



Department of Public Works

August 15, 2001

Ronald & Carol Counter
2138 S. 119th St. W
Wichita, KS 67209

Dear Ronald & Carol Counter:

The water lines being constructed to serve Flat Creek Addition are coming from the east side of the subdivision, and will not be available to serve your lot. A water line in 119th St. W is planned for 2006. You may petition for water service at that time.

On the other hand, the sewer lines being constructed to serve Flat Creek Addition *are* adjacent to your rear property line. You may connect to the sewer line. Without a petition, up front fees for connecting to the sewer line are \$4100* + \$500** = \$4600. Alternatively, enclosed is a petition that will allow you to be part of the improvement district. The cost with the petition is estimated at \$3140, which may be spread over 15 years as specials to your property. There would still be the \$500 equity fee at the time of connection. Also, please note that by signing the petition, you are also requesting annexation. If you are interested in City sewer, please sign the enclosed petition and return it to this office at your earliest convenience.

If you have any questions, feel free to call me at 268-4632.

Sincerely,

Julianne Kallman, P.E.
Civil Engineer

*\$4100 is the current fee in lieu of assessment (charged if you are not part of the improvement district)

**\$500 is the current sewer plant equity fee (fee charged to every property that hooks up to City Sewer)

Engineering Division

City Hall • Seventh Floor • 455 North Main • Wichita, Kansas 67202-1606

T 316.268.4501 F 316.268.4114

www.wichitagov.org

SANITARY SEWER PETITION
(Outside Corporate Limits)

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The N 236' of a tract beginning 615' S of the NW corner of the SW ¼; thence E 335'; S 355'; W 335';
and N to the point of beginning
in Section 31, Township 27S, Range 1W (DE-379-3)

do hereby petition pursuant to the provisions of K.S.A. 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 \$3140 (Three Thousand One Hundred Forty Dollars), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after September 1, 2001.
- (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.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (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 with the above described lot paying the full share of the cost assessed to 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.

2. (a) 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.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

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 (a) both a majority of owners of record, and the owners of record of more than half the area liable for assessments outside the corporate limits of the City of Wichita, Kansas, and also (b) either (I) a majority of the resident owners of record or (II) the resident owners of record of more than one-half of the area liable for assessment within the corporate limits of the City of Wichita, Kansas, or (III) the owners of record (whether resident or not) of more than one-half the area liable for assessment within the corporate limits of the City of Wichita, Kansas.

Petitions for projects which are partially within the corporate limits of Wichita shall be commenced only upon a petition found sufficient by the provisions of K.S.A. 12-6a04, except that for the purpose of determining the sufficiency of the signatures to such petitions, only that area which is outside the corporate limits of Wichita shall be considered to constitute the proposed improvement district.

5. The owners of land covered hereunder outside the corporate limits of Wichita do hereby petition, consent to and request annexation of such lands by The City at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. Seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city, land or any part thereof. 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.

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

LEGAL DESCRIPTION	SIGNATURE	DATE
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IMPROVEMENT DISTRICT

DE-379-3

_____	_____
_____	_____

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.

Name

Address

Telephone Number

Sworn to and subscribed before me this _____ day of _____, 20____.

Pat Burnett, City Clerk

Special Assessment Hardship (Low Income) Deferral Guidelines

1. In order to qualify for a hardship deferral, a **property owner must meet the following criteria:**
 - Property for which a deferral is sought **must be located within the limits of the city;**
 - Applicant **must own** the property assessed or be purchasing the property under a valid land sales contract;
 - Applicant **must reside on the property** assessed;
 - Property **shall be a parcel not exceeding two acres in size;**
 - Property **shall be a single building site;**
 - Applicant's **family income shall not exceed** the U.S. Department of Housing and Urban Development's median gross income family limits, very low-income level, based on the actual median income for the City of Wichita.

GROSS INCOME GUIDELINES

<u>HOUSEHOLD SIZE</u>	<u>ANNUAL INCOME</u>
1	\$ 17,700
2	20,250
3	22,750
4	25,300
5	27,300
6	29,350
7	31,350
8 or more	33,400

For determining family size, an applicant or family member of an applicant who is disabled and/or over the age of 65 years and who is head of household shall be counted as three persons. An applicant or family member of an applicant who is not a head of household but who is disabled and/or over the age of 65 years shall be counted as two persons in determining family size.

2. If the property owner wishes to pursue a hardship deferral, the property owner must fill out an Application for Hardship Deferral of Special Assessments and a Lien Acknowledgement.
3. At the time that the applicant submits the Application and Lien Acknowledgement, the applicant must also provide the following:
 - A copy of the recorded deed or purchase contract for the property where the applicant resides;
 - A copy of a current utility bill in the applicant's name;
 - A copy of a handicapped sticker with the number visible, or a doctor's statement verifying disability status (if applicable);
 - A copy of a birth certificate or picture I.D.; and
 - A copy of the applicant's latest or last year's Income Tax Statement and/or Social Security Statement.
4. If, after review of all materials submitted, the property owner qualifies for a deferral, the Lien Acknowledgement is filed with the Register of Deeds.
5. Hardship deferrals are reviewed annually for eligibility. If an individual no longer meets the criteria as set out above, a lien release is sent to the City Council for its approval. Once the Council has approved the lien release, the special assessments are placed back onto the tax roll for collection.
6. Hardship deferrals can be granted indefinitely and do not have to run concurrently. The special assessment is considered an outstanding debt until all obligations are met. If a property is sold, all special assessments (principal and interest) become due and payable.
7. Hardship deferral applications are submitted after the project is completed and after the property owner has received a Notice of Assessment statement from the City's Finance Department. If you have questions regarding the deferral program, please contact the Debt Management Office at 268-4526.

INSTRUCTIONS

1. The person(s) circulating the petition is(are) strongly encouraged to obtain and submit an abstractor's certificate of ownership list from a Title Company.
2. Each resident owner who wishes to sign the petition must sign as their names appear on the abstractor's certificate. The date of signing should be placed beside each signature.
3. All owners of each property must sign the petition (i.e., both husband and wife if they are listed on the property deed).
4. If the property is owned by a trust, the name of the trust must be written, and all trustees of the trust must sign the petition (i.e., Smith Family Trust; Joe Smith, trustee; Jane Smith, trustee, Patty Smith, trustee).
5. If the property is owned by a company, the name of the company, the owner's signature, and the signer's title are required (i.e., American Business, Inc.; Joe Smith, President).
6. If someone uses the power of attorney to sign for a property owner, it must be indicated on the petition (i.e., Joe Smith, power of attorney for Jane Smith).
7. If you have information that any of the property owners live outside the city limits, place their address, if known, and names in the space provided in the affidavit.
8. MAKE NO ERASURES on any part of this petition. Erasures will void the petition, and it will not be accepted or submitted for approval.
9. 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.
10. The telephone number, if any, and address of the person filing the petition must be shown on the affidavit.
11. If you have additional questions or require additional instructions, please contact the office of the City Engineer at 268-4501, or Julianne Kallman at 268-4632.



Department of Public Works

August 15, 2001

José Diaz
1958 S. 119th St. W
Wichita, KS 67209

Dear Mr. Diaz:

A new subdivision, Flat Creek Addition, is being constructed to the south and east of your property. The sewer lines being constructed are adjacent to your east property line. You may connect to this sewer line. Without a petition, up front fees for connecting to the sewer line are \$4100* + \$500** = \$4600. Alternatively, enclosed is a petition that will allow you to be part of the Flat Creek improvement district. The cost with the petition is estimated at \$3140, which may be spread over 15 years as specials to your property. There would still be the \$500 equity fee at the time of connection. Also, please note that by signing the petition, you are also requesting annexation. If you are interested in City sewer, please sign the enclosed petition and return it to this office at your earliest convenience.

If you have any questions, feel free to call me at 268-4632.

Sincerely,

Julianne Kallman, P.E.
Civil Engineer

*\$4100 is the current fee in lieu of assessment (charged if you are not part of the improvement district)
**\$500 is the current sewer plant equity fee (fee charged to every property that hooks up to City Sewer)

Engineering Division

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SANITARY SEWER PETITION
(Outside Corporate Limits)

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The N 275.7' of the W 316' of the SW ¼, except part taken for road on W
in Section 31, Township 27S, Range 1W (DE-379-2)

do hereby petition pursuant to the provisions of K.S.A. 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 \$3140 (Three Thousand One Hundred Forty Dollars), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after September 1, 2001.
- (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.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (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 with the above described lot paying the full share of the cost assessed to 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.

2. (a) 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.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

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 (a) both a majority of owners of record, and the owners of record of more than half the area liable for assessments outside the corporate limits of the City of Wichita, Kansas, and also (b) either (I) a majority of the resident owners of record or (II) the resident owners of record of more than one-half of the area liable for assessment within the corporate limits of the City of Wichita, Kansas, or (III) the owners of record (whether resident or not) of more than one-half the area liable for assessment within the corporate limits of the City of Wichita, Kansas.

Petitions for projects which are partially within the corporate limits of Wichita shall be commenced only upon a petition found sufficient by the provisions of K.S.A. 12-6a04, except that for the purpose of determining the sufficiency of the signatures to such petitions, only that area which is outside the corporate limits of Wichita shall be considered to constitute the proposed improvement district.

5. The owners of land covered hereunder outside the corporate limits of Wichita do hereby petition, consent to and request annexation of such lands by The City at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. Seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city, land or any part thereof. 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.

WITNESS our signatures attached with respect to each of which is indicated the property

owned and the date of signing.

<u>LEGAL DESCRIPTION</u>	<u>SIGNATURE</u>	<u>DATE</u>
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<u>IMPROVEMENT DISTRICT</u>		
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DE-379-2		
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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.

Name

Address

Telephone Number

Sworn to and subscribed before me this _____ day of _____, 20____.

Pat Burnett, City Clerk

Special Assessment Hardship (Low Income) Deferral Guidelines

1. In order to qualify for a hardship deferral, a **property owner must meet the following criteria:**
 - Property for which a deferral is sought **must be located within the limits of the city;**
 - Applicant **must own** the property assessed or be purchasing the property under a valid land sales contract;
 - Applicant **must reside on the property** assessed;
 - Property **shall be a parcel not exceeding two acres in size;**
 - Property **shall be a single building site;**
 - Applicant's **family income shall not exceed** the U.S. Department of Housing and Urban Development's median gross income family limits, very low-income level, based on the actual median income for the City of Wichita.

GROSS INCOME GUIDELINES

<u>HOUSEHOLD SIZE</u>	<u>ANNUAL INCOME</u>
1	\$ 17,700
2	20,250
3	22,750
4	25,300
5	27,300
6	29,350
7	31,350
8 or more	33,400

For determining family size, an applicant or family member of an applicant who is disabled and/or over the age of 65 years and who is head of household shall be counted as three persons. An applicant or family member of an applicant who is not a head of household but who is disabled and/or over the age of 65 years shall be counted as two persons in determining family size.

2. If the property owner wishes to pursue a hardship deferral, the property owner must fill out an Application for Hardship Deferral of Special Assessments and a Lien Acknowledgement.
3. At the time that the applicant submits the Application and Lien Acknowledgement, the applicant must also provide the following:
 - A copy of the recorded deed or purchase contract for the property where the applicant resides;
 - A copy of a current utility bill in the applicant's name;
 - A copy of a handicapped sticker with the number visible, or a doctor's statement verifying disability status (if applicable);
 - A copy of a birth certificate or picture I.D.; and
 - A copy of the applicant's latest or last year's Income Tax Statement and/or Social Security Statement.
4. If, after review of all materials submitted, the property owner qualifies for a deferral, the Lien Acknowledgement is filed with the Register of Deeds.
5. Hardship deferrals are reviewed annually for eligibility. If an individual no longer meets the criteria as set out above, a lien release is sent to the City Council for its approval. Once the Council has approved the lien release, the special assessments are placed back onto the tax roll for collection.
6. Hardship deferrals can be granted indefinitely and do not have to run concurrently. The special assessment is considered an outstanding debt until all obligations are met. If a property is sold, all special assessments (principal and interest) become due and payable.
7. Hardship deferral applications are submitted after the project is completed and after the property owner has received a Notice of Assessment statement from the City's Finance Department. If you have questions regarding the deferral program, please contact the Debt Management Office at 268-4526.

INSTRUCTIONS

1. The person(s) circulating the petition is(are) strongly encouraged to obtain and submit an abstractor's certificate of ownership list from a Title Company.
2. Each resident owner who wishes to sign the petition must sign as their names appear on the abstractor's certificate. The date of signing should be placed beside each signature.
3. All owners of each property must sign the petition (i.e., both husband and wife if they are listed on the property deed).
4. If the property is owned by a trust, the name of the trust must be written, and all trustees of the trust must sign the petition (i.e., Smith Family Trust; Joe Smith, trustee; Jane Smith, trustee, Patty Smith, trustee).
5. If the property is owned by a company, the name of the company, the owner's signature, and the signer's title are required (i.e., American Business, Inc.; Joe Smith, President).
6. If someone uses the power of attorney to sign for a property owner, it must be indicated on the petition (i.e., Joe Smith, power of attorney for Jane Smith).
7. If you have information that any of the property owners live outside the city limits, place their address, if known, and names in the space provided in the affidavit.
8. **MAKE NO ERASURES** on any part of this petition. Erasures will void the petition, and it will not be accepted or submitted for approval.
9. 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.
10. The telephone number, if any, and address of the person filing the petition must be shown on the affidavit.
11. If you have additional questions or require additional instructions, please contact the office of the City Engineer at 268-4501, or Julianne Kallman at 268-4632.



Department of Public Works

August 15, 2001

Larry G. Furnish
2102 S. 119th St. W
Wichita, KS 67209

Dear Mr. Furnish:

A new subdivision, Flat Creek Addition, is being constructed to the east of your property. The sewer lines being constructed are adjacent to the east property line of both of your properties. Each lot may connect to this sewer line. Without a petition, up front fees for connecting to the sewer line are \$4100* + \$500** = \$4600 (per lot). Alternatively, enclosed are petitions that will allow your lots to be part of the Flat Creek improvement district. The cost with a petition is estimated at \$3140, which may be spread over 15 years as specials to your properties. There would still be the \$500 equity fee at the time of connection. Also, please note that by signing the petition, you are also requesting annexation. If you are interested in City sewer, please sign one or both of the enclosed petitions and return it/them to this office at your earliest convenience.

You may choose to submit just one petition for your residence lot, and in the future, if you desire to connect your second lot, pay the fee in lieu of assessment for it.

If you have any questions, feel free to call me at 268-4632.

Sincerely,

Julianne Kallman, P.E.
Civil Engineer

*\$4100 is the current fee in lieu of assessment (charged if you are not part of the improvement district)

**\$500 is the current sewer plant equity fee (fee charged to every property that hooks up to City Sewer)

Engineering Division

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SANITARY SEWER PETITION
(Outside Corporate Limits)

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The N 236' of a tract beginning 615' S of the NW corner of the SW ¼; thence E 335'; S 355'; W 335';
and N to the point of beginning
in Section 31, Township 27S, Range 1W (DE-379-3)

do hereby petition pursuant to the provisions of K.S.A. 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 \$3140 (Three Thousand One Hundred Forty Dollars), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after September 1, 2001.
- (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.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (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 with the above described lot paying the full share of the cost assessed to 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.

2. (a) 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.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

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 (a) both a majority of owners of record, and the owners of record of more than half the area liable for assessments outside the corporate limits of the City of Wichita, Kansas, and also (b) either (I) a majority of the resident owners of record or (II) the resident owners of record of more than one-half of the area liable for assessment within the corporate limits of the City of Wichita, Kansas, or (III) the owners of record (whether resident or not) of more than one-half the area liable for assessment within the corporate limits of the City of Wichita, Kansas.

Petitions for projects which are partially within the corporate limits of Wichita shall be commenced only upon a petition found sufficient by the provisions of K.S.A. 12-6a04, except that for the purpose of determining the sufficiency of the signatures to such petitions, only that area which is outside the corporate limits of Wichita shall be considered to constitute the proposed improvement district.

5. The owners of land covered hereunder outside the corporate limits of Wichita do hereby petition, consent to and request annexation of such lands by The City at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. Seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city, land or any part thereof. 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.

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

LEGAL DESCRIPTION

SIGNATURE

DATE

IMPROVEMENT DISTRICT

DE-379-3

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.

Name

Address

Telephone Number

Sworn to and subscribed before me this _____ day of _____, 20____.

Pat Burnett, City Clerk

Unaddressed

SANITARY SEWER PETITION
(Outside Corporate Limits)

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The S 119' of a tract beginning 615' S of the NW corner of the SW ¼; thence E 335'; S 355'; W 335';
and N to the point of beginning
in Section 31, Township 27S, Range 1W (DE-379-4)

do hereby petition pursuant to the provisions of K.S.A. 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 \$3140 (Three Thousand One Hundred Forty Dollars), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after September 1, 2001.
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- (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 with the above described lot paying the full share of the cost assessed to 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.

- 2. (a) 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.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

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 (a) both a majority of owners of record, and the owners of record of more than half the area liable for assessments outside the corporate limits of the City of Wichita, Kansas, and also (b) either (I) a majority of the resident owners of record or (II) the resident owners of record of more than one-half of the area liable for assessment within the corporate limits of the City of Wichita, Kansas, or (III) the owners of record (whether resident or not) of more than one-half the area liable for assessment within the corporate limits of the City of Wichita, Kansas.

Petitions for projects which are partially within the corporate limits of Wichita shall be commenced only upon a petition found sufficient by the provisions of K.S.A. 12-6a04, except that for the purpose of determining the sufficiency of the signatures to such petitions, only that area which is outside the corporate limits of Wichita shall be considered to constitute the proposed improvement district.

5. The owners of land covered hereunder outside the corporate limits of Wichita do hereby petition, consent to and request annexation of such lands by The City at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. Seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city, land or any part thereof. 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.

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

<u>LEGAL DESCRIPTION</u>	<u>SIGNATURE</u>	<u>DATE</u>
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IMPROVEMENT DISTRICT

DE-379-4

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.

Name

Address

Telephone Number

Sworn to and subscribed before me this _____ day of _____, 20____.

Pat Burnett, City Clerk

Special Assessment Hardship (Low Income) Deferral Guidelines

1. In order to qualify for a hardship deferral, a **property owner must meet the following criteria:**
 - Property for which a deferral is sought **must be located within the limits of the city;**
 - Applicant **must own** the property assessed or be purchasing the property under a valid land sales contract;
 - Applicant **must reside on the property** assessed;
 - Property **shall be a parcel not exceeding two acres in size;**
 - Property **shall be a single building site;**
 - Applicant's **family income shall not exceed** the U.S. Department of Housing and Urban Development's median gross income family limits, very low-income level, based on the actual median income for the City of Wichita.

GROSS INCOME GUIDELINES

<u>HOUSEHOLD SIZE</u>	<u>ANNUAL INCOME</u>
1	\$ 17,700
2	20,250
3	22,750
4	25,300
5	27,300
6	29,350
7	31,350
8 or more	33,400

For determining family size, an applicant or family member of an applicant who is disabled and/or over the age of 65 years and who is head of household shall be counted as three persons. An applicant or family member of an applicant who is not a head of household but who is disabled and/or over the age of 65 years shall be counted as two persons in determining family size.

2. If the property owner wishes to pursue a hardship deferral, the property owner must fill out an Application for Hardship Deferral of Special Assessments and a Lien Acknowledgement.
3. At the time that the applicant submits the Application and Lien Acknowledgement, the applicant must also provide the following:
 - A copy of the recorded deed or purchase contract for the property where the applicant resides;
 - A copy of a current utility bill in the applicant's name;
 - A copy of a handicapped sticker with the number visible, or a doctor's statement verifying disability status (if applicable);
 - A copy of a birth certificate or picture I.D.; and
 - A copy of the applicant's latest or last year's Income Tax Statement and/or Social Security Statement.
4. If, after review of all materials submitted, the property owner qualifies for a deferral, the Lien Acknowledgement is filed with the Register of Deeds.
5. Hardship deferrals are reviewed annually for eligibility. If an individual no longer meets the criteria as set out above, a lien release is sent to the City Council for its approval. Once the Council has approved the lien release, the special assessments are placed back onto the tax roll for collection.
6. Hardship deferrals can be granted indefinitely and do not have to run concurrently. The special assessment is considered an outstanding debt until all obligations are met. If a property is sold, all special assessments (principal and interest) become due and payable.
7. Hardship deferral applications are submitted after the project is completed and after the property owner has received a Notice of Assessment statement from the City's Finance Department. If you have questions regarding the deferral program, please contact the Debt Management Office at 268-4526.

INSTRUCTIONS

1. The person(s) circulating the petition is(are) strongly encouraged to obtain and submit an abstractor's certificate of ownership list from a Title Company.
2. Each resident owner who wishes to sign the petition must sign as their names appear on the abstractor's certificate. The date of signing should be placed beside each signature.
3. All owners of each property must sign the petition (i.e., both husband and wife if they are listed on the property deed).
4. If the property is owned by a trust, the name of the trust must be written, and all trustees of the trust must sign the petition (i.e., Smith Family Trust; Joe Smith, trustee; Jane Smith, trustee, Patty Smith, trustee).
5. If the property is owned by a company, the name of the company, the owner's signature, and the signer's title are required (i.e., American Business, Inc.; Joe Smith, President).
6. If someone uses the power of attorney to sign for a property owner, it must be indicated on the petition (i.e., Joe Smith, power of attorney for Jane Smith).
7. If you have information that any of the property owners live outside the city limits, place their address, if known, and names in the space provided in the affidavit.
8. **MAKE NO ERASURES** on any part of this petition. Erasures will void the petition, and it will not be accepted or submitted for approval.
9. 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.
10. The telephone number, if any, and address of the person filing the petition must be shown on the affidavit.
11. If you have additional questions or require additional instructions, please contact the office of the City Engineer at 268-4501, or Julianne Kallman at 268-4632.

FLAT CREEK ADDITION

WICHITA, SEDGWICK COUNTY, KANSAS

- IN RESERVE BY BAUGHMAN COMP (SET)
- × CROSS CUT (SET)
- 1/2" IRON N TABLE FOUND
- IN RESERVE FOUND
- △ IN RESERVE BY BAUGHMAN COMP FOUND
- △ IN RESERVE BY "XLS" COMP FOUND

- (M) - MEASURED
- (P) - PLATED
- (D) - DESCRIBED
- (C-D) - CALCULATED PER DESCRIBED INFO
- (C-P) - CALCULATED PER PLATED INFO

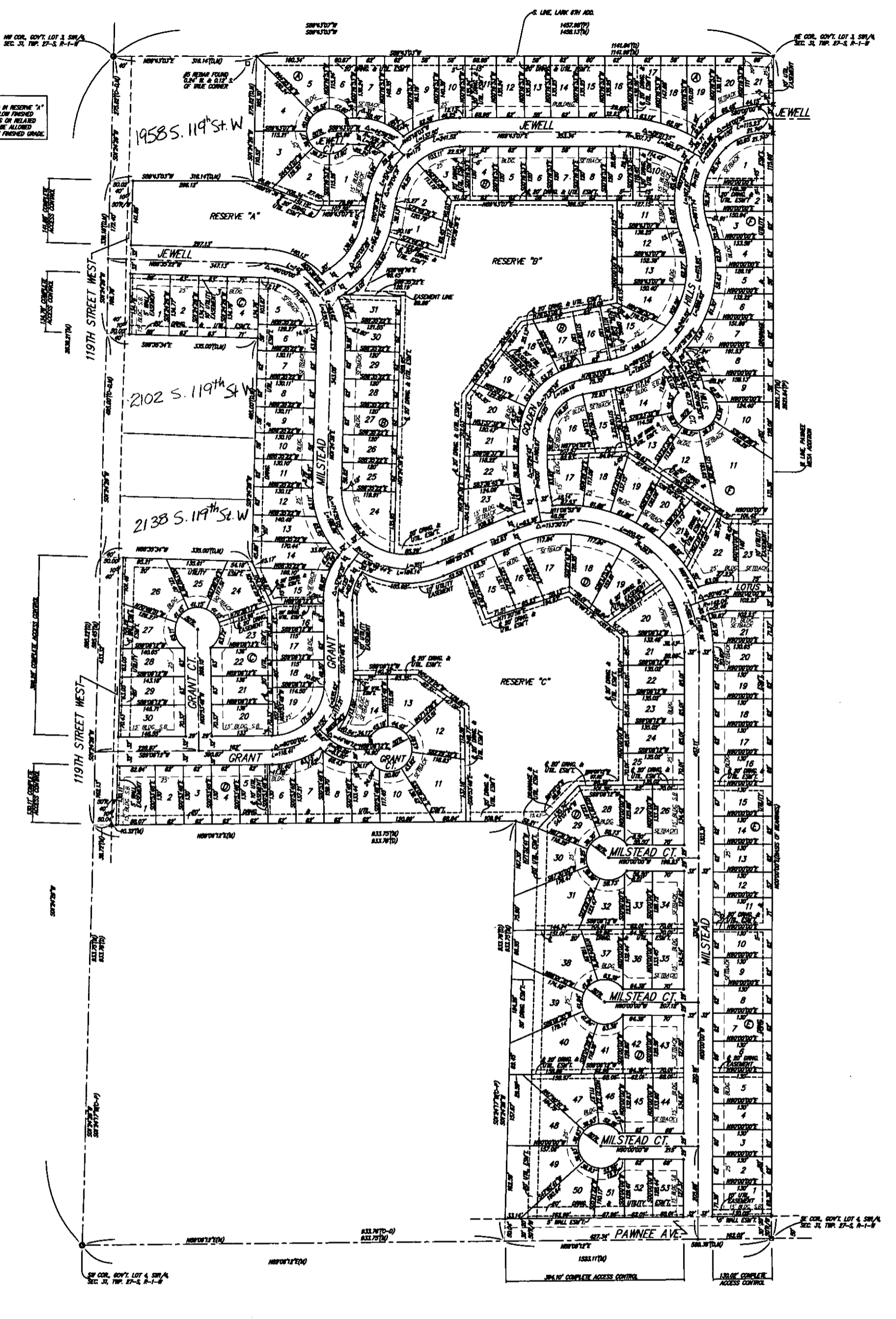


NOTE:
A MASTER GRADING PLAN FOR DRAINAGE HAS BEEN DEVELOPED FOR THIS SUBDIVISION AND IS ON FILE WITH THE CITY OF WICHITA, KANSAS. ALL DRAINAGE EXISTENCES, RIGHTS-OF-WAY, OR RESERVES SHALL REMAIN AT ESTABLISHED GRADES OR AS NOTED WITH THE APPROVAL OF THE CITY ENGINEER OF THE CITY OF WICHITA, KANSAS. NO OBSTRUCTIONS WHICH IMPEDS THE FLOW OF THIS DRAINAGE SYSTEM SHALL BE ALLOWED.

NOTE:
MINIMUM BUILDING FLOOR ELEVATION FOR THE LOWEST OPENING TO THE STRUCTURE ON ALL LOTS IN THIS SUBDIVISION SHALL BE 146.7 CITY DATUM (1.5341 MMS).

NOTE:
ALL LOTS WITHIN FLAT CREEK ADDITION SHALL HAVE A 5 FOOT AVERAGE SIDEYARD SETBACK.

NOTE:
ANY UTILITIES INSTALLED IN RESERVE "A" SHALL BE INSTALLED BELOW FINISHED GRADE, AND NO UTILITIES OR RELATED APPLIANCES SHALL BE ALLOWED TO BE INSTALLED ABOVE FINISHED GRADE.



NOTE:
THE FOLLOWING INSTRUMENT IS IN THE PROCESS OF BEING RECORDED: 185 (7th DAY OF APRIL, 2008). OTHER SERVICE: G&S COMPANY 8001-SP-INT CONTRACT. (PAGE BOOK 11, PAGE 624) AND LAST ASSIGNED TO KCPD PIPELINE COMPANY, L.P.

SCANNED

DE 379 0002

DE 379 0003

DE 379 0004

DE 379 0001



DE - 379-2
DIAZ, JOSE R
N 275.7 FT W 316 FT SW1/4 EXC RD ON W
SEC 31-27-1W
1958 S 119TH ST.
WICHITA KS 67235-1820

SCANNED

DE - 379-3
FURNISH, LARRY G ETUX
N 236 FT OF TR- BEG 615 FT S OF NW COR SW1/4 E 335 FT S 355 FT W 335 FT N
TO BEG SEC 31-27-1W
2102 S 119TH ST. WEST
WICHITA KS 67235-1824

DE - 379-4
FURNISH, LARRY G
S 119 FT OF TR-BEG 615 FT S NW COR SW1/4 E 335 FT S 355 FT W 335 FT N TO
BEG. SEC 31-27-1W
UNADDRESSED
Mail 2102 S 119TH. ST. W.
To WICHITA KS 67235-1824

DE - 379-1
COUNTER, RONALD R & CAROL A
BEG 970 FT S NW COR SW1/4 E 335 FT S 140 FT W 335 FT N TO BEG
SEC 31-27-1W
2138 S 119TH ST. W.
WICHITA KS 67235-1824