

PETITION - SANITARY SEWER LATERAL

To the Board of Commissioners
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property lying within the area described generally as follows:

LITTLEJOHN ADDITION

Lots 4 through 6 inclusive

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed a lateral sanitary sewer to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
- (b) That the estimated and probable cost of the foregoing improvements being Fifteen Thousand Dollars (\$15,000.00), 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1 1/2 percent per month from and after April 1, 1985.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.
- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That Lots 4 through 6 inclusive, Littlejohn Addition, shall each pay 1/3 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

- (e) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of any assistance available through the Special Assessment Deferral Program, in accordance with City of Wichita Ord. No. 38-559.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

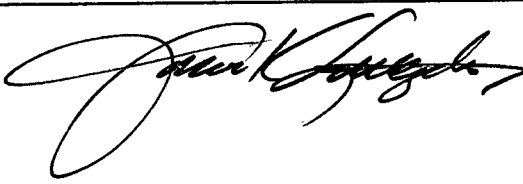
3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

LAT 245-MAIN 5, SS # 22

81494

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>LITTLEJOHN ADDITION</u> Lots 4 through 6 inclusive		5/6/85

AN ABTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

J. B. Smith
Name

330 LAZR
Address

262-7271
Telephone No.

Sworn to and subscribed before me this 21st day of August
19 85.

Donald Smith
City Clerk

INSTRUCTIONS

1. The person circulating the petition must secure a certified list of property owners from any Abstract Company.
2. Each resident owner who wishes to sign the petition must sign as his name appears on the abstractor's certificate. The date of signing should be placed beside each signature.
3. In accordance with City of Wichita Ordinance No. 38-438, individuals signing this petition will not be eligible for the City of Wichita's Special Assessment Deferral Program.
4. Husband and wife must sign the petition with a complete signature. One cannot sign for the other.
5. If you have information that any of the property owners live outside the city limits, place their addresses, if known, and names in the space provided in the affidavit.
6. MAKE NO ERASURES on any part of this petition. Erasures will void the petition, and it will not be accepted or submitted for approval.
7. Return the petition to the City Clerk's office and sign the affidavit. The signatures must be witnessed by the City Clerk or his Deputy.
8. The telephone number, if any, and address of the person filing the petition must be shown on the affidavit.
9. If you have additional questions or require additional instructions, please contact the office of the City Engineer.

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) 267-8371

By:
Robert P. Pilla
President.

ATTEST:
Robert Haines
Secretary.

Glenn B. Edwards
Authorized Signatory



SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the deeds and/or mortgages, the form and execution of which is satisfactory to the Company, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): **Taxes for year 1984 - Exempt (Key #D-18148-2)**
9. It is noted for informational purposes only, and not as an exception to title which will appear in our policy, that subject property may become subject to special assessments for street as shown by Resolution filed on Film 528, Page 1536.