

★ **Roll Call Number**

**Agenda Item Number**

42

Date..... August 7, 2006

COMMUNICATION from the City Legal Department identifying that a sufficient protest petition has been filed in opposition to the proposed Linden Heights Historic Street Lighting Self-Supported Municipal Improvement District to trigger the requirement under Iowa Code §368.3(9) that "the entire matter of establishing such district shall be withdrawn from council consideration."

MOVED by \_\_\_\_\_ to receive and file.

FORM APPROVED:

*Roger K Brown*  
Roger K Brown  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

..... City Clerk

July 28, 2006

Mayor Cownie and Members of the  
Des Moines City Council

Re: Sufficiency of the Petitions in support and opposition to the  
establishment of the proposed Linden Heights Historic Street  
Lighting Self-Supported Municipal Improvement District.

Conclusion:

A sufficient petition in opposition to the Linden Heights self-supported municipal improvement district has been filed with the City Clerk to trigger the requirement under Iowa Code §386.3(9) that "the entire matter of establishing such district shall be withdrawn from council consideration."

Factual Background:

*A Petition to Establish the Linden Heights Historic Street Lighting Self-Supported Municipal Improvement District* was filed with the City Clerk on June 14, 2006, containing the signature of a sufficient number of the owners of property within the proposed District to initiate the proceedings under Iowa Code Chapter 386 to establish the proposed District. At various times since then the City has received additional signatures in support and opposition to the District, requesting changes to the boundaries of the District, and withdrawing from previously filed positions in support or opposition.

The Community Development Department reports that as July 27, 2006, the signatures filed with the City Clerk in support and opposition to the proposed District total as follows:

Action	Percentage of Parcels	Number of Parcels
Petition in support of District	50%	68.5 <sup>1</sup>
Petition in opposition to District	40.15%	55
Total number of parcels		137

Because the support and opposition to the proposed District has changed over time, and may further change in the future, it is necessary to first determine the appropriate point in time to determine the sufficiency of the petitions, and then determine the sufficiency of the petitions at that time.

<sup>1</sup> The 0.5 parcel reflects a situation where the wife signed a petition in support of the District and the husband signed a separate petition that does not support or oppose the District, but instead asks that their parcel be removed from the boundaries of the District.



LEGAL DEPARTMENT  
CITY HALL  
400 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1891  
(515) 283-4130 Administration  
(515) 283-4564 Litigation  
FAX (515) 237-1643 Administration  
(515) 237-1748 Litigation

ALL-AMERICAN CITY  
1949, 1976, 1981  
2003

CITY ATTORNEY  
BRUCE E. BERGMAN

DEPUTY CITY ATTORNEYS  
MARK GODWIN  
LAWRENCE R. McDOWELL  
KATHLEEN VANDERPOOL

ASSISTANT CITY ATTORNEYS  
ROGER K. BROWN  
EMILY GOULD CHAFA  
THOMAS J. CLARKE, JR.  
ANN M. DIDONATO  
DAVID A. FERREE  
MICHAEL F. KELLEY  
MARY A. LAUGHLIN  
VICKY L. LONG HILL  
SUSAN A. LOW  
STEVEN C. LUSSIER  
KATHARINE J. MASSIER  
CAROL J. MOSER  
DOUGLAS P. PHILIP

Discussion:

Local governments are commonly empowered by state law to consider authorizing various kinds of public improvements and to take actions affecting properties within a defined area or district upon the receipt of a sufficient petition. In Iowa, property owners may petition for the creation of self-supported municipal improvement districts, sewer districts, drainage districts, and other types of districts wherein a special tax levy is imposed to fund a public improvement. Upon receipt of a sufficient petition, the local government is empowered to consider the creation of the specified district and the construction of the specified improvements, to be funded by a special levy upon the taxable property within the district.

The determination of the sufficiency of the petition becomes more complicated when one or more of the petitioners seek to withdraw their signatures from the petition. The sufficiency of the petition may change depending upon when the determination of sufficiency is made. The Iowa Supreme Court has adopted as a general rule, that the filing of a sufficient petition conveys jurisdiction upon the governing body to consider the matter petitioned for, and the withdrawal of signatures from the petition by the filing of a remonstrance does not cause the governing body to lose jurisdiction. The rule is described by the Iowa Supreme Court as follows:

We hold, then, that the question of jurisdiction is to be determined from the petition as it was when filed, and without regard to the subsequent acts of the petitioners. So far as affecting the jurisdiction which had already attached was concerned, the protests and remonstrances were of no effect. They were proper to be taken into consideration by the board in passing upon the merits of the petition, but they were not available for any other purpose. It must be remembered that jurisdiction did not attach as of the date when the board acted, but as of the date when the legal petition was filed. The power to act having been conferred upon the board by virtue of a legal petition, it could not be impaired or taken away by the protests, remonstrances, or attempted withdrawals of some of the petitioners.

Seibert v. Lovell, 61 N.W. 197, 199 (Iowa 1894) (*citations omitted*).

Moreover, we agree with the board that its jurisdiction cannot be defeated by the attempted withdrawal of some petitioning owners after the board's jurisdiction was obtained. . . . We hold that jurisdiction was legally obtained by the board and was not ousted by any withdrawal.

City of Des Moines v. City Development Bd, 473 N.W.2d 197, 201 (Iowa, 1991) (*citing Seibert with approval*).

The petition requirements established by Iowa Code Chapter 386 for the creation of a self supported municipal improvement district ("SSMID") are consistent with the general rule announced by the Iowa Supreme Court in the cases cited above. Chapter 386 provides in relevant part as follows:

2. The council shall initiate proceedings for establishing a district **upon the filing** with its clerk of a petition containing:

a. The signatures of at least twenty-five percent of all owners of property within the proposed district. These signatures must together represent ownership of property with an assessed value of twenty-five percent or more of the assessed value of all the property in the proposed district.

Iowa Code §386.3(2) (*emphasis added*).

The sufficiency of the Petition to create the Linden Heights SSMID must therefore be determined based upon the signatures contained in the Petition at the time it was filed with the City Clerk. At the time of filing, the Petition clearly exceeded the 25% threshold of ownership and assessed value established by Section 386.3(2) quoted above. Once the petition was filed, the City Council obtained jurisdiction and "shall initiate proceedings for establishing the district". That jurisdiction is not lost merely by the subsequent withdrawal of any of the signatures in support of the Petition.

Iowa Code Chapter 386 specifically provides for the filing of a protest petition, and establishes two levels of consequences, depending upon the level of the protest. The first or lowest level of protest with legal significance is at the 25% threshold.

[I]f a remonstrance has been filed with the clerk signed by at least twenty -five percent of all owners of property within the proposed district representing ownership of property with an assessed value of twenty-five percent or more of the assessed value of all the property in the proposed district, the adoption of the ordinance [establishing the SSMID] requires a unanimous vote of the council.

Iowa Code §386.3(7). At this first level of protest, the protest triggers a unanimous vote requirement for the creation of the SSMID. The City Council retains jurisdiction and must proceed with consideration of the SSMID, but the SSMID cannot be created without the unanimous vote of the council.

Since this first level of protest does not impact the jurisdiction of the City Council, the general rule that the sufficiency of a petition shall be determined at filing does not necessarily apply. Since the impact of this first level of protest applies only at the time of adoption of the ordinance creating the SSMID, it might be argued that the sufficiency of the protest petition should be determined at that point in time. However, this issue is not determinative in the present case.

The second level of protest with legal significance under Chapter 386 is at the 40% threshold.

9. **At any time** prior to adoption of an ordinance establishing a district, **the entire matter of establishing such district shall be withdrawn from council consideration** if a petition objecting to establishing such district is filed with its clerk containing the signatures of at least forty percent of all owners of property within the proposed district or signatures which together represent ownership of

property with an assessed value of forty percent or more of the assessed value of all property within the proposed district.

Iowa Code §386.3(9) (emphasis added). At this second level of protest, the protest does cause the City Council to lose jurisdiction to consider the establishment of the SSMID. While the first level of protest is stated in the past tense "has been filed" and operates to limit the City Council's authority to subsequently adopt an ordinance creating the SSMID, this second level of protest is stated in the present tense "is filed" and is effective immediately to require "the entire matter . . . shall be withdrawn from council consideration."

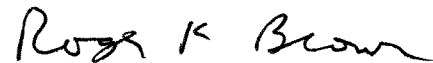
While the filing a sufficient petition to establish a SSMID immediately grants the City Council jurisdiction to consider the creation of the SSMID, the filing of a sufficient protest petition exceeding the 40% threshold immediately withdraws that jurisdiction. Notably, Chapter 386 makes no provision for the recovery of jurisdiction once it has been withdrawn by the filing of a sufficient protest petition. Therefore, once a protest petition is filed which satisfies the 40% threshold, the City Council's jurisdiction to consider the SSMID is irrevocably lost.

The proponents and opponents of the District have presented arguments to the City Legal Department challenging the manner in which the Community Development Department has calculated the percentages of support and opposition identified in the Factual Background above. While these arguments may have merit, as show below the arguments do not change the final outcome.

It has been argued that the percentage of support and opposition are incorrect because there are two separate instances where two adjoining tax parcels are under common ownership. It has been argued that the total number of parcels should be based upon the 135 separate ownership parcels rather than the 137 separate tax parcels. The two sets of adjoining tax parcels were counted by the Community Development Department as four parcels whose owners signed the petition in support of the District. If the four tax parcels are instead treated as two ownership parcels it slightly reduces the percentage of support for the District, and slightly increases the percentage of opposition to the District. The change has no effect on the final outcome. A sufficient protest petition has still been filed with the City Clerk to require the withdrawal of the matter from further consideration.

Please call me if you have any questions about this matter.







Sincerely,

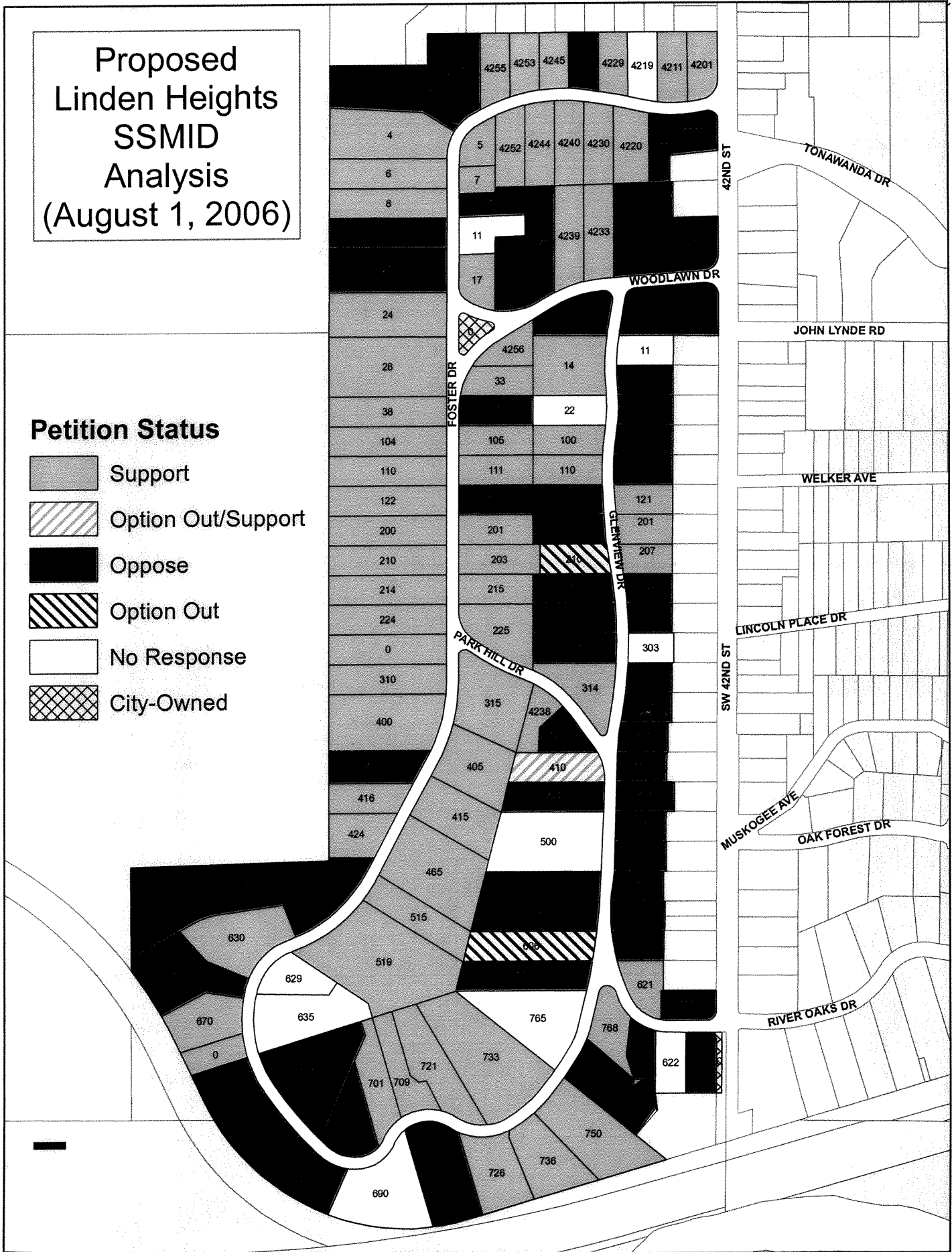


Roger K. Brown  
Assistant City Attorney  
515/283-4541

Proposed  
Linden Heights  
SSMID  
Analysis  
(August 1, 2006)

**Petition Status**

-  Support
-  Option Out/Support
-  Oppose
-  Option Out
-  No Response
-  City-Owned



Map created August 1, 2005; City of Des Moines' Planning and Urban Design Division.

**Summary of the Petitions Filed with the City Clerk in Support and Opposition to the  
 Petition to Establish the Linden Heights Historic Street Lighting Self-Supported Municipal  
 Improvement District**

August 1, 2006 Analysis

	#	%	Total Assessed \$	%
Support	68.5	50.0%	\$ 31,898,900	59.8%
Option Out / Support	0.5	0.4%	\$ 125,400	0.2%
Oppose	55	40.1%	\$ 16,887,400	31.6%
Option Out	2	1.5%	\$ 469,300	0.9%
No Response	11	8.0%	\$ 4,005,300	7.5%
<b>Grand Total</b>	<b>137</b>	<b>100.0%</b>	<b>\$ 53,386,300</b>	<b>100.0%</b>

Petition	Address	First Titleholder	Assesmer
No reponse	22 GLENVIEW DR	BRODERICK, MICHAEL J	\$ 373,300
No reponse	629 FOSTER DR	DELUHERY, PATRICK J	\$ 401,400
No reponse	622 GLENVIEW DR	EGLY, CAROL S	\$ 222,900
No reponse	765 FOSTER DR	FAUSTINE INVESTMENTS, LLC	\$ 256,200
No reponse	690 FOSTER DR	RILEY, WALTER J	\$ 505,200
No reponse	500 GLENVIEW DR	SCHULING, MARK R	\$ 294,000
No reponse	11 GLENVIEW DR	SKINNER, JAMES R	\$ 403,700
No reponse	4219 FOSTER DR	TAYLOR, COREY	\$ 463,900
No reponse	635 FOSTER DR	WALLER, DANIEL M	\$ 405,400
No reponse	11 FOSTER DR	WALSH, PHILLIP K	\$ 495,600
No reponse	303 GLENVIEW DR	WILIMEK, JAMES P	\$ 183,700
Oppose (Ball petition only)	9 FOSTER DR	BALL, CHARLES R	\$ 625,400
Oppose (Ball and Cormick petitions)	4232 PARK HILL DR	BEERS, RUTH J	\$ 272,700
Oppose (Ball and Cormick petitions)	501 GLENVIEW DR	BENNETT, VOULA P	\$ 177,800
Oppose (Ball petition only)	4200 FOSTER DR	BERTSCH, SONDR A E	\$ 256,900
Oppose (Ball and Cormick petitions)	510 GLENVIEW DR	BROWER, NATHAN L	\$ 240,800
Option Out (Cormick petition only) and Oppose (7/17/06)	421 GLENVIEW DR	CALIGIURI, LINDA L	\$ 232,200
Oppose (Ball petition only)	408 FOSTER DR	CHERVENKA, MARK	\$ 396,700
Oppose (Ball and Cormick petitions)	624 GLENVIEW DR	CORNICK, JAMES M	\$ 270,700
Oppose (Ball and Cormick petitions)	405 GLENVIEW DR	CRANE, EDMUND H	\$ 214,200
Oppose (Ball and Cormick petitions)	215 GLENVIEW DR	CRAWFORD, MAURICE C	\$ 169,700
Oppose (Ball petition only)	12 FOSTER DR	DONNELLY, THOMAS J	\$ 427,500
Oppose (Ball and Cormick petitions)	321 GLENVIEW DR	DREYVANKO, TIMOTHY F	\$ 321,900
Oppose (Ball and Cormick petitions)	515 GLENVIEW DR	DUKE, ELLERY H	\$ 190,900
Oppose (Ball petition only)	514 FOSTER DR	EARL J INGRAM TRUST	\$ 419,500
Oppose (Ball and Cormick petitions)	422 GLENVIEW DR	EDWARDS, CHARLES C	\$ 266,600
Oppose (Ball and Cormick petitions)	311 GLENVIEW DR	EPSTEIN, JULIUS	\$ 258,900
Oppose (Ball petition only)	37 FOSTER DR	EVANS, SHANE	\$ 376,900
Oppose (Ball and Cormick petitions)	521 GLENVIEW DR	FLEMING, BRUCE I	\$ 189,200
Oppose (Ball petition only)	708 FOSTER DR	FLOWER, ALEXANDER	\$ 100,400
Oppose (Ball and Cormick petitions)	222 GLENVIEW DR	FULLERTON, WILLIAM F	\$ 220,100
Option Out (Cormick petition only) and Oppose (7/17/06)	227 GLENVIEW DR	GARZA, DAVID T	\$ 184,500
Oppose (Ball petition only)	660 FOSTER DR	HADE, JON S	\$ 559,900
Oppose (Ball and Cormick petitions)	15 GLENVIEW DR	HALLIWELL, JAMES	\$ 311,400
Ne-response Oppose and Option out (7/17/06)	526 GLENVIEW DR	HANKINSON, MICHAEL-J MORAIN, JOHN	\$ 162,800
Oppose (Ball and Cormick petitions)	200 GLENVIEW DR	HAWN, LYLE D	\$ 225,900
Oppose (Ball and Cormick petitions, retracted from Lorentzen petition)	4249 WOODLAWN DR	HOGAN, STANLEY W	\$ 211,700

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<b>Petition</b>	<b>Address</b>	<b>First Titleholder</b>	<b>Assesmer</b>
Oppose (Ball petition only)	669 FOSTER DR	HOLMES (TRUSTEE), LINDA H	\$ 572,000
Oppose (Ball petition only)	685 FOSTER DR	JAMES, FREDERICK C	\$ 600,900
Oppose (Ball and Cornick petitions)	4225 WOODLAWN DR	JOHNSON, WADE B	\$ 948,000
Oppose (Ball petition only)	4218 FOSTER DR	KELLEHER, JOHN P	\$ 339,200
Option Out (Cornick petition only) and Oppose (7/17/06)	21 GLENVIEW DR	KEMPKES, DAVID A	\$ 185,500
Oppose (Ball and Cornick petitions)	4242 WOODLAWN DR	KEMPKES, JAMES D	\$ 429,900
Oppose (Ball petition only)	760 FOSTER DR	LAHODNY, RODNEY	\$ 471,600
Oppose (Ball and Cornick petitions)	612 GLENVIEW DR	LANGDON (TRUSTEE), RICHARD G	\$ 415,500
Oppose (Ball and Cornick petitions)	620 GLENVIEW DR	MANROE, CANDACE O	\$ 192,400
Oppose (Ball and Cornick petitions)	4222 WOODLAWN DR	MARCUCCI, RHONDA P	\$ 411,200
Oppose (Ball and Cornick petitions)	603 GLENVIEW DR	MARK, DONNA L	\$ 271,300
Oppose (Ball and Cornick petitions)	505 GLENVIEW DR	MATTHEWS (TRUSTEE), ALEXANDER	\$ 183,800
Oppose (Ball and Cornick petitions)	120 GLENVIEW DR	MEANS, KENT A	\$ 285,100
Oppose (Ball and Cornick petitions)	112 42ND ST	MESSINA, JOHN P	\$ 368,100
Oppose (Ball and Cornick petitions)	6 SW 42ND ST	NAHAS, EDWARD J	\$ 217,600
Oppose (Ball and Cornick petitions)	214 GLENVIEW DR	NEUFELD-PRICE, NANCY A	\$ 203,900
Oppose (Ball petition only)	20 FOSTER DR	NIELSEN, WILLIAM V	\$ 461,300
Option Out (Cornick petition only) and Oppose (7/17/06)	623 GLENVIEW DR	PEREA, ERNEST M	\$ 211,400
Oppose (Ball petition only)	4267 FOSTER DR	REIMER-MYERS, AMY J	\$ 479,500
Oppose (Ball and Cornick petitions)	413 GLENVIEW DR	RUSSELL K CLINGAN TRUST	\$ 144,000
Oppose (Ball and Cornick petitions)	111 GLENVIEW DR	SARBY, MARLENE L	\$ 184,600
Oppose (Ball petition only)	686 FOSTER DR	SPENCE, JOHN E	\$ 278,800
Oppose (Ball petition only)	2 FOSTER DR	SPEVAK (TRUSTEE), MARJORIE S	\$ 282,500
Oppose (Ball petition only)	4235 FOSTER DR	STERN (TRUSTEE), LOUISE H	\$ 251,000
Oppose (Ball petition only)	123 FOSTER DR	SUTTIE, THOMAS G	\$ 370,200
Oppose (Ball and Cornick petitions)	4255 WOODLAWN DR	WENNERSTRUM, BARBARA B	\$ 247,100
Oppose (Ball and Cornick petitions, retracted from Lorentzen petition)	304 GLENVIEW DR	WHIPPEN, LESLIE A	\$ 184,200
Opposed (7/24)	NA	WOOD, DAVID R	\$ 114,700
Oppose (Ball and Cornick petitions)	115 GLENVIEW DR	WOODY, MICHAEL C	\$ 296,900
Option Out (Cornick petition only, retracted from Lorentzen petition) and Oppose (Ball Petition 7/9/2006) and Option out and retract any previous petitions signed (7/18/06)	210 GLENVIEW DR	LEACHMAN, PRUDENCE A	\$ 240,300
Oppose (Ball and Cornick petitions, retracted from Lorentzen petition) Option out and retract all previous petition signed (7/18/06)	606 GLENVIEW DR	REINHARDT, SCOTT M	\$ 229,000

Petition	Address	First Titleholder	Assesmer
Option Out (Cernick petition only, retracted from Lorenzen-petition) Webster and Debra retract all previous petitions signed, Webster options out, Debra supports.	410 GLENVIEW DR	LEHMANN, WEBSTER M	\$ 250,800
Support (Lorenzen petition)	4252 FOSTER DR	ADELMAN, STEVEN R	\$ 437,100
Support (Lorenzen petition)	515 FOSTER DR	BALDI, DANIEL J	\$ 900,000
Support (Lorenzen petition)	110 FOSTER DR	BISSMEYER, N. LEE	\$ 358,100
Support (Lorenzen petition)	121 GLENVIEW DR	BOWMAN, O KEITH	\$ 183,600
Support (Lorenzen petition)	519 FOSTER DR	BREEDLOVE, ROBERT F	\$ 939,900
Support (Lorenzen petition)	424 FOSTER DR	BRICK, JAMES E	\$ 545,000
Support (Lorenzen petition)	5 FOSTER DR	BRIJA-TOWERY, DAVID M	\$ 260,000
Support (Lorenzen petition)	768 FOSTER DR	BRODY, MARTIN	\$ 671,900
Support (Lorenzen petition)	7 FOSTER DR	BROMS, STUART E	\$ 249,800
Support (Lorenzen petition)	6 FOSTER DR	BROSAHAN, WILLIAM J	\$ 526,000
Support (Lorenzen petition)	4 FOSTER DR	BROWN, ROBERT T	\$ 525,800
Support (Lorenzen petition)	111 FOSTER DR	BUOKER (TRUSTEE), PATRICIA G	\$ 353,100
Support (Lorenzen petition)	4211 FOSTER DR	CARITHERS, JEFFREY S	\$ 505,700
Support (Lorenzen petition)	4253 FOSTER DR	CERNE, JOSEPH M	\$ 293,600
Support (Lorenzen petition)	670 FOSTER DR	CONLEY, ROBERT J	\$ 429,700
Support (Lorenzen petition)	NA	CONLEY, ROBERT J	\$ 22,600
Support (Lorenzen petition)	4201 FOSTER DR	DAHLBERG, ROBERT C	\$ 326,600
Support (Lorenzen petition)	17 FOSTER DR	DAVIS, STEPHEN M	\$ 201,200
Support (Lorenzen petition)	4240 FOSTER DR	DUNCAN, HEARST R	\$ 322,800
Support (Lorenzen petition)	4238 PARK HILL DR	ELMETS (TRUSTEE), HARRY B	\$ 263,600
Support (Lorenzen petition)	310 FOSTER DR	ELMQUIST, MARION L	\$ 364,700
Support (Lorenzen petition)	NA	ELMQUIST, MARION L	\$ 30,300
Support (Lorenzen petition)	215 FOSTER DR	ERICSON, JON L	\$ 244,700
Support (Lorenzen petition)	726 FOSTER DR	GOODWIN, JUDITH A	\$ 331,600
Support (Lorenzen petition)	314 GLENVIEW DR	GRACE, DAVID J	\$ 318,300
Support (Lorenzen petition)	224 FOSTER DR	GRUNDBERG, ARNIS B	\$ 412,200
Support (Lorenzen petition)	28 FOSTER DR	HOAK, DAVID A	\$ 900,800
Support (Lorenzen petition)	709 FOSTER DR	HORSTMANN, RANDALL G	\$ 518,800
Support (Lorenzen petition)	416 FOSTER DR	HOWARD, STOTT W	\$ 405,200
Support (Lorenzen petition)	110 GLENVIEW DR	HUBBELL, CRAWFORD C	\$ 476,500
Support (Lorenzen petition)	4245 FOSTER DR	IMHOFF, HEIDI J	\$ 294,000
Support (Lorenzen petition)	105 FOSTER DR	IRVINE, THEODORE R	\$ 396,400
Support (Lorenzen petition)	14 GLENVIEW DR	KELLEY, BRUCE G	\$ 609,700
Support (Lorenzen petition)	100 GLENVIEW DR	LA MAIR, JANE M	\$ 335,300
Support (Lorenzen petition)	736 FOSTER DR	LEVY, FRANK N	\$ 396,400

Petition	Address	First Titleholder	Assesmer
Support (Lorentzen petition)	104 FOSTER DR	LIN, DANIELLE A	\$ 571,500
Support (Lorentzen petition)	4229 FOSTER DR	LINDEBAK, LAYNE M	\$ 246,000
Support (Lorentzen petition)	33 FOSTER DR	LORENTZEN, JOHN F	\$ 388,400
Support (Lorentzen petition)	415 FOSTER DR	MARGUERITE GOODWIN TRUST	\$ 620,900
Support (Lorentzen petition)	210 FOSTER DR	MC ELROY, DAVID	\$ 756,700
Support (Lorentzen petition)	225 FOSTER DR	MC GAUGHEY, MARK D	\$ 516,800
Support (Lorentzen petition)	4244 FOSTER DR	MC LAUGHLIN, M. KEVIN	\$ 426,300
Support (Lorentzen petition)	4239 WOODLAWN DR	NATH, AMAR	\$ 510,700
Support (Lorentzen petition)	721 FOSTER DR	NEWLAND, WILLIAM H	\$ 751,200
Support (Lorentzen petition)	38 FOSTER DR	NIEBUR, WILLIAM S	\$ 467,300
Support (Lorentzen petition)	24 FOSTER DR	PAPPAJOHN (TRUSTEE), MARY	\$ 684,900
Support (Lorentzen petition)	621 GLENVIEW DR	PLETCHER, JOSEPH B	\$ 320,600
Support (Lorentzen petition)	4255 FOSTER DR	QUINLAN, STEPHEN M	\$ 382,700
Support (Lorentzen petition)	701 FOSTER DR	RAMSAY, REED W	\$ 328,700
Support (Lorentzen petition)	465 FOSTER DR	RUAN, JOHN	\$ 813,700
Support (Lorentzen petition)	203 FOSTER DR	SHUMWAY, SCOTT	\$ 394,400
Oppose-(Ball-petition-only, retracted from-Lorentzen petition)- Support and retract all previous petition signed (7/18/06)	315 FOSTER DR	SINK, PATRICIA A	\$ 473,200
Support (Lorentzen petition)	4230 FOSTER DR	SMITH, DARBY J	\$ 526,900
Support (Lorentzen petition)	200 FOSTER DR	SPELLMAN, MARTIN E	\$ 549,500
Support (Lorentzen petition)	750 FOSTER DR	S-R DEVELOPMENT CO	\$ 369,500
Support (Lorentzen petition)	201 FOSTER DR	STEPHENS, WILLIAM S	\$ 444,400
Support (Lorentzen petition)	122 FOSTER DR	SWIESKOWSKI, DAVID	\$ 596,300
Support (Lorentzen petition)	400 FOSTER DR	TAYLOR, LLOYD B	\$ 618,700
Support (Lorentzen petition)	201 GLENVIEW DR	THOMAS, MARK W	\$ 343,000
Support (Lorentzen petition)	733 FOSTER DR	THURSTON, STAN G	\$ 1,367,200
Support (Lorentzen petition)	630 FOSTER DR	UPDEGRAFF, VIRGINIA A	\$ 590,500
Support (Lorentzen petition)	214 FOSTER DR	URBAN, TIMOTHY J	\$ 656,500
Support (Lorentzen petition)	4256 WOODLAWN DR	VAN LIEW, DENNIS J	\$ 206,300
Support (Lorentzen petition)	207 GLENVIEW DR	WILL, TIMOTHY A	\$ 246,700
Support (Lorentzen petition)	4233 WOODLAWN DR	WITTMACK, C. ARTHUR	\$ 507,600
Support (Lorentzen petition)	405 FOSTER DR	YEPSEN, DAVID	\$ 596,800
Support (Lorentzen petition)	4220 FOSTER DR	ZEFF, ELEANOR E	\$ 614,500
Support (Lorentzen petition)	8 FOSTER DR	ZUCKERT, ALAN	\$ 534,100