

BEFORE THE CITY COMMISSION
OF THE CITY OF LAWRENCE, KANSAS

RECEIVED

AUG 23 12

CITY CLERK
LAWRENCE, KS

IN THE MATTER OF:

NINTH AND NEW HAMPSHIRE
TRANSPORTATION DEVELOPMENT DISTRICT

**PETITION TO ESTABLISH THE NINTH AND
NEW HAMPSHIRE TRANSPORTATION DEVELOPMENT DISTRICT**

**TO: MR. JONATHAN DOUGLASS
CLERK OF THE CITY OF LAWRENCE, KANSAS**

This petition ("Petition") is submitted pursuant to the Transportation Development District Act, K.S.A. 12-17, 140 *et seq.*, as amended (the "Act"), by the property owners, whose signature appears below (the "**Petitioners**") to establish the Ninth and New Hampshire Transportation Development District (the "**TDD District**") in the City of Lawrence, Kansas (the "**City**").

Petitioners, being owners of record of all of the real property within the proposed TDD District to be located within the boundaries of the City, do hereby request the City to create the TDD District and authorize the construction within the TDD District of the projects described below (the "**Project**") in accordance with the authority contained in the Act. In furtherance of such request, Petitioners state as follows:

I. General Nature of the Project

The general nature of the Project is to improve, construct, maintain, install, equip or extend any street, road, highway access road, intersection, signing, signalization, parking lots, parking garages, street light fixture, sidewalk, landscaping, or any other transportation related project or infrastructure authorized by the Act, whether located within or without the TDD District, including specifically the City parking garage located at the SE corner of 9th and New Hampshire.

II. Estimated Cost of the Project.

The estimated cost of the Project is \$3,000,000 plus interest, including specifically the first \$850,000 of TDD revenues to the City for a portion of the costs of the City parking garage located at the SE corner of 9th and New Hampshire.

III. Proposed Method of Financing.

The Project costs will be paid on a “pay as you go” approach.

The Project shall not be financed through special assessments on the property within the TDD District.

IV. Proposed Amount of Transportation Development District Sales Tax and Payment

Pursuant to K.S.A. § 12-17, 145 of the Act, the proposed amount of the transportation development district sales tax is one percent (1%).

V. Map and Legal Description of the District

Legal Description: The District includes all of the real property within the area legally described on Exhibit A attached hereto and incorporated by reference in this Petition.

Boundary Map:

A map of the boundaries of the District is attached hereto as Exhibit B, and incorporated by reference in this Petition.

VI. Notice to Petitioners

The signature of Petitioners signing this Petition may not be withdrawn later than seven (7) days after this Petition is filed with the Clerk of the City. Petitioners consent to any assessment to the extent described in this Petition without regard to benefits conferred by the Project.

SIGNATURE PAGES FOR
PETITION TO ESTABLISH THE
NINTH AND NEW HAMPSHIRE TRANSPORTATION DEVELOPMENT DISTRICT

The undersigned requests that the City Commission of Lawrence, Kansas establish the TDD District according to the preceding Petition and authorize the creation of the TDD District and levy of the TDD District sales tax.

Name of Owner: 900 NH, Inc.

Owner's Mailing Address: c/o First Management, Inc.
901 New Hampshire Street, Suite 201
PO Box 1797
Lawrence, Kansas 66044
Attn: Douglas J. Compton

Name of Signer: Douglas J. Compton, President
Basis of Legal Authority to Sign: President of 900 NH, Inc.

Signer's Telephone Number: 785-841-7333
Signer's Mailing Address: Same as above

Entity Type: Kansas Corporation

By executing this Petition, the undersigned represents and warrants that such person has received a copy of this Petition and its exhibits, has read this Petition and its exhibits, is authorized to execute this Petition on behalf of the property owner named immediately above, and authorizes this signature page to be attached to the original of this Petition to be filed in the Office of the City Clerk of the City of Lawrence, Kansas. The undersigned acknowledges that the signature may not be withdrawn later than seven (7) days after this Petition is filed with the City Clerk.

NAME



DATE

8-22-12

Acknowledgement

STATE OF KANSAS)
)
COUNTY OF DOUGLAS) ss.

On this 22nd day of August, 2012, before me, a Notary Public in and for said state, personally appeared Douglas J. Compton, President of 900 NH, Inc., its Manager, known to me to be the person who executed the within Petition of Property Owners to establish the Ninth and New Hampshire Transportation Development District on behalf of said entity and acknowledged to me that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 22nd day of August, 2012.

Carol Meiners

Notary Public
Printed Name: Carol Meiners



My Commission Expires:
4-18-14

Name of Owner: 900 New Hampshire, LLC, a Kansas limited liability company

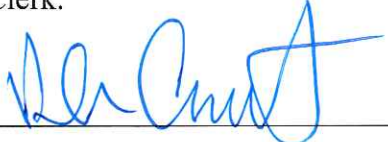
Owner's Mailing Address: c/o First Management, Inc.
PO Box 1797
901 New Hampshire Street, Suite 200
Lawrence, Kansas 66044
Attn: Douglas J. Compton

Name of Signer: Douglas J. Compton, President
Basis of Legal Authority to Sign: President of Manager of LLC, 900 NH, Inc.

Signer's Telephone Number: 785-841-7333
Signer's Mailing Address: Same as above

Entity Type: Kansas limited liability company

By executing this Petition, the undersigned represents and warrants that such person has received a copy of this Petition and its exhibits, has read this Petition and its exhibits, is authorized to execute this Petition on behalf of the property owner named immediately above, and authorizes this signature page to be attached to the original of this Petition to be filed in the Office of the City Clerk of the City of Lawrence, Kansas. The undersigned also acknowledges that the signature may not be withdrawn later than seven (7) days after this Petition is filed with the City Clerk.

NAME  Date 8-22-12

Acknowledgement

STATE OF KANSAS)
)ss.
COUNTY OF DOUGLAS)

On this 22nd day of August, 2012, before me, a Notary Public in and for said state, personally appeared Douglas J. Compton, President of 900 NH, Inc., its Manager, known to me to be the person who executed the within Petition of Property Owners to establish the Ninth and New Hampshire Transportation Development District on behalf of said entity and acknowledged to me that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 22nd day of August, 2012.

Carol Meiners
Notary Public
Printed Name: CAROL MEINERS

My Commission Expires:
4-18-2014



EXHIBIT A

LEGAL DESCRIPTION

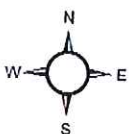
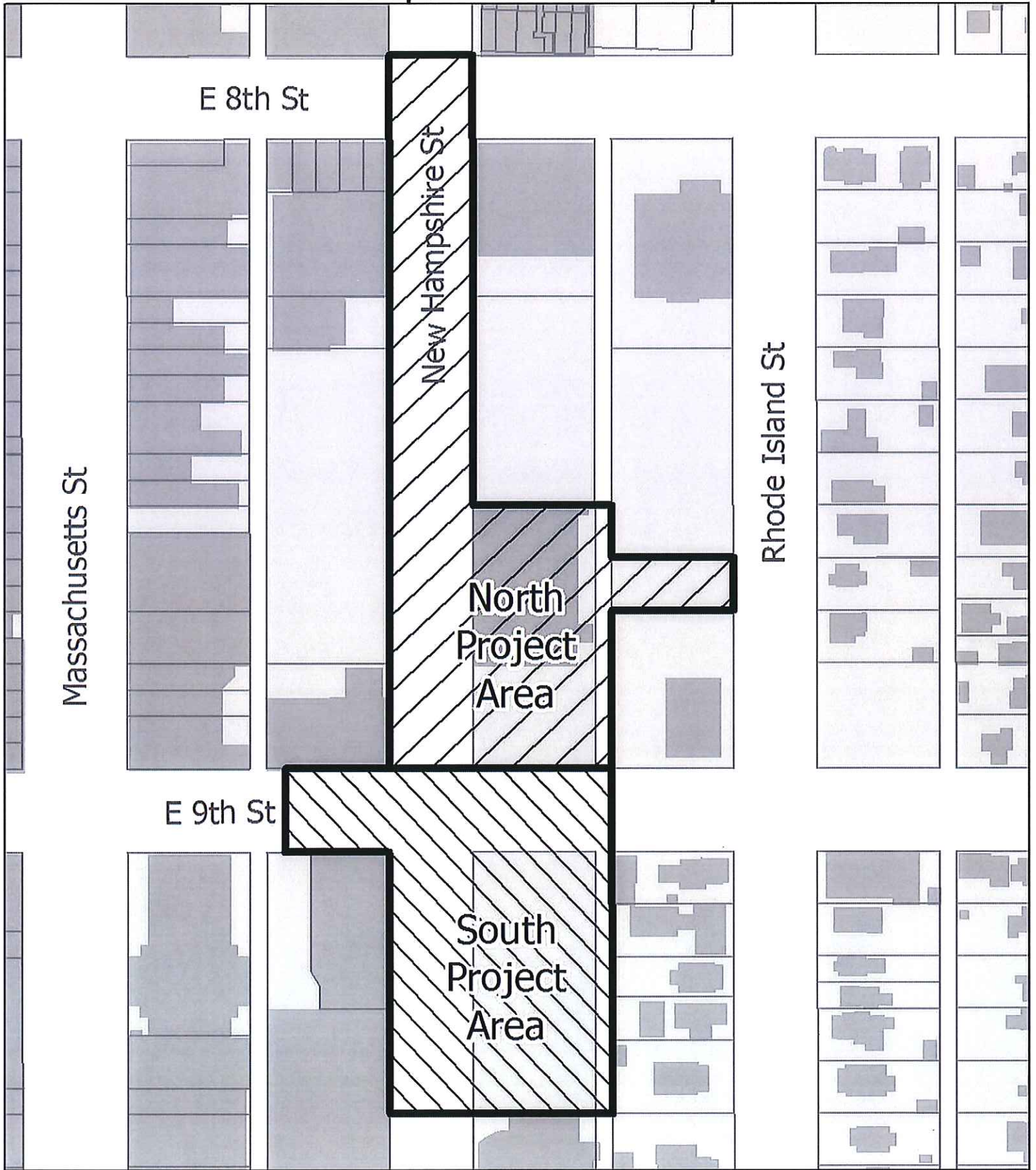
Lots 60, 62, 64, 66, and 68 New Hampshire Street, and Lot 61 Rhode Island Street, City of Lawrence, Douglas County, Kansas and adjacent right-of-way of alley to the east, and adjacent right-of-way of New Hampshire Street to the west and extending north from northern boundary of the project area through the 8th Street intersection.

Lots 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, and 92 New Hampshire Street, City of Lawrence, Douglas County, Kansas, and adjacent right-of-way of alley to the east, adjacent right-of-way of 9th Street to the north, extending approximately 100 feet west from the 9th and New Hampshire Street intersection, and adjacent right-of-way of New Hampshire Street to the west, extending south from 9th Street through the 10th Street intersection.

EXHIBIT B

MAP OF PROPOSED DISTRICT BOUNDARIES

9th and New Hampshire Redevelopment District



City of Lawrence