

WAIVER OF ASSESSMENT PROCEEDINGS

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

The undersigneds, (collectively, the "Owners"), are the record titled owner of 100% of the real estate hereinafter described (the "Property"), and such Property is situated in the City of Olathe, Johnson County, Kansas (the "City"). The Property is all of the property liable for special assessment for the costs of constructing the following described improvements (the "Improvements"):

Installation of sanitary sewer lines from existing South Cedar Creek Sanitary Sewer southeast of 17 Street and Hedge Lane, north along S. Erickson Street approximately 2600 lineal feet, to include 6, 8, 10 and 12" sanitary sewer consisting of PVC and DIP pipe.

After being advised of the Owners' right to a public hearing and other matters related to the Improvements, each Owner hereby agrees to the following:

1. Waiver of formal notice of and the holding of a public hearing by the governing body of the City for the purpose of considering special assessments against the Property;
2. Consent to the levy of special assessments against the Property in the amounts described next to the Owner's signature below (the "Special Assessment") by appropriate proceedings of the governing body of the City, including the levy of assessments prior to commencement of construction pursuant to K.S.A. 12-6a09;
3. Waiver of the thirty (30) day period after publication of the assessment ordinance of the City to contest the levy of the Special Assessment;
4. Waiver of any period established by the City Council for the prepayment of the Special Assessment;
5. Consent that the City may immediately proceed to issue its general obligation bonds to finance the costs of the Improvements in accordance with K.S.A. 12-6a01 *et seq.*

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Dated: July 31, 2018

Signature of Owner:

**DALE R. GEORGE REVOCABLE LIVING TRUST
DATED JUNE 18, 1999**

By: Dale R. George
Name: Dale R. George
Its: Trustee

By: Vereta Delores George
Name: Vereta Delores George
Its: Trustee

**VERETA DELORES GEORGE REVOCABLE LIVING
TRUST DATED JUNE 18, 1999**

By: Dale R. George
Name: Dale R. George
Its: Trustee

By: Vereta Delores George
Name: Vereta Delores George
Its: Trustee

Maximum Amount of Assessment: \$468,302.20, plus interest at a rate equal to the interest rate on general obligation bonds issued to finance the Improvements, to be collected in 10 equal annual installments.

Legal Description of Property Owned and Liable for Assessment: The following property, excluding all dedicated public right of way within such area:


ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE S 88°15'04" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 329.97 FEET; THENCE N 1°44'56" W, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 167TH STREET, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S 88°15'04" W, ALONG THE NORTH RIGHT OF WAY LINE OF SAID 167TH STREET, A DISTANCE OF 320.88 FEET TO A POINT ON THE EAST PLAT LINE OF LONE ELM COMMERCE CENTER, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE N 1°44'54" W, ALONG THE EAST PLAT LINE OF SAID LONE ELM COMMERCE CENTER, A DISTANCE OF 628.00 FEET TO THE NORTHEAST PLAT CORNER OF SAID LONE ELM COMMERCE CENTER; THENCE S 88°15'04" W, ALONG THE NORTH PLAT LINE OF SAID LONE ELM COMMERCE CENTER, A DISTANCE OF 706.03 FEET; THENCE N 1°44'54" W, A DISTANCE OF 1577.84 FEET; THENCE S 40°51'51" E, A DISTANCE OF 1190.12 FEET; THENCE N 48°49'35" E, A DISTANCE OF 575.26 FEET; THENCE S 41°10'43" E, A DISTANCE OF 139.70 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 330.00 FEET, AN ARC DISTANCE OF 227.63 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE S 1°39'27" E, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 953.76 FEET; THENCE S 88°15'04" W, A DISTANCE OF 330.00 FEET; THENCE S 1°39'27" E, A DISTANCE OF 376.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,643,827 SQUARE FEET, MORE OR LESS.

Dated: July 31, 2018

Signature of Owner:

BHJ HOLDINGS, LLC,
a Kansas limited liability company

By: 
Frank Harold Wenzel, II, Managing Member

Maximum Amount of Assessment: \$486,365.01, plus interest at a rate equal to the interest rate on general obligation bonds issued to finance the Improvements, to be collected in 10 equal annual installments.

Legal Description of Property Owned and Liable for Assessment:

The following property, excluding all dedicated public right of way within such area:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE N 88°15'04" E, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 499.66 FEET; THENCE N 1°44'56" W, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 167TH STREET, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N 2°43'03" W, A DISTANCE OF 700.09 FEET; THENCE S 88°15'06" W, A DISTANCE OF 109.50 FEET; THENCE N 1°50'06" W, A DISTANCE OF 371.12 FEET; THENCE N 43°54'27" E, A DISTANCE OF 177.32 FEET; THENCE S 88°15'06" W, A DISTANCE OF 506.50 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE N 1°50'22" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 38.76 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INTERSTATE 35, AS NOW ESTABLISHED; THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF SAID INTERSTATE 35, ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF N 46°11'21" E AND A RADIUS OF 11,309.16 FEET, AN ARC DISTANCE OF 696.36 FEET; THENCE N 49°43'02" E, ALONG THE SOUTH RIGHT OF WAY LINE OF SAID INTERSTATE 35, A DISTANCE OF 971.53 FEET; THENCE S 40°51'51" E, A DISTANCE OF 107.64 FEET; THENCE S 1°44'54" E, A DISTANCE OF 1577.84 FEET TO A POINT ON THE NORTH PLAT OF LONE ELM COMMERCE CENTER, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE ALONG THE NORTHERLY PLAT LINE OF SAID LONE ELM COMMERCE CENTER, FOR THE FOLLOWING SEVEN (7) COURSES; THENCE S 88°15'04" W, A DISTANCE OF 27.77 FEET; THENCE N 38°09'18" W, A DISTANCE OF 60.00 FEET TO THE NORTH MOST PLAT CORNER OF SAID LONE ELM COMMERCE CENTER; THENCE S 51°50'42" W, A DISTANCE OF 549.41 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 360.00 FEET, AN ARC DISTANCE OF 41.22 FEET; THENCE S 44°58'44" W, A DISTANCE OF 87.38 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 31°37'27" W AND A RADIUS OF 370.00 FEET, AN ARC DISTANCE OF 215.51 FEET; THENCE S 1°44'56" E, A DISTANCE OF 60.47 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID 167TH STREET; THENCE S 88°15'04" W, ALONG THE NORTH RIGHT OF WAY LINE OF SAID 167TH STREET, A DISTANCE OF 195.34 FEET TO THE POINT OF BEGINNING, CONTAINING 1,587,598 SQUARE FEET, MORE OR LESS.

Dated: July 31, 2018

Signature of Owner:

LE COMMERCE CENTER, LLC,
a Nevada limited liability company

By: Graham Nelson
~~Rob Heise~~, Authorized Representative
Graham Nelson

Maximum Amount of Assessment: \$160,421.24, plus interest at a rate equal to the interest rate on general obligation bonds issued to finance the Improvements, to be collected in 10 equal annual installments.

Legal Description of Property Owned and Liable for Assessment:

Lot 1, Lone Elm Commerce Center, a platted subdivision of land in the City of Olathe, Johnson County, Kansas.

Dated: July 31, 2018

Signature of Owner:

LE COMMERCE CENTER, LLC,
a Nevada limited liability company

By: Graham Nelson
~~Rob Heise~~, Authorized Representative
Graham Nelson

Maximum Amount of Assessment: \$37,074.97, plus interest at a rate equal to the interest rate on general obligation bonds issued to finance the Improvements, to be collected in 10 equal annual installments.

Legal Description of Property Owned and Liable for Assessment:

Tract A, Lone Elm Commerce Center, a platted subdivision of land in the City of Olathe, Johnson County, Kansas.