IMPROVEMENT PROJECT

PETITION

THE MAYOR AND COUNCILMEMBERS
City of Topeka

We, the undersigned owners of record of real estate located within the Improvement District legally described herein, do hereby respectfully petition for the following improvements, in accordance with the conditions herein contained, and as provided by K.S.A. 12-6a01, et seq., as amended.

PROJECT NO. ___________

A. GENERAL NATURE OF IMPROVEMENT:

B. PROPOSED IMPROVEMENT DISTRICT:

C. ESTIMATED OR PROBABLE COST:

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.

D. METHOD OF ASSESSMENT:

E. APPORTIONMENT OF COSTS:

Costs are to be paid 100 percent by the owners of property within the Improvement District.

F. CERTIFICATION OF SIGNERS OF THE PETITION:

We understand, agree and certify:

(i) That we own 100% of the property or properties included in the Improvement District; and

(ii) That this Petition is one submitted pursuant to subsection (c) of K.S.A. 12-6a04, and amendments thereto; and

(iii) That the proposed Improvement District does not include all properties which may be deemed to benefit from the proposed improvements; and

(iv) That we may not withdraw our signature(s) from this Petition after the Governing Body commences consideration of this Petition or later than seven (7) days after such filing, whichever occurs first; and

10-10-18
(v) That we are willing to pay the costs of the proposed improvements; and

(vi) That we hereby waive the notice of and the opportunity to appear at a Public Hearing available under K.S.A. 12-6a01. et seq. and Article 2 of TMC Chapter 3.45. Further we request that the City Council adopt a Resolution authorizing the above described improvement; and

(vii) That the parcels of property contained within the Improvement District may not be altered by replatting or other means until assessments have been levied unless the developer submits a new Petition signed by all property owners with the changes or modifications to the parcels within the Improvement District. Provided, however, no new petition will be required if all owners of the parcel(s) to be altered provide the City Engineer written notice specifying the allocation of the project costs among the new parcels to be created through the replat. Said written notice of the allocation of project costs shall accompany the application for the replat and also shall be filed with the Register of Deeds and shall be a covenant running with the land and binding on the subsequent owners of said parcels; and

(viii) That, in addition to the costs for the improvement, we will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management; and

(ix) No signator to this petition has a financial interest in an existing development with delinquent tax obligations. (Resolution No. 8726); and

(x) If the signator is a legal entity, no director, officer, or member of the entity has a financial interest in any property with delinquent special assessments, ad valorem/property taxes, or other federal or state tax liens anywhere within the State of Kansas (Resolution No. 8726); and

(xi) That, if the property is not owned by an individual or individuals, we have disclosed the name of the company, partnership, trust corporation or other entity which owns the property along with our title, position or office, and we have been duly authorized to execute this Petition on behalf of the entity; and

(xii) The signatories declare under penalty of perjury that the statements in this petition and certification are true and correct.

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<th>Name of Property Owner</th>
<th>Name, Title and Signature of Person Executing Petition</th>
<th>Legal Description of Property Owned</th>
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10-10-18
CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

________________                                   ____________________________
Date                                                Signature of Person Carrying Petition

CERTIFICATION OF DEVELOPER

I, the undersigned developer of record of real estate located within the Improvement District, hereby certify:

(i) That I have reviewed the City’s policy for special benefit districts in Resolution No. 8726 and will supply the information requested.

(ii) That, as required by K.S.A. 12-6a20, I will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is located in an improvement district and is subject to special assessments to pay for the Improvement; and

(iii) That I will notify in writing each and every purchaser of parcels of property within the Improvement District that in addition to the costs for the Improvement, the property owners will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management.

________________                                   _________________________
Date                                                Signature