BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, APRIL 16, 2003

6:35 P.M.

-Convene

-Pledge of Allegiance

CONSENT AGENDA

(1) (a) Consider approval of Commission Orders

(b) Consider approval of Proclamation proclaiming the week of November 11-15, 2003 as National Hunger & Homelessness Awareness Week (Gary Miller)

REGULAR AGENDA

(2) Public hearing regarding Petition for Attachment of Land to Rural Water District #4 (John Nitcher)

(3) Planning items:

(a) CUP-02-01-03: Conditional Use Permit request for Lone Oak Sporting Trap located at 1718 N 1700 Road (Sandra Day)

(b) PF-02-01-03: Final Plat for Oak Grove Estates No. 2, located south on Highway 59 between N 1100 Road and 458 (Brian Pedrotti)

(4) Other Business

(a) Consider approval of Accounts Payable (if necessary)

(b) Appointments

(c) Miscellaneous

(d) Public Comment

(5) Adjourn

MONDAY, APRIL 21, 2003

WEDNESDAY, APRIL 23, 2003

-Consider approval of burn ban resolution (Paula Phillips)

MONDAY, APRIL 28, 2003

-Consider approval of FY2004 Community Corrections Plan (Ron Stegall)

WEDNESDAY, APRIL 30, 2003

-SP-03-20-03: Site Plan for Steve's Place, a reception/meeting hall at 1388 1293 Road (Sandra Day)

- Receive report from Douglas County Extension on Rural Urban Issues Seminar (Trudy Rice)

MONDAY, MAY 5, 2003

-Proclaim the month of May as "Mental Health Month"

WEDNESDAY, MAY 7, 2003

-No Commission Meeting

WEDNESDAY, MAY 14, 2003

-Planning item: CUP-12-16-02: Conditional Use Permit request for Eudora Quarry #68. The property is generally described as being located at the northwest corner of N 1200 Road and E 2400 Road. Requested by N.R. Hamm Quarry, Inc., for Katherine L. Neis, property owner of record) (Brian Pedrotti)

MONDAY, MAY 26, 2003

-Memorial Day – No Commission Meeting

WEDNESDAY, MAY 28, 2003

-No Commission Meeting

MONDAY, JUNE 2, 2003

-Light Agenda

WEDNESDAY, JUNE 4, 2003

-No Commission Meeting

MONDAY, JUNE 9, 2003

-No Commission Meeting

WEDNESDAY, JUNE 11, 2003

-No Commission Meeting

MONDAY, JUNE 16, 2003

-Light Agenda or no meeting

WEDNESDAY, JUNE 18, 2003

5:30 P.M.

-Rededication of Judicial & Law Enforcement Center and Youth Services

MONDAY, JULY 14, 2003

-Light agenda or no meeting

WEDNESDAY, JULY 16, 2003

-Light agenda or no meeting

MONDAY, JULY 21, 2003
-No Commission Meeting

WEDNESDAY, JULY 23, 2003
-No Commission Meeting

MONDAY, JULY 28, 2003
-Light agenda or no meeting

WEDNESDAY, JULY 30, 2003
-Light agenda or no meeting

PROCLAMATION

WHEREAS: *On any given night in America, there are thousands of men, women and children who are homeless; and*

WHEREAS: *In Douglas County, there are a significant number of individuals who are on the streets or in homeless shelters each night; and*

WHEREAS: *Both nationally and locally, approximately one-third of the homeless individuals have a serious mental illness; and*

WHEREAS: *Two trends are largely responsible for the rise in homelessness: a growing shortage of affordable rental housing and a simultaneous increase in poverty; and*

WHEREAS: *Research indicates in order to be effective in ending homelessness, communities will need to support services, treatment and prevention of homelessness and establish partnerships with federal agencies, state and local governments, and public and private agencies to reduce barriers to services and increase resources and funding; and*

WHEREAS: *Every year, public and private agencies observe HOMELESSNESS AWARENESS WEEK to increase awareness and focus attention on the needs of homeless individuals and families.*

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS *does hereby proclaim the week of November 11-15, 2003 as*

"NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK"

in Douglas County, Kansas, and ask all Douglas County residents to join us in working to improve public awareness and a better understanding of ways we can end homelessness.

ADOPTED *this 14th day of April, 2003.*

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

_____
Bob Johnson, Chairman

_____
Jere McElhaney, Member

_____
Charles Jones, Member

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STEVEN J. HILBERT
ERIN M. KENNEDY

EDWARD T. RILING (1875-1946)
JOHN J. RILING (1885-1971)
GEORGE K. MELVIN (1898-1982)
JAMES L. POSTMA (1916-1998)
EUGENE C. RILING (1929-2002)

M. DEAN BURKHEAD
MICHAEL P. DREILING
OF COUNSEL
*Also Admitted in Missouri

March 17, 2003

Ms. Patty Jaimes
Douglas County Clerk
1100 Massachusetts
Lawrence, KS 66044

Re: Petition for Attachment of Lands to Rural Water District No. 4

Dear Ms. Jaimes:

Pursuant to KSA 82a-622 to 624, and KSA 19-270, we are submitting the following documents for action by the Board of County Commissioners and the County Clerk.

1. Petition for Attachment of Lands to Rural Water District No. 4, including Exhibit A, the metes and bounds legal descriptions for the tracts.

2. Verification of Request for Petition and Enumeration of Landowners, including Exhibit 1, the enumeration of landowners taken from the tax rolls of the county, and Exhibit 2, the Request for Petition signed by 146 owners of land within the boundaries of the areas to be attached to RWD No. 4. .

   We request the Petition, the Verification and accompanying documentation be filed with your office, as required by KSA 82a-622, and presented to the Board of County Commissioners for the purpose of conducting a public hearing, as required by KSA 82a-623 and 624.

3. Order for Hearing, Notice of Hearing on Petition for Attachment of Lands to Rural Water District No. 4 (for mailing), Notice of Hearing on Petition for Attachment of Lands to Rural Water District No. 4 (for publication), and mailing labels.

   We request that you submit the Order for Hearing to the Board of County Commissioners for signature; the hearing date of April 2 has already been scheduled through the Office of County Administrator. The Notice of Hearing (for mailing) has been prepared for your use, as required by KSA 82a-623, and must be mailed by first class mail to each owner of land within the area sought to be attached, along with a copy of the Petition

and Exhibit A. We have included mailing labels for the landowners and city and state officials who must be notified in accordance with KSA 82a-623 and KSA 19-270. The Notice of Hearing and Petition must be mailed at least seven days prior to the date of the Hearing; please mail no later than Monday, March 24. According to KSA 19-270, the Notice of Hearing (for publication) should be published in the official county newspaper at least seven days prior to the date of the hearing. The statutes do not indicate whether the costs of mailing and publication are to be paid by the Petitioner; in the event costs are payable by the Petitioner, please advise on what authority, and we will promptly advance required costs.

Please call me if you have any questions, at 841-4700, ext. 226.

Sincerely,

L. Stephen Garlow

cc: Craig Weinaug, Co. Administrator
Scott Schultz, RWD 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

NOTICE OF HEARING ON PETITION FOR ATTACHMENT OF LANDS TO RURAL WATER DISTRICT NO. 4, DOUGLAS COUNTY, KANSAS

To All Persons Concerned:

You are hereby notified that a Petition addressed to the Board of County Commissioners of Douglas County, Kansas, has been filed with the County Clerk of Douglas County, Kansas, praying for attachment to existing Rural Water District No. 4, of the tracts of land in Douglas County, Kansas, owned by Petitioners and others and described in Exhibit A, attached to the enclosed Petition.

You are further notified under the authority of K.S.A. 82a-622 through 82a-624, and K.S.A. 19-270, that the Petition for Attachment of Lands to Rural Water District No. 4 will be heard by the Board of County Commissioners of Douglas County, Kansas, on the 2nd day of April, 2003, at 6:35 PM., on the Second Floor of the Douglas County Courthouse, 1100 Massachusetts St., Lawrence, KS. Any interested person may present testimony before the Board.

Patty Jaimes

Patty Jaimes, County Clerk

Chapter 82a.--WATERS AND WATERCOURSES

Article 6.--WATER DISTRICTS

82a-622. Attachment of adjoining lands, when; petition, contents. A petition addressed to the county commissioners may be filed with the county clerk, praying for the attachment, to an existing district, of lands outside the district which can be economically served by the facilities of the district. Said petition for attachment shall be signed by at least fifty percent (50%) of the owners of land within the area or signed on behalf of the owners of land within the area when such petition is accompanied by a request for petitioning signed by at least fifty percent (50%) of the owners of land within the area. The number of owners of land in the area shall be determined by an enumeration of said owners of land, taken from the tax rolls of the county in which lands are located, and verified by one of said landowners or the attorney filing same, duly attached to and made a part of said petition. For purposes of determining the number of owners of land in the area the tax rolls of the county shall be prima facie evidence of title and the name and address of the owners of land within said area. The petition shall (1) define by metes and bounds the boundaries of lands requested to be attached to the district, and shall state (2) the name of the district to which attachment is desired; (3) that such lands are without an adequate water supply; and (4) that attachment to said district will be conducive to and will promote the public health, convenience and welfare.

History: L. 1957, ch. 540, § 11; L. 1959, ch. 415, § 3; L. 1963, ch. 512, § 6; L. 1965, ch. 556; L. 1978, ch. 432, § 1; L. 1980, ch. 331, § 1; April 23.

82a-623. Attachment of adjoining land to water district; procedure; notice and hearing upon petition. Subject to the provisions of K.S.A. 19-270, and amendments thereto, the county clerk shall give notice to the county commissioners of the filing of the petition for attachment. The board of county commissioners shall fix a time and place, within 30 days from the date of the filing of the petition, for a hearing on the same. The county clerk, at least seven days before the date fixed for the hearing, shall send by first class mail to each owner of land within the area sought to be attached a copy of the petition for attachment, and a copy of the notice fixing the time and place of hearing on the petition. The owners of land within the area sought to be attached shall be determined by an enumeration of landowners taken from the tax rolls of the county in which the land is located. If the petition for attachment is accompanied by a verified statement by one of the owners of land within the area sought to be attached, or the attorney for the petitioner, that the owners of all of the land within the area sought to be attached have signed the petition for attachment, a copy of the petition for attachment shall not be sent to the owners of land sought to be attached. The clerk shall send by first class mail a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing on the petition to the office of the water district to which attachment is sought. The clerk also shall transmit to the chief engineer a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing thereon.

History: L. 1957, ch. 540, § 12; L. 1965, ch. 556, § 7; L. 1980, ch. 331, § 2; L. 1986, ch. 70, § 45; L. 1997, ch. 143, § 2; May 8.

19>-<270. Special benefit districts; creation or enlargement; approval of board of county commissioners, required.

(a)(1) A special benefit district shall include any:

(A) Sewer district;

(B) water district, rural water district and water supply district;

(C) fire district;

(D) improvement district;

(E) industrial district; and

(F) drainage district.

(2) The fringe area of a city means the area of unincorporated territory lying outside of but within three miles of the nearest point on the city limits of a city which has adopted subdivision regulations under K.S.A. 12-749, and amendments thereto.

(b) No special benefit district shall be created, within the fringe area of any city unless approved by at least a 3/4 majority vote of the board of county commissioners of the county in which the city is located. The boundaries of any such district shall not be extended within the fringe area of the city unless approved by at least a 3/4 majority vote of the board of county commissioners of the county in which the city is located. If the boundaries of the district cross county lines and if the district to be created or the boundaries to be extended would be located within the fringe area of a city, the board of county commissioners of each county in which such a city is located shall be required to approve the creation of the district within the fringe area of the city or the extension of the boundaries of the district within the fringe area of the city by at least a 3/4 majority vote of the board. If a hearing is not already required to be held prior to the creation or expansion within the fringe area of a city of a special benefit district, the board of county commissioners shall call and hold a hearing on the proposed action. Notice of the hearing shall be published once in the official county newspaper. The notice shall be published at least seven days prior to the date of the hearing.

At the hearing, the board shall receive testimony from the city, township, county or regional planning commission having jurisdiction over any of the affected land area. Such testimony shall address any incompatibilities between the creation or expansion of the district within such fringe area and any adopted land use or comprehensive plans. The governing body of the city may present testimony of any proposed annexation of the affected land area. Any interested person may present testimony before the board. As a guide in determining the advisability of authorizing the creation or change in boundaries of a special benefit

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

PETITION FOR ATTACHMENT OF LANDS
TO RURAL WATER DISTRICT NO. 4,
DOUGLAS COUNTY, KANSAS

TO: THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Petitioners, being landowners of Douglas County, Kansas, represent and state as follows:

1. That this Petition is signed on behalf of the Petitioners named on the attached Request for Petition forms, who are at least fifty percent (50%) of the owners of land within the boundaries of areas in Douglas County, and Johnson County Kansas, defined by metes and bounds in the attached Exhibit A.

2. That the lands within such boundaries are without an adequate supply of water and can be economically served by the facilities of Rural Water District No. 4, Douglas County, Kansas.

3. That the attachment to Rural Water District No. 4, Douglas County, Kansas of the land contained within the boundaries of the described areas will be conducive to and will promote the public health, convenience, and welfare.

WHEREFORE, Petitioners pray that the Board of County Commissioners of Douglas County, Kansas, fix a time and place within thirty (30) days from the date of filing of this Petition for a hearing of the same; that the County Clerk of Douglas County, Kansas, at least seven days before the hearing date, send written notice by first class mail of the time and place of such hearing to each of the landowners within the areas to be attached, and to the office of the Board of Directors of Rural Water District No. 4, Douglas County, Kansas, and to the Chief Engineer, Division of Water Resources, State Board of Agriculture, together with a copy of this Petition.

That the Board of County Commissioners, upon hearing, make appropriate findings and declare the described land attachable to Rural Water District No. 4, Douglas County, Kansas, and thereupon enter upon its records full minutes of such hearing, together with a declaration that henceforth the District shall include the described land in the District, all as provided in K.S.A. §82a-622 to §82a-624 inclusive.

RILING, BURKHEAD & NITCHER, Chtd.
808 Massachusetts Street
P. O. Box B
Lawrence, Kansas 66044
(785) 841-4700
Attorneys for Rural Water District No. 4

By: _____
John W. Nitcher, #9749

EXHIBIT A
TRACTS TO BE ATTACHED TO RWD NO. 4

TRACTS LOCATED IN DOUGLAS COUNTY, KANSAS:

The Northwest Quarter of Section 8, Township 14 South, Range 20 East of the 6th p.m. and the North Half of the Southwest Quarter of Section 8, Township 14 South, Range 20 East of the 6th p.m.

The Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 20 East of the 6th p.m.

The following tract of land located in the South Half of the Northwest Quarter of Section 30, Township 14 South, Range 20 East of the 6th p.m.

> Commencing at the Northwest Corner of Section 30, thence South 00°11'59" West 1944.42 feet to the point of beginning, said point being on the West line of the Northwest Quarter; thence South 89°48'01" East 444.05 feet, thence South 00°11' 59" West 343.34 feet; thence North 89°48'01" West 444.05 feet, said point being on the West line of the Northwest Quarter, thence North 00°11'59" East 343.34 feet to the point of beginning.

The following tracts of land located in Section 1, Township 15 South, Range 19 East of the 6th p.m.:

> The Northeast Quarter
> The Southwest Quarter of the Southeast Quarter
> A tract commencing at the Southeast corner of the Southwest Quarter of Section 1, thence West along the South line of said Section on assumed bearing of North 90degreesWest 712.28 feet to the true point of beginning; thence North 09°16'55" East 680.93 feet; thence North 89°14'54" West 322.42 feet; thence South 09°16'55" West 685.22 feet on the South line of said Quarter Section, thence South 90degreesEast 323.09 feet to the point of beginning.

The Northwest Quarter of Section 12, Township 15 South, Range 19 East of the 6th p.m.

The Northwest Quarter of Section 7, Township 15 South, Range 20 East of the 6th p.m.

The Northeast Quarter of the Northwest Quarter of Section 8, Township 15 South, Range 20 East of the 6th p.m.

The Southwest Quarter of the Southwest Quarter of Section 5, Township 15 South, Range 20 East of the 6th p.m.

The following tract of land located in the Southeast Quarter of Section 33, Township 14 South, Range 20 East of the 6th p.m.:

> Commencing at the Northeast corner of the Southeast Quarter, thence South 00° 04' 36" East along the East line of the Southeast Quarter of said Section 33, a distance of 238.95 feet

for a point of beginning; thence continuing South 00° 04′ 36″ East along the East line of the Southeast Quarter of said Section 33, a distance of 424.00 feet to the Northeast corner of Lot 1, Block 4 in Firetree Estates Phase 1, City of Baldwin City, Douglas County, Kansas; thence South West along the North line of said Lot 1, Block 4 in Firetree Estates Phase 1, a distance of 250.00 feet to the Northwest corner of Lot 1, Block 4, in Firetree Estates Phase 1; thence North 00° 04′ 36″ West a distance of 424.00 feet; thence North 89° 53′ 15″ East a distance of 250.00 feet to the point of beginning.

The following tracts of land located in the Northwest Quarter of Section 34, Township 14 South, Range 20 East of the 6th p.m.:

Beginning at a point 1160.28 feet North and 40 feet East of the Southwest corner of the Northwest Quarter of Section 34, for a starting point; Thence East 208.71 feet parallel with the North section line of NW Quarter; thence South 208.71 feet parallel with the West line of said NW Quarter; thence West 208.71 feet parallel with the North line of said NW Quarter; thence North 208.71 feet to the point of beginning; and
Commencing at the Southwest corner of said Northwest Quarter, thence North along the West line of said NW Quarter on an assumed bearing of N. 0°00′00″ East, a distance of 1160.28 feet to the point of beginning; thence North 0°00′00″ East on the West line of said NW Quarter a distance of 132.00 feet, thence North 90°00′00″ East a distance of 330.00 feet, thence South 0°00′00″ East parallel with the West line of said NW Quarter a distance of 132.00 feet, thence South 90°00′00″ West, along the North line of a tract established by survey #1751 by Douglas County records, a distance of 330.00 feet to the point of beginning.

Beginning at a point North 89°57′ East 1671.95 feet and South 00°38′ West 1279.00 feet from the Northwest corner of said Northwest Quarter; thence North 88°08′ East 55.00 feet; thence South 00°34′36″ East 470.00 feet; thence South 88°08′ West 470.00 feet; thence North 00°34′36″ West 470.00 feet; thence North 88°08′ East 415.00 feet to the point of beginning.

The East Half of the Southeast Quarter of Section 34, Township 14 South, Range 20 East of the 6th p.m.

The following tract of land located in the Northeast Quarter of the Northeast Quarter of Section 3, Township 15 South, Range 20 East of the 6th p.m.:

The East 330 feet of the North Half of the Northeast Quarter, less a portion thereof taken for highway.

The following tracts of land located in the Southeast Quarter of Section 2, Township 15 South, Range 20 East of the 6th p.m.

Beginning 1169 feet East of the Northwest Corner of the Southeast Quarter, thence South 665 feet, East 812 feet, North 665 feet and West 812 feet to the point of beginning.

Beginning at the Northwest Corner of the Southeast Quarter, thence East 800 feet, South 850 feet, West 800 feet and North 850 feet to the point of beginning.

The West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 33, Township 14 South, Range 21 East of the 6th p.m.

The following tract of land located in the Southwest Quarter of Section 28, Township 14 South, Range 21 East of the 6th p.m.

> Beginning at the Northwest Corner of the Southwest Quarter, thence South 89°43' 25" East along the North line of the Southwest Quarter 1315.21 feet thence North 0° 04'50" East 137.43 feet thence South 89°43'19" East 1315.18 feet to the East line of the West Half of Section 28, thence South 0°04'03" along the East line of the West Half of Section 28, 743.03 feet thence North 89°51'25" West 2103.21 feet thence North 0°08'35 East 405.5 feet thence North 89°51'25" West 528 feet to the West line of the Southwest Quarter thence North 0°08'35" East along the West line of the Southwest Quarter 206.25 feet to the point of beginning.

The following tracts of land located in the West Half of the Southeast Quarter of Section 32, Township 13 South, Range 21 East of the 6th p.m.

> The East Half of the East Half of the West Half of the Southeast Quarter.
>
> The West Half of the West Half of the Southeast Quarter, less the North 10 acres thereof being more fully described as follows: beginning at existing 5/8" iron pin at the Northwest Corner of the Southeast Quarter, thence North 89°57'53" East 660.9 feet to existing 5/8" iron pin at Northeast Corner of the West Half of the West Half of said Southeast Quarter; thence South 0°08'20" East 659.1 feet along the East line of the West Half of the West Half of said Southeast Quarter to ½" iron pin set; thence South 89°57'53" West 660.96 feet parallel with the North line of said Southeast Quarter to ½" iron pin set on the West line of said Southeast Quarter, thence North 0°08'02" West 659.1 feet along said West line to the point of beginning.

The following tracts of land located in the North Half of Section 33, Township 13 South, Range 21 East of the 6th p.m.

> The North Half of the Northwest Quarter
>
> Beginning 252.5 feet East of the Northwest corner of the Northeast Quarter, thence South 863 feet, East 252.5 feet, North 863 feet, then West 252.5 feet to the point of beginning.

The Southeast Quarter of Section 29, Township 13 South, Range 21 East of the 6th p.m., less the following tract: beginning at the Southeast corner of the Southeast Quarter, thence North along the Section line 1254 feet thence West 1320 feet thence South 1254 feet to the Section line, thence along the Section line 1320 feet to the point of beginning.

The Southwest Quarter of the Southwest Quarter of Section 28, Township 13 South, Range 21 East of the 6th p.m.

The West 8 acres of the South Half of the Southeast Quarter of Section 15, Township 13 South, Range 21 East of the 6th p.m.

The Northwest Quarter and the East Half of Section 10, Township 13 South, Range 21 East of the 6th p.m., less that portion used for highway purposes.

The following tracts of land located in the Southwest Quarter of Section 17, Township 13 South, Range 21 East of the 6th p.m.:

Commencing at the Northwest corner of the Southwest Quarter (SW1/4); thence South 0°02′41″ East, a distance of 70.00 feet, said point being on the West line of the Southwest Quarter (SW 1/4); thence North 89°57′38″ East a distance of 525.00 feet to the point of beginning; thence continuing North 89°57′38″ East a distance of 750.00 feet; thence South 0°02′41″ East a distance of 787.63 feet; thence South 76° 00′00″ West a distance of 772.81 feet; thence North 0°02′41″ West a distance of 974.07 feet to the point of beginning, containing 15.17 acres more or less.

Southland Meadows No 3 Lot 1

Tract 1: Commencing at the Southeast corner of the Southwest Quarter; thence North 0°09′29″ West, a distance of 2020.70 feet to the point of beginning, said point being on the East line of the Southwest Quarter; thence South 58°15′08″ West a distance of 1232.49 feet; thence North 39°30′ West a distance of 35 feet; thence North 36°21′ West a distance of 492.89 feet; thence North 0°02′41″ West a distance of 787.63 feet; thence North 89°57′38″ East a distance of 1361.54 feet, said point being on the East line of the Southwest Quarter; thence South 0°09′29″ East a distance of 564.04 feet to the point of beginning. Tract II: Commencing at the Northeast Corner of the Southwest Quarter, thence South 0°09′29″ East a distance of 70 feet, said point being on the East line of the Southwest Quarter; thence South 89°57′38″ West a distance of 1361.54 feet; thence North 0°02′41″ West a distance of 70.0 feet, said point being on the North line of the Southwest Quarter; thence North 89°57′38″ East of distance of 1361.4 feet to the point of beginning.

The following tract of land located in the Southwest Quarter of Section 8, Township 13 South, Range 21 East of the 6th p.m.:

Beginning at a point 540 feet East of the Southwest Corner of Section 8, on the South line of said Section, thence North 0°06′ West a distance of 626.5 feet parallel with the West line of said Section, to the South line of land taken for Highway Right of Way, in the District Court case no 29523, thence South 80°27′25″ East along said Right of Way line 100.43 feet, thence South 0°06′ East 608.82 feet parallel with the West line of said Section, to the South line of said Southwest Quarter, thence S 89° 30′09″ West, along said South line 100 feet to point of beginning, also beginning at a point 640 feet East of the Southwest corner, thence North parallel with the West line of said Southwest Quarter 188.95 feet, thence East parallel with the South line of said Southwest Quarter 34.9 feet; thence South parallel with West line of said Southwest Quarter 188.95 feet to a point on the South line of said Southwest Quarter; thence West along said South line 34.9 feet to point of beginning.

The following tracts of land located in the North Half of Section 18, Township 13 South, Range 21 East of the 6th p.m.

Commencing at the Southeast corner of the Northeast Quarter, thence North 1214.96 feet along the East line of the Northeast Quarter to the point of beginning; thence South 90 degrees West 330 feet, thence North 396 feet, thence North 90 degrees East 330 feet to a point on the East line of the Northeast Quarter, thence South 396 feet along the East line of the Northeast Quarter to point of beginning.

Beginning at the Northwest corner of the Northwest Quarter, thence South on the West Quarter Section line 2613.97 feet to the Southwest corner of the Northwest Quarter, thence East on the Quarter Section line 1232.3 feet , thence North 2620.67 feet to a point on the North line of said Quarter Section; thence West on the North line of said Quarter Section 1234.85 feet to the point of beginning.

East 80 Acres of the Northwest Quarter.

Beginning at the Southwest corner of the Northwest Quarter (see survey #3494), thence North along the West line of the Northwest Quarter 707 feet then East parallel with the South line of the Northwest Quarter, 1233 feet to the East line of 74.2A Tract in said survey, then South along the East line 707 feet to a point on the South line of said Quarter thence West along the South line 1232.3 feet to the point of beginning.

Rolling Hills Estates, Lot 1, Lot 2, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8

That part of the Southwest Quarter of the Southeast Quarter lying East of the Wakarusa River; also the Southeast Quarter of the Southeast Quarter of Section 12, Township 13 South, Range 20 East of the 6th p.m., lying South and East of the Wakarusa River.

The following tracts of land located in the North Half of Section 13, Township 13 South, Range 20 East of the 6th p.m.

Commencing at the Southwest Corner of the North Half of the Northeast Quarter, thence South 89°50′ East 840 feet to the point of beginning, said point being on the south line of the North Half of the Northeast Quarter; thence North 0°28′ East 588 feet to the center line of Little Wakarusa Creek, thence in an Easterly direction with its meandering up the center of Little Wakarusa Creek to the point where it intersects with the center of the bridge, thence South 35°09′26″ West 883.56 feet, said point being on the South line of the North Half of the Northeast Quarter; thence North 89°50′ West along said South line of said North Half 1165.77 feet to the point of beginning.

Beginning at a point on the West line of the South Half of the Northeast Quarter of said Section and 434.8 feet north of the Southwest Corner of said Section Half, thence East parallel to the South line of said Section Half 500.9 feet; thence North and parallel to the West line of said Section Half 878.4 feet to a point on the North line of said Section half; thence West 500.9 feet to the Northwest corner of said Section Half; thence South 879.9 feet

to the point of beginning.

Beginning at a point on the North line of the South One-Half of the Northeast Quarter of Section 13, Township 13, Range 20 E. and 500.9 feet East of the Northwest corner of said South One-Half; thence S. 0°27'30" W. and parallel to the West line of said South One-Half 1313.2 feet, more or less, to a point on the South line of said South One-half; thence North 90°00' East and along the said South line 699.1 feet; thence N. 0°27'30" E. and parallel to the said West line 568.9 feet; thence North 9°03' West a distance of 752.0 feet, more or less, to a point on the said north line; thence North 89°50' West and along said north line 574.8 feet to the point of beginning.

Beginning at the Southwest corner of the South Half of the Northeast Quarter of Section 13, Township 13, Range 20E; thence Northerly along the West line of said South Half 434.8 feet; thence Easterly and parallel to the Southline of said South Half 500.9 feet to the West line of a 20.00 acre tract as surveyed February 9, 1977; thence Southerly and parallel to the West line of said South Half 434.8 feet to a point on the South line of said South Half; thence Westerly 500.9 feet to the point of beginning.

Beginning at the SW corner of the North Half of the NE Quarter of Section 13, Township 13, Range 20 East, Douglas County, Kansas; thence S. 89°50' East, along the South line of said North Half, 840.0 feet; thence N. 0°28' E., 588 feet more or less, to the center of the little Wakarusa Creek, thence Down the center of said Creek to the Center of the Wakarusa River; thence up the center of the Wakarusa River to its intersection with the North line of said Northeast Quarter; thence West along said North line to the NW corner of said NE Quarter; thence South along the West line of said NE Quarter to the point of beginning.

Commencing at the Southeast Corner of the South Half of the Northeast Quarter; thence West along the South line of said South Half 923.5 feet to the point of beginning, thence continuing West along the South line 517.7 feet, thence North parallel with the West line 568.9 feet, then East parallel with the North line of said South Half 515.8 feet thence South parallel with East line of said South Half 567.4 feet to the point of beginning.

Commencing at the Northwest corner of the South Half of the Northwest Quarter, thence North 89°27′23″ East a distance of 1347.41 feet to the point of beginning, said point being on the North line of the South Half of the Northwest Quarter; thence continuing North 89°27′23″ East a distance of 251.12 feet, said point being on the North line of the South Half of the Northwest Quarter and the center line of Spring Creek; thence South 5°15′00″ West along the center line of Spring Creek a distance of 124.79 feet; thence South70°39′25″ East a distance of 147.07 feet; thence South 9°09′17″ West a distance of 123.88 feet; thence South 2°14′49″ East a distance of 275.23 feet; thence North 74°10′42″ East a distance of 155.72 feet; thence North 49°52′34″ East a distance of 126.76 feet; thence South 46°15′58″ East a distance of 55.13 feet; thence South 20°00′28″ East a distance of 213.60 feet; thence South 39°50′11″ East a distance of 137.78 feet; thence South 13°03′21″ West a distance of 212.88 feet, said point being the center line of Spring Creek; thence South 89°27′23″ West a distance of 563.12 feet; thence North 11°38′36″ West a distance of 1022.13 feet to the point of beginning.

Commencing at the Southwest Corner of the Northwest Quarter of the Northwest Quarter, thence North 798 feet along the West line of said Northwest Quarter, thence North 87° 51′ 15″ East 541.12 feet; thence South 813.13 feet to a point on the South line of the Northwest Quarter of said Northwest Quarter, thence South 89° 27′ 23″ West 540.76 feet, to point of beginning.

The following tracts of land located in Section 14, Township 13 South, Range 20 East of the 6th p.m.:

That part of the North Half of Section 14, lying South of the Wakarusa River.

That part of the Southwest fractional Quarter of Section 14, lying South of the Wakarusa River.

The Northwest Quarter of Section 23, Township 13 South, Range 20 East of the 6th p.m.

The following tracts of land located in the Southwest Quarter of Section 23, Township 13 South, Range 20 East of the 6th p.m.:

Commencing at the Northwest corner of the Southwest Quarter; thence South 89° 45′03″ East a distance of 773.66 feet said point being on the North line of the Southwest Quarter; thence South 0°00′03″ East a distance of 137 feet to the point of beginning; thence South 89°45′02″ East a distance of 324.90 feet, thence North 0°00′00″ West a distance of 333.41 feet, said point being the center line of the County road; thence along said center line South 55°25′52″ East a distance of 222.33 feet; thence South 0°00′00″ East a distance of 71.02 feet; thence South 0°01′ 46″ East a distance of 892.01 feet; thence North 75°21′17″ West a distance of 525.60 feet; thence North 0°00′03″ West a distance of 624.31 feet to the point of beginning.

Commencing at the Northwest corner of the Southwest Quarter; thence South 89° 45′02″ East a distance of 375.66 feet for the point of beginning, said point being on the North line of the Southwest Quarter; thence North 0°02′29″ West a distance of 52.62 feet, said point being the center line of County Road 680; thence along said center line North 52°33′26″ East a distance of 353.22 feet, to the P.C. of a curve; thence on a 275 foot radial curve to the right having a delta angle of 72°00′42″, an arc distance of 345.63 feet to the P.T.; thence South 55°25′52″ East a distance of 144.96 feet; thence South 0°00′00″ East a distance of 333.41 feet; thence North 89° 45′02″ West a distance of 324.90 feet; thence North 0°02′29″ West a distance of 137.03 feet, said point being on the North line of the Southwest Quarter; thence North 89°45′02″ West a distance of 398 feet to the point of beginning, less: beginning at a point on the South line of the Northwest Quarter and on the West line of Shawnee Indian Reservation, said point being 408 feet East of the Southwest Corner of the Northwest Quarter (Survey #2925), thence in Northerly direction along said West line 77 feet to center line of a traveled road thence in Southwesterly direction on bearing South 52°33′26″ West along said center line to a point which lies South 89°45′02″ East 375.66 feet and North 0°02′29 West 52.62 feet from the Southwest Corner of said Northwest Quarter, which point is center line of Dg Co Road #680, thence South 0°02′29″ East 52.62 feet to a point which is on North line of the Northwest Quarter said Section and 375.66 feet East of the Southwest corner of said Northwest Quarter, thence East along said South line 32.34 feet to point of beginning; less, beginning at a point on the South line of Northwest Quarter and on West line

of Shawnee Indian Reservation, said point being 408 feet East of the Southwest corner of the Northwest Quarter, thence in northerly direction along said West line 77 feet to center line of a traveled road (being Dg Co Rd 680), thence in Northeasterly direction along said center line 2.4 feet to a point 78.7 feet North and 411.1 feet East of the Southwest corner of said Northwest Quarter; thence in South Southeasterly direction 83.4 feet to point on said South line 437.7 feet East of the Southwest corner of the Northwest Quarter; thence in westerly direction along said South line 29.7 feet to point of beginning; also beginning at a point on the North line of the Southwest Quarter, said point being 723.66 feet South 89°45′02″ East of the West Quarter corner of said Section, thence along the North line of said Southwest Quarter of said Section 89°45′02″ East 50 feet; thence South 0°02′29″ East 50 feet, thence Northwest to point of beginning.

Commencing at the Northwest corner of the Southwest Quarter, thence South 89° 45′03″ East 773.66 feet, said point being on the North line of the Southwest Quarter, thence South 0°00′03″ East 1312.51 feet to the point of beginning; thence South 89°52′41″ East 958.07 feet; thence South 0°00′20″ West 355.07 feet; thence North 89°52′41″ West 958.03 feet; thence North 0°00′03″ West 355.8 feet to the point of beginning.

Commencing at the Northwest corner of the Southwest Quarter; thence South 89° 45′03″ East 773.66 feet, said point being on the North line of the Southwest Quarter; thence South 0°00′03″ East 761.34 feet for the point of beginning; thence South 75°21′17″ East 525.6 feet; thence South 89°40′31″ East 449.6 feet; thence South 0°00′20″ West 417.78 feet; thence North 89°52′41″ West 373.07 feet; thence North 0°07′21″ West 75 feet; thence North 89°52′39″ west 130 feet; thence South 0°07′21″ West 75 feet; thence North 89°52′41″ West 455 feet; thence North 0°00′ 03″ West 551.17 feet to the point of beginning.

The North Half of the Southeast Quarter of Section 22, Township 13 South, Range 20 East of the 6th p.m.

All of the Northeast fractional Quarter of Section 22, Township 13 South, Range 20 East of the 6th p.m., lying South and East of the Wakarusa River.

The following tract of land located in the Southwest Quarter of Section 21, Township 13 South, Range 20 East of the 6th p.m.:

Beginning at the Southwest corner of the Southwest Quarter of Section 21; thence East along the South line of said Section 746.56 feet, thence Northeasterly 980.46 feet to a point 836.04 feet East of the West line of said Southwest Quarter; thence West 398.45 feet, thence South 13.89 feet; thence East 19 feet; thence South 88.13 feet; thence West 36.6 feet; thence South 97.9 feet; thence West 418.84 feet to the West line of said Section; thence South along said West Line 777 feet to the point of beginning.

The following tracts of land located in the Northeast Quarter of Section 20, Township 13 South, Range 20 East of the 6th p.m., lying South and East of the Wakarusa River.

Beginning at the Southwest corner of the North Half of the Northeast Quarter, thence North at an interior angle of 90°02′ between the South line and the West line of said North Half 432

feet; thence Northeasterly 90.83 feet; thence Southeasterly 663 feet to the South line of said North Half, thence West at an interior angle 47° 42′10″ 515.5 feet to the point of beginning.

The South Half of the Northeast Quarter, less commencing at the Southwest corner of the Northeast Quarter, thence North 0°01′41″ East 250 feet to the point of beginning, said point being on the West line of South Half of the Northeast Quarter, thence continuing North 0°01′41″ East 1078.29 feet, said point being the Northwest corner of the South Half of the Northeast Quarter; thence South 90 degrees East 532.67 feet, said point being on the North line of the South Half of the Northeast Quarter; thence South 0°01′41″ West 1163.02 feet, thence North 90 degrees West 202 feet; thence South 0°01′41″ West 11 feet, thence North 90 degrees West 230.67 feet; thence North 0°01′41″ East 95.73 feet; thence North 90 degrees West 100 feet to point of beginning.

All of the Northwest fractional Quarter of Section 20, Township 13 South, Range 20 East of the 6th p.m., lying South of the Wakarusa River.

All of the Northeast fractional Quarter of Section 19, Township 13 South, Range 20 East of the 6th p.m., lying South of the Wakarusa River, together with the North 330 feet of the Southeast Quarter of Section 19, Township 13 South, Range 20 East of the 6th p.m.

The following tracts of land located in the North Half of the Southwest Quarter of Section 29, Township 13 South, Range 20 East of the 6th p.m:

Commencing at the Northwest corner of the Southwest Quarter; thence South 0° 20′48″ West a distance of 1327.32 feet, said point being the Southwest corner of the North Half of the Southwest Quarter; thence South 89°53′47″ East a distance of 1095.00 feet to the point of beginning, said point being on the South line of the North Half of the Southwest Quarter; thence North 0°20′48″ East 466.7 feet, thence South 89°53′47″ East a distance of 466.70 feet; thence South 0°20′48″ West a distance of 466.70 feet, said point being on the South line of the North Half of the Southwest Quarter; thence North 89°53′47″ West a distance of 466.70 feet to the point of beginning.

Commencing at the Northwest corner of the Southwest Quarter; thence South 0° 20′48″ West a distance of 400 feet to the point of beginning; said point being on the West line of the Southwest Quarter; thence South 89°23′38″ East 466.7 feet; thence South 0°20′48″ West 466.7 feet; thence North 89°23′38″ West 466.7 feet, said point being on the West line of the Southwest Quarter; thence North 0°20′48″ East 466.7 feet to the point of beginning.

The following tract of land located in the Northwest Quarter of Section 29, Township 13 South, Range 20 East of the 6th p.m.:

Commencing at the Southwest corner of the Northwest Quarter of Section 29, thence North 89°49′54″ East along the South line of said Northwest Quarter 942.10 feet for the point of beginning; thence North 00°10′06″ West 664.08 feet to the North line of the South Half of the Southwest Quarter of said Northwest Quarter; thence North 89°48′16″ East along said North line, 387.08 feet to the East line of the South Half of the Southwest Quarter of said Northwest Quarter; thence South 00° 04′22″ West along said East line 664.27 feet to the

South line of said Northwest Quarter; thence South 89°49′54″ West along said South line 384.28 feet to the point of beginning.

The following tracts of land located in the East Half of Section 30, Township 13 South, Range 20 East of the 6th p.m.:

Commencing at the Northeast corner of the Southeast Quarter of Section 30; thence South 00°14′41″ West on the East line of the Southeast Quarter a distance of 368.00 feet for a point of beginning; thence continuing South 00°14′41″ West on the East line of the Southeast Quarter a distance of 368.00 feet; thence South 89°56′53″ West a distance of 615.50 feet; thence North 00°14′41″ East a distance of 368.00 feet; thence North 89°56′53″ East a distance of 615.50 feet to the point of beginning.

Commencing at the Northeast corner of the Southeast Quarter of Section 30; thence South 00°14′41″ West on the East line of the Southeast Quarter a distance of 1104.00 feet to the Point of Beginning; thence continuing South 00°14′41″ West on the East line of the Southeast Quarter a distance of 368 feet; thence South 89°56′ 53″ West a distance of 615.50 feet; thence North 00°14′41″ East a distance of 368.00 feet; thence North 89°56′53″ East a distance of 615.50 feet to the Point of Beginning, containing 5.20 acres more or less.

TRACTS LOCATED IN JOHNSON COUNTY:

The Northeast Quarter of the Southeast Quarter, and the East Half of the Northeast Quarter of Section 26, Township 13 South, Range 21 East of the 6th p.m., Johnson County, Kansas

The Northwest Quarter of Section 23, Township 13 South, Range 21 East of the 6th p.m., Johnson County, Kansas

The following tracts located in Section 14, Township 13 South, Range 21 East of the 6th p.m., in Johnson County, Kansas:

The Southeast Quarter
The Southwest Quarter
The Southeast Quarter of the Northwest Quarter, and the East 4 Acres of the Southwest Quarter of the Northwest Quarter South of the Creek

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

VERIFICATION OF REQUEST FOR PETITION
AND ENUMERATION OF LANDOWNERS

STATE OF KANSAS)
COUNTY OF DOUGLAS)

John W. Nitcher of lawful age and after being duly sworn on his oath, states:

1. That he is an attorney with Riling, Burkhead & Nitcher, Chtd. the attorneys for Rural Water District No. 4, and signing on behalf of the landowner Petitioners in the above referenced Petition.

2. The enumeration of owners of land attached hereto and made a part of the Petition for Attachment of Lands to Rural Water District No. 4, Douglas County, Kansas, lists all of the owners of land within the boundaries of the areas to be attached, as described in the Petition, as taken from the tax rolls of Douglas County, Kansas and Johnson County, Kansas and provided by the County Clerks of Douglas and Johnson Counties, respectively (Exhibit 1).

3. The 146 owners of land within the boundaries of the areas to be attached, whose signatures appear upon the Request for Petition for Attachment of Lands to Rural Water District No. 4, Douglas County, Kansas, have requested that a Petition be prepared, signed on their behalf and filed with the County Clerk of Douglas County, Kansas, seeking the attachment of lands to Rural Water District No. 4 by the Board of County Commissioners of Douglas County, Kansas (Exhibit 2).

4. That he has determined, and is satisfied that the 146 persons signing the Request for Petition constitute more than fifty percent (50%) of the owners of land situated within the boundaries of the areas to be attached, as required by KSA 82a-622.

John W. Nitcher

Subscribed and sworn to before me this 13th day of March, 2003.

Bernadine A. Eastridge
Notary Public

My Appointment Expires Aug. 13, 05

NOTARY PUBLIC - State of Kansas
BERNADINE A. EASTRIDGE
My Appt. Exp. 8/13/05

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

EXHIBIT 1

Enumeration of Landowners from Douglas County Clerk, February 26, 2003 (30 pages)

Enumeration of Landowners from Johnson County Clerk, March 5, 2003 (9 pages)

Stephen Garlow

From: Fitzgerald, Karen, CNC [Karen.Fitzgerald@JOCOKS.COM]
Sent: Wednesday, March 05, 2003 8:11 AM
To: Stephen Garlow
Subject: Landowners

Below is a list of the owners you requested for certain tracts of land in Johnson County.

The current tax roll records show the owners of the property are as listed:

Chalres L. & Martha A. Slaughter 3F211326-3001 & 3F211326-3003

Johnson County Board of Commissioners 3F211326-3004 (in road right of way)

Gary F. & Teresa R. Beers 3F211323-1001 & 3F211314-4001

Brad & Dawn Fire 3F211323-1002

Leo & Helen Rieke 3F211314-1001

Timothy M. & Judy D. Ross 3F211314-2001

I will fax to you a copy of the parcel belonging to the county.

Karen D. Fitzgerald
Office Manager/Deputy Clerk
Johnson County Clerk's Office
111 S. Cherry St. Ste 1200
Olathe, KS 66061
(913) 715-0808
karen.fitzgerald@jocoks.com

1 of 9

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211326-3001 CU: 46

OWNR1	SLAUGHTER, CHARLES L.	BK/PG? EDIT? N	CLEM CDE ALTKEY 1223253
OWNR2	SLAUGHTER, MARTHA A.		
STRT	12880 S EVENING STAR	RD	
ADDR	EUDORA KS 66025		DEED BK/PG DEED ALTKEY DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0087	SUBDIVISION ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL			
NAME/			BILLS TO MORTG. CO.
ADDR			CODE: ACCT:

STATE MAP ID: 1172601001001000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

2

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211326-3003 . CU: 46

OWNR1	SLAUGHTER, CHARLES L.	BK/PG?	CLEM CDE
OWNR2	SLAUGHTER, MARTHA A.	EDIT? N	ALTKEY 1223270
STRT	12880 S EVENING STAR	RD	
ADDR	EUDORA KS 66025		DEED BK/PG
			DEED ALTKEY
			DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0087	SUBDIVISION
			ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL			
NAME/			BILLS TO MORTG. CO.
ADDR			CODE:
			ACCT:

STATE MAP ID: 1172601001003000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

3

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211326-3004 CU: 46

OWNR1	JO CO BD OF COMMISSIONERS	BK/PG? EDIT? N	CLEM CDE ALTKEY 1590281
OWNR2			
STRT	111 S CHERRY	ST	
ADDR	OLATHE KS 66061		DEED BK/PG DEED ALTKEY DOB-MMDDCCYY
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0087	SUBDIVISION ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL			
NAME/			BILLS TO MORTG. CO.
ADDR			CODE: 502 ACCT: 0

STATE MAP ID: 3F211326-3004 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

4

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211323-1001 CU: 46

OWNR1	BEERS, GARY F.	BK/PG? EDIT? N	CLEM CDE
OWNR2	BEERS, TERESA R.		ALTKEY 1222974
STRT	39530 W 119TH	ST	
ADDR	EUDORA KS 66025		DEED BK/PG
			DEED ALTKEY
			DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0069	SUBDIVISION
			ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL			
NAME/			BILLS TO MORTG. CO.
ADDR			CODE:
			ACCT:

STATE MAP ID: 1162302001001000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

5

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211314-4001 CU: 46

OWNR1	BEERS, GARY F.	BK/PG? EDIT? N	CLEM CDE ALTKEY 1222966
OWNR2	BEERS, TERESA R.		
STRT	39530 W 119TH	ST	
ADDR	EUDORA KS 66025		DEED BK/PG DEED ALTKEY DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0069	SUBDIVISION ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL NAME/ ADDR			BILLS TO MORTG. CO. CODE: ACCT:

STATE MAP ID: 1161404004001000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

6

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211323-1002 CU: 46

OWNR1	FIRE, BRAD	BK/PG? EDIT? Y	CLEM CDE ALTKEY 1222982
OWNR2	FIRE, DAWN		
STRT	10512 S HIGHLAND	LN	
ADDR	OLATHE KS 66061		DEED BK/PG DEED ALTKEY DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0069	SUBDIVISION ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL			
NAME/			BILLS TO MORTG. CO.
ADDR			CODE: ACCT:

STATE MAP ID: 1162302001002000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

7

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211314-1001 CU: 46

OWNR1	RIEKE, LEO	BK/PG? EDIT? N	CLEM CDE ALTKEY 1222796
OWNR2	RIEKE, HELEN		
STRT	3311 MERRIAM	LN	
ADDR	KANSAS CITY KS 66109		DEED BK/PG DEED ALTKEY DOB-MMDDCCYY 02 27 1998
SITUS	0 NS	NT	%OWNERSHIP 100.00
ADDR	NC	DIST 0069	SUBDIVISION ACTIVITY
SPEC		EDIT?	STAT/CMP A COMPLETE
BILL NAME/ ADDR			BILLS TO MORTG. CO. CODE: ACCT:

STATE MAP ID: 1161402001008000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

8

ACTION: R SCREEN: NAME USERID: MXB0 CHANGE-REASON:

PARCEL NAME/ADDRESS

JURI= 46 YR= 2002 ROLL= RE PARCEL= 3F211314-2001 CU: 46

OWNR1	ROSS, TIMOTHY M.	BK/PG?	CLEM CDE
OWNR2	ROSS, JUDY D.	EDIT? Y	ALTKEY 1222907
STRT	11515 COUNTY LINE	RD	
ADDR	EUDORA KS 66025		DEED BK/PG
			DEED ALTKEY
			DOB-MMDDCCYY 02 27 1998
SITUS	11515 COUNTY LINE	RD	%OWNERSHIP 100.00
ADDR	EUDORA	DIST 0069	SUBDIVISION
			ACTIVITY
SPEC	COUNTRYWIDE HOME LOANS	EDIT? N	STAT/CMP A COMPLETE
BILL			
NAME/	PO BOX 10211	SV-24	BILLS TO MORTG. CO.
ADDR	VAN NUYS CA 91410-0211		CODE: 308
			ACCT: 5770504

STATE MAP ID: 1161403001001000 JYR: 46 2002 RE RC: SI

LEASED LAND ID: JYR: RE RC: LL

01-NA16W BILL ADDRESS IS MORTGAGE CO.

9 of 9

Published in the _____ on the _____ day of March, 2003.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

NOTICE OF HEARING ON PETITION FOR ATTACHMENT OF LANDS TO RURAL WATER DISTRICT NO. 4, DOUGLAS COUNTY, KANSAS

To All Persons Concerned:

You are hereby notified that a Petition addressed to the Board of County Commissioners of Douglas County, Kansas, has been filed with the County Clerk of Douglas County, Kansas, praying for attachment to existing Rural Water District No. 4, of certain tracts of land in Douglas County, Kansas, owned by Petitioners and others and described in Exhibit A, attached to the Petition, which was filed with County Clerk on March 17, 2003.

You are further notified under the authority of K.S.A. 82a-622 through 82a-624, and K.S.A. 19-270, that the Petition for Attachment of Lands to Rural Water District No. 4 will be heard by the Board of County Commissioners of Douglas County, Kansas, on the 2nd day of April, 2003, at 6:35 PM., on the Second Floor of the Douglas County Courthouse, 1100 Massachusetts St., Lawrence, KS.

Patty Jaimes

Patty Jaimes, County Clerk

To the Publisher: Please publish once, no later than Monday, March 24. Please make your proof of publication to the County Clerk, 1100 Massachusetts St. Lawrence, KS 66044, with a copy to Riling, Burkhead & Nitcher, Chtd., 808 Massachusetts St., Lawrence, KS 66044.

Delivered to L.W. 3-18-03

MONDAY, JULY 21, 2003
-No Commission Meeting

WEDNESDAY, JULY 23, 2003
-No Commission Meeting

MONDAY, JULY 28, 2003
-Light agenda or no meeting

WEDNESDAY, JULY 30, 2003
-Light agenda or no meeting

PROCLAMATION

WHEREAS: *On any given night in America, there are thousands of men, women and children who are homeless; and*

WHEREAS: *In Douglas County, there are a significant number of individuals who are on the streets or in homeless shelters each night; and*

WHEREAS: *Both nationally and locally, approximately one-third of the homeless individuals have a serious mental illness; and*

WHEREAS: *Two trends are largely responsible for the rise in homelessness: a growing shortage of affordable rental housing and a simultaneous increase in poverty; and*

WHEREAS: *Research indicates in order to be effective in ending homelessness, communities will need to support services, treatment and prevention of homelessness and establish partnerships with federal agencies, state and local governments, and public and private agencies to reduce barriers to services and increase resources and funding; and*

WHEREAS: *Every year, public and private agencies observe HOMELESSNESS AWARENESS WEEK to increase awareness and focus attention on the needs of homeless individuals and families.*

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS *does hereby proclaim the week of November 11-15, 2003 as*

"NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK"

in Douglas County, Kansas, and ask all Douglas County residents to join us in working to improve public awareness and a better understanding of ways we can end homelessness.

ADOPTED *this 14th day of April, 2003.*

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

_____
Bob Johnson, Chairman

_____
Jere McElhaney, Member

_____
Charles Jones, Member

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March 17, 2003

Ms. Patty Jaimes
Douglas County Clerk
1100 Massachusetts
Lawrence, KS 66044

Re: Petition for Attachment of Lands to Rural Water District No. 4

Dear Ms. Jaimes:

Pursuant to KSA 82a-622 to 624, and KSA 19-270, we are submitting the following documents for action by the Board of County Commissioners and the County Clerk.

1. Petition for Attachment of Lands to Rural Water District No. 4, including Exhibit A, the metes and bounds legal descriptions for the tracts.

2. Verification of Request for Petition and Enumeration of Landowners, including Exhibit 1, the enumeration of landowners taken from the tax rolls of the county, and Exhibit 2, the Request for Petition signed by 146 owners of land within the boundaries of the areas to be attached to RWD No. 4.

   We request the Petition, the Verification and accompanying documentation be filed with your office, as required by KSA 82a-622, and presented to the Board of County Commissioners for the purpose of conducting a public hearing, as required by KSA 82a-623 and 624.

3. Order for Hearing, Notice of Hearing on Petition for Attachment of Lands to Rural Water District No. 4 (for mailing), Notice of Hearing on Petition for Attachment of Lands to Rural Water District No. 4 (for publication), and mailing labels.

   We request that you submit the Order for Hearing to the Board of County Commissioners for signature; the hearing date of April 2 has already been scheduled through the Office of County Administrator. The Notice of Hearing (for mailing) has been prepared for your use, as required by KSA 82a-623, and must be mailed by first class mail to each owner of land within the area sought to be attached, along with a copy of the Petition

and Exhibit A. We have included mailing labels for the landowners and city and state officials who must be notified in accordance with KSA 82a-623 and KSA 19-270. The Notice of Hearing and Petition must be mailed at least seven days prior to the date of the Hearing; please mail no later than Monday, March 24. According to KSA 19-270, the Notice of Hearing (for publication) should be published in the official county newspaper at least seven days prior to the date of the hearing. The statutes do not indicate whether the costs of mailing and publication are to be paid by the Petitioner; in the event costs are payable by the Petitioner, please advise on what authority, and we will promptly advance required costs.

Please call me if you have any questions, at 841-4700, ext. 226.

Sincerely,

L. Stephen Garlow

cc: Craig Weinaug, Co. Administrator
Scott Schultz, RWD 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

NOTICE OF HEARING ON PETITION FOR ATTACHMENT OF LANDS
TO RURAL WATER DISTRICT NO. 4, DOUGLAS COUNTY, KANSAS

To All Persons Concerned:

You are hereby notified that a Petition addressed to the Board of County Commissioners of Douglas County, Kansas, has been filed with the County Clerk of Douglas County, Kansas, praying for attachment to existing Rural Water District No. 4, of the tracts of land in Douglas County, Kansas, owned by Petitioners and others and described in Exhibit A, attached to the enclosed Petition.

You are further notified under the authority of K.S.A. 82a-622 through 82a-624, and K.S.A. 19-270, that the Petition for Attachment of Lands to Rural Water District No. 4 will be heard by the Board of County Commissioners of Douglas County, Kansas, on the 2nd day of April, 2003, at 6:35 PM., on the Second Floor of the Douglas County Courthouse, 1100 Massachusetts St., Lawrence, KS. Any interested person may present testimony before the Board.

Patty Jaimes

Patty Jaimes, County Clerk

Chapter 82a.--WATERS AND WATERCOURSES

Article 6.--WATER DISTRICTS

82a-622. Attachment of adjoining lands, when; petition, contents. A petition addressed to the county commissioners may be filed with the county clerk, praying for the attachment, to an existing district, of lands outside the district which can be economically served by the facilities of the district. Said petition for attachment shall be signed by at least fifty percent (50%) of the owners of land within the area or signed on behalf of the owners of land within the area when such petition is accompanied by a request for petitioning signed by at least fifty percent (50%) of the owners of land within the area. The number of owners of land in the area shall be determined by an enumeration of said owners of land, taken from the tax rolls of the county in which lands are located, and verified by one of said landowners or the attorney filing same, duly attached to and made a part of said petition. For purposes of determining the number of owners of land in the area the tax rolls of the county shall be prima facie evidence of title and the name and address of the owners of land within said area. The petition shall (1) define by metes and bounds the boundaries of lands requested to be attached to the district, and shall state (2) the name of the district to which attachment is desired; (3) that such lands are without an adequate water supply; and (4) that attachment to said district will be conducive to and will promote the public health, convenience and welfare.

History: L. 1957, ch. 540, § 11; L. 1959, ch. 415, § 3; L. 1963, ch. 512, § 6; L. 1965, ch. 556; L. 1978, ch. 432, § 1; L. 1980, ch. 331, § 1; April 23.

82a-623. Attachment of adjoining land to water district; procedure; notice and hearing upon petition. Subject to the provisions of K.S.A. 19-270, and amendments thereto, the county clerk shall give notice to the county commissioners of the filing of the petition for attachment. The board of county commissioners shall fix a time and place, within 30 days from the date of the filing of the petition, for a hearing on the same. The county clerk, at least seven days before the date fixed for the hearing, shall send by first class mail to each owner of land within the area sought to be attached a copy of the petition for attachment, and a copy of the notice fixing the time and place of hearing on the petition. The owners of land within the area sought to be attached shall be determined by an enumeration of landowners taken from the tax rolls of the county in which the land is located. If the petition for attachment is accompanied by a verified statement by one of the owners of land within the area sought to be attached, or the attorney for the petitioner, that the owners of all of the land within the area sought to be attached have signed the petition for attachment, a copy of the petition for attachment shall not be sent to the owners of land sought to be attached. The clerk shall send by first class mail a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing on the petition to the office of the water district to which attachment is sought. The clerk also shall transmit to the chief engineer a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing thereon.

History: L. 1957, ch. 540, § 12; L. 1965, ch. 556, § 7; L. 1980, ch. 331, § 2; L. 1986, ch. 70, § 45; L. 1997, ch. 143, § 2; May 8.

19-270. Special benefit districts; creation or enlargement; approval of board of county commissioners, required.

(a)(1) A special benefit district shall include any:

(A) Sewer district;

(B) water district, rural water district and water supply district;

(C) fire district;

(D) improvement district;

(E) industrial district; and

(F) drainage district.

(2) The fringe area of a city means the area of unincorporated territory lying outside of but within three miles of the nearest point on the city limits of a city which has adopted subdivision regulations under K.S.A. 12-749, and amendments thereto.

(b) No special benefit district shall be created, within the fringe area of any city unless approved by at least a 3/4 majority vote of the board of county commissioners of the county in which the city is located. The boundaries of any such district shall not be extended within the fringe area of the city unless approved by at least a 3/4 majority vote of the board of county commissioners of the county in which the city is located. If the boundaries of the district cross county lines and if the district to be created or the boundaries to be extended would be located within the fringe area of a city, the board of county commissioners of each county in which such a city is located shall be required to approve the creation of the district within the fringe area of the city or the extension of the boundaries of the district within the fringe area of the city by at least a 3/4 majority vote of the board. If a hearing is not already required to be held prior to the creation or expansion within the fringe area of a city of a special benefit district, the board of county commissioners shall call and hold a hearing on the proposed action. Notice of the hearing shall be published once in the official county newspaper. The notice shall be published at least seven days prior to the date of the hearing.

At the hearing, the board shall receive testimony from the city, township, county or regional planning commission having jurisdiction over any of the affected land area. Such testimony shall address any incompatibilities between the creation or expansion of the district within such fringe area and any adopted land use or comprehensive plans. The governing body of the city may present testimony of any proposed annexation of the affected land area. Any interested person may present testimony before the board. As a guide in determining the advisability of authorizing the creation or change in boundaries of a special benefit

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KS

In the Matter of the Petition for
Attachment of Lands to Rural
Water District No. 4,
Douglas County, Kansas

PETITION FOR ATTACHMENT OF LANDS
TO RURAL WATER DISTRICT NO. 4,
DOUGLAS COUNTY, KANSAS

TO: THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Petitioners, being landowners of Douglas County, Kansas, represent and state as follows:

1. That this Petition is signed on behalf of the Petitioners named on the attached Request for Petition forms, who are at least fifty percent (50%) of the owners of land within the boundaries of areas in Douglas County, and Johnson County Kansas, defined by metes and bounds in the attached Exhibit A.

2. That the lands within such boundaries are without an adequate supply of water and can be economically served by the facilities of Rural Water District No. 4, Douglas County, Kansas.

3. That the attachment to Rural Water District No. 4, Douglas County, Kansas of the land contained within the boundaries of the described areas will be conducive to and will promote the public health, convenience, and welfare.

WHEREFORE, Petitioners pray that the Board of County Commissioners of Douglas County, Kansas, fix a time and place within thirty (30) days from the date of filing of this Petition for a hearing of the same; that the County Clerk of Douglas County, Kansas, at least seven days before the hearing date, send written notice by first class mail of the time and place of such hearing to each of the landowners within the areas to be attached, and to the office of the Board of Directors of Rural Water District No. 4, Douglas County, Kansas, and to the Chief Engineer, Division of Water Resources, State Board of Agriculture, together with a copy of this Petition.

That the Board of County Commissioners, upon hearing, make appropriate findings and declare the described land attachable to Rural Water District No. 4, Douglas County, Kansas, and thereupon enter upon its records full minutes of such hearing, together with a declaration that henceforth the District shall include the described land in the District, all as provided in K.S.A. §82a-622 to §82a-624 inclusive.

RILING, BURKHEAD & NITCHER, Chtd.
808 Massachusetts Street
P. O. Box B
Lawrence, Kansas 66044
(785) 841-4700
Attorneys for Rural Water District No. 4

By: _____
John W. Nitcher, #9749

EXHIBIT A
TRACTS TO BE ATTACHED TO RWD NO. 4

TRACTS LOCATED IN DOUGLAS COUNTY, KANSAS:

The Northwest Quarter of Section 8, Township 14 South, Range 20 East of the 6th p.m. and the North Half of the Southwest Quarter of Section 8, Township 14 South, Range 20 East of the 6th p.m.

The Northeast Quarter of the Northeast Quarter of Section 19, Township 14 South, Range 20 East of the 6th p.m.

The following tract of land located in the South Half of the Northwest Quarter of Section 30, Township 14 South, Range 20 East of the 6th p.m.

> Commencing at the Northwest Corner of Section 30, thence South 00°11'59" West 1944.42 feet to the point of beginning, said point being on the West line of the Northwest Quarter; thence South 89°48'01" East 444.05 feet, thence South 00°11' 59" West 343.34 feet; thence North 89°48'01" West 444.05 feet, said point being on the West line of the Northwest Quarter, thence North 00°11'59" East 343.34 feet to the point of beginning.

The following tracts of land located in Section 1, Township 15 South, Range 19 East of the 6th p.m.:

> The Northeast Quarter
> The Southwest Quarter of the Southeast Quarter
> A tract commencing at the Southeast corner of the Southwest Quarter of Section 1, thence West along the South line of said Section on assumed bearing of North 90degreesWest 712.28 feet to the true point of beginning; thence North 09°16'55" East 680.93 feet; thence North 89°14'54" West 322.42 feet; thence South 09°16'55" West 685.22 feet on the South line of said Quarter Section, thence South 90degreesEast 323.09 feet to the point of beginning.

The Northwest Quarter of Section 12, Township 15 South, Range 19 East of the 6th p.m.

The Northwest Quarter of Section 7, Township 15 South, Range 20 East of the 6th p.m.

The Northeast Quarter of the Northwest Quarter of Section 8, Township 15 South, Range 20 East of the 6th p.m.

The Southwest Quarter of the Southwest Quarter of Section 5, Township 15 South, Range 20 East of the 6th p.m.

The following tract of land located in the Southeast Quarter of Section 33, Township 14 South, Range 20 East of the 6th p.m.:

> Commencing at the Northeast corner of the Southeast Quarter, thence South 00° 04' 36" East along the East line of the Southeast Quarter of said Section 33, a distance of 238.95 feet

Next Page >>