010.0	
9	230	11,954.0	11,954.0	
10	231	18,727.0		18,727.0
11	232	18,450.0		18,450.0
	241	22,275.0		22,275.0
12	233	20,000.0		20,000.0
13	234)			
	235)	121,778.0	Sig. Error	121,778.0
14	234)	27,500.0	Sig. Error	27,500.0
	235)			
15	236	40,000.0		40,000.0
16	248	742,904.62	742,904.62	
17	237	77,920.0	77,920.0	
	240	394,045.0	394,045.0	
223	Dougan (part of Cert. 17)	7,080.0		7,080.0
18	239	24,800.0		24,800.0
19	238	9,000.0	Sig. Error	9,000.0
20	244	6,125.0		6,125.0
21	243	12,434.0		12,434.0
22	245	30,059.0		30,059.0
23	246	13,031.0		13,031.0
24	247	34,750.0	34,750.0	
25	249	20,218.0		20,218.0
	250	21,773.0		21,773.0
26	298)	7,163.0		7,163.0
	299)			
27	300	9,375.0	9,375.0	
28	301	21,875.0		21,875.0
29	302	12,500.0		12,500.0
30	Not on Petition	13,325.0		13,325.0
31	Not on Petition	12,947.0		12,947.0
32	Not on Petition	12,947.0		12,947.0
33	Not on Petition	12,707.3		12,707.3
34	Not on Petition	12,707.3		12,707.3
35	Not on Petition -Lot 7	12,947.3		12,947.3
36	Not on Petition -Lot 8	12,947.3		12,947.3
		14,847.3		14,847.3
37	131	166,013.0	166,013.0	
		139,800.0	139,800.0	
38	251	60,264.0		60,264.0
39	141	15,552.0		15,552.0
40	140	40,435.0		40,435.0
41	135	29,938.0		29,938.0
42	137	13,851.0		13,851.0
43	136	11,970.0		11,970.0
44	134	11,115.0		11,115.0

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
45	139	55,987.0		55,987.0
46	138	38,880.0	38,880.0	
47	133	81,648.0		81,648.0
48	142	50,155.0		50,155.0
49)	144A)			
50)	144B)	71,928.0		71,928.0
51)	144C)			
	Not on Petition Vacated portion E. 3rd Street in N. Cherry Addition (not included in N. Cherry lot allocations)	5,660.0		5,660.0
Totals		2,742,100.12	1,716,723.62	1,025,376.5

Percent Yes	62.60616115%
Percent No	37.39383885%
Total	<u>100.00000000%</u>

DISTRICT AREA ALLOCATIONS - ORIGINAL DISTRICT

Reference area within District:

S 1/2 Sec. 6-14-25;
 Title Co. Search Map 2,
 Certificates Numbered 52-88
 and 217-222, respectively

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
52	87	1,889,198.0	1,889,198.0	
53	89	1,887,280.46	1,887,280.46	
54	90	498,674.0		498,674.0
55	105	266,666.06	266,666.06	
56	129	128,502.0		128,502.0
	281	44,690.0		44,690.0
57	106	39,641.0	39,641.0	
58	107	84,784.0	Sig. Error	84,784.0
	276	17,435.0	Sig. Error	17,435.0
	277	15,301.0	Sig. Error	15,301.0
	278	15,309.0	Sig. Error	15,309.0
	279	15,316.0	Sig. Error	15,316.0
	280	3,141.0	Sig. Error	3,141.0
59	128	Taken on Certs. 71,72,73 & 74		
60	282	6,000.0		6,000.0
61	283	16,000.0		16,000.0
62	284	25,000.0		25,000.0
63	285	23,000.0		23,000.0
64	286	15,866.0		15,866.0
65	287	15,866.0	15,866.0	
66	288	15,866.0	15,866.0	
	289	15,866.0	15,866.0	
67	290	15,866.0		15,866.0
	291	15,866.0		15,866.0
	292	15,866.0		15,866.0
	293	15,866.0		15,866.0
68	294	15,868.0		15,868.0
69	295	15,867.0	15,867.0	
	296	7,938.0	7,938.0	
	297	23,800.0	23,800.0	
70	111)			
71	114)			
72	115)	1,787,522.0		1,787,522.0
73	102)	Includes Sq. Ft.		
74	100)	w/in Cert. #59		
75	103	20,677.0		20,677.0
76	104	27,570.0		27,570.0
77	98	11,332.0		11,332.0
78	122	28,330.0		28,330.0
79	123	26,913.0	26,913.0	
80	126	26,913.0		26,913.0
81	121	21,247.0	21,247.0	
82	118	21,247.0		21,247.0
83	94	21,247.0		21,247.0
	96	22,667.0		22,667.0
84	101	13,328.0		13,328.0
85	119	15,600.0		15,600.0
86	117	14,460.0		14,460.0
87	95	19,968.0	19,968.0	
88	99	17,819.0	17,819.0	
217	112	17,250.0	17,250.0	
218	110	73,851.0		73,851.0
219	113	24,750.0		24,750.0

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
220	93	21,645.0		21,645.0
221	97	25,147.0		25,147.0
222	116	Sq. Ft. taken at Cert. 70-74		
Totals		7,425,821.52	4,281,185.52	3,144,636.0
Percent Yes	57.65268541%			
Percent No	42.34731459%			
Total	<u>100.00000000%</u>			

DISTRICT AREA ALLOCATIONS - ORIGINAL DISTRICT

Reference area within District:

NW 1/4 and NE 1/4 and a portion of
 SW 1/4 and SE 1/4, all in Sec.
 7-14-25; Title Co. Search Map(s) 3 & 4,
 Certificates Numbered 89-101 and
 102-138, respectively

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
89	3	180,181.0	180,181.0	
90	7	63,679.0	63,679.0	
91	2	163,079.0	163,079.0	
92	1	469,762.0	469,762.0	
93	11	47,168.0	47,168.0	
94	9	125,122.0	125,122.0	
95	6	4,830,058.0	4,830,058.0	
96	14	41,400.0		41,400.0
97	10	41,400.0	41,400.0	
98	5	42,900.0	42,900.0	
99	4	146,000.0		146,000.0
100	8	182,500.0		182,500.0
101	12	3,015,189.0		3,015,189.0
102	23	362,865.0	Sig. Error	362,865.0
103	29	70,548.0		70,548.0
104	28	76,106.0	76,106.0	
105	27	75,856.0	Sig. Error	75,856.0
106	26	54,032.0		54,032.0
107	25	25,673.0		25,673.0
108	24	25,673.0	25,673.0	
109	32	25,673.0		25,673.0
110	21)			
	22)	74,204.0	Sig. Error	74,204.0
111	19	28,211.0		28,211.0
112	42	18,559.0	18,559.0	
113	30	19,332.0		19,332.0
114	39	21,150.0		21,150.0
115	47	21,150.0	Sig. Error	21,150.0
116	37	20,377.0		20,377.0
117	38	20,377.0	20,377.0	
118	40	18,800.0	18,800.0	
119	41	17,544.0	17,544.0	
120	46	21,160.0	21,160.0	
121	45	20,874.0	20,874.0	
122	43	19,847.0	19,847.0	
123	35	19,590.0		19,590.0
124	36	19,470.0	19,470.0	
125	Not on Petition)	4,700.0		4,700.0
126	Not on Petition)			
126A	44	19,211.0	19,211.0	
127	20	174,180.0		174,180.0
128	252	30,304.0	30,304.0	
129	253 - Lot 4	12,878.0	12,878.0	
	255 - Lot 5			
130	254	35,470.0	Sig. Error	35,470.0
131	256)	19,896.0	19,896.0	
	258)			
132	257	43,958.0	43,958.0	
134	260	16,760.0	16,760.0	
135	261	21,667.0	21,667.0	
133)	259 - Lot 9)	132,406.5		132,406.5
136)	262 - Lot 12)			
137	16	4,694,300.96		4,694,300.96
138	48	406,197.0	406,197.0	
Totals		16,037,437.46	6,792,630.0	9,244,807.46

Percent Yes 42.35483391%
 Percent No 57.64516609%
 Total 100.00000000%

DISTRICT AREA ALLOCATIONS - ORIGINAL DISTRICT

Reference area within District:

NW 1/4 and portion of NE 1/4,
 Sec. 8-14-25; Title Co. Search
 Map 5, Certificates Numbered
 139-169 and 185-193, respectively,
 and Title Co. Search Map 5A,
 Certificates Numbered 170-184

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
139	155	3,372.0	3,372.0	
	156	3,372.0	3,372.0	
140	157	10,678.0	10,678.0	
141	158	2,810.0		2,810.0
	159	3,372.0		3,372.0
	160	3,372.0		3,372.0
	161	3,372.0		3,372.0
142	162	3,372.0	3,372.0	
	163	3,372.0	3,372.0	
	164	3,372.0	3,372.0	
	165	3,372.0	3,372.0	
143	166)	13,488.0		13,488.0
	167)			
	168)			
	169)			
144	170	3,372.0		3,372.0
	171	3,372.0		3,372.0
	172	3,372.0		3,372.0
145	173	3,372.0	3,372.0	
	174	3,372.0	3,372.0	
	175	3,372.0	3,372.0	
	176	3,372.0	3,372.0	
	177	3,372.0	3,372.0	
	178	3,372.0	3,372.0	
	179	3,372.0	3,372.0	
	180	13,488.0	13,488.0	
146	181	12,645.0		12,645.0
147	182	4,215.0		4,215.0
148	183	3,372.0		3,372.0
	184	3,372.0		3,372.0
	185	3,372.0		3,372.0
	186	3,372.0		3,372.0
149	187	31,560.0	31,560.0	
150	188	3,156.0		3,156.0
	189	3,156.0		3,156.0
151	190	6,312.0	6,312.0	
152	191	3,156.0	3,156.0	
	192	3,156.0	3,156.0	
	193	3,156.0	3,156.0	
153	194	3,156.0	Sig. Error	3,156.0
	195	3,156.0	Sig. Error	3,156.0
	196	3,156.0	Sig. Error	3,156.0
154	197	22,092.0		22,092.0
155	198	15,780.0	Sig. Error	15,780.0
156	203	25,248.0		25,248.0
157	204)			
	205)			
	206)			
	207)	30,000.0	30,000.0	
	208)			
	209)			
	210)			
	211)			

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
158	212) 213) 214) 215)	14,550.0		14,550.0
159	60 216) 217) 218) 219)	11,100.0 11,100.0	Sig. Error Sig. Error	11,100.0 11,100.0
160	68 220	14 ft. of Lot 5 included in Cert. No. 159 Included in Cert. No. 161 (r/w)	Sig. Error Sig. Error	
161	57 221	16,800.0 16,800.0	Sig. Error Sig. Error	16,800.0 16,800.0
162	49 263	7,124.0 6,875.0	Sig. Error Sig. Error	7,124.0 6,875.0
163	264	6,875.0		6,875.0
164	265 274	25,248.0 5,568.0		25,248.0 5,568.0
165	266	6,312.0		6,312.0
166	267 268	3,156.0 3,156.0		3,156.0 3,156.0
167	269 270 271 272	3,156.0 3,156.0 3,156.0 3,156.0	3,156.0 3,156.0 3,156.0 3,156.0	
168	273	12,624.0		12,624.0
169	275	5,568.0		5,568.0
170	Not on Petition	Included in Cert. No. 158		
171	61	103,795.0		103,795.0
172	66	16,571.0		16,571.0
173	54	75,256.0		75,256.0
174	17	31,100.0		31,100.0
175	18	Included in Cert. No. 161 (r/w)		
176	62	20,937.0	20,937.0	
177	65	19,356.0	Sig. Error	19,356.0
178	63	44,353.0	44,353.0	
179	67	27,625.0	27,625.0	
180	31	327.0	Sig. Error	327.0
181	59	20,376.0	20,376.0	
182	64	43,000.0		43,000.0
183	69	110,365.0		110,365.0
184	53	196,681.0	196,681.0	
185	Not on Petition	66,989.0 43,691.0 43,786.0 42,177.0 48,934.0 45,682.0 42,214.0 43,610.0 43,610.0 44,118.0 49,483.0 43,670.0 43,575.0 43,575.0 43,520.0 53,579.9 52,612.5 201,800.0 93,749.0 94,601.9		66,989.0 43,691.0 43,786.0 42,177.0 48,934.0 45,682.0 42,214.0 43,610.0 43,610.0 44,118.0 49,483.0 43,670.0 43,575.0 43,575.0 43,520.0 53,579.9 52,612.5 201,800.0 93,749.0 94,601.9

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
		94,594.2		94,594.2
		94,587.2		94,587.2
		96,191.1		96,191.1
186	Not on Petition	43,575.0		43,575.0
		43,575.0		43,575.0
187	316	1,420,491.6	1,420,491.6	
188	52	142,862.0		142,862.0
189	52	62,123.0		62,123.0
190	55	231,522.0	231,522.0	
	56	81,996.0	81,996.0	
191	51	1,653,684.0	1,653,684.0	
192	71	2,461,108.79	2,461,108.79	
	72			
193	71	157,292.00	157,292.0	
	72			
Totals		8,934,921.19	6,474,032.39	2,460,888.8
Percent Yes		72.45763284%		
Percent No		27.54236716%		
Total		100.00000000%		

DISTRICT AREA ALLOCATIONS - ORIGINAL DISTRICT

Reference area within District:

NE 1/4 Sec. 12-14-24 and
 N 1/2 of SE 1/4 Sec. 12-14-24;
 Title Co. Search Map(s) 6,
 Certificates Numbered 194-216,
 both inclusive

<u>Certificate No.</u>	<u>Petition No.</u>	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
194	84	95,700.0		95,700.0
195	83	87,000.0	Sig. Error	87,000.0
196	82	209,632.5		209,632.5
<u>W.E.Acres</u>				
197	Lot 1 303	162,039.5		162,039.5
198	Lot 4 304	207,900.0		207,900.0
199	Lot 5 305	207,900.0		207,900.0
200	Lot 6 306	207,900.0		207,900.0
201	Lot 7 307	207,900.0		207,900.0
202	Lot 8 308	207,900.0		207,900.0
203	Lot 9 309	213,097.5		213,097.5
204	Lot 10 310	210,012.0	210,012.0	
205	Lot 12 312	210,012.0		210,012.0
206	Lot 11 311	210,012.0		210,012.0
207	(Lot 13 313 & 314 (Lot 14	215,262.3		215,262.3
		210,012.0		210,012.0
208	Lot 15 315	210,012.0		210,012.0
209	79	1,039,067.9		1,039,067.9
210	81	598,630.0		598,630.0
211	76	262,945.0		262,945.0
212	80	861,575.0	861,575.0	
213	78	435,294.0	435,294.0	
214	75	217,647.0	217,647.0	
215	77	204,392.0		204,392.0
216	85-86	1,689,900.0		1,689,900.0
<u>Totals</u>		<u>8,381,742.7</u>	<u>1,724,528.0</u>	<u>6,657,214.7</u>
Percent Yes	20.57481435%			
Percent No	79.42518565%			
Total	100.00000000%			

RECAPITULATION






	<u>Square Footage</u>	<u>Yes</u>	<u>No</u>
Attachment 1	2,742,100.12	1,716,723.62	1,025,376.50
Attachment 2	7,425,821.52	4,281,185.52	3,144,636.00
Attachment 3	16,037,437.46	6,792,630.00	9,244,807.46
Attachment 4	8,934,921.19	6,474,032.39	2,460,888.80
Attachment 5	<u>8,381,742.70</u>	<u>1,724,528.00</u>	<u>6,657,214.70</u>
Totals	43,522,022.99 SqFt	20,989,099.53 SqFt	22,532,923.46 SqFt

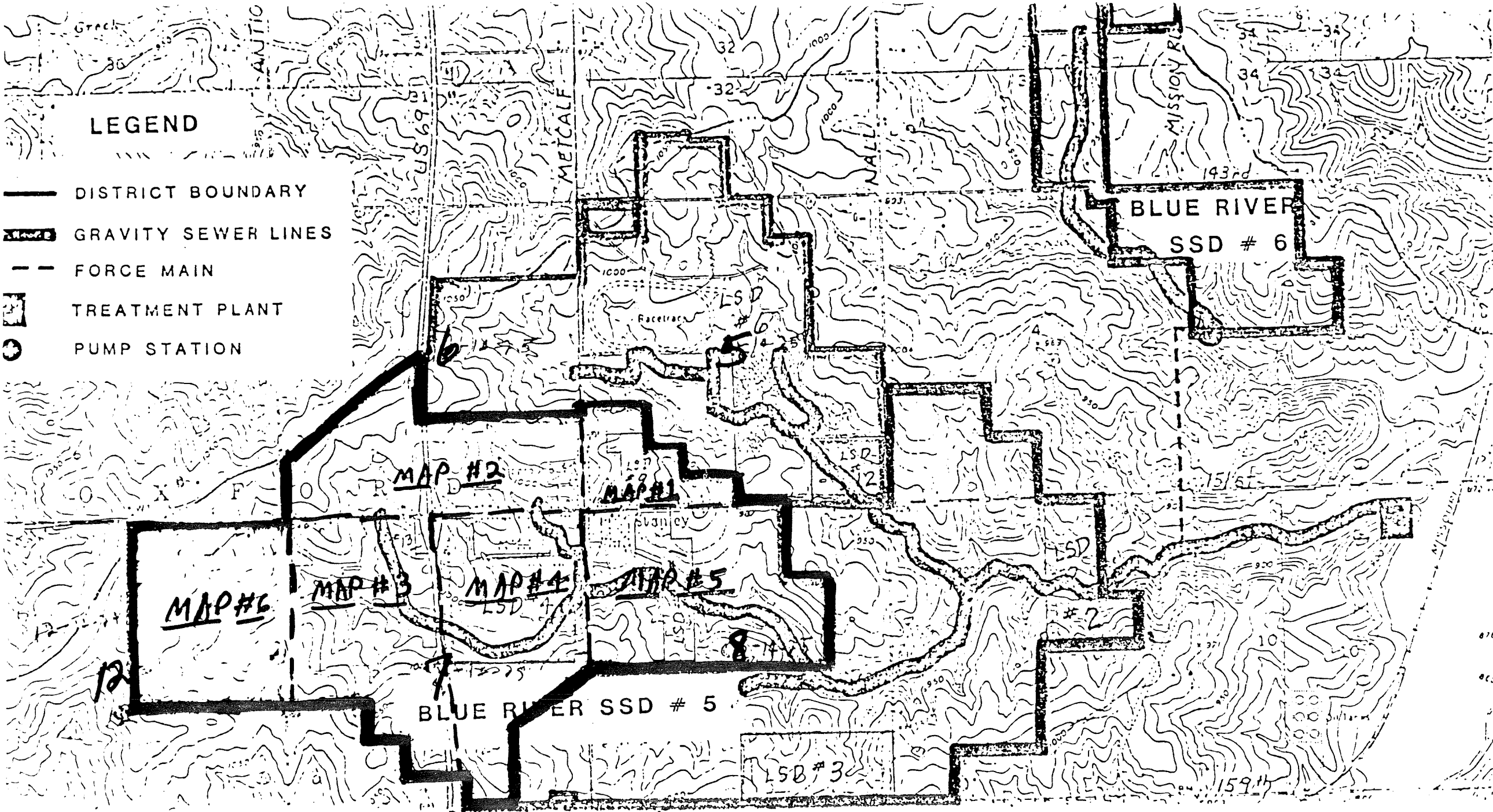
"Yes" square footage of 20,989,099.53 ÷ total square footage of 43,522,022.99 = 48.22638767% in favor

"No" square footage of 22,532,923.46 ÷ total square footage of 43,522,022.99 = 51.77361233% opposed

Total acres within area of taxing district exclusive of public roads, etc. - 999.13 acres

LEGEND

-  DISTRICT BOUNDARY
-  GRAVITY SEWER LINES
-  FORCE MAIN
-  TREATMENT PLANT
-  PUMP STATION



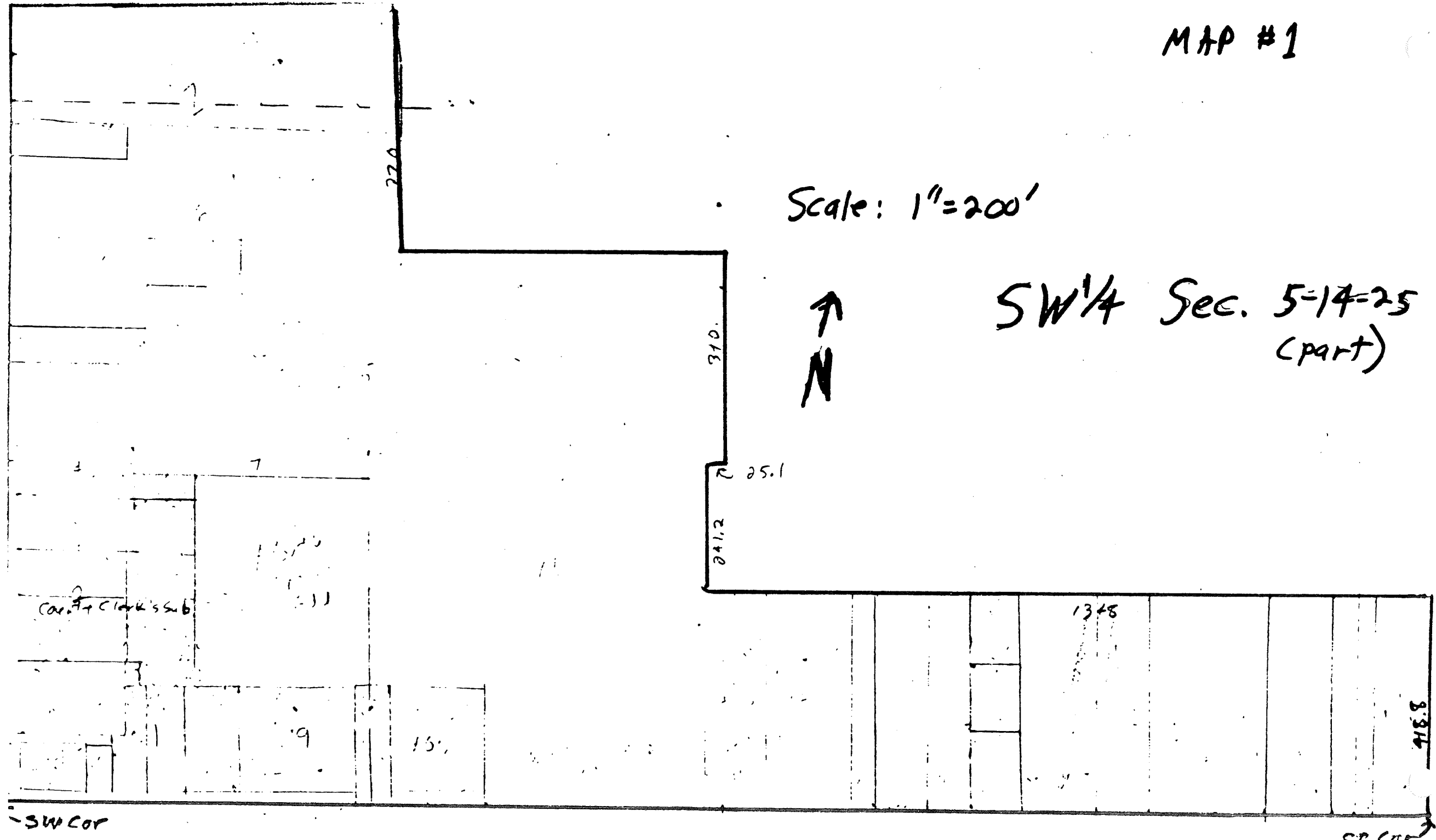
DESCRIPTION: BLUE RIVER SEWER SUB-DISTRICT NO. 5

Beginning at the Northeast corner of Section 12, Township 14 South, Range 24 East, Johnson County, Kansas; thence West along the North line of said Section 12 to the North 1/4 corner of said Section 12; thence South along the North-South centerline of said Section 12 to a point on the South line of the North 645 feet of the Southeast 1/4 of said Section 12; thence East on a line 645 feet South of and parallel to the North line of said Southeast 1/4 to a point on the West line of Section 7, Township 14 South, Range 25 East, Johnson County, Kansas; thence South along said West line to a point on the South line of the North 1/4 of the Southwest 1/4 of said Section 7; thence East along the South line of the North 1/4 of the Southwest 1/4 of said Section 7 to a point on the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 7; thence South along said West line to a point on the South line of said Northeast 1/4 of the Southwest 1/4; thence East along said South line to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 7; thence South along said West line to a point on the South line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 7; thence East along said South line and the North line of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 7 to a point on the Easterly right of way line of U. S. Highway No. 69; thence South following along said Easterly right of way line to a point on the South line of said Section 7; thence East along said South line to a point on the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 7; thence North along said East line to the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 7; thence Northeasterly to the East 1/4 corner of said Section 7; thence East along the East-West centerline of Section 8, Township 14 South, Range 25 East, Johnson County, Kansas to a point on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 8; thence North along said East line to a point on the South line of the North 1/2 of the Northeast 1/4 of said Section 8; thence West along said South line to a point on the East line of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of said Section 8; thence North along said East line to a point on the South line of Section 5, Township 14 South, Range 25 East, Johnson County, Kansas; thence West along said South line to a point on the East line of the Southwest 1/4 of said Section 5; thence North along said East line 418.8 feet; thence West along a line 418.8 feet North of and parallel to the South line of said Section 5 1,348 feet; thence North 241.20 feet; thence East 25.1 feet; thence North to a point 1,050 feet North of the South line and 1,326 feet East of the West line of the Southwest 1/4 of said Section 5; thence West along a line 1,050 feet North of the South line of said Southwest 1/4 to a point 729 feet East of the West line of said Section 5; thence North on a line 729 feet East of and parallel to the West line of said Section 5 to a point 200 feet North of the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 5; thence West on a line 200 feet North of and parallel to the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 5 to a point on the East line of Section 6, Township 14 South, Range 25 East, Johnson County, Kansas; thence South along said East line to a point on the North line of the South 1/2 of the Southeast 1/4 of said Section 6; thence West along said North line and the North line of the South 1/2 of the Southwest 1/4 of said Section 6, to a point on the Westerly right of way line of U. S. Highway No. 69; thence Northerly along said Westerly right of way line to a point on the North line of the Southwest 1/4 of said Section 6; thence Southwesterly to a point on the West line of the East 1/2 of the Southwest 1/4 of said Section 6, said point being 660 feet South of the North line of the Southwest 1/4 of said Section 6; thence Southwesterly to a point on the West line of said Section 6, said point being 1,000 feet North of the Southwest corner of said Section 6; thence South along said West line to the point of beginning.

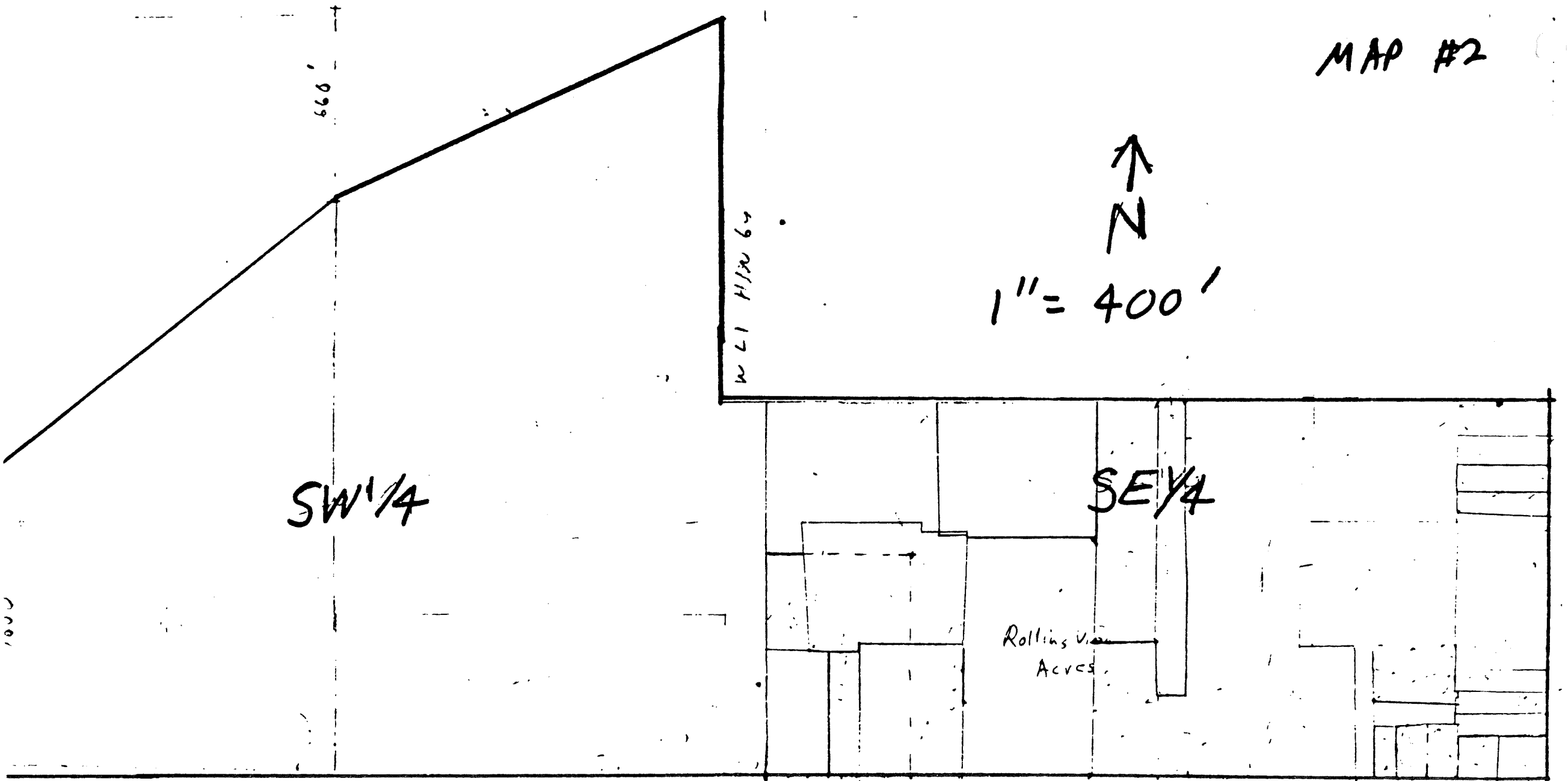
MAP #1

Scale: 1"=200'

SW 1/4 Sec. 5-14-25
(part)



MAP #2



↑
N
1" = 400'

SW 1/4

SE 1/4

Rolling View
Acres

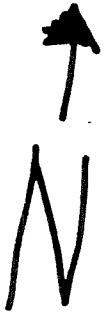
↑
1/4 corner
of section

Section 6 Twp 14 Rng 25

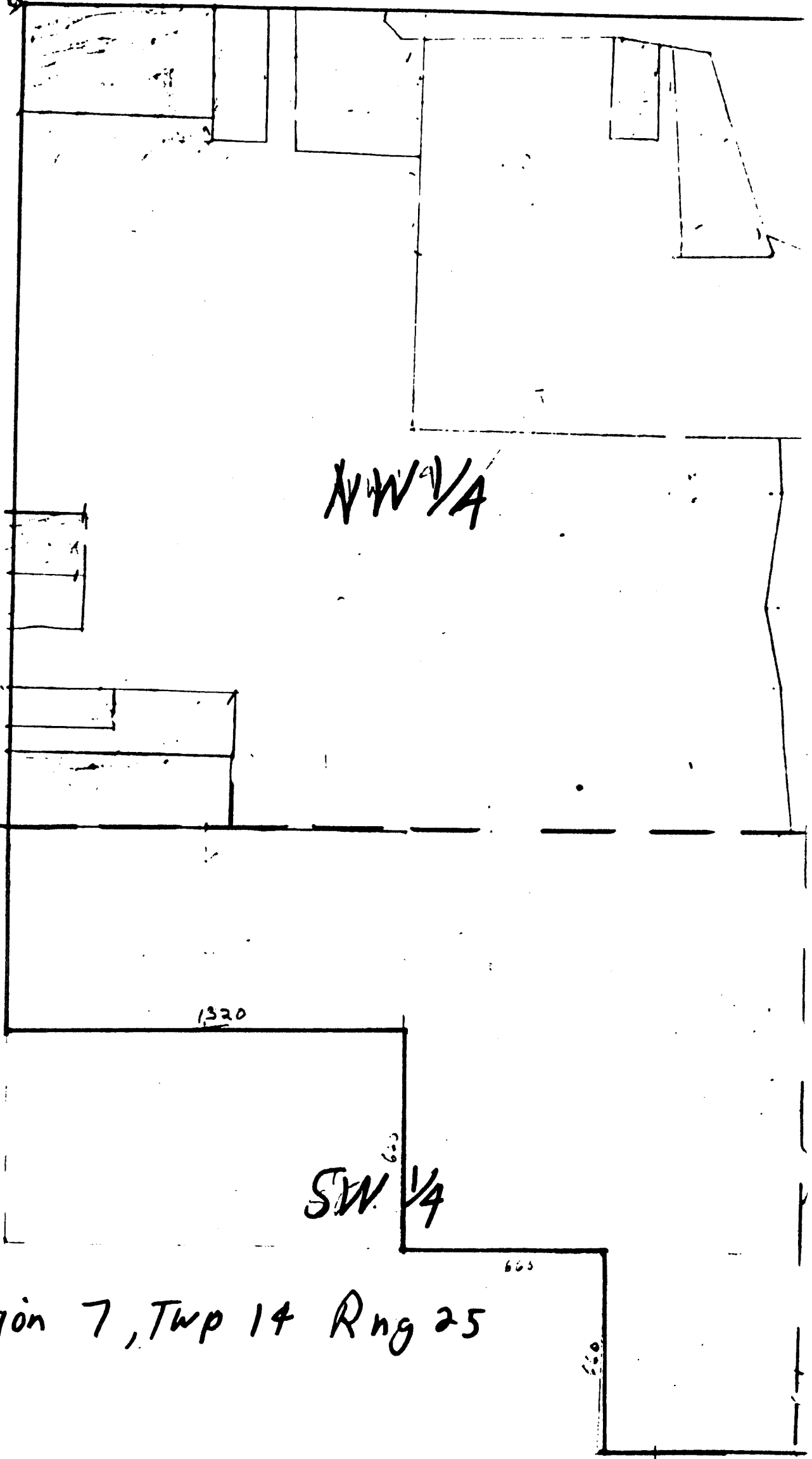
SE corner

NW corner NW 1/4

151st ST



1" = 400'



NW 1/4

SW corner NW 1/4

1320

SW 1/4

663

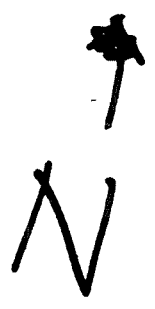
Section 7, Twp 14 Rng 25

SECTION 17, T12N, R10E

83.7

H/W

67 12
County Clerk's
Subdivision



1" = 400'

NE 1/4

2421.35

SL
No

SE 1/4

E Line Up 51

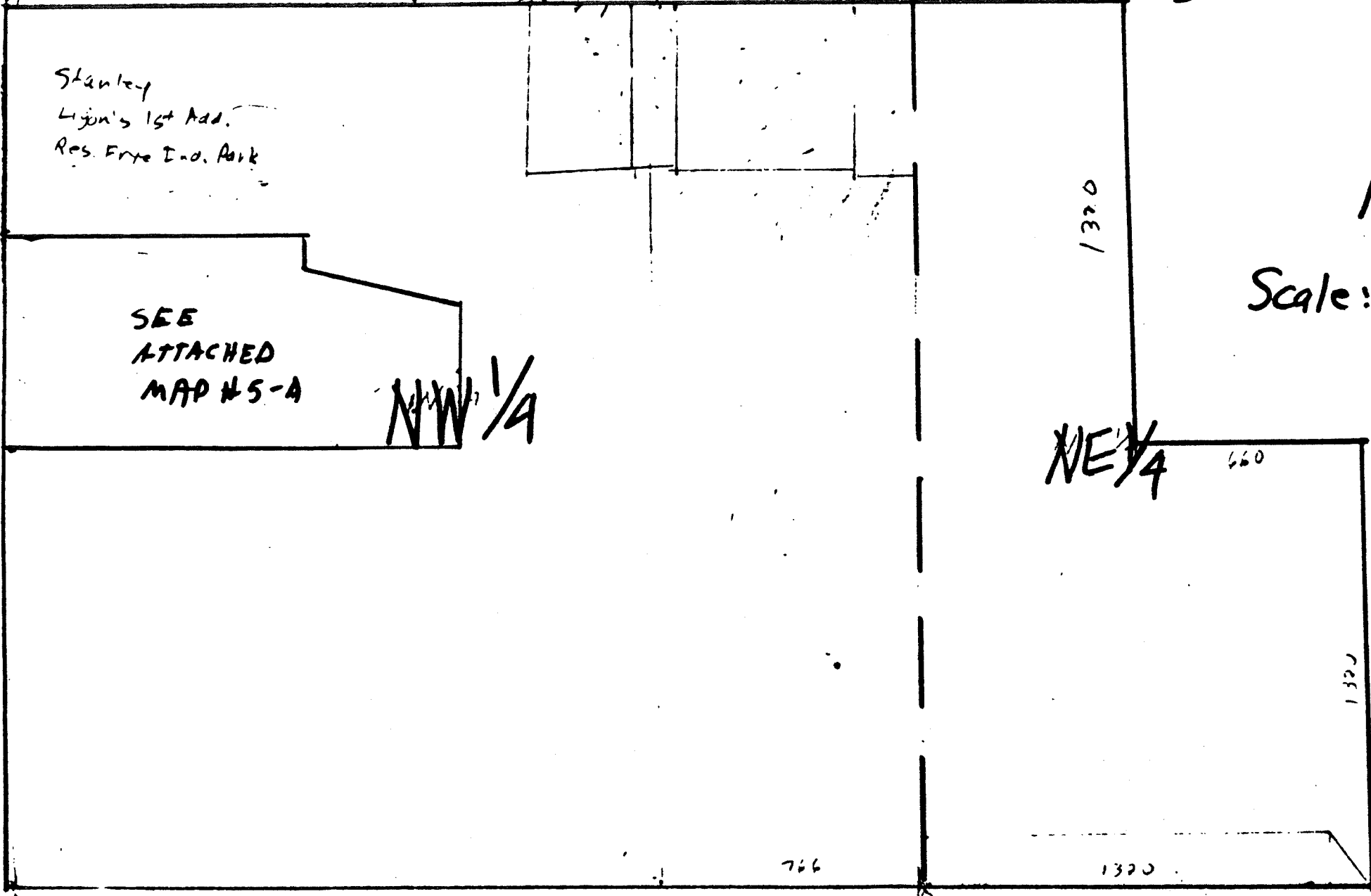
1320

MAP #5

Section 8, Twp. #, Rng. 25

NW cor. NW 1/4

NE cor NW 1/4



Scale: 1" = 400'

20

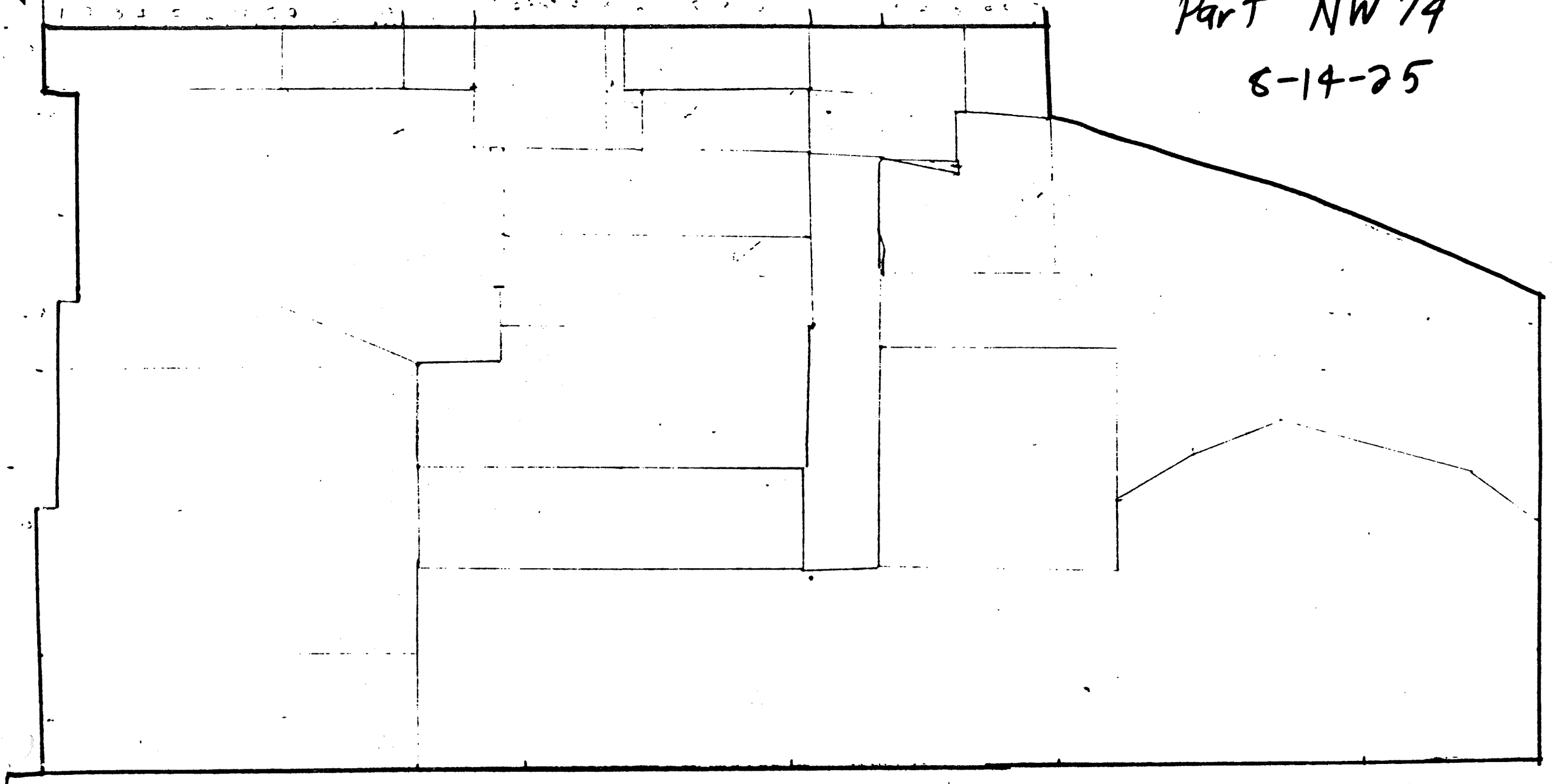
766

1320

MAP #5-A

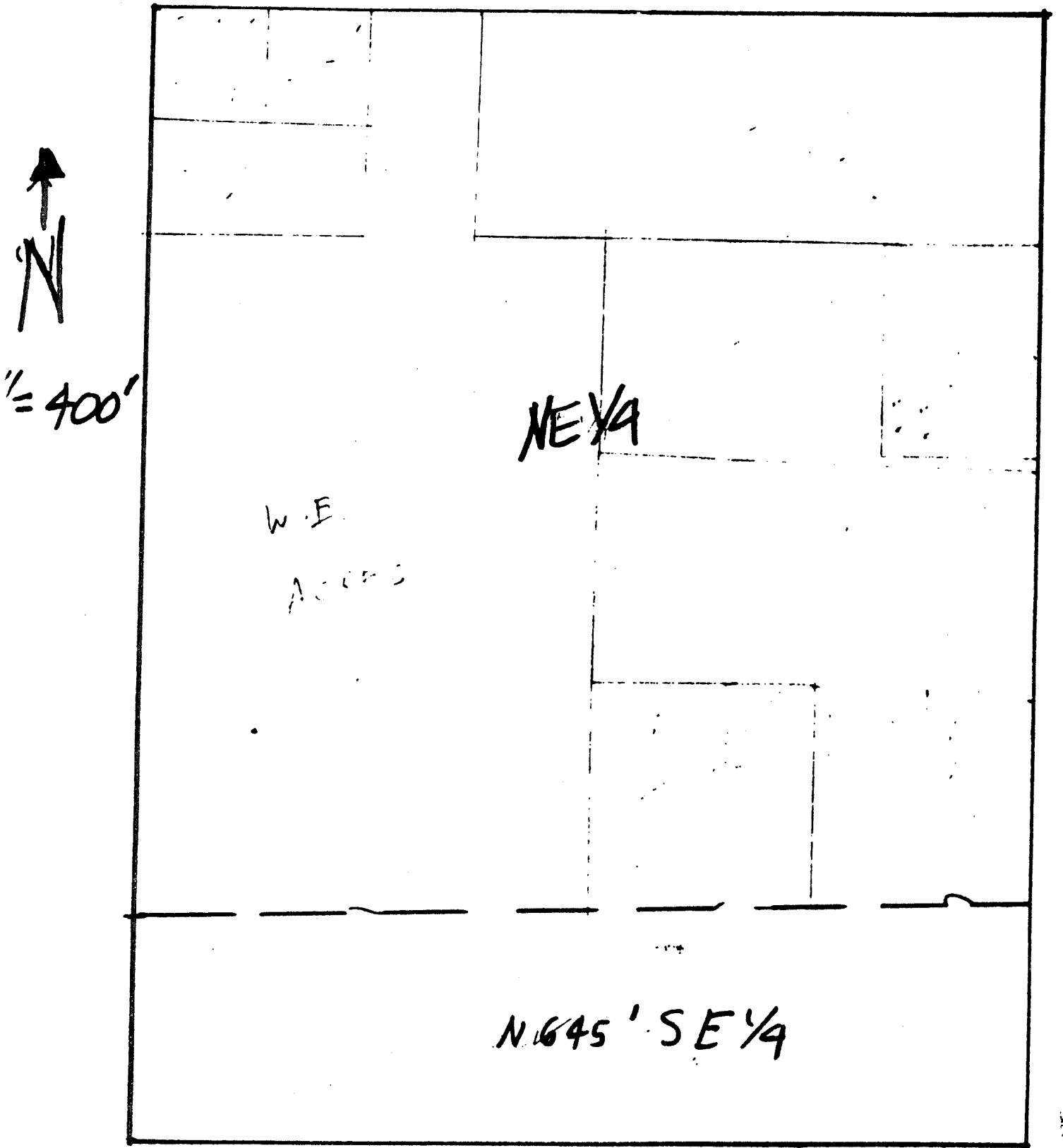
Part NW 1/4

8-14-25



MAP #

Section 12, Twp. 14, Rng 24



2690

ATTACHMENT V
REMARKS BY COUNCILMEMBER AILIE SPEER
OF THE CITY OF OVERLAND PARK
BEFORE THE
HOUSE LOCAL GOVERNMENT COMMITTEE

FEBRUARY 23, 1983

HONORABLE CHAIRMAN AND MEMBERS OF THE COMMITTEE, THANK YOU VERY MUCH FOR THE OPPORTUNITY TO APPEAR BEFORE YOU. MY NAME IS AILIE SPEER, AND I AM A MEMBER OF OVERLAND PARK'S CITY COUNCIL. ON BEHALF OF THE CITY, I WANT TO EXPRESS OUR OPPOSITION TO HOUSE BILLS 2305 AND 2307, WHICH WOULD PENALIZE ALL OF THE TAXPAYERS IN JOHNSON COUNTY.

IN THE PAST, THE BOARD OF COUNTY COMMISSIONERS HAS SUCCESSFULLY CONSTRUCTED THE COUNTY INFRASTRUCTURE THROUGH THE CREATION OF BENEFIT DISTRICTS, REQUIRING THOSE WHO BENEFIT FROM THE IMPROVEMENT TO PAY THEIR FAIR SHARE. BOTH OF THESE BILLS ARE CONTRARY TO THAT PROVEN PROCEDURE.

THESE BILLS WOULD ALSO SERVE TO FURTHER ENCOURAGE THE TYPE OF DEVELOPER SPECULATION WHICH LED TO THE CURRENT PROBLEMS BEING FACED BY THE STANLEY AREA, BY PROVIDING THE COUNTY COMMISSIONERS AND THE DEVELOPERS AN EASY WAY OUT OF A POOR DECISION AT THE EXPENSE OF THE COUNTY TAXPAYERS.

BY PROVIDING THE COUNTY COMMISSIONERS THE ENABLING LEGISLATION TO DELAY THE PAYMENT OF SPECIAL ASSESSMENTS, HB 2305 WOULD RESULT IN ENORMOUS COSTS OVER AND ABOVE THE ACTUAL COSTS OF CONSTRUCTING AND FINANCING THE SEWER PROJECT IN QUESTION. TO ADOPT SUCH A

Atch. V

SCHEME COULD POTENTIALLY AFFECT THE MOODY'S RATINGS OF ALL THE POLITICAL SUBDIVISIONS IN THE COUNTY. THIS WOULD JEOPARDIZE THEIR ABILITY TO MARKET BONDS OR SIGNIFICANTLY ADD TO THE INTEREST COSTS.

AS YOU ARE PROBABLY AWARE, INVESTOR RATING SERVICES LOOK AT MANY COMPONENTS IN DETERMINING AN INDIVIDUAL RATING, BUT INTERNAL MANAGEMENT AND FINANCING METHOD ARE TWO OF THE KEY ELEMENTS. THESE BILLS COULD SIGNIFICANTLY AFFECT THE LATTER.

THEREFORE, FOR THESE REASONS, I WOULD URGE THE COMMITTEE TO RECOMMEND THESE BILLS AS NOT FAVORABLE FOR PASSAGE, AND I THANK YOU FOR YOUR CONSIDERATION IN THIS REGARD.