

After recording, return to:

City of Andover, Kansas  
Attn: Dana Engstrom, City Clerk  
1609 E. Central  
Andover, Kansas 67002  
Telephone: (316) 733-1303

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(Published in *The Butler County Times-Gazette* and  
on [www.andoverks.com](http://www.andoverks.com) on July 20, 2024)

RESOLUTION NO. 24-23

A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF ANDOVER, KANSAS; SETTING FORTH THE GENERAL NATURE OF THE IMPROVEMENTS, THE ESTIMATED OR PROBABLE COSTS THEREOF, THE EXTENT OF THE BENEFIT DISTRICT TO BE ASSESSED FOR THE COSTS THEREOF, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF THE COSTS BETWEEN THE BENEFIT DISTRICT AND THE CITY-AT-LARGE; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY; AND DIRECTING THE PUBLICATION AND RECORDING OF THIS RESOLUTION (PRAIRIE CREEK WATER IMPROVEMENTS SEVENTH PHASE, PRAIRIE CREEK SEWER IMPROVEMENTS SEVENTH PHASE, AND PRAIRIE CREEK PAVING IMPROVEMENTS SEVENTH PHASE).

WHEREAS, on July 2, 2024 three petitions (the "Petitions") were filed in the Office of the City Clerk of the City of Andover, Kansas (the "City"), requesting that certain water, sanitary sewer, and paving improvements be made to the Prairie Creek Addition in the City; and

WHEREAS, the aforementioned Petitions set forth (a) the general nature of the improvements, (b) the estimated or probable costs of the improvements, (c) the extent of the improvement district to be assessed for the costs of the improvements, (d) the method of assessment, (e) the apportionment of the costs between the improvement district and the City-at-Large, (f) a request that the improvements be made without notice and hearing as required by K.S.A. 12-6a04, as amended and supplemented, and (g) a statement that the proposed improvement district does not include all the property that may benefit from the proposed improvements; and

WHEREAS, the governing body of the City, upon an examination thereof on July 9, 2024, has considered and found and determined the Petitions to be sufficient, having been signed by the

owners of record, whether resident or not, of all of the area liable for assessment for the costs of improvements requested thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

SECTION 1. It is hereby found and finally determined to be advisable to make certain Improvements (hereinafter defined) in the City, and the following findings are hereby made regarding said Improvements:

A. Prairie Creek Water Improvements Seventh Phase (the "Prairie Creek Water Improvements Seventh Phase")

(1) The internal improvements are described as and consist of the excavation and construction of a certain water distribution system and related appurtenances necessary to serve the Benefit District (as hereinafter defined) in the City of Andover, Kansas (such improvements being commonly known as "Prairie Creek Water Improvements Seventh Phase").

(2) The estimated or probable costs of the Prairie Creek Water Improvements Seventh Phase, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Three Hundred Thirty One Thousand Dollars (\$331,000.00) (said cost 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 rate of one percent (1%) per month from and after July 1, 2024).

(3) The extent of the improvement district to be assessed for the costs of the Prairie Creek Water Improvements Seventh Phase shall include and consist of certain real property in the City of Andover, Butler County, Kansas, which is described as follows:

The Prairie Creek Addition – Seventh Phase

Block A, Lots 1 and 2, inclusive  
Block B, Lots 1 through 7, inclusive  
Block C, Lots 1 through 8, inclusive  
Block D, Lots 1 through 10, inclusive  
Block E, Lots 1 through 12, inclusive

(collectively, the "Benefit District").

The Benefit District does not include all the property that may be deemed benefited by the Prairie Creek Water Improvements Seventh Phase. The signers of the petition are the owners of one hundred percent (100%) of the property in the Benefit District and have agreed to pay the costs of the Prairie Creek Water Improvements Seventh Phase as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Prairie Creek Water Improvements Seventh Phase to the properties in the proposed Benefit District is that all the lots shall pay an equal share per lot of the total cost payable by the Benefit District.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the or replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Prairie Creek Water Improvements Seventh Phase, as between the Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the proposed Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

B. Prairie Creek Sewer Improvements Seventh Phase (the "Prairie Creek Sewer Improvements Seventh Phase")

(1) The internal improvements are described as and consist of the excavation and construction of a certain sanitary sewer system and related appurtenances necessary to serve the Benefit District in the City of Andover, Kansas (such improvements being commonly known as "Prairie Creek Sewer Improvements Seventh Phase").

(2) The estimated or probable costs of the Prairie Creek Sewer Improvements Seventh Phase, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Two Hundred Ninety Four Thousand Dollars (\$294,000.00) (said cost 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 rate of 1% per month from and after July 1, 2024).

(3) The extent of the improvement district to be assessed for the costs of the Prairie Creek Sewer Improvements Seventh Phase shall include and consist of the Benefit District.

The Benefit District does not include all the property that may be deemed benefited by Prairie Creek Sewer Improvements Seventh Phase. The signers of the petition are the owners of one hundred percent (100%) of the property in the Benefit District and have agreed to pay the costs of the Prairie Creek Sewer Improvements Seventh Phase as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Prairie Creek Sewer Improvements Seventh Phase to the properties in the proposed Benefit District is that all the lots shall pay an equal share per lot.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the or replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Prairie Creek Sewer Improvements Seventh Phase, as between the Benefit District and the City-at-Large, is that one hundred percent (100%) of the costs shall be assessed against the Benefit District, and zero percent (0%) of the cost shall be apportioned to the City-at-Large.

C. Prairie Creek Paving Improvements Seventh Phase (the "Prairie Creek Paving Improvements Seventh Phase")

(1) The internal improvements are described as and consist of the excavation and construction of pavement and drainage improvements and related appurtenances necessary to serve the Benefit District in the City of Andover, Kansas, (such improvements being commonly known as "Prairie Creek Paving Improvements Seventh Phase").

(2) The estimated or probable costs of the Prairie Creek Paving Improvements Seventh Phase, as "cost" is defined in subparagraph (d) of K.S.A. 12-6a01, is Eight Hundred One Thousand Dollars (\$801,000.00) (said cost 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 rate of 1% per month from and after July 1, 2024).

(3) The extent of the improvement district to be assessed for the costs of the Prairie Creek Paving Improvements Seventh Phase shall include and consist of the Benefit District.

The Benefit District does not include all the property that may be deemed benefited by the Prairie Creek Paving Improvements Seventh Phase. The signers of the petition are the owners of 100% of the property in the Benefit District and have agreed to pay the costs of the Prairie Creek Paving Improvements Seventh Phase as set forth in the Petition and consented to the levy of special assessments in the Benefit District as described in the Petition.

(4) The method of assessment proposed for assessing costs of the proposed Prairie Creek Paving Improvements Seventh Phase to the properties in the proposed Benefit District is that all the lots shall pay an equal share per lot.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(5) The apportionment of the costs of the Prairie Creek Paving Improvements Seventh Phase, as between Benefit District and the City-at-Large, is that One Hundred Percent (100%) of the costs shall be assessed against the proposed Benefit District, and Zero Percent (0%) of the cost shall be apportioned to the City-at-Large.

SECTION 2. The Prairie Creek Water Improvements Seventh Phase, Prairie Creek Sewer Improvements Seventh Phase, and Prairie Creek Paving Improvements Seventh Phase (collectively herein, the "Improvements") are hereby authorized and ordered to be made in accordance with the findings set forth in Section 1 hereof, under the authority of and as provided by K.S.A. 12-6a01 *et seq.*, as amended and supplemented.

SECTION 3. This Resolution shall be published one time in the City's official newspaper, and a newspaper of general circulation within Butler County, Kansas and shall be recorded in the Office of the Register of Deeds of Butler County, Kansas in accordance with the provisions of K.S.A. 12-153.

*[Remainder of Page Intentionally Left Blank]*

PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas on the 9<sup>th</sup> day of July, 2024.

CITY OF ANDOVER, KANSAS

[seal]



Ronnie Price, Mayor

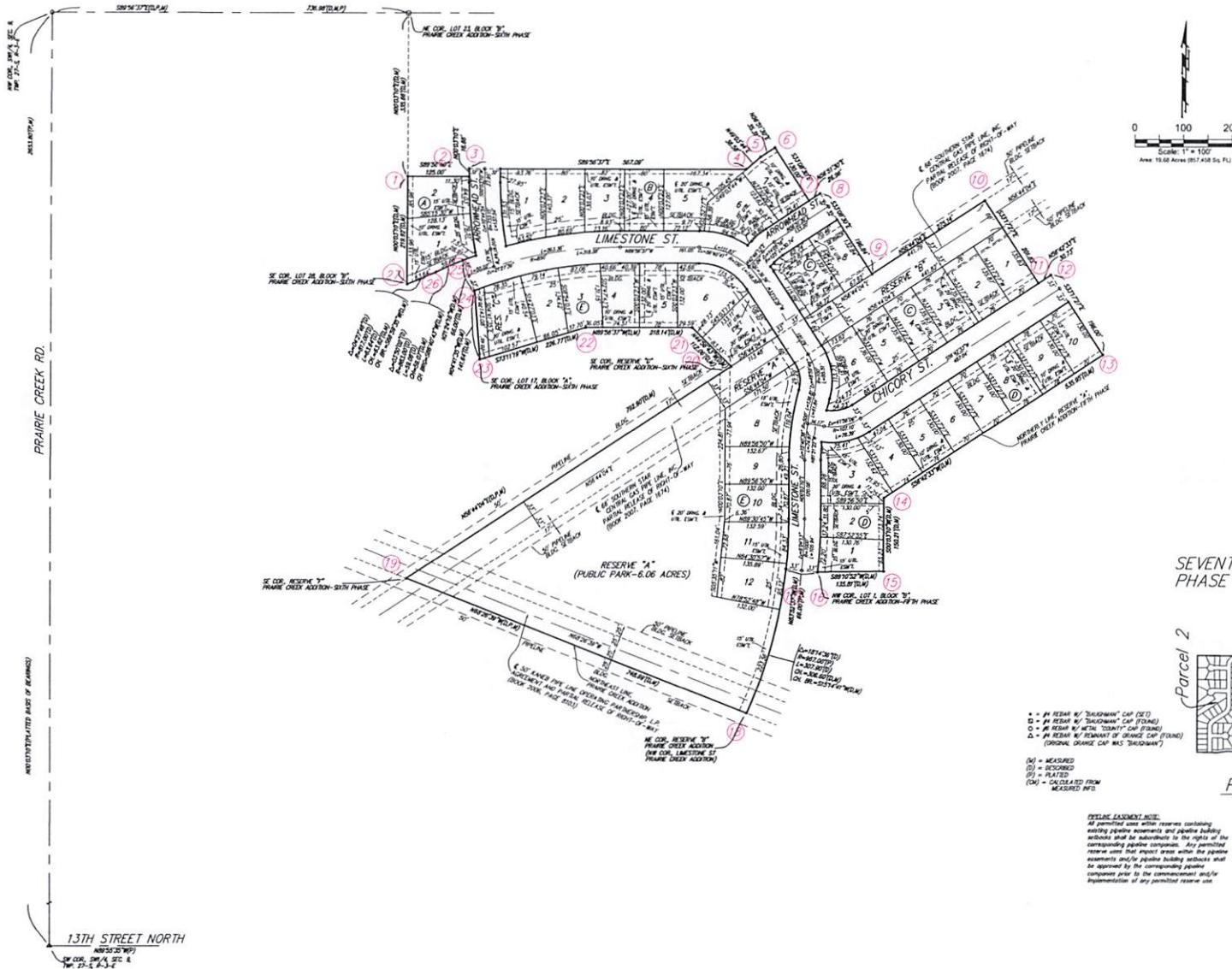
ATTEST:



Dana Engstrom, City Clerk

FINAL PLANNED UNIT DEVELOPMENT PLAN  
**PRAIRIE CREEK ADDITION-SEVENTH PHASE**  
 ANDOVER, BUTLER COUNTY, KANSAS

LOCATED IN A PORTION OF THE  
 SW1/4, SEC. 9, TWP. 27-S, R-3-E



**PRAIRIE CREEK ADDITION-SEVENTH PHASE**

PAGE 2 OF 2

 **BAUGHMAN COMPANY**  
 315 Ellis St. Wichita, KS 67211 316-262-7271  
 BaughmanCo.com

**INTERNAL PAVING PETITION**

THIS PETITION WAS RECEIVED IN THE  
OFFICE OF THE CITY CLERK  
OF ANDOVER KS ON 7/2/24

ACCEPTED BR

To the Mayor and City Council  
Andover, Kansas

Dear Council Members:

1. We, the undersigned owners of record of 100% of the Lots of real property described as follows:

**PRAIRIE CREEK ADDITION-SEVENTH PHASE**

Lots 1 and 2, Block A  
Lots 1 through 7, Block B  
Lots 1 through 8, Block C  
Lots 1 through 10, Block D  
Lots 1 through 12, Block E

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

(a) That there be constructed within the area described above (the "Benefit District"):

(i) pavement and drainage on Limestone St., from the west line of Reserve "C", east and south to the south line of Lot 1, Block D. That said pavement between aforesaid limits be constructed for a width of thirty-four (34) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty-six (36) feet. Drainage to be installed where necessary.

(ii) pavement and drainage on Arrowhead St., from the north line of Limestone St., north to the north line of Lot 1, Block B. That said pavement between aforesaid limits be constructed for a width of thirty-four (34) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty-six (36) feet. Drainage to be installed where necessary

(iii) pavement and drainage on Arrowhead St., from the north line of Limestone St., northeast to the northeasterly line of Lot 8, Block C. That said pavement between aforesaid limits be constructed for a width of thirty-four (34) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty-six (36) feet. Drainage to be installed where necessary

(iv) pavement and drainage on Chicory St., from the east line of Limestone St., northeasterly to the northeasterly line of Lot 10, Block D. That said pavement between aforesaid limits be constructed for a width of thirty-four (34) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a

total roadway width of thirty-six (36) feet. Drainage to be installed where necessary.

(v) sidewalk along Limestone St., Chicory St. and Arrowhead St (collectively, the "Project"), all according to plans and specifications to be approved by the City Engineer of the City of Andover, Kansas.

- (b) That the estimated and probable cost of the Project is Eight Hundred One Thousand Dollars (\$801,000.00), exclusive of the cost of interest on borrowed money, with 100 percent payable by the Benefit District, and 0 percent payable by the City at large. 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 rate of 1 percent per month from and after July 1, 2024.
- (c) That the Benefit District be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the Project.

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

- (d) That the method of assessment of all costs of the Project for which the Benefit District shall be liable shall be on an equal share per lot basis.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveway approaches are requested to serve a particular tract, lot, or parcel, the cost of said driveway approach shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the Project hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. The petition is submitted pursuant to subsection (c) of K.S.A. 12-6a04, and amendments thereto and as owners of 100% of the properties proposed to be included in the Benefit District, we acknowledge that the proposed Benefit District does not include all properties which may be deemed to benefit from the proposed Project.

4. 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.

5. 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 Butler County, Kansas, the petition may be found sufficient if signed by all of the owners of record (whether resident or not) of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned Project may be expeditiously completed and placed in use if and when such Project is necessary to serve any building that may be constructed on the real property after the date of this petition.

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

LEGAL DESCRIPTION	SIGNATURE	DATE
<b>PRAIRIE CREEK ADDITION- SEVENTH PHASE</b> Lots 1 and 2, Block A Lots 1 through 7, Block B Lots 1 through 8, Block C Lots 1 through 10, Block D Lots 1 through 12, Block E	Prairie Creek Homes, LLC	

By:   
Paul E. Kelsey, Member 07/02/2014

## PRAIRIE CREEK ADDITION-SEVENTH PHASE

Andover, Butler County, Kansas

### PAVING PETITION

#### Benefit District: (39 Lots)

Lots 1 through 2, Block A

Lots 1 through 7, Block B

Lots 1 through 8, Block C

Lots 1 through 10, Block D

Lots 1 through 12, Block E

#### Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
A.C. Pavement w/6" Base	7,900	S.Y.	\$45.00	\$355,500.00
Concrete Sidewalk (6")	14,200	S.F.	\$5.00	\$71,000.00
Wheelchair Ramps	6	EA.	\$1,200.00	\$7,200.00
15" Pipe	700	L.F.	\$50.00	\$35,000.00
18" Pipe	45	L.F.	\$60.00	\$2,700.00
24" Pipe	200	L.F.	\$70.00	\$14,000.00
18" Stub	1	EA.	\$1,500.00	\$1,500.00
Flowable Fill	135	L.F.	\$75.00	\$10,125.00
Inlet Hook-ups	6	EA.	\$1,000.00	\$6,000.00
Standard Curb Inlets	3	EA.	\$6,000.00	\$18,000.00
Yard Inlets	5	EA.	\$4,500.00	\$22,500.00
Seeding	1	L.S.	\$5,000.00	\$5,000.00
Signage	1	L.S.	\$3,500.00	\$3,500.00
Erosion Control	1	L.S.	\$5,000.00	\$5,000.00
Site Clearing and Restoration	1	L.S.	\$15,000.00	\$15,000.00
<b>Subtotal</b>				<b>\$572,025.00</b>
+ 30% Design, Insp., & Administration				\$171,607.50
+ 10% Contingency				\$57,202.50
<b>Total</b>				<b>\$800,835.00</b>

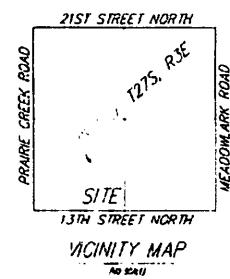
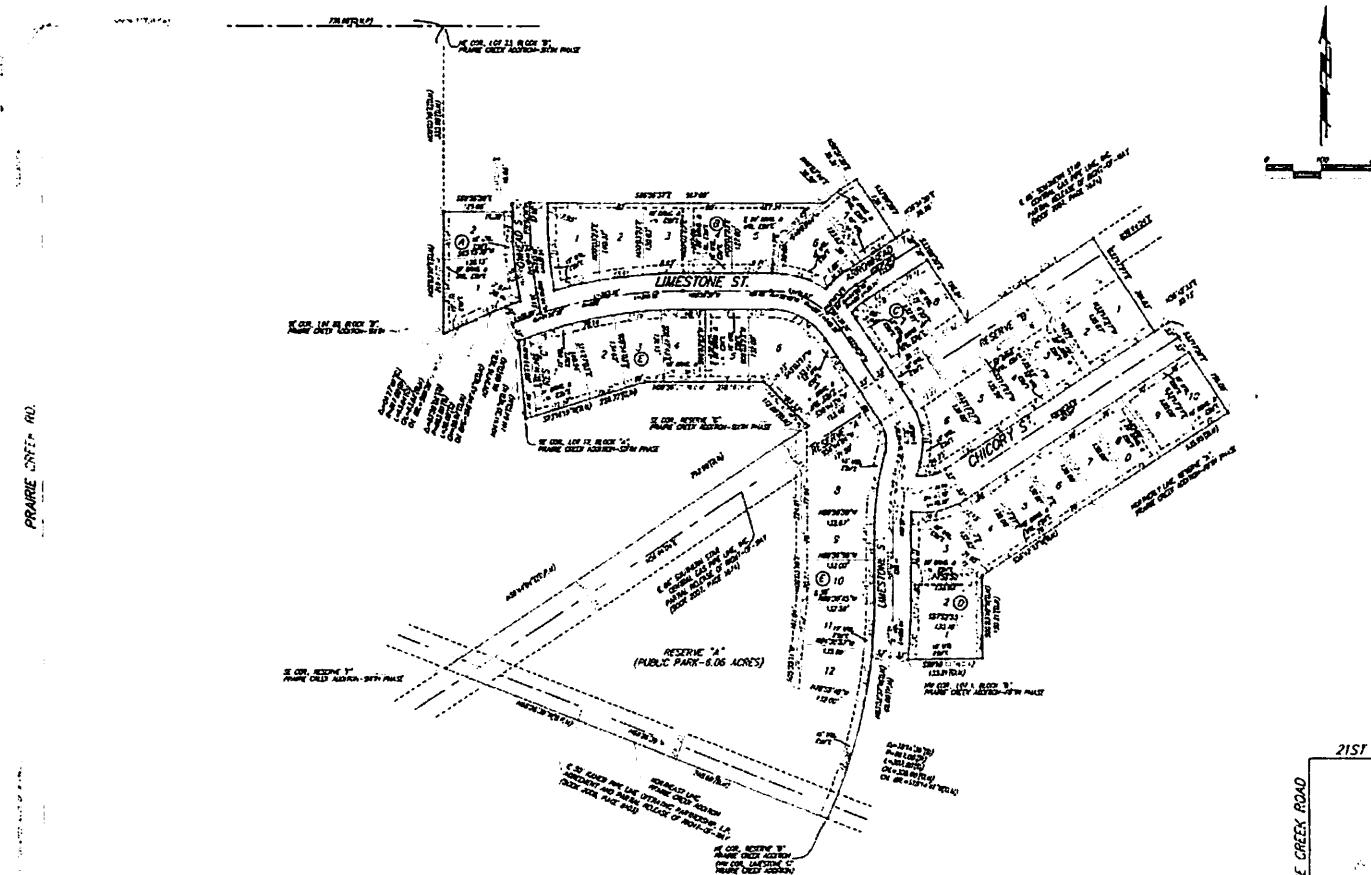
Petition Amount **\$801,000**

Average Cost Per Lot **\$20,538**

Average Monthly Assessment **\$152 (Based on 15 years @ 4%)**

**\$124 (Based on 20 years @ 4%)**

BENEFIT DISTRICT MAP  
 PRAIRIE CREEK ADDITION—SEVENTH PHASE  
 ANDOVER, BUTLER COUNTY, KANSAS



BENEFIT DISTRICT MAP  
 PRAIRIE CREEK ADDITION—SEVENTH PHASE  
 ANDOVER, BUTLER COUNTY, KANSAS



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**SANITARY SEWER PETITION**

THIS PETITION WAS RECEIVED IN THE  
OFFICE OF THE CITY CLERK  
OF ANDOVER KS ON 7/2/24

To the Mayor and City Council  
Andover, Kansas

ACCEPTED De

Dear Council Members:

1. We, the undersigned owners of record of 100% of the Lots of real property described as follows:

**PRAIRIE CREEK ADDITION-SEVENTH PHASE**

Lots 1 and 2, Block A  
Lots 1 through 7, Block B  
Lots 1 through 8, Block C  
Lots 1 through 10, Block D  
Lots 1 through 12, Block E

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

- (a) That there be constructed within the area described above (the "Benefit District") a sanitary sewer system (the "Project") according to plans and specifications to be approved by the City Engineer of the City of Andover, Kansas.
- (b) That the estimated and probable cost of the Project is Two Hundred Ninety-Four Thousand Dollars (\$294,000.00), exclusive of the cost of interest on borrowed money, with 100 percent payable by the Benefit District and 0 percent payable by the City at large. 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 rate of 1 percent per month from and after July 1, 2024.
- (c) That the Benefit District be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the Project.

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

ANNUAL ASSESSMENT PETITION

Project shall be assessed to the Benefit District in accordance with  
the terms of this petition.

(d) That the method of assessment of all costs of the Project for which the Benefit District shall be liable shall be on an equal share per lot basis.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the Project hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. The petition is submitted pursuant to subsection (c) of K.S.A. 12-6a04, and amendments thereto and as owners of 100% of the properties proposed to be included in the Benefit District, we acknowledge that the proposed Benefit District does not include all properties which may be deemed to benefit from the proposed Project.

4. 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.

5. 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 Butler County, Kansas, the petition may be found sufficient if signed by all of the owners of record (whether resident or not) of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned Project may be expeditiously completed and placed in use if and when such Project is necessary to serve any building that may be constructed on the real property after the date of this petition.

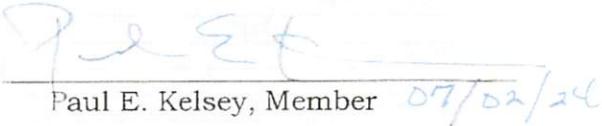
WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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**PRAIRIE CREEK ADDITION-**  
**SEVENTH PHASE**

Lots 1 and 2, Block A  
Lots 1 through 7, Block B  
Lots 1 through 8, Block C  
Lots 1 through 10, Block D  
Lots 1 through 12, Block E

Prairie Creek Homes, LLC

By: 

Paul E. Kelsey, Member 07/02/24

## PRAIRIE CREEK ADDITION-SEVENTH PHASE

Andover, Butler County, Kansas

### SANITARY SEWER PETITION

#### Benefit District: (39 Lots)

Lots 1 through 2, Block A

Lots 1 through 7, Block B

Lots 1 through 8, Block C

Lots 1 through 10, Block D

Lots 1 through 12, Block E

#### Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
10" Pipe	1,150	L.F.	\$45.00	\$51,750.00
8" Pipe	950	L.F.	\$40.00	\$38,000.00
Manhole	10	EA.	\$4,000.00	\$40,000.00
Long Services Risers	17	EA.	\$1,500.00	\$25,500.00
Risers	2	EA.	\$1,200.00	\$2,400.00
Stubs	3	EA.	\$500.00	\$1,500.00
Flowable Fill	125	L.F.	\$75.00	\$9,375.00
Sand Backfill (Flushed & Vib.)	1,200	L.F.	\$18.00	\$21,600.00
Seeding & Erosion Control	1	L.S.	\$2,500.00	\$2,500.00
Site Clearing and Restoration	1	L.S.	\$10,000.00	\$10,000.00
<b>Subtotal</b>				<b>\$202,625.00</b>
+ 35% Design, Insp., & Administration				<b>\$70,918.75</b>
+ 10% Contingency				<b>\$20,262.50</b>
<b>Total</b>				<b>\$293,806.25</b>

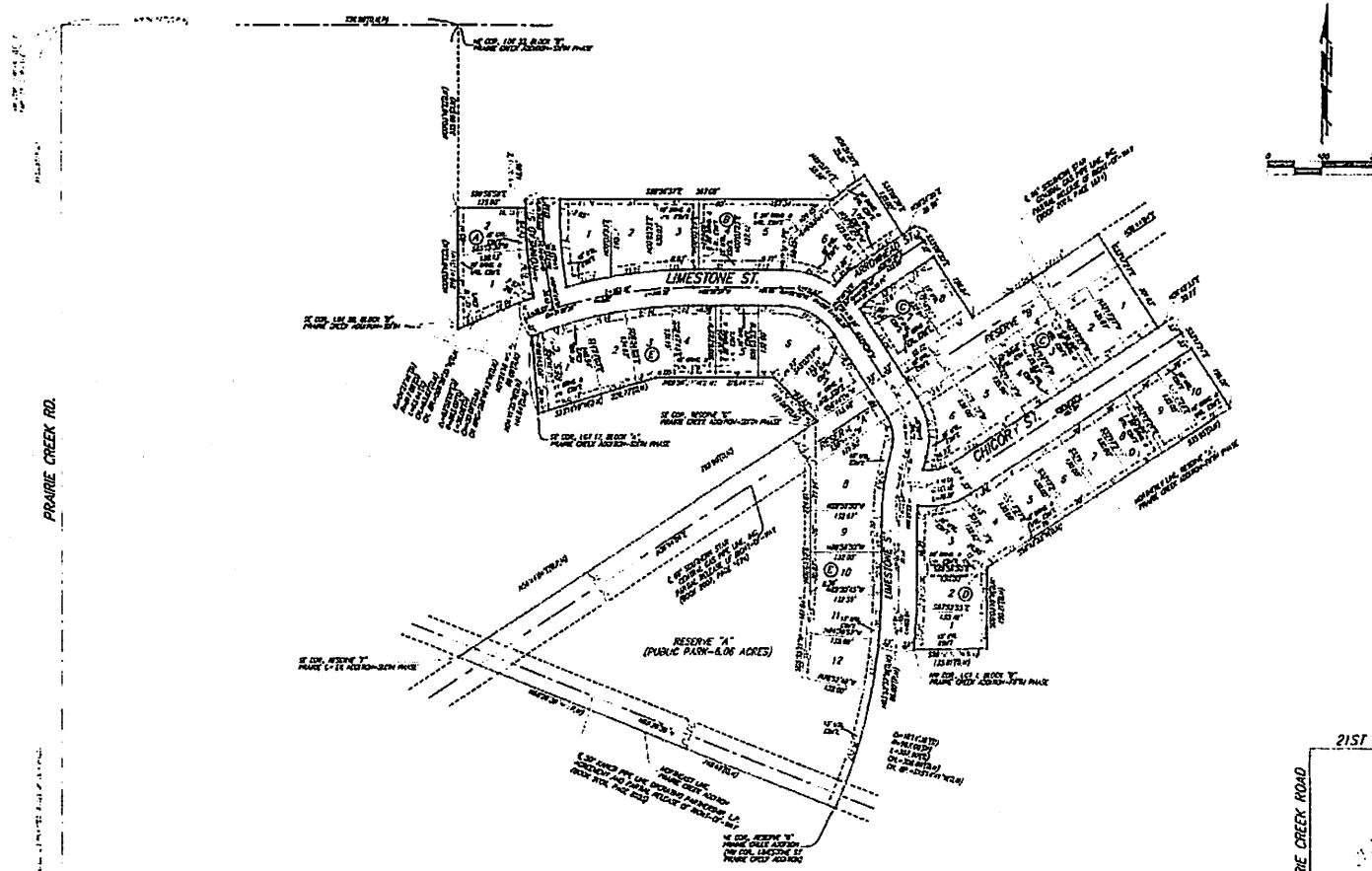
Petition Amount **\$294,000**

Average Cost Per Lot **\$7,538**

Average Monthly Assessment **\$56 (Based on 15 years @ 4%)**

**\$46 (Based on 20 years @ 4%)**

BENEFIT DISTRICT MAP  
 PRAIRIE CREEK ADDITION—SEVENTH PHASE  
 ANDOVER, BUTLER COUNTY, KANSAS



21ST STREET NORTH  
 13TH STREET NORTH  
 SITE  
 VICINITY MAP  
 1/4 MILE  
 00 040  
 PRAIRIE CREEK ROAD  
 1275, R.R.  
 MEADOWARK ROAD

13TH STREET NORTH

BENEFIT DISTRICT MAP  
 PRAIRIE CREEK ADDITION—SEVENTH PHASE  
 ANDOVER, BUTLER COUNTY, KANSAS

1/4 MILE  
 00 040

**WATER PETITION**

THIS PETITION WAS RECEIVED IN THE  
OFFICE OF THE CITY CLERK  
OF ANDOVER KS ON 7/2/24

ACCEPTED DZ

To the Mayor and City Council  
Andover, Kansas

Dear Council Members:

1. We, the undersigned owners of record of 100% of the Lots of real property described as follows:

**PRAIRIE CREEK ADDITION-SEVENTH PHASE**

Lots 1 and 2, Block A  
Lots 1 through 7, Block B  
Lots 1 through 8, Block C,  
Lots 1 through 10, Block D  
Lots 1 through 12, Block E

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

- (a) That there be constructed within the area described above (the "Benefit District") a water distribution system (the "Project") according to plans and specifications to be approved by the City Engineer of the City of Andover, Kansas.
- (b) That the estimated and probable cost of the Project is Three Hundred Thirty-One Thousand Dollars (\$331,000.00), exclusive of the cost of interest on borrowed money, with 100 percent payable by the Benefit District and 0 percent payable by the City at large. 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 rate of 1 percent per month from and after July 1, 2024.
- (c) That the Benefit District be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the Project.

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

Project shall be assessed to the Benefit District in accordance with the terms of this petition.

(d) That the method of assessment of all costs of the Project for which the Benefit District shall be liable shall be on an equal share per lot basis.

In the event all or part of the lots or parcels in the Benefit District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels (or parcels are replatted such that the method of assessment set forth herein cannot be utilized), the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the Project hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. The petition is submitted pursuant to subsection (c) of K.S.A. 12-6a04, and amendments thereto and as owners of 100% of the properties proposed to be included in the Benefit District, we acknowledge that the proposed Benefit District does not include all properties which may be deemed to benefit from the proposed Project.

4. 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.

5. 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 Butler County, Kansas, the petition may be found sufficient if signed by all of the owners of record (whether resident or not) of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned Project may be expeditiously completed and placed in use if and when such Project is necessary to serve any building that may be constructed on the real property after the date of this petition.

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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**PRAIRIE CREEK ADDITION-**  
**SEVENTH PHASE**

Lots 1 and 2, Block A  
Lots 1 through 7, Block B  
Lots 1 through 8, Block C,  
Lots 1 through 10, Block D  
Lots 1 through 12, Block E

Prairie Creek Homes, LLC

By: 

Paul E. Kelsey, Member 

## PRAIRIE CREEK ADDITION-SEVENTH PHASE

Andover, Butler County, Kansas

### WATER PETITION

#### Benefit District: (39 Lots)

Lots 1 through 2, Block A

Lots 1 through 7, Block B

Lots 1 through 8, Block C

Lots 1 through 10, Block D

Lots 1 through 12, Block E

#### Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	2,300	L.F.	\$45.00	\$103,500.00
Fire Hydrants	3	EA.	\$4,000.00	\$12,000.00
Valves	6	EA.	\$1,200.00	\$7,200.00
Flushing Valve	3	EA.	\$1,500.00	\$4,500.00
Short Service Lines	18	EA.	\$2,000.00	\$36,000.00
Long Service Lines	20	EA.	\$2,500.00	\$50,000.00
Seeding	1	L.S.	\$2,500.00	\$2,500.00
Erosion Control	1	L.S.	\$2,500.00	\$2,500.00
Site Clearing and Restoration	1	L.S.	\$10,000.00	\$10,000.00
<b>Subtotal</b>				<b>\$228,200.00</b>
+ 35% Design, Insp., & Administration				<b>\$79,870.00</b>
+ 10% Contingency				<b>\$22,820.00</b>
<b>Total</b>				<b>\$330,890.00</b>

Petition Amount **\$331,000**

Average Cost Per Lot **\$8,487**

Average Monthly Assessment **\$63 (Based on 15 years @ 4%)**

**\$51 (Based on 20 years @ 4%)**

