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LINDA K. GUTIERREZ
MATTHEW S. GOUGH*
CATHERINE C. THEISEN
KRISTOPHER S. AMOS

RICHARD A. BARBER
(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

March 5, 2008

Via Hand Delivery

Mr. Frank Reeb, City Clerk
City Hall
6 East 6th Street
Lawrence, Kansas 66044

RECEIVED

MAR 05 2008

**CITY CLERK
LAWRENCE, KANSAS**

Re: *Petition for the Improvement District for the Construction of George
Williams Way from 6th Street to Overland Drive*

Dear Mr. Reeb:

Enclosed please find an original Petition for the Improvement District for the
Construction of George Williams Way from 6th Street to Overland Drive. Please advise me when
the City schedules a hearing for the proposed improvement district.

If you have any questions or require any additional information, please call me. Thank
you.

Very truly yours,

BARBER EMERSON, L.C.



Mark A. Andersen

MAA:dbk

cc: John J. Miller (w/enclosure)

RECEIVED

MAR 05 2008

**CITY CLERK
LAWRENCE, KANSAS**

PETITION

TO THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

We, the undersigned, owners of record of property located within the City of Lawrence, Kansas (the "City") do hereby respectfully request that the Governing Body of the City create and designate an improvement district for the purpose of making certain improvements in the manner provided by K.S.A. 12-6a01, *et seq.*

1. The general nature of the proposed improvements are as follows:

THE CONSTRUCTION OF GEORGE WILLIAMS WAY FROM THE INTERSECTION OF WEST 6TH STREET (U.S. HIGHWAY 40) NORTH APPROXIMATELY 1480.99 FEET TO OVERLAND DRIVE, INCLUDING PROPERTY ACQUISITION, A RIGHT TURN LANE FROM WESTBOUND 6TH STREET ONTO NORTHBOUND GEORGE WILLIAMS WAY, BICYCLE FACILITIES, SIDEWALKS ON BOTH SIDES, SUBGRADE STABILIZATION, STORMWATER IMPROVEMENTS, WATERLINES WITHIN THE PUBLIC RIGHT OF WAY, POWERLINE RELOCATION, AND OTHER NECESSARY AND APPROPRIATE IMPROVEMENTS.

(The "Improvements").

2. The estimated or probable cost of the Improvements is:

\$3,220,000.00 (to be increased at the pro-rata rate of 1 percent per month from and after the adoption date of the resolution authorizing the Improvements), plus costs of issuance and plus costs of interest on any temporary financing.

3. The extent of the proposed improvement district to be assessed is:

TRACT 1 – MERCATO

Sojac Land Company L.C. – Plate No.U13966

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE, 386.52 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE NORTH 88°04'03" EAST, ALONG SAID NORTH LINE, 617.07 FEET TO THE NORTHEAST CORNER OF THE NORTH 30 ACRES OF THE WEST 60 ACRES OF SAID QUARTER SECTION; THENCE SOUTH 01°55'11" EAST, ALONG THE EAST LINE OF SAID NORTH 30 ACRES, 1326.31 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°04'19" WEST, ALONG THE SOUTH LINE OF SAID NORTH 30 ACRES, 561.08 FEET TO SAID EAST RIGHT-OF-WAY LINE, THENCE NORTH 02°42'21" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 773.59 FEET; THENCE

CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE ON A 4069.72 FOOT RADIUS CURVE TO THE LEFT WITH A 554.59 FOOT CHORD BEARING NORTH 06°36'46" WEST, AN ARC DISTANCE OF 555.02 FEET TO THE POINT OF BEGINNING. CONTAINS 17.519 ACRES, MORE OR LESS.

Kentucky Place L.C. et al Plate No. U13967

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 29 TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE NORTH 88°04'24"EAST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29 A DISTANCE OF 899.46 FEET FOR A POINT OF BEGINNING; THENCE NORTH 20°43'49"EAST A DISTANCE OF 162.41 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY); THENCE NORTH 14°23'48"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 253.46 FEET; THENCE NORTH 32°50'50"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 896.17 FEET; THENCE NORTH 02°42'21"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 160.18 FEET TO THE NORTH LINE OF THE SOUTH ONE-HALF (S ½) OF THE WEST 60 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29; THENCE NORTH 88°04'03"EAST ON THE NORTH LINE OF THE SOUTH ONE-HALF (S ½) OF THE WEST 60 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29, TO WEST LINE OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29; THENCE SOUTH ON THE WEST LINE OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29 TO THE SOUTHWEST CORNER OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 29 TO THE POINT OF BEGINNING, ALL IN DOUGLAS COUNTY, KANSAS

TRACT 2 – ROOT L.C. (GRAHAM) - Plate No. U13968A

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE, 344.49 FEET NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF US 40; THENCE NORTH 01°59'09" WEST, ALONG SAID WEST LINE, 345.51 FEET; THENCE NORTH 88°04'34" EAST, 407.83 FEET; THENCE SOUTH 02°01'38" EAST, 615.00 FEET TO SAID NORTH LINE OF WEST 6TH STREET; THENCE SOUTH 88°04'34" WEST, ALONG SAID NORTH LINE, 326.87 FEET; THENCE NORTH 43°30'56" WEST, ALONG SAID NORTH LINE, 44.48 FEET; THENCE NORTH 02°27'00" WEST, ALONG SAID NORTH LINE, 236.29 FEET; THENCE SOUTH 88°00'51" WEST, ALONG SAID NORTH LINE, 50.00 FEET TO THE POINT OF BEGINNING. LESS THE DEDICATION OF RIGHT OF WAY RECORDED AT THE

DOUGLAS COUNTY REGISTER OF DEEDS AT BOOK 889, PAGE 31 SAID AREA CONTAINS 4.91 ACRES, MORE OR LESS.

TRACT 3 – OREGON TRAIL HOLDINGS, L.C. Plate No. U13968-001 through U13968-0125 excluding U13968-070 and -071

LOTS 1-9 , BLOCK 1; LOTS 1-13, BLOCK 2; LOTS 1-47, BLOCK 3; LOTS 1-14, BLOCK 4; LOTS 1-19 BLOCK 5; LOTS 1-10 BLOCK 6; LOTS 1-11, BLOCK 7 OF THE OREGON TRAIL SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29 SOUTH, RANGE 19 EAST OF THE 6TH P.M. IN THE CITY OF LAWRENCE , DOUGLAS COUNTY KANSAS

(The "Improvement District").

4. The proposed method of assessment shall be:

Property in the district located east of George Williams Way shall be assessed for 50% of the costs of the improvements apportioned to the improvement district, which is the ratio of the front footage of the improvement district located east of George Williams Way to the entire front footage of George Williams Way in the district. Such assessments shall be spread on a square footage basis thereafter.

Property in the district located west of George Williams Way shall be assessed for 50% of the costs of the improvements apportioned to the improvement district, which is the ratio of the front footage of the improvement district located west of George Williams Way to the entire front footage of George Williams Way in the district. Such assessments shall be spread on a square footage basis thereafter.

5. The proposed apportionment of cost between the Improvement District and the City at Large is:

One hundred percent (100%) of the cost of the improvement shall be paid by the improvement district except that the City-at-large shall pay \$200,000 and the improvement district shall pay all costs in excess of the \$200,000.

6. The signers of this Petition who have dedicated or conveyed property necessary for the street improvements hereby request that, pursuant to K.S.A. 12-692, the Governing Body exempt such property from special assessments related to the costs of acquiring land necessary for the construction of the street improvements.

7. The signers of this Petition hereby request that the Improvements be made without notice and hearing as required by K.S.A. 12-6a04(a).

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

NAMES MAY NOT BE WITHDRAWN FROM THE PETITION BY THE SIGNERS THEREOF AFTER THE GOVERNING BODY COMMENCES CONSIDERATION OF THE PETITION OR LATER THAN SEVEN (7) DAYS AFTER FILING OF THE PETITION WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

Sojac Land Company L.C.

BY: [Signature] TITLE: Member

NAME: Tim B. Fritzel

(Print)

LEGAL DESCRIPTION OF PROPERTY OWNED WITHIN THE PROPOSED IMPROVEMENT DISTRICT:

See attached Exhibit A.

STATE OF KANSAS)
)
DOUGLAS COUNTY)

I, the undersigned Notary Public, hereby certify that the signature appearing above is genuine and that this document was signed before me on this 28th day of February, 2008.

[Signature: Suzanne Mills]
Notary Public

My appointment expires:
7-30-2011



NAMES MAY NOT BE WITHDRAWN FROM THE PETITION BY THE SIGNERS THEREOF AFTER THE GOVERNING BODY COMMENCES CONSIDERATION OF THE PETITION OR LATER THAN SEVEN (7) DAYS AFTER FILING OF THE PETITION WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

Kentucky Place L.C.

BY: [Signature] TITLE: Manager

NAME: DIXIE SCHWADA

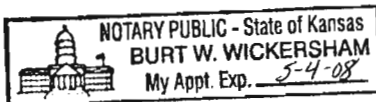
(Print)

LEGAL DESCRIPTION OF PROPERTY OWNED WITHIN THE PROPOSED IMPROVEMENT DISTRICT:

See attached Exhibit B.

STATE OF KANSAS)
)
DOUGLAS COUNTY)

I, the undersigned Notary Public, hereby certify that the signature appearing above is genuine and that this document was signed before me on this 27 day of February, 20 08.

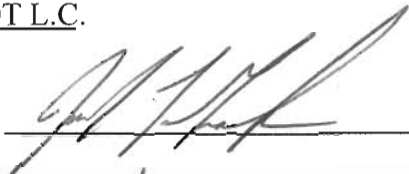


[Signature]
Notary Public

My appointment expires:

NAMES MAY NOT BE WITHDRAWN FROM THE PETITION BY THE SIGNERS THEREOF AFTER THE GOVERNING BODY COMMENCES CONSIDERATION OF THE PETITION OR LATER THAN SEVEN (7) DAYS AFTER FILING OF THE PETITION WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

ROOT L.C.

BY:  TITLE: Managers partner
NAME: Jack H. Graham

(Print)

LEGAL DESCRIPTION OF PROPERTY OWNED WITHIN THE PROPOSED IMPROVEMENT DISTRICT:

See attached Exhibit C.

STATE OF KANSAS)
)
DOUGLAS COUNTY)

I, the undersigned Notary Public, hereby certify that the signature appearing above is genuine and that this document was signed before me on this 25th day of February, 20 08.


Notary Public

My appointment expires:



NAMES MAY NOT BE WITHDRAWN FROM THE PETITION BY THE SIGNERS THEREOF AFTER THE GOVERNING BODY COMMENCES CONSIDERATION OF THE PETITION OR LATER THAN SEVEN (7) DAYS AFTER FILING OF THE PETITION WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

OREGON TRAIL HOLDINGS, L.C.

BY: 

TITLE: Manager

NAME: Roger D. Johnson

(Print)

BY: 

TITLE: Manager

NAME: John M. McGrew

(Print)

LEGAL DESCRIPTION OF PROPERTY OWNED WITHIN THE PROPOSED IMPROVEMENT DISTRICT:

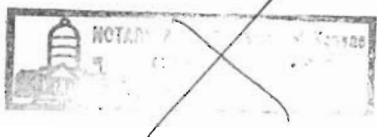
See attached Exhibit D.

STATE OF KANSAS)

)

DOUGLAS COUNTY)

I, the undersigned Notary Public, hereby certify that the signature appearing above is genuine and that this document was signed before me on this 29th day of February, 2008.




Notary Public

CATHY C. TARR

My appointment expires:

10/28/08



EXHIBIT A

LEGAL DESCRIPTION OF LAND OWNED BY SOJAC LAND COMPANY L.C.

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE, 386.52 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE NORTH 88°04'03" EAST, ALONG SAID NORTH LINE, 617.07 FEET TO THE NORTHEAST CORNER OF THE NORTH 30 ACRES OF THE WEST 60 ACRES OF SAID QUARTER SECTION; THENCE SOUTH 01°55'11" EAST, ALONG THE EAST LINE OF SAID NORTH 30 ACRES, 1326.31 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°04'19" WEST, ALONG THE SOUTH LINE OF SAID NORTH 30 ACRES, 561.08 FEET TO SAID EAST RIGHT-OF-WAY LINE, THENCE NORTH 02°42'21" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 773.59 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE ON A 4069.72 FOOT RADIUS CURVE TO THE LEFT WITH A 554.59 FOOT CHORD BEARING NORTH 06°36'46" WEST, AN ARC DISTANCE OF 555.02 FEET TO THE POINT OF BEGINNING. CONTAINS 17.519 ACRES, MORE OR LESS.

EXHIBIT B

LEGAL DESCRIPTION OF LAND OWNED BY KENTUCKY PLACE L.C.

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 29 TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE NORTH 88°04'24"EAST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29 A DISTANCE OF 899.46 FEET FOR A POINT OF BEGINNING; THENCE NORTH 20°43'49"EAST A DISTANCE OF 162.41 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY); THENCE NORTH 14°23'48"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 253.46 FEET; THENCE NORTH 32°50'50"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 896.17 FEET; THENCE NORTH 02°42'21"WEST ON SAID RIGHT-OF-WAY LINE OF KANSAS HIGHWAY # 10 (SOUTH LAWRENCE TRAFFICWAY), A DISTANCE OF 160.18 FEET TO THE NORTH LINE OF THE SOUTH ONE-HALF (S ½) OF THE WEST 60 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29; THENCE NORTH 88°04'03"EAST ON THE NORTH LINE OF THE SOUTH ONE-HALF (S ½) OF THE WEST 60 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29, TO WEST LINE OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29; THENCE SOUTH ON THE WEST LINE OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 29 TO THE SOUTHWEST CORNER OF THE EAST 100 ACRES OF THE SOUTHWEST QUARTER, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 29 TO THE POINT OF BEGINNING, ALL IN DOUGLAS COUNTY, KANSAS

EXHIBIT C

LEGAL DESCRIPTION OF LAND OWNED BY ROOT L.C.

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE, 344.49 FEET NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF US 40; THENCE NORTH 01°59'09" WEST, ALONG SAID WEST LINE, 345.51 FEET; THENCE NORTH 88°04'34" EAST, 407.83 FEET; THENCE SOUTH 02°01'38" EAST, 615.00 FEET TO SAID NORTH LINE OF WEST 6TH STREET; THENCE SOUTH 88°04'34" WEST, ALONG SAID NORTH LINE, 326.87 FEET; THENCE NORTH 43°30'56" WEST, ALONG SAID NORTH LINE, 44.48 FEET; THENCE NORTH 02°27'00" WEST, ALONG SAID NORTH LINE, 236.29 FEET; THENCE SOUTH 88°00'51" WEST, ALONG SAID NORTH LINE, 50.00 FEET TO THE POINT OF BEGINNING. LESS THE DEDICATION OF RIGHT OF WAY RECORDED AT THE DOUGLAS COUNTY REGISTER OF DEEDS AT BOOK 889, PAGE 31 SAID AREA CONTAINS 4.91 ACRES, MORE OR LESS.

EXHIBIT D

LEGAL DESCRIPTION OF LAND OWNED BY OREGON TRAIL HOLDINGS L.C.

LOTS 1-9 , BLOCK 1; LOTS 1-13, BLOCK 2; LOTS 1-47, BLOCK 3; LOTS 1-14, BLOCK 4; LOTS 1-19 BLOCK 5; LOTS 1-10 BLOCK 6; LOTS 1-11, BLOCK 7 OF THE OREGON TRAIL SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29 SOUTH, RANGE 19 EAST OF THE 6TH P.M. IN THE CITY OF LAWRENCE , DOUGLAS COUNTY KANSAS