

**CITY OF WESTWOOD, KANSAS
RESOLUTION NO. 125-2024**

**A RESOLUTION OF THE CITY OF WESTWOOD, KANSAS,
DETERMINING AND DECLARING PETITIONS FILED WITH THE CITY
CLERK ON DECEMBER 12, 2023, INVALID.**

WHEREAS, certain petitions were filed with the City Clerk on December 12, 2023, purportedly under the authority of K.S.A. 12-1301 requesting a public referendum on the sale of city owned property (“Petitions”); and

WHEREAS, a special meeting of the Governing Body of the City was called and held on January 17, 2024, to consider the validity of the Petitions;

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

SECTION 1: The Governing Body of the City makes the following findings relative to the Petitions:

1. The City published the following notices in the official city newspaper, the Legal Record, on November 7 and 14, 2023:

“CITY OF WESTWOOD, KANSAS

NOTICE

Pursuant to K.S.A. 12-1301, notice is hereby given that the City of Westwood, Kansas, intends to sell certain property that may be considered public park property, such property commonly known and numbered as 5000 Rainbow Blvd. (Johnson County Parcel Nos. RP630000010001 and RF2512033060) and 5050 Rainbow Blvd. (Johnson County Parcel Nos. RP27000000008D and RP30000010012B). Full legal descriptions of such parcels are available at Westwood City Hall, 4700 Rainbow Blvd. The City of Westwood reserves all rights to challenge the applicability of K.S.A. 12-1301 as to such parcels.

/s/ David E. Waters, Mayor

11/7 11/14”

2. On December 12, 2023, the Petitions were filed with the City Clerk of the City. *See Exhibit A* attached hereto and incorporated herein by this reference.
3. The Petitions purported to have been filed in accordance with K.S.A. 12-1301. K.S.A. 12-1301 provides in pertinent part as follows:

“Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances. Any city may acquire by purchase, or lease or may take options upon, land within or without the limits of said city to be used as a public park for the use and benefit of the people of said city. Any city may trade or exchange any public park, public square or market square which it may own, or any portion thereof, for other land to be used for similar purposes, or may sell the same. Any such sale heretofore made is hereby confirmed, legalized and declared to be a valid sale and conveyance. Before making any such trade or exchange or sale, the city shall first publish notice of such proposal in the official city paper once each week for two consecutive weeks upon the same day of the week and, if within thirty (30) days from the date of the last publication there has not been filed with the city clerk of such city a protest signed by qualified electors of such city equal in number to not less than ten percent (10%) of the electors who voted at the last preceding regular city election as shown by the poll books, such city may make such sale, trade or exchange.

In the event such a petition is filed with the city clerk within the time prescribed above no such sale, trade or exchange shall be made until the governing body shall be instructed so to do by a majority of all the votes cast on this proposition at a regular or special election. Any election required as herein provided shall be called and held as provided by law for bond elections.”

4. K.S.A. 12-1301 describes the protest as a “petition”; accordingly, K.S.A. 25-3601(a) is applicable and provides in pertinent part as follows:

“Subject to the provisions of subsection (d), if a petition is required or authorized as a part of the procedure applicable to the state as a whole or any legislative election district or to any county, city, school district or other municipality, or part thereof, the provisions of K.S.A. 25-3601 *et seq.*, and amendments thereto, shall apply.”

K.S.A. 25-3601(d) additionally states that, when any other statute imposes specific requirements which are different from the requirements of K.S.A. 25-3601 *et seq.*, the provisions of the specific statute shall apply. K.S.A. 12-1301 does not impose any specific requirements that would take precedence over K.S.A. 25-3601 *et seq.*, other than the timing of the election (provided a valid petition is submitted and an election is called).

5. K.S.A. 25-3601, *et seq.* is a procedural statute which applies only when some other statute provides authority for a referendum. *Ramcharan-Maharajh v. Gilliland*, 48 Kan. App. 2d 137, 140 (2012). K.S.A. 25–3601 *et seq.* provides a format for submitting ballot questions and a process for getting official approval of questions before getting citizen signatures on petitions seeking a public vote. *Id.* The Kansas Constitution gives

broad home-rule powers to cities, but the home-rule provision in the Kansas Constitution provides for “referendums only in such cases as prescribed by the legislature.” *Id.* at 140 (citing Kan. Const. art. 12, §5(b)). Some statute other than K.S.A. 25-3601 *et seq.* must provide the authority for a referendum. *Id.* A city’s agreement to put a referendum on the ballot would contravene public policy and thus be invalid unless there is statutory authority for the referendum. *Id.* The statute cited by the Petitions for authority to call a referendum is K.S.A. 12-1301. Absent compliance with the requirements of K.S.A. 12-1301 and K.S.A. 25-3601 *et seq.*, there is no legal basis to call for a referendum as requested by the Petitions.

6. The procedural requirements within K.S.A. 25-3601, *et seq.* are mandatory. Kan. A.G. Op. 84-41 (citing A.G. Ops. 77-303, 78-40, 81-23, and 82-230); *accord* Kan. A.G. Op. 86-51; Kan. A.G. Op. 88-115; Kan. A.G. Op. 90-71 (The provisions of K.S.A. 25-3601 *et seq.* are mandatory and are not mere formalities that can be disregarded at will.); Kan. A.G. Op. 91-94; Kan. A.G. Op. 92-136; Kan. A.G. Op. 95-28; Kan. A.G. Op. 01-43; Kan. A.G. Op. 90-64. At the same time, a petition should not be invalidated by unimportant irregularities or defects if it is in substantial compliance with statutory requisites. Kan. A.G. Op. 92-136; *accord City of Wichita v. Peterjohn*, 62 Kan. App. 2d 750, 756-57 (2022) (petition organizers must comply with the essential matters necessary to assure every reasonable objective of the statutes [K.S.A. 25-3601, *et seq.*] have been met); *but see Schmidt v. City of Wichita*, 303 Kan. 650 (2016) (without ruling on whether substantial vs. actual compliance with the statutory procedural requirements relating to submission of the initiative petition was the relevant standard, the Court nonetheless applied the substantial compliance standard. ‘Substantial compliance is compliance in respect to the essential matters necessary to assure every reasonable objective of the statute.’). Whether a party substantially complies with a statute generally involves statutory interpretation. *Stueckemann v. City of Basehor*, 301 Kan. 718, Syl. 2, 727 (2015). “The matter of circulating a petition to place a particular question to a vote is a serious matter. Thus, it is important that each of the clearly-stated requirements of K.S.A. 25-3602 be met.” *See* Kan. A.G. Op. 85-160; Atty. Gen. Op. Nos. 79-290; 82-230.” *Accord* Kan. A.G. Op. 88-115 (1988). Failure to comply with the statutory requirements of K.S.A. 25-3602 renders a petition invalid. *Id.* Without a proper petition, the governing body to which the petition is directed lacks authority to take the action requested in the petition. *See id.*; *accord* Kan. A.G. Op. 88-115; *City of Wichita v. Peterjohn*, 62 Kan. App. 2d 750, 755 (2022) (Petitions which fail to comply with statutory requirements are “null and void” and do not trigger any further action by the city council).
7. The governing body of the City possesses the authority to determine the sufficiency of a petition unless that authority has been expressly conferred by law upon a different official or entity. Kan. A.G. Op. 96-78. The county election officer is charged with determining the sufficiency of the signatures on the petition. *Id.*; *see also* K.S.A. 25-3601(a). The county counselor is obligated to determine the legality of the form (as opposed to the content) of the question set forth in the petition when the petition is submitted for review in accordance with state statute. *Id.*; *see also* K.S.A. 25-3601(a). All other matters relating to the sufficiency of a petition are reserved to the governing body of the City. Kan. A.G. Op. 96-78.

8. When a petition is presented to municipal authorities requesting that an ordinance be submitted to a popular vote, “the decision of the governing body with respect to the sufficiency or insufficiency of such petition is binding upon the parties and conclusive on the courts unless it be shown the decision was actuated by fraud or some misconduct which is the substantial equivalent of fraud.” *See State ex rel. Griffith v. City of Walnut*, 166 Kan. 296, Syl. 1, 297 (1949) (construing and applying K.S.A. 12-2001(m) providing for a protest and a popular election upon petition of 20% of electorate to franchise ordinance). The mere exercise of good faith in determining the legal sufficiency or insufficiency of a petition seeking to have an ordinance submitted to a popular vote, does not, however, excuse, or permit, illegal procedure and action of the governing body in reaching its decision. *Griffith*, 166 Kan. at Syl. 2, 298.
9. Petitions must be “filed with the county election officer or other official, if another official is designated in the applicable statutes”. K.S.A. 25-3602(a). K.S.A. 12-1301 designates the city clerk as the person with whom the petition must be filed. However, a statute which requires that a petition be filed with the city clerk does not require the city clerk to validate signatures on the petition. Kan. A.G. Op. 91-067. The provisions of K.S.A. 25-3601, *et seq.* require that the county election officer validate such signatures. *Id.*; accord Kan. A.G. Op. 96-78; see also K.S.A. 25-3601(a). Specifically, K.S.A. 25-3601(a) provides:

“The sufficiency of each signature and the number thereof on any such petition shall be determined in accordance with the provisions of K.S.A. 25-3601 through 25-3607, and amendments thereto, by the county election officer or such other official as designated in the applicable statute.”
10. Petitioners failed to file the Petitions with the Johnson County election officer as required by state statute. The City nonetheless submitted the original Petitions to the Johnson County Election Office on December 29, 2023.
11. On January 9, 2024, the City received the following determination from the Johnson County Election Office:

“The Johnson County Election Office has completed petition signature verification, in compliance with Kansas Election Standards Chapter V verification chart, for a petition regarding the protest of the sale, trade, or exchange in connection with Joe D. Dennis Park, the originals of which were submitted by your office on Friday, December 29, 2023. I make no determination as to the legal sufficiency of the petition.

Signatures submitted: **220**

Total signatures accepted as registered City of Westwood, Kansas, voters, as of December 29, 2023: **169**

We will need the City’s written confirmation of: 1) Whether the petition is valid; 2) if valid and an election is called, the question for the ballot; and 3) the date requested for the election.”

12. State law requires submission of the form of the question which the petitioners are requesting be presented to the electorate to the Johnson County Counselor’s office. Specifically, K.S.A. 25-3601(a) provides in pertinent part as follows:

“Except as provided herein, a copy of any petition requesting an election in any political or taxing subdivision of the state shall be submitted to the office of the county attorney of the county or district attorney of the district in which all or the greater portion of the political or taxing subdivision is located. If a county counselor has been appointed in the county or district, the petition shall be submitted to the county counselor. The petition shall be submitted either by hand-delivery or by certified mail, return receipt requested. Such petition shall contain the question to be submitted at the election. Within five business days following submission of the petition, the county counselor, county attorney or district attorney shall furnish a written advisory opinion as to the legality of the form of the question contained on the petition. There shall be a rebuttable presumption that the form of any question approved by the county counselor, county attorney or district attorney complies with the requirements of this act. If such opinion is not furnished within five days of submission of the question, the form of the question shall be deemed in compliance with the requirements of this act.”

The requirement that a petition be submitted to the County Attorney for review of the form of the question is mandatory and a petition which has not met this requirement is invalid. Kan. A.G. Op. 95-28; *accord* Kan. A.G. Op. 99-59; *Reed v. Seeman*, 26 Kan. App. 2d 561, 564 (1999).

13. Petitioners failed to comply with the statutory requirement of submitting the Petitioners’ Petitions to the Johnson County Counselor’s Office for a determination as to the form of the question presented within the Petitions. As the Petitioners have failed to satisfy this statutory requirement, the Petitions are invalid.
14. Despite the Petitioners’ failure to comply with the statutory obligation to submit the Petitions to the County Counselor for a determination of the sufficiency of the form of the question, the City nonetheless submitted the Petitions to the County Counselor for review.
15. On January 17, 2024, the County Counselor issued a determination which provides that the form of the question presented in the Petitions is invalid. That determination is attached hereto as Exhibit B and is hereby adopted and incorporated herein by reference.

16. The City concurs with the determination of the County Counselor that the form of the question stated within the Petitions fails to comply with statutory requirements and are invalid for the following reasons:

A. The Petitions in question state as follows:

“The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas’ proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.”

- B. State statute requires that petitions shall contain the question to be submitted at the election. K.S.A. 25-3601(a). The failure of a petition to “clearly state” the specific question which the petitioners seek to bring to election renders a petition invalid. Kan. A.G. Op. 90-71; *accord* Kan. A.G. Op. 91-94 (Petition requesting “to defer the 6 mill levy for Jewell County Hospital, until such time as the mill levy shall be submitted to and approved by a majority of the voters” failed to meet the statutory requirement); *see also* Kan. A.G. Op. 01-43; Kan. A.G. Op. 09-17 (Question stated in the petition should mimic the ballot proposition in accordance with K.S.A. 25-620 (“Shall the following be adopted?”) and K.S.A. 25-3601(c) (“Shall the following ordinance . . . become effective?”)); Kan. A.G. Op. 84-100; Kan. A.G. Op. 90-64 (“the petition must clearly state the question which petitioners seek to bring to an election.” (emphasis in original)); Kan. A.G. Op. 94-119; Kan. A.G. Op. 94-118 (Question petitioners seek to bring to an election must be set forth in the form of a question). Each petition shall “[s]tate the question which petitioners seek to bring to an election in the form of a question as it should appear on the ballot in accordance with the requirements of K.S.A. 25-620 and 25-3601 . . .”. K.S.A. 25-3602(b)(1). The form of the question within a petition must be preceded by the statutory language “Shall the following be adopted” as required by K.S.A. 25-3602(b)(1). Kan. A.G. Op. 94-95; Kan. A.G. Op. 94-118 (Because the question set forth in a petition seeking to bring an issue before the electorate must be in the form of a question as it should appear upon the ballot in accordance with the requirements of K.S.A. 25-620, the question set forth in

the petition must be preceded by the phrase ‘Shall the following be adopted.’). A statement requesting the governing body to take certain action will not meet this obligation. Kan. A.G. Op. 90-64 (citing Kan. A.G. Op. 82-230, 85-160, 86-19); *accord* Kan. A.G. Op. 94-119. The Petitions fail to clearly state the question which Petitioners are requesting to be placed on a ballot. Additionally, the Petitions fail to state any question to be placed upon a ballot in a form in compliance with the required language of state statutes.

- C. K.S.A. 25-3602(b)(1) requires that a petition “State the question which petitioners seek to bring to an election in the form of a question as it should appear upon the ballot in accordance with the requirements of K.S.A. 25-620 and 25-3601, and amendments thereto.” K.S.A. 25-620 provides in pertinent part as follows,

“Each proposition or question shall be preceded by the words, ‘Shall the following be adopted?’ [O]pposite and after each proposition and question shall be printed two squares, one above the other. To the right of the upper one of the squares shall be printed the word “Yes,” and to the right of the lower one of the squares shall be printed the word “No.” Across the entire width of the ballot, at the top, shall be printed the following instructions: “To vote in favor of any question submitted upon this ballot, make a cross or check mark in the square to the left of the word ‘Yes’; to vote against it, make a cross or check mark in the square to the left of the word ‘No.’”

The Petitions fail to state any question to be placed upon a ballot in a form in compliance with the required language of state statutes.

- D. Relative to protest petitions, K.S.A. 25-3602 provides that the “form of question” “in a petition requesting an election on or protesting an ordinance, or resolution, adopted by the governing body” is presumed valid if the petition states the title, ordinance number, the exact language of the ordinance proposed for adoption, and the title of the petition states “Shall the following ordinance, or resolution, become effective?”

The Petitions presented to the City purport to protest a “proposal” of the City to sell Dennis Park, however, the Petitions fail to identify any specific action, whether such action was by ordinance, resolution, or motion, which is the subject of the protest. Furthermore, the petitions do not request an election identifying a question to be submitted to the electorate of whether or not a specific action of the governing body shall become effective.

- E. The form of any question stated within the Petitions fails to include the required statutory language of “Shall the following be adopted?” or “Shall the following ordinance or resolution become effective?”. Additionally, the form of any question stated within the petitions fail to include the required statutory

language identified in K.S.A. 25-620. For these reasons, the Petitions are invalid.

17. In addition to deficiencies in the form of the question submitted, the substance of any question to be presented to the voters is misleading and ambiguous. It is unclear from the Petitions whether the petitioners are protesting a specific action of the City and calling for a referendum on that action of the City or whether the Petitions solely seek to place on the ballot “the question as to whether the Joe D. Dennis Park shall be sold, traded or exchanged.” Petitions may only concern a single issue. *Peterjohn*, 62 Kan. App. 2d at 756 (citing K.S.A. 25-3602(a)). The governing body of the City retains the authority to determine whether the question set forth in the petition is misleading or ambiguous. Kan. A.G. Op. 96-78. Because the Petitions do not request that a specific action of the City relative to the sale of the subject property be placed upon the ballot for a determination of whether or not such action shall become effective, the Petitions are misleading and ambiguous as protest petitions. Additionally, the question which the Petitioners request be placed upon the ballot “as to whether the Joe D. Dennis Park shall be sold, traded or exchanged” is likewise misleading and ambiguous. A question “as to” whether something should be done or not is inherently ambiguous. The question is additionally stated in the disjunctive – i.e., should the subject property be “sold, traded or exchanged.” If sold, the question fails to state the terms of the sale. If traded or exchanged, the question fails to state what the subject property will be traded or exchanged for. For these reasons, the Petitions are invalid.
18. The City is without authority to modify the defect of the Petitioner’s failure to include a valid question to be presented to the electorate. The City has no authority to alter the request within the Petitions. “Officers having charge of the machinery for bringing an initiative or referendum petition to a vote of the electors cannot alter the petition.” Kan. A.G. Op. 92-136 (citing 42 Am.Jur.2d, *Initiative and Referendum* § 26 (1969)). Further authority states once the petition documents are filed, they cannot be amended, or withdrawn and resubmitted for filing. Robert W. Parnacott, *People Have the Power: The Power of the Petition*, J. Kan. B. Ass’n., March 2011, at 32, 37 (citing Kan. Atty Gen. Op. No. 81-230). Because the Petitions fail to identify a valid question in the required statutory format that the Petitioners are requesting be submitted to the electorate, the City is without authority to fix such defects and create a proper question to be submitted for a referendum.
19. The Petitioners are likewise without authority to remedy the defect of the Petitioner’s failure to include a valid question to be presented to the electorate. “In addition to statutory requirements [within K.S.A. 25-3602], the very definition of a petition requires that the petitioners’ request be stated on the petition to assure that other requests or petitions, not necessarily known to those who signed the petition, are not attempted to be included as part of the petition. Minor changes may be made in the form of the petition after the signers have affixed their signatures thereto, but an insufficient petition may not be made sufficient by amendment after the time limit for filing has expired.” Kan. A.G. Op. 88-115 (citing 26 Am.Jur.2d, *Elections* § 189 (1966) and *Duggan v. Emporia*, 84 Kan. 429 (1911)). In this case, pursuant to K.S.A. 12-1301 the time limit for submission of the petition was thirty (30) days from the date of last

publication of the notice of intent to sell the property, which last publication occurred on November 14, 2023, thus making the deadline for submission of the petition December 14, 2023. Additionally, pursuant to the above authority, the failure to state the question in a valid form is not deemed a minor change which could have been remedied after the signers have affixed their signatures to the petition.

20. State statute prescribes that a recital shall be included above the space provided for petition signatures. Specifically, K.S.A. 25-3602(b)(3) states:

“(b) Unless otherwise specifically required, each petition shall:

(3) contain the following recital above the spaces provided for signatures: ‘I have personally signed this petition. I am a registered elector of the state of Kansas and of

(here insert name of political or taxing subdivision)

and my residence address is correctly written after my name.’

The recital shall be followed by blank spaces for the signature, residence address and date of signing for each person signing the petition.”

21. The Petitions submitted fail to state “I have personally signed this petition.” This recital is required for a valid petition. *See* Kan. A.G. Op. 85-160; *accord* Kan. A.G. Op. 86-51 (Failure to include this statutory statement within the petition is a “substantial irregularity” which serves to invalidate a petition); *accord* Kan. A.G. Op. 90-71; Kan. A.G. Op. 91-94; *City of Prairie Village v. Morrison*, 264 P.3d 1058 (Table), 2011 WL 6310196, *4 (Kan. App. 2011). The absence of this recital renders the Petitions invalid.
22. The recital in the petition additionally lacks the required statutory language referenced in paragraph 20 that the signators’ residence is correctly written after their name. The absence of this recital renders the Petitions invalid.
23. Relative to the recital requirement referenced in paragraph 20, the recital is to state that the signor of the petition is a “registered elector” of the state of Kansas and the City of Westwood. The recital in the Petitions state that the signatories are “qualified electors” which is different from being a “registered elector.” Under the Kansas Constitution at Art. 5, Sec. 1, a qualified elector is defined as those who are eligible to vote. Pursuant to K.S.A. 25-2302, a qualified elector must register to vote to have the right to vote. Finally, the recital fails to state that the signatories are registered electors of the State of Kansas, although it does state that the signatories are registered electors of Westwood, Kansas. The absence of this recital renders the Petitions invalid.
24. K.S.A. 25-3602(b)(3) requires that “The recital shall be followed by blank spaces for the signature, residence address and date of signing for each person signing the petition.” The Petitions submitted fail to date any of the signatures. A petition which fails to state the date for any of the signatures on the petition is invalid. Kan. A.G. Op. 91-94. Here, because none of the signatures on the Petitions are dated, the petition is invalid.

25. At the end of each set of documents carried by each circulator, the petition must contain a recital in substance as follows:

“I am the circulator of this petition and I am qualified to circulate this petition and I personally witnessed the signing of the petition by each person whose name appears thereon.

(signature of circulator)

(circulator’s residence address)”

K.S.A. 25-3602(b)(4). Such a verification is required. Kan. A.G. Op. 85-160; *accord*, Kan. A.G. Op. 86-51 (Failure to include this attestation is a “substantial irregularity” rendering a petition invalid); *accord* Kan. A.G. Op. 92-136; Kan. A.G. Op. 90-64; *City of Prairie Village v. Morrison*, 264 P.3d 1058 (Table), 2011 WL 6310196, *4 (Kan. App. 2011). The above recital must be verified upon oath or affirmation before a notarial officer in the manner prescribed by the revised uniform law on notarial acts. K.S.A. 25-3602(b)(4). Under K.S.A. 53-5a02(o), “verification on oath or affirmation” means “a declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true.” The notary blocks on the Petitions do not make this statement, they just state that they are “executed the same for the purposes therein stated.” Additionally, a couple of the notary blocks say “State of Kansas, County of Johnson”, but are stamped by a Missouri notary. For these reasons, the Petitions are invalid.

26. K.S.A. 25-3608(b) relating to the definition of an eligible petition circulator provides as follows,

“(b) All petition circulators, whether residents or nonresidents of the state of Kansas, are required to agree to submit to the jurisdiction of the state, including its agencies, political subdivisions and election officials, for purposes of subpoena enforcement regarding the integrity and reliability of the petition process.”

(See also Kansas Secretary of State, Kansas Election Standards, Chapter 5, Petitions, pg. V-5).

Nowhere within the Petitions do the petition circulators agree to submit to the jurisdiction of the state, including its agencies, political subdivisions and election officials, for purposes of subpoena enforcement regarding the integrity and reliability of the petition process. For these reasons, the Petitions are invalid.

SECTION 2: The City further reserves all rights to challenge the applicability of K.S.A. 12-1301 as to the property which is purportedly subject of the Petitions and to determine that that the Petitions are invalid due to the inapplicability of K.S.A. 12-1301.

SECTION 3: The Mayor, City Administrator, and the City Attorney are hereby authorized to institute and defend such legal proceedings as they determine are necessary or appropriate to assert

and protect the City's legal positions in regard to the petitions filed with the City on December 12, 2023, and in accordance with the findings within this Resolution.

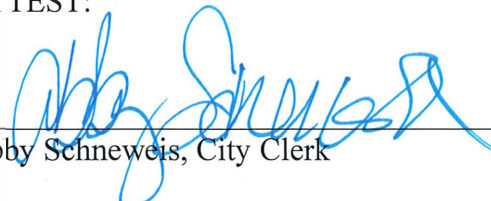
SECTION 4: This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body of the City of Westwood, Kansas, this 17th day of January, 2024.




David E. Waters, Mayor

ATTEST:



Abby Schneeweis, City Clerk

REVIEWED AND APPROVED AS TO FORM:



Ryan B. Denk, City Attorney

EXHIBIT A TO RESOLUTION NO. 125-2024

[Copy of Petitions filed December 12, 2023]

Todd Hauser

todd@bushyheadlaw.com



315 SE Main Street
Lee's Summit, MO 64063
Office: (816) 207-6032
www.bushyheadlaw.com

December 12, 2023

Via hand-delivery to Westwood City Clerk

Abby Schneweis
City Clerk of Westwood, KS
Westwood City Hall
4700 Rainbow Blvd.
Westwood, Kansas 66205

RECEIVED

DEC 12 2023

City of Westwood KS

Re: Protest Petition involving The Sale, Trade or Exchange of Joe D. Dennis Park

Dear Ms. Schneweis,

As you are aware, the City of Westwood, Kansas ("City"), is now deciding to acknowledge and follow its statutory duty stated in KSA 12-1301, published notice of the City's intent to sell certain property on November 7th and 14th of 2023. Please consider this packet (totaling 56 pages, including this transmittal letter) a filing with the Westwood, Kansas city clerk's office of a protest provided for in KSA 12-1301 which has been signed by qualified electors of the City of Westwood, Kansas equal in number to not less than 10% of the electors who voted at the last preceding regular city election as shown by the poll books. The Petition of Protests within this packet contain an aggregate total of 220 signatures.

Enclosed in this packet are signatures of the qualified electors of the City of Westwood, Kansas, collected over a period of time beginning on October 12, 2023, the date of the City Council decision to sell certain property subject to the provisions of KSA 12-1301. There were several circulators whose submittals comprise the following:

- Petition of Protest with 46 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Malisa Monyakula, dated November 13, 2023
- Petition of Protest with 47 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Malisa Monyakula, dated November 13, 2023
- Petition of Protest with 8 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Louis H. Wetzel, dated November 21, 2023
- Petition of Protest with 26 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Tara Hensley, dated November 28, 2023

BUILDING COMMUNITY

- Petition of Protest with 20 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Malisa Monyakula, dated November 30, 2023
- Petition of Protest with 29 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Dennis W. DuPont, dated December 5, 2023
- Petition of Protest with 15 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Ben Hobert dated December 6, 2023, and affiant being Dennis DuPont, dated December 8, 2023
- Petition of Protest with 11 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Joseph Michael Coffman, dated December 6, 2023
- Petition of Protest with 11 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Stephen Platt, dated December 7, 2023
- Petition of Protest with 1 signature of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Dennis W. DuPont, dated December 11, 2023
- Petition of Protest with 6 signatures of qualified electors of Westwood, Kansas, with a notarized Circulator's Affidavit with the affiant being Stephen Platt, dated December 11, 2023

Also enclosed to assist the City Clerk or other applicable officials in their verification of the qualified electors are "Courtesy reference guide(s)" which provide typed names of the qualified electors listed in the above referenced Petition of Protests, to aid in any legibility issues.

Also enclosed for reference are Pages 23-24 of the Johnson County Election office "cg2024_official_final_results" pdf pertaining to the City of Westwood, Kansas' last preceding regular city election dated November 7, 2023.

Finally, enclosed is a "receipt of acknowledgement" for your execution acknowledging receipt of this packet, which I would request you sign, make a copy for your records, and then provide the original back to the person(s) filing this petition packet with the City Clerk's Office, for their records.

Further, I would also request that the City please direct all communications pertaining to this protest petition filing (including the date upon which the election pertaining to this issue will be held), to my office via email. My email address is todd@bushyheadlaw.com.

Respectfully,



Todd Hauser

BUILDING COMMUNITY

Summary Results Report
CG2023

OFFICIAL FINAL RESULTS

November 7, 2023

Spring Hill City Council At-Large

Vote For 3

	TOTAL	VOTE %
Kristin Feeback	409	27.19%
Chad Young	337	22.41%
Chip VanHouden	325	21.61%
Chris W. Leaton	231	15.36%
Doug D'Albini	189	12.57%
Write-In Totals	13	0.86%
Total Votes Cast	1,504	100.00%
Overvotes	6	
Undervotes	470	
Contest Totals	1,980	

Westwood Mayor

Vote For 1

	TOTAL	VOTE %
David E. Waters	351	88.86%
Write-In Totals	44	11.14%
Total Votes Cast	395	100.00%
Overvotes	0	
Undervotes	63	
Contest Totals	458	

CG2023

November 7, 2023

Westwood City Council At-LargeVote For 2

	TOTAL	VOTE %
Holly Wimer	362	47.32%
Laura Steele	223	29.15%
Melinda Garcia	166	21.70%
Write-In Totals	14	1.83%
Total Votes Cast	765	100.00%
Overvotes	2	
Undervotes	149	
Contest Totals	916	

Westwood Hills MayorVote For 1

	TOTAL	VOTE %
Rosemary Podrebarac	81	97.59%
Write-In Totals	2	2.41%
Total Votes Cast	83	100.00%
Overvotes	0	
Undervotes	3	
Contest Totals	86	

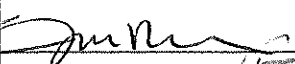




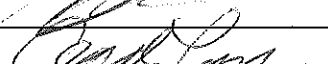
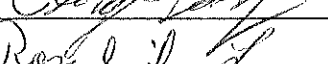

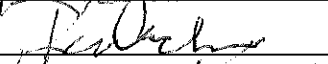
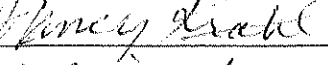
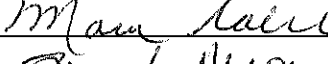
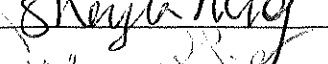
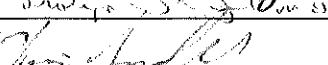
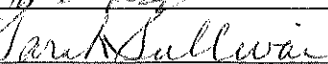

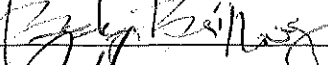
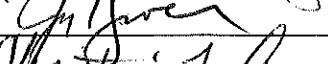
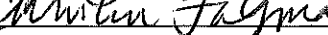


PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Janine Ramirez	4728 Booth, Westwood, KS 66205	
2	William Hrus	4724 Booth Westwood, KS 66205	
3	Jennifer Stoltz	2816 W. 51st Ave Westwood	
4	Tyler Stoltz	2816 W. 51st Terrace Westwood	
5	TRANS BAILLY	4949 NORWOOD, Westwood	
6	Mark McBe	3801 W. 49th Ter	
7	George Long	4435 Norwood Westwood	
8	Rosalia Long	4535 Norwood	
9	Kari Gregory	4434 Norwood	
10	KENDECKER	2812 W 51st	
11	Nancy Krah	2915 W. 50th St.	
12	MARCIA TALBERT	2905 W 50	
13	Shayla Mendy	2901 W. 50th St	
14	Carolyn Gilman	2717 W. 50th St	
15	Chris Sullivan	5000 Behrder Rd	
16	Sarah Sullivan	5000 Behrder Rd	
17	Melinda Garvin	3030 W 51st Terr	
18	Rocky Baillhu	2903 W. 51st Terr	
19	Jay Hegner	2017 W 48th St	
20	Christine Folgrain	2017 W. 48th	

	Name	Address	Signature
21	Mary Zeller	4718 Booth	Mary Zeller
22	LE-CHAMCO	2609 W 50th	LE-CHAMCO
23	KEVIN BARUA		
24	Warty Scott	2613 W. 50th St	Warty Scott
25	ALLAN PLANT	2401 W 50th St	ALLAN PLANT
26	Allene Plant	2401 W. 50th St.	Allene Plant
27	Mason Buckman	2901 W 51st Terr	Mason Buckman
28	Hayley Keener	2901 W 51st Terrace	Hayley Keener
29	Wayne Yick	2718 W. 47th Terr	Wayne Yick
30	Koby Hartman	2800 W. 47th Terr	Koby Hartman
31	Meghan Hartman	2800 W. 47th Terrace	Meghan Hartman
32	Paul Hansen	3011 W 47th Terrace	Paul Hansen
33	Yvonne Rosenkrantz	3007 W 47th Terrace	Yvonne Rosenkrantz
34	John Dunn	2921 W 47 Terr, Westwood, 66205	John Dunn
35	Sheila Heiter-Thompson	2601 W 49th Terr, Westwood, KS	Sheila Heiter-Thompson
36	LEE ROSTERMAN	4839 BELINDER AVE. WESTWOOD, KS	LEE ROSTERMAN
37	LYNNE THOMPSON	4923 BOOTH	LYNNE THOMPSON
38	Hugo Carrete	4910 Belinder Ave	Hugo Carrete
39	Rosario Carrete	4910 Belinder Ave	Rosario Carrete
40	Parker Ebling- Artz	4755 Mission Rd	Parker Ebling- Artz
41	Tyler Page	2110 W 47th Terr	Tyler Page
42	PAUL MATHAI	4700 Booth St	PAUL MATHAI
43	Cherry Schubert	5131 Mission Rd	Cherry Schubert
44	Margaret McSweeney	5131 Mission Rd	Margaret McSweeney
45	Aidan McSweeney	5131 Mission Rd	Aidan McSweeney
46	BRYAN DILKS	5143 Mission Rd	Bryan Dilks
47	BERNARD E. BROWN	2805 W. 51st TERRACE	Bernard E. Brown
48			
49			
50			

CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

I, Malisa Manyakula, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

Malisa Manyakula
Printed Name of Affiant

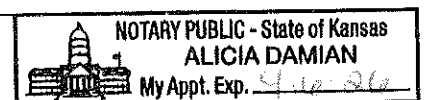
2821 W 51 Terrace
Westwood KS 66205
Address of Affiant

STATE OF Kansas)
COUNTY OF Johnson)

On this 13th day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Malisa Manyakula, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

[Signature]
Notary Public:



COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Malisa Monyakula

1. Janine Ramirez
2. Gillian Titus
3. Jennifer Stottle
4. Tyler Stottle
5. Travis Bailey
6. Mark McKee
7. George Long
8. Rosalind Long
9. Kari Gregory
10. Ken Decker
11. Nancy Krah
12. Marcia Talbert
13. Shayla Mendy
14. Carolyn Gilmore
15. Chris Sullivan
16. Sarah Sullivan
17. Melinda Garcia
18. Becky Beilharz
19. Jay Hegwer
20. Christine Folgmann

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Malisa Monyakula

21. Mary Zeller
22. K.C. Barclay
23. Kevin Barclay
24. Marty Scott
25. Billy Plant
26. Allene Plant
27. Mason Buckman
28. Hayley Keener
29. Dwayne Ytell
30. Koby Hartman
31. Meghan Hartman
32. Paul Hansen
33. Yvonne Rosencrantz
34. John Dunn
35. Sheila Pfeifer-Thompson
36. Lee Rosterman
37. Lynne Thomson
38. Hugo Carrete
39. Rosario Carrete
40. Parker Ebling-Artz
41. Tyler Page
42. Pat Maval
43. Sherry Sullivant
44. Margaret McSweeney
45. Aidan McSweeney
46. Bryan Dilks
47. Bernard E. Brown
- 48.
- 49.
- 50.

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

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I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Malisa Monyakula
Signature of Affiant

Malisa Monyakula
Printed Name of Affiant

2821 W. 51 Terrace
Westwood KS 66205
Address of Affiant

STATE OF Kansas)
)
COUNTY OF Johnson)

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Subscribed and sworn to me the day and year above written.

Alicia Damian
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

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#	Name	Address	Signature
1	STAN Newcomb	2347 W 51st	Stan Newcomb
2	Kristina Pottinger	2331 W 51 st St Street	Kristina Pottinger
3	Roman Fields	2839 W 51st St	Roman Fields
4	Mike Feltner	1359 W 51 st St	Mike Feltner
5	Paul Cunt	2323 W 51 st St	Paul Cunt
6	Jay Cunt	2323 W 51 st Street	Jay Cunt
7	Jennifer Wallace	2309 W 51 st Street	Jennifer Wallace
8	Nicole Dudley	2327 W 48th Street	Nicole Dudley
9	Nick Dudley	2327 W 48 th St	Nick Dudley
10	Laura Besweel	2301 W 51 st St	Laura Besweel
11	DAVID BUCK	2352 W 51 st St	David Buck
12	JEFFERY MORRIS	2340 W 51 st St	Jeffery Morris
13	Eric Flint	2400 W 51 st Terr	Eric Flint
14	AMY WALKER	2325 W 51 st Terr	Amy Walker
15	DENNIS A. BAUGHMAN	2821 W 51 st TERR	Dennis A. Baughman
16	BOB WALKER	3007 W 51st Terr	Bob Walker
17	John F. Seltzer	2905 W 51st Terr	John F. Seltzer
18	John F. Seltzer	2905 W 51st Terr	John F. Seltzer
19	MICHAEL SWEENEY	3007 W 51st Terr	Michael Sweeney
20	Arthur McSweeney	5131 Mission Road	Arthur McSweeney

	Name	Address	Signature
21	Edana M Sweeney	5131 Mission Rd, Westwood, KS 66205	Edana M Sweeney
22	Bob Gamm	3030 W. 51st Ter	Bob Gamm
23	Tim Kable	3010 W 51st Ter	Tim Kable
24	Allison Kable	3010 W. 51st Ter.	Allison Kable
25	Ryan Akers	2803 W 51st Ter	Ryan Akers
26	Kristi Day	2525 W 51st Terr	Kristi Day
27	Edi Ramirez	2517 W 51st Terr	Edi Ramirez
28	Bob Sutton	2301 W 51st Terr	Bob Sutton
29	Rachel Brennan	2708 W 51st TER.	Rachel Brennan
30	Brian Collum	2905 W. 51st st	Brian Collum
31	Benjamin Boughman	2821 W 51st ter	Benjamin Boughman
32	Diana Perkins	4807 Mission Rd	Diana Perkins
33	Diana Perkins	4807 Mission Rd	Diana Perkins
34	JOHN DENNISON	2907 W 48th TER	JOHN DENNISON
35	Annette Dennis	2903 W 48th Ter	Annette Dennis
36	Andy Zelinski	2801 W 51st Ter	Andy Zelinski
37	Angela Meyer	2900 W 51st Terr	Angela Meyer
38	Amy Laws Meyer	2900 W 51st Terr	Amy Laws Meyer
39	Timothy Meyer	2900 W. 51st Terr	Timothy Meyer
40	Ken Bell	531 E. Millbrook Rd	Ken Bell
41	Yvette H. Corbin	2700 W. 51st Str, Westwood, KS 66205	Yvette H. Corbin
42	Zack Corbin	2700 W. 51st Str, Westwood 66205	Zack Corbin
43	Ben Corbin	2700 W. 51st Str, Westwood (66205)	Ben Corbin
44	Michael Corbin	" " "	Michael Corbin
45	Sally Morrow	4929 Booth St.	Sally Morrow
46	Mark Compad	4929 Booth St	Mark Compad
47	James Welsh	4901 Adams	James Welsh
48	Diana Welsh	4901 Adams, Westwood	Diana Welsh
49	Ronald Welsh	2517 W 47th St	Ronald Welsh
50	Patricia Welsh	2517 W 47th St	Patricia Welsh

CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

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Malisa Mongkukula
Signature of Affiant

Malisa Mongkukula
Printed Name of Affiant

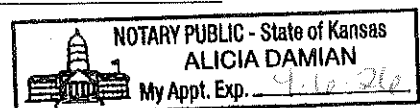
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COUNTY OF Johnson)

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Alicia Damian
Notary Public:



COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Malisa Monyakula

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3. Roman Fields
4. Nikki Fields
5. Paul Carter
6. Tammy Carter
7. Jennifer Westlake
8. Nicole Dudley
9. Nick Dudley
10. Laura Boswell
11. David Buck
12. Jeremy Morris
13. Erin Flint
14. Amy Worley
15. Dennis A. Baughman
16. Rob Walkenhorst
17. [deleted]
18. John Sheahan
19. Michele Sewell
20. Arthur McSweeney

Circulator Name: Malisa Monyakula

21. Edana McSweeney
22. Bob Garcia
23. Tim Kable
24. Allison Kable
25. Ryan Akers
26. Kristy Day
27. Idi Ramirez
28. Bob Sutton
29. Rachel Brennan
30. Brian Collum
31. Benjamin Baughman
32. [deleted]
33. Diana Perkins
34. John Dennison
35. Annette Dennison
36. Sandy Zalewski
37. [deleted]
38. Amy Laws Meyer
39. Timothy Meyer
40. Ken Botha
41. Elizabeth Corbin
42. Zack Corbin
43. Ben Corbin
44. Michael Corbin
45. Sally Morrow
46. Mark Lombard
47. James Welsh
48. Dalia Welsh
49. Donald Welsh
50. Patricia Welsh

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OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

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{SEAL}

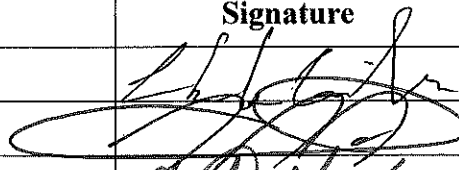
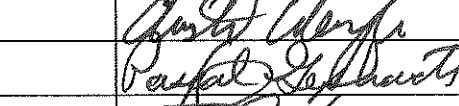

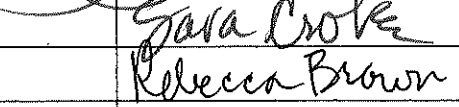

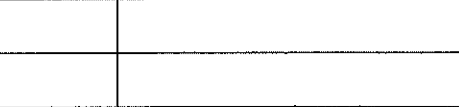
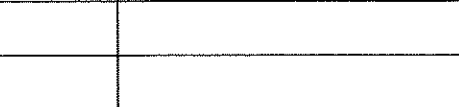

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#	Name	Address	Signature
1	CHARLES H. GIBSON	2322 W. 48 th Ter.	
2	JEFF REINHART	2337 W. 51 st Ter.	
3	Austin Wembrow	2326 W. 48 th Ter.	
4	Paula J. Shephard	4821 W. 48th Adams	
(Jan) 5	J. Shephard	4821 Adams	
6	Scott Weigner	2400 W. 48 th Terr	
7	Sara Croke	2401 W. 48 th Terr	
8	Rebecca Brown	2407 W. 49 th Terr	
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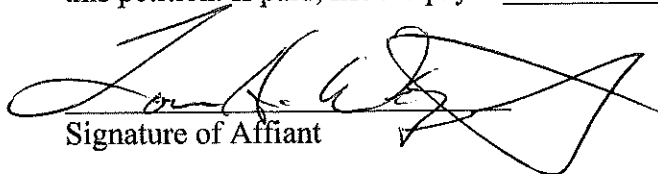
CIRCULATOR'S AFFIDAVIT

State of KANSAS
County of Johnson

I, Louis Wetzel, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not ☒ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.


Signature of Affiant

Louis H. Wetzel

Printed Name of Affiant

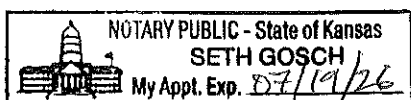
4832 Adams
Westwood, KS

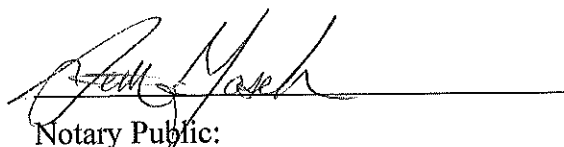
Address of Affiant

STATE OF Kansas)
COUNTY OF Johnson)

On this 21st day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Louis H. Wetzel, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.




Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Louis H. Wetzel

1. Charles H. Gibson
2. Jeff Reinhart
3. Austin Weybrew
4. Pascal Gephardt
5. J.R. (Jan) Gephardt
6. Scott Weidner
7. Sara Croke
8. Rebecca Brown
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COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of KANSAS

County of Johnson

I, Louis Wetzel, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Louis H. Wetzel
Signature of Affiant

Louis H. Wetzel
Printed Name of Affiant

4832 Adams
Westwood KS
Address of Affiant

STATE OF Kansas)
)
COUNTY OF Johnson)

On this 21st day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Louis H. Wetzel, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Seth Gosch
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK


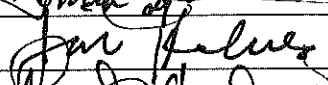
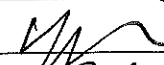
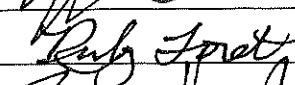

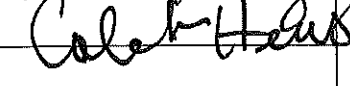
Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Jayme Zebow	4952 Norwood	Jayme Zebow
2	DAVID ZEBOW	4952 NORWOOD	David Zebow
3	Rita Zeller	2800 W 50th ST	Rita Zeller
4	DANE ZELLER	2800 W. 50th ST	Dane Zeller
5	Ben Gilmore	2719 W. 50th ST.	Ben Gilmore
6	Lisa Fielden	4957 Norwood St	Lisa Fielden
7	Marjie Dykman	4948 Norwood	Marjie Dykman
8	TEVEN DYKMAN	4948 NORWOOD	Teven Dykman
9	Jeffrey Bles	4934 Norwood	Jeffrey Bles
10	Pam McKee	2801 W 49th Terr	Pamela McKee
11	George Harter	4918 Belinder	George Harter
12	Sharon Harter	4918 Belinder	Sharon Harter
13	MARK MERER	2806 W 49th Terr	Mark J. Merer
14	JOHN B "BOB" CADWALLADER	2807 W 49th TERR	John B. Cadwallader
15	Cole Crowker	2815 W 49th Terr	Cole Crowker
16	Allyn Youngdoff	2815 W 49th Terrace	Allyn Youngdoff
17	Debbie Walsh	2820 W 49th Terr	Debbie Walsh
18	Patricia J. Morris	2900 W 49 Terr.	Patricia J. Morris
19	Francis M.	2900 W 49 ter	Francis Morris
20	Tony Caproni	2901 W. 49 TH TER..	Tony Caproni

	Name	Address	Signature
21	Sonia Carpuet	2901 W 49th Ter	
22	Jim Holmes	2920 W 49th Ter	
23	Ruth Holmes	5106 Power Dr	Ruth Holmes
24	Brett Cumman	2923 W 49th Ter	
25	Ruby Foret	3008 W 49th Ter	
26	Tara Hensley	4944 Norwood St.	
27	Caleb Hensley	4944 Norwood St.	
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CIRCULATOR'S AFFIDAVIT

State of KS
County of Johnson

I, Tara Hensley a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Tara Hensley
Signature of Affiant

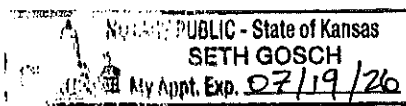
Tara Hensley
Printed Name of Affiant

4944 Norwood St.
Westwood, KS 66205
Address of Affiant

STATE OF KS)
COUNTY OF Johnson)

On this 28th day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Tara Hensley, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



Seth Gosch
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Tara Hensley

1. Jayme Tebow
2. David Tebow
3. Rita Zeller
4. Dane Zeller
5. Ben Gilmore
6. Lisa Fielden
7. Margie Dykman
8. Steven Dykman
9. Jeffrey Benes
10. Pam McKee
11. George Harter
12. Sharon Harter
13. Mark Mercer
14. John B. "Cad" Cadwalader
15. Cole Crooker
16. Alyson Youngdoff
17. Debbie Wallin
18. Hector J. Garcia
19. Francisca Garcia
20. Tony Carpovich

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Tara Hensley

21. Sonia Carpovich
22. Jim Holmes
23. [deleted]
24. Brett
25. Ruby Foret
26. Tara Hensley
27. Caleb Hensley
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COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of KS

County of Johnson

I, Tara Hensley, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not __X__ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Tara Hensley
Signature of Affiant

Tara Hensley
Printed Name of Affiant

4944 Norwood
Westwood, KS 66205
Address of Affiant

STATE OF KS)
)
COUNTY OF Johnson)

On this 28th day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Tara Hensley, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Seth Gosch
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Joe Gutierrez	2416 W 45 th	Joe Gutierrez
2	Gloria Burns	2609 W 47 th Terr	Gloria Burns
3	Greg Bypren	2904 W 48 th Terr	Greg Bypren
4	Ken Ward	2401 W 51 Terr	Ken Ward
5	Ron Worley	2325 W 51 Terr	Ron Worley
6	Lauren Camp	2711 W 49 th St.	Lauren Camp
7	Kristina Bridges	4803 Mission Rd	Kristina Bridges
8	Craig Nagel	4805 Belinde Ct	Craig Nagel
9	Bernie Jones	4810 Belinde Ct	Bernie Jones
10	Thomas Creal	3006 W 51st Terrace	Thomas Creal
11	Lesley Creal	3006 W 51st Terrace	Lesley Creal
12	Jean Jensen	3015 W 51st Terrace	Jean Jensen
13	William Jensen	3015 W 51st Terrace	William Jensen
14	Norman Kahn	7710 W 51st Terr	Norman Kahn
15	Arthur Gaudika	2920 W 48th Terrace	Arthur Gaudika
16	Allen Olsen	2920 W 48th Terrace	Allen Olsen
17	Mary Ann Shaw	2904 W 51 Terr	Mary Ann Shaw
18	Alexandria Trakas	2604 W 47th Terr	Alexandria Trakas
19	Ben Meade	2500 W 51st Terr	Ben Meade
20	Mary Rukod	2500 W 51st Terrace	Mary Rukod

CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

I, Malisa Monyakula, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not / (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

MM

Signature of Affiant

Malisa Monyakula

Printed Name of Affiant

2821 W. 51 Terrace
Westwood KS 66205

Address of Affiant

STATE OF Kansas)

COUNTY OF Johnson)

On this 30 day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Malisa Monyakula, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



[Signature]
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Malisa Monyakula

1. Joe Gutierrez, Sr.
2. Gloria Burns
3. Greg Bippen
4. Ken Ward
5. Ron Worley
6. Lauren Cain
7. Kristina Bridges
8. Craig Nagel
9. Bennie Juarez
10. Thomas Creal
11. Leslie Creal
12. Jean Jansen
13. William Jansen
14. Norman Dahlor
15. Gaurika Anand
16. Allen Olsen
17. Mary Ann Moidl
18. Alexandria Trakas
19. Ben Meade
20. Mary Gillcoatt

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, Malisa Monyakula, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list payer _____.

Malisa Monyakula

Signature of Affiant

Malisa Monyakula

Printed Name of Affiant

2821 W. 51 Terrace

Westwood KS 66205

Address of Affiant

STATE OF Kansas)

)

COUNTY OF Johnson)

On this 30 day of November, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Malisa Monyakula, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Anjelica Esqueda

Notary Public

{SEAL}

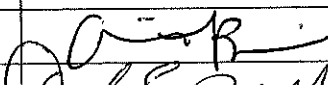



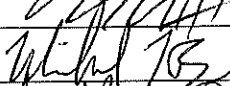
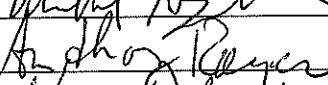
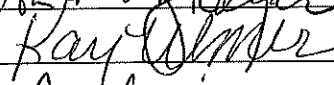
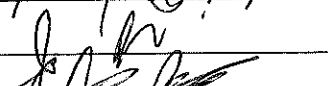

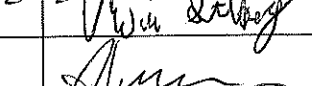
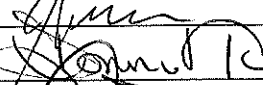
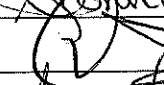
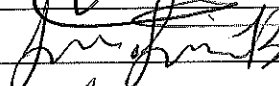
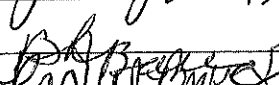
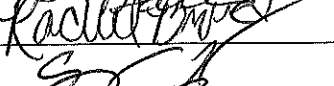

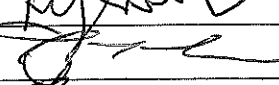



PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Allison Birkett	4752 Belinder Ave	
2	Dale Bennett	4934 Belinder	
3	Rebecca Bennett	4934 Belinder	
4	Clancy McBee	4930 Belinder	
5	Bruce Campbell	2701 W 50 th Ter	
6	MICHAEL BUTLER	5104 BELINDER AVE	
7	Anthony Reyes	5110 BELINDER RD.	
8	Kay Wimer	5012 Belinder	
9	Jeff Jenkins	4812 Belinder	
10	Jack McDonald	4803 Belinder Ave	
11	Will Stripling	3001 W 48 th Terr	
12	Jim Vackwain	2909 48 th Terr	
13	Donna Tomz	2905 W 48 th Terr.	
14	AUSTIN FITE	2900 W 48 th TERR	
15	Jessie Bippin	2904 W 48 th Terr.	
16	Barber	3006 W 48 th Terrace	
17	Rachel Brower	3010 W. 47 th Terr.	
18	Chris Gray	3010 W. 47 th Terr	
19	Kyle Ruman	2707 W 47 th Terr	
20	Lauren Neal	4938 Belinder Ave	

Susan

	Name	Address	Signature
21	Jan Kyle	4946 Belinder Ave	S. J. Kyle
22	Wayne L. Hunthausen	4946 Belinder Ave.	Wayne L. Hunthausen
23	APRIL MAIDEN	5021 MISSION RD	April Maiden
24	Nan Yates	4938 Norwood	Nan Yates
25	Tyler Anderson	4811 Belinder Ave.	Tyler Anderson
26	Caroline Anderson	4811 Belinder Ave	Caroline Anderson
27	Vicki M. Ross	4925 Mission Road	Vicki M. Ross
28	MICHAEL S. ROSS	4925 Mission Road	Michael S. Ross
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CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, Dennis W. Dupont resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

Dennis W. Dupont
Printed Name of Affiant

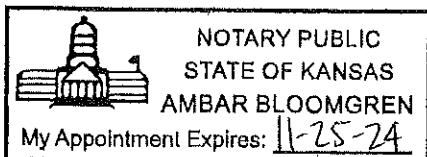
1335 W 5th Terrace
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)

COUNTY OF Johnson)

On this 5th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



Ambar Bloomgren
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Dennis DuPont

1. Allison Birkett
 2. Dale Bennet
 3. Rebecca Bennet
 4. Clancy Merrill
 5. Bruce Campbell
 6. Michael Butler
 7. Anthony Reyes
 8. Kay Ulmer
 9. Jeff Jenkins
 10. Jack McDonald
 11. Will Stripling
 12. Jim Vaiknoras
 13. Donna Toma
 14. Austin Ritz
 15. Jessica Bippen
 16. Anita Bauer
 17. Rachel Brower
 18. Chris Gray
 19. Kyle Putnam
 20. Jerry Neal
-
- 20.5. Lauren Neal

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Dennis DuPont

21. Susan Jan Kyle
22. Wayne L. Hunthausen
23. April Madden
24. Nan Yates
25. Tyler Anderson
26. Caroline Anderson
27. Vicki M. Ross
28. Michael S. Ross
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COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, Dennis W. DuPont, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not __X__ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Dennis W. DuPont

Signature of Affiant

Dennis W. DuPont

Printed Name of Affiant

1930 W. 50th Terrace

Westwood Hills, KS 66205

Address of Affiant

STATE OF Kansas)
)
COUNTY OF Johnson)

On this 5th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Ambar Bloomgren
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Catherine Lewis	2001 W. 47 th Terr.	Catherine Lewis
2	Paula Belcher	2100 W. 48 th St.	Paula Belcher
3	James Moore	1912 W. 48 th St.	James Moore
4	Dennis Kilgore	22925 W. 49 th St.	Dennis Kilgore
5	Vanessa Hiluy	2801 W. 50 th Terrace	Vanessa Hiluy
6	Tom Woolwine	1918 W. 50th St.	Tom Woolwine
7	Dolores Moore	4951 Fairway	D.A. Moore
8	Wilma Trial	2412 W 47 Terr	Wilma Trial
9	Tyler Steele	4733 Belinder Ct.	Tyler Steele
10	Carol Hays	2908 W 48 th St.	Carol Hays
11	Tiago Donato	2106 W 48 th St	T. Donato
12	Jeff Janzen	2012 W 48 th St	Jeff Janzen
13	Hilary Beck	3001 W. 47 th Ter	Hilary Beck
14	Douglas Flint	2400 W 51 st Ter	Douglas Flint
15	Tim Bush	5353 Mission Wds Rd	Tim Bush
16	Beth Norvell	2608 W 51 st Terrace	Beth Norvell
17	Tina Ho	2608 W 51 st Terrace	Tina Ho
18	John Christopher	2617 49th St	John Christopher
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20			

CIRCULATOR'S AFFIDAVIT

State of KANSAS

County of WYANDOTTE

1-5, 7-10 and 16-17
BWA

I, BEN W. HOBERT, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and ~~each of them~~ signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Ben W. Hobert
Signature of Affiant

BEN W. HOBERT

Printed Name of Affiant

2208 W. 49th Street
Westwood Hills, KS 66205

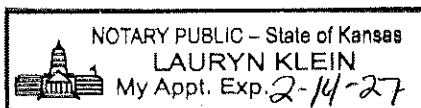
Address of Affiant

STATE OF Kansas)

COUNTY OF Wyandotte)

On this 6th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Ben W. Hobert, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



Laurn Klein
Notary Public:

CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

11-14

I, Dennis W. Dupont President of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and ~~each of them~~ signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

Dennis W. Dupont
Printed Name of Affiant

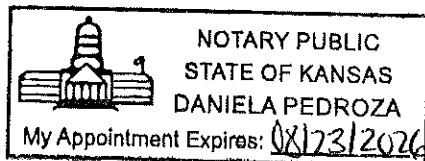
1930 W. 54th Terrace
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)

COUNTY OF Johnson)

On this 8th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis W. Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



[Signature]
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Names: Ben W. Hobert and Dennis W. DuPont

1. Catherine Lewis
2. Paula Belcher
3. James Moore
4. Denise Kilgore
5. Vanessa Henry
6. [deleted]
7. Dolores Moore
8. Wilma Trial
9. Tyler Steele
10. Carol Hays
11. Tiago Donato
12. Jeff Janzen
13. Hilary Beck
14. Douglas Flint
15. [deleted]
16. Jeff Norvell
17. Trang Ho
18. [deleted]
- 19.
- 20.

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of KANSAS

County of WYANDOTTE

I, Ben W. Hobert, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and ## 1-5, 7-10 and 16-17 {initials BWH} ~~each of them~~ signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Ben W. Hobert
Signature of Affiant

Ben W. Hobert
Signature of Affiant

2208 W. 49th Street
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)
)
COUNTY OF Wyandotte)

On this 6th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Ben W. Hobert, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Lauryn Klein
Notary Public

{Seal}

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, Dennis W. DuPont, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and #11-14 ~~each of them~~ signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Dennis W. DuPont

Signature of Affiant

Dennis W. DuPont

Printed Name of Affiant

1930 W. 50th Terrace

Westwood Hills, KS 66205

Address of Affiant

STATE OF Kansas)

)

COUNTY OF Johnson)

On this 8th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis W. Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Daniela Pedroza

Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK


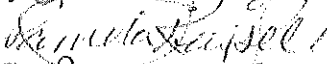




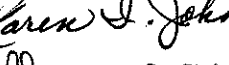





Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

Name Address Signature

1	William Jennings	4950 RAINBOW BLVD.	
2	Pamela Russell	4950 RAINBOW BLVD.	
3	Cynthia Richter	4951 Booth, WW	
4	Michael Johnson	4948 Booth St, WW	
5	Kate Vaiknoras	4948 Booth St.	
6	Met Tomara	4922 Booth St	
7	Beth Springgale	4947 Booth St	
8	Justin Sheehan	1916 W. 47th Terrace	
9	Karen I. Johnson	4950 Adams St.	
10	Ellen Mansee	4957 Adams St.	
11	Pam Merriam	4917 Belinder Rd	
12	MARSA M Swartzell	4958 Rainbow Blvd	
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Name Address Signature

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CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

I, J. Michael Coffman, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL

STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Joseph Goffman
Signature of Affiant

Joseph Michael Goffman

Printed Name of Affiant

2217 W. 50th St.
Westwood Hills, KS 66205

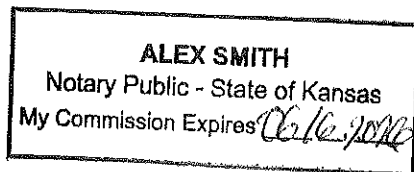
Address of Affiant

STATE OF Kansas)

COUNTY OF Johnson)

On this 6th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Joseph Goffman, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



Alex Smith

Notary Public:

Page 1 of 2

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: J. Michael Coffman

1. William Jennings
2. Pamela Russell
3. Cynthia Richter
4. Michael Johnson
5. Kate Vaiknoras
6. [deleted]
7. Beth Springgate
8. John Beecham
9. Karen I. Johnson
10. Ellen Marsee
11. Pam Merrigan
12. Marsa M. Swatzell
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, J. Michael Coffman, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not __X__ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Joseph Michael Coffman
Signature of Affiant

Joseph Michael Coffman
Printed Name of Affiant

2217 W. 50th St.
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)
)
COUNTY OF Johnson)

On this 6th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Joseph Coffman, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Alex Smith
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Michael McGee	1917 W 47 th Terrace	Mike McGee
2	Shannon Thomsen	2013 W 47 th Terrace	Shannon Thomsen
3	Edwin Evans	2019 W 47 th Terrace	Edwin Evans
4	Lauren Hodgson	2101 W. 47 th Terrace	Lauren Hodgson
5	Barb Burdick	2701 W. 47 th St.	Barb Burdick
6	Julia Page	2110 W 47 th Ter	Julia Page
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CIRCULATOR'S AFFIDAVIT

State of KANSAS

County of JOHNSON

I, STEPHEN PLATT, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

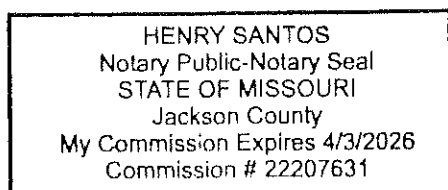
STEPHEN PLATT
Printed Name of Affiant

4910 GLENDALE RD
WEST WOOD HILLS, KS 66205
Address of Affiant

STATE OF Missouri)
COUNTY OF Johnson)

On this 14th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Stephen Platt, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



[Signature]
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Stephen Platt

1. Michael McCorkle
2. Shannon Thomsen
3. Edwin Evans
4. Lauren Hodgson
5. Barb Burdine
6. Julia Page
- 7.
- 8.
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- 16.
- 17.
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- 20.

COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, STEPHEN PLATT, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not __X__ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Stephen Platt
Signature of Affiant

Stephen Platt
Printed Name of Affiant

4910 Glendale Rd.
Westwood Hills, KS 66205
Address of Affiant

STATE OF Missouri)
)
COUNTY OF Jackson)

On this 7th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Steven Platt, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Henry Santos
Notary Public

{SEAL}

PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	Jennifer Westlake	2309 W. 51 st Street	Jennifer Westlake
2	Cynthia Richter	4451 Booth	Cynthia Richter
3	Chandler Richie	3011 W. 48 th Terrace Westwood	Chandler Richie
4	Laura Starr	4952 Booth Westwood KS	Laura Starr
5	TRAVIS WHITE	4953 Adams St.	Travis White
6	Carrie Badler	4953 Adams St	Carrie Badler
7	Angela		
8	Sutera		
9	Linda Sutera	2715 W. 49 th TER	Linda Sutera
10	Peggy Donovan	3009 W. 51 st Street	Peggy Donovan
11	Kellee Reinhart	2337 W 51 st Ter	Kellee Reinhart
12	ENKA TREJTER	4956 Adams St.	Enka Trejter
13	Chelsea Monahan	4809 Mission Rd	Chelsea Monahan
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CIRCULATOR'S AFFIDAVIT

State of KANSAS
County of Johnson

I, STEPHEN PLATT, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

STEPHEN PLATT

Printed Name of Affiant

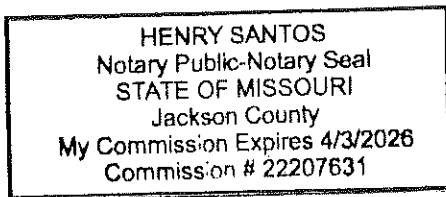
4910 GLENDALE RD.
WESTWOOD HILLS, KS. 66205

Address of Affiant

STATE OF Missouri)
COUNTY OF Johnson)

On this 11th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Stephen Platt, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.



[Signature]
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Stephen Platt

1. Jennifer Westlake
2. Cynthia Richter
3. Chandler Richie
4. Laura Starr
5. Travis White
6. Carrie Bader
7. [deleted]
8. [deleted]
9. Linda Sutura
10. Peggy Donovan
11. Kelly Reinhart
12. Enka Tretter
13. Chelsea Monahan
- 14.
- 15.
- 16.
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- 20.

CIRCULATOR'S AFFIDAVIT

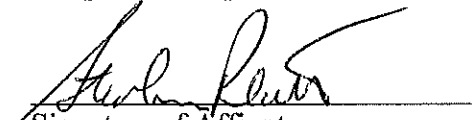
State of KANSAS

County of JOHNSON

I, STEPHEN PLATT, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.


Signature of Affiant

STEPHEN PLATT

Printed Name of Affiant

4910 GLENDALE RD.
WESTWOOD HILLS, KS. 66205

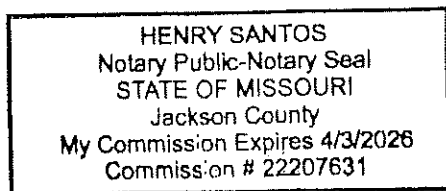
Address of Affiant

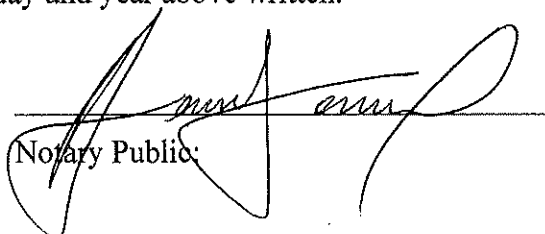
STATE OF Missouri)

COUNTY OF Johnson)

On this 14th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Stephen Platt, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.




Notary Public:


PETITION OF PROTEST OF THE CITY OF WESTWOOD, KANSAS'
SALE, TRADE, OR EXCHANGE IN CONNECTION WITH JOE D. DENNIS PARK

Re: The City of Westwood, Kansas' sale, trade, or exchange of Joe D. Dennis Park

The undersigned hereby invokes the provisions of Kansas Statute Annotated 12-1301 (Land for park purposes; sales or exchanges in connection with parks; use of moneys; notice; protest; election; validation of prior sales and conveyances.) and do hereby register protest under K.S.A. 12-1301 against the City of Westwood, Kansas' proposal to sell, trade, or exchange the following described property:

Joe D. Dennis Park generally located at the southwest corner of 50th and Rainbow Boulevard in Westwood, KS 66205.

The undersigned hereby certify that they are a qualified elector within the corporate limits of Westwood, Kansas, and join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged.

#	Name	Address	Signature
1	SARA KEHN	4957 BOOTH, WESTWOOD KS	66205 
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CIRCULATOR'S AFFIDAVIT

State of Kansas
County of Johnson

I, Dennis W. Dupont, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not X (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

[Signature]
Signature of Affiant

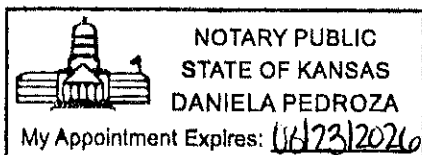
Dennis W. Dupont
Printed Name of Affiant

1930 W. 50th Terrace
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)
COUNTY OF Johnson)

On this 11th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis W. Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written



[Signature]
Notary Public:

COURTESY REFERENCE GUIDE
FOR
NAME LEGIBILITY

Circulator Name: Dennis DuPont

1. Sara Keehn
- 2.
- 3.
- 4.
- 5.
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COURTESY TRANSCRIPTION
OF
CIRCULATOR'S AFFIDAVIT

State of Kansas

County of Johnson

I, Dennis W. DuPont, a resident of the State of Kansas, being first duly sworn, say the attached list of individuals signed the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town, or village correctly, and that each signer is a registered voter of the State of Kansas, County of Johnson, City of Westwood.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLEAD GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do _____ do not __X__ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

Dennis W. DuPont
Signature of Affiant

Dennis W. DuPont
Printed Name of Affiant

1930 W. 50th Terrace
Westwood Hills, KS 66205
Address of Affiant

STATE OF Kansas)
)
COUNTY OF Johnson)

On this 11th day of December, 2023, before me, the undersigned Notary Public, in and for said state, personally appeared Dennis Dupont, known to me to be the person(s) who executed the within instrument and acknowledged to me that he/she/they/ executed the same for the purposes therein stated.

Subscribed and sworn to me the day and year above written.

Daniela Pedroza
Notary Public

{SEAL}

RECEIPT OF ACKNOWLEDGEMENT

DATE: December 12, 2023

TIME: 11:39a.m

I, Abby Schnauers, of the City of Westwood, Kansas, with the official title of City Clerk, do hereby acknowledge receipt of the Protest Petitions involving The Sale, Trade or Exchange of Joe D. Dennis Park which has been filed with the City of Westwood, Kansas City Clerk Office, on the date and time set forth in this receipt.

By: Abby Schnauers

Printed Name: Abby Schnauers

EXHIBIT B TO RESOLUTION NO. 125-2024

[Copy of Letter from Johnson County Counselor Determining Invalidity of Form of Question in
Petitions dated January 17, 2024]

PEGGY A. TRENT
Chief Counsel
Direct: (913) 715-1840
peg.trent@jocogov.org

January 17, 2024

Sent electronically and by U.S. Mail

Ryan Denk
MVP Law
10 East Cambridge Circle Drive
Suite 300
Kansas City, KS 66103

Re: Submission of petition to the City of Westwood re: Joe D. Dennis Park

Dear Ryan:

Our office is in receipt of your cover letter and copies of a signed petition via email and by hand delivery, on January 10, 2024. (See attached letter.) This office has not, as of this date, received a request from the petitioners for a review of the petition's form of the question.

The copy of the petition form you submitted consists of several documents with signatures, and includes some typewritten pages labeled as courtesy reference guides and courtesy transcriptions. The text that follows the title of the document "invokes" the provisions of K.S.A. 12-1301 and "register (sic) protest", under the same statute, against the City's proposed action for the described property, which is called Joe D. Dennis Park. In the final paragraph before the signature lines, the petition states that petitioners "...join this petition with the intent to meet the threshold number of qualified electors necessary to require the governing body to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged."

Your letter states that it is unclear whether the failure of petitioners to submit the petition to the county counselor for a review of the form of the petition question invalidates the petition. As you know, K.S.A. 25-3601, et seq. requires that a copy of certain petitions be submitted to the county counselor for an opinion as to the legality of the form of the question, and our review is limited to that issue.


Since the City has submitted the petition for review, we will respond with our opinion on the form of the question. We do not make a determination on whether the petitioners' failure to submit will invalidate the petition.

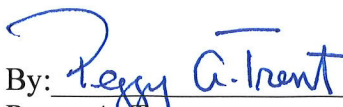
This review and opinion are limited to the legality of the form of the question. In our review, we have considered certain legal authority, including K.S.A. 25-3601, et seq., K.S.A. 25-620, K.S.A. 12-1301, et seq., and K.S.A. 10-120, et seq.

It is our opinion this petition does not state a question in a form that complies with Kansas law. First, the language of the document does not contain a question. There is a statement that the petitioners want to require the City's governing body "...to place on the ballot the question as to whether the Joe D. Dennis Park shall be sold, traded, or exchanged." K.S.A. 25-3602(b) requires "...unless otherwise specifically required..." the petition must "...State the question which the petitioners seek to bring to an election in the form of a question as it should appear upon the ballot in accordance with the requirements of K.S.A. 25-620 and 25-3601...." This statement of intention does not meet this mandatory Kansas requirement. K.S.A. 25-3602(b). See also Kan. A.G. Op. 99-59. In another opinion, the Kansas Attorney General states, "(W)e have consistently interpreted the provisions of K.S.A. 25-3602 as mandatory and, therefore, those provisions cannot be disregarded at will. See also Attorney General Opinions No. 92-103, 85-160, 86-19, 86-51, 91-94, 90-71, 90-64. The petition must clearly state the question which petitioners seek to bring to an election." Kan. A.G. Op. 94-119. "Opinions of the Attorney General have consistently stated that the requirements set forth in K.S.A. 25-3602 are mandatory...and that the question petitioners seek to bring to an election must be set forth in the form of a question." Kan. A.G. Op. 94-118. We are aware that K.S.A. 25-3601(c) would permit a challenge to an ordinance or resolution adopted by the governing body if the petitioners had followed the requirements of that section but it does not appear that the petitioners did. Petitioner signers should know what ballot language they are supporting if they choose to sign.

Per State law, the City is to determine the legal requirements for a valid petition, including the petition form, signature and verification requirements, timing and filing requirements, or whether the petitioners' failure to submit the petition to this office for review invalidates the petition.

Very truly yours,

By: 
Mary Martin Buhl
Assistant County Counselor

By: 
Peggy A. Trent
Chief Counsel

Cc: Todd Hauser, attorney for petitioners
Shawn Minihan, Asst. District Attorney