

1. This Petition is made under authority of K.S.A. 72-532.
2. Mediation was attempted under K.S.A. 72-530 but failed.
3. The State Board of Education is requested to transfer the territory described in the certified land description attached as **Exhibit A**, “LEGAL DESCRIPTIONS FOR DISTRICT BOUNDARY MODIFICATION BETWEEN UNIFIED SCHOOL DISTRICTS NO. 113 AND NO. 115” (hereinafter “Petitioned Area”) from Unified School District No. 113, Marshall, Nemaha, Brown, and Jackson Counties, State of Kansas, to Unified School District No. 115, Marshall and Nemaha Counties, State of Kansas. The Petitioned Area is also shown on the attached map in **Exhibit B**.
4. The petitioning board is of the opinion that the transfer of territory requested in this Petition, if granted, would be consistent with the factors listed in subsection (d) of K.S.A. 72-532, as further described within **Exhibit C** – General Information.
5. No petition for the transfer of substantially the same territory as described above has been submitted to the State Board within two years of the date of this Petition.
6. The petitioning board of education has authorized its president to sign this petition on its behalf.
7. Additional supporting materials required by the Land Transfer Packet provided by the Kansas Department of Education are attached hereto as:
 - a. **Exhibit D** - Comparison of Districts (Before Transfer);
 - b. **Exhibit E** - Comparison of Districts (After Transfer) Estimate;
 - c. **Exhibit F** – [CONFIDENTIAL] Family Preference (Enrolled Students);
 - d. **Exhibit G** - Landowner Preference;

- e. **Exhibit H** – Proposed New Overall Boundary U.S.D. No. 115 (certified);
 - f. **Exhibit I** – Proposed New Overall Boundary U.S.D. No. 113 (certified); and
 - g. **Exhibit J** – Resolution 2024-004 passed by USD 115 Board of Education approving filing of this Petition.
8. All exhibits are incorporated herein by reference.

Respectfully submitted,

KRIEGSHAUSER NEY LAW GROUP

By: /s/ Joshua A. Ney

Joshua A. Ney, KS Bar No. 24077

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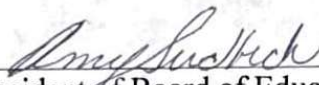
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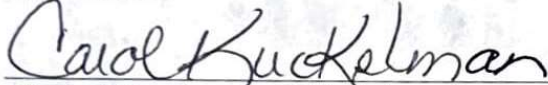
ATTORNEYS FOR USD 115 (NEMAHA CENTRAL)

Signed this 15 date of February, 2024.



President of Board of Education
Unified School District No. 115 (Nemaha Central)
Nemaha County, State of Kansas

ATTEST:



Clerk of the Board of Education of
Unified School District No. 115 (Nemaha Central)
Nemaha County, State of Kansas

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have filed and sent the foregoing PETITION BY BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 115 FOR TRANSFER OF TERRITORY with accompanying exhibits via electronic mail to counsel of record as follows:

Scott Gordon, General Counsel
Office of General Counsel, State Department of Education
sgordon@ksde.org
KANSAS STATE BOARD OF EDUCATION

David Cooper, Attorney
Fisher Patterson Sayler & Smith, LLP
dcooper@fpsslaw.com
COUNSEL FOR USD 113 (PRAIRIE HILLS)

Additionally, I hereby certify that I have sent original copies of the foregoing PETITION BY BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 115 FOR TRANSFER OF TERRITORY with accompanying exhibits via certified mail to counsel of record as follows:

Scott Gordon, General Counsel
Office of General Counsel, State Department of Education,
Landon State Office Building,
900 SW Jackson Street, Suite 102,
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KANSAS STATE BOARD OF EDUCATION

David Cooper, Attorney
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COUNSEL FOR USD 113 (PRAIRIE HILLS)

/s/ Joshua A. Ney
Joshua A. Ney, #24077

LEGAL DESCRIPTIONS FOR DISTRICT BOUNDARY MODIFICATION BETWEEN
UNIFIED SCHOOL DISTRICTS NO.113 AND NO.115.

NEMAHA COUNTY

TRANSFER TRACT 1 (NEW LARGE AREA) (U.S.D. NO.113 TO U.S.D. NO.115)

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M., ALSO BEING THE CORNER OF MARSHALL AND NEMAHA COUNTIES AND THE KANSAS-NEBRASKA STATE LINE; THENCE EAST 16 MILES ALONG THE KANSAS-NEBRASKA STATE LINE TO THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 7 MILES TO THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 2 MILES; THENCE SOUTH 2 ½ MILES; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE SOUTH 1 MILE TO THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST ¾ MILE; THENCE NORTHWESTERLY ALONG THE PUBLIC ROAD TO THE EAST-WEST CENTERLINE OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH ½ MILE; THENCE WEST 1 ¼ MILES; THENCE NORTH 1 ¼ MILES; THENCE WEST ¼ MILE; THENCE SOUTH ¾ MILE; THENCE WEST ¾ MILE TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE NORTH 1 MILE; THENCE WEST 1 MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE SOUTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE TO THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE NORTH ¾ MILE; THENCE EAST 1 MILE; THENCE NORTH ¾ MILE; THENCE WEST 1 ¾ MILES; THENCE NORTH ½ MILE; THENCE WEST ¼ MILE TO THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE 6TH P.M.; THENCE SOUTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ¼ MILE; THENCE NORTH ¼ MILE; THENCE WEST ¼ MILE; THENCE NORTH ¾ MILE TO THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE NORTH 1 MILE; THENCE WEST ½ MILE; THENCE NORTH 1 MILE; THENCE WEST ¼ MILE; THENCE NORTH ½ MILE; THENCE WEST 1 ¼ MILES TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 12 EAST OF THE 6TH P.M.; THENCE SOUTH ½ MILE; THENCE WEST ¾ MILE; THENCE NORTH ¼ MILE; THENCE EAST ¼ MILE; THENCE NORTH ¼ MILE TO THE CENTER OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE WEST 1 ¼ MILES; THENCE SOUTH ½ MILE; THENCE WEST ¼ MILE; THENCE SOUTH ¼ MILE; THENCE WEST ½ MILE; THENCE SOUTH ¼ MILE TO THE CENTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE WEST ½ MILE; THENCE NORTH 1 ¼ MILES; THENCE WEST ½ MILE; THENCE SOUTH ¾ MILE; THENCE WEST ½ MILE; THENCE NORTH 1 MILE TO THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE EAST ½ MILE; THENCE NORTH ½ MILE TO THE CENTER OF SECTION 4, TOWNSHIP 1 SOUTH,

RANGE 11 EAST OF THE 6TH P.M.; THENCE WEST 2 ½ MILES TO THE MARHSALL AND NEMAHA COUNTY LINE; THENCE NORTH ½ MILE ALONG SAID COUNTY LINE TO THE POINT OF BEGINNING.

THE ABOVE CONTAINS 69.30 SQUARE MILES, MORE OR LESS.

TRANSFER TRACT 2 (NEW MEDIUM AREA) (U.S.D. NO.113 TO U.S.D. NO.115)

BEGINNING AT THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 4 MILES TO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST 2 ½ MILES; THENCE NORTH 1 MILE; THENCE WEST 1 MILE; THENCE NORTH 1 ½ MILES TO THE CENTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST ¼ MILE; THENCE SOUTH ¼ MILE; THENCE EAST ¼ MILE; THENCE SOUTH ¼ MILE; THENCE EAST 1 MILE; THENCE NORTH 1 MILE TO THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 1 MILE; THENCE NORTH 1 MILE; THENCE EAST 1 MILE TO THE POINT OF BEGINNING.

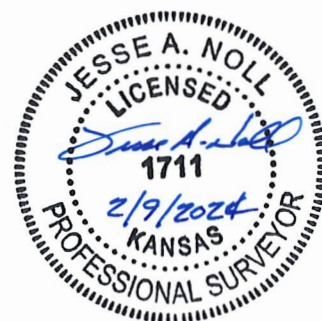
THE ABOVE CONTAINS 9.20 SQUARE MILES, MORE OR LESS.

TRANSFER TRACT 3 (NEW SMALL AREA) (U.S.D. NO.113 TO U.S.D. NO.115)

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 1 ½ MILES; THENCE WEST 1 ¾ MILES; THENCE NORTH ½ MILE; THENCE EAST ¼ MILE; THENCE NORTH 1 MILE TO THE CENTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 1 ½ MILES TO THE POINT OF BEGINNING.

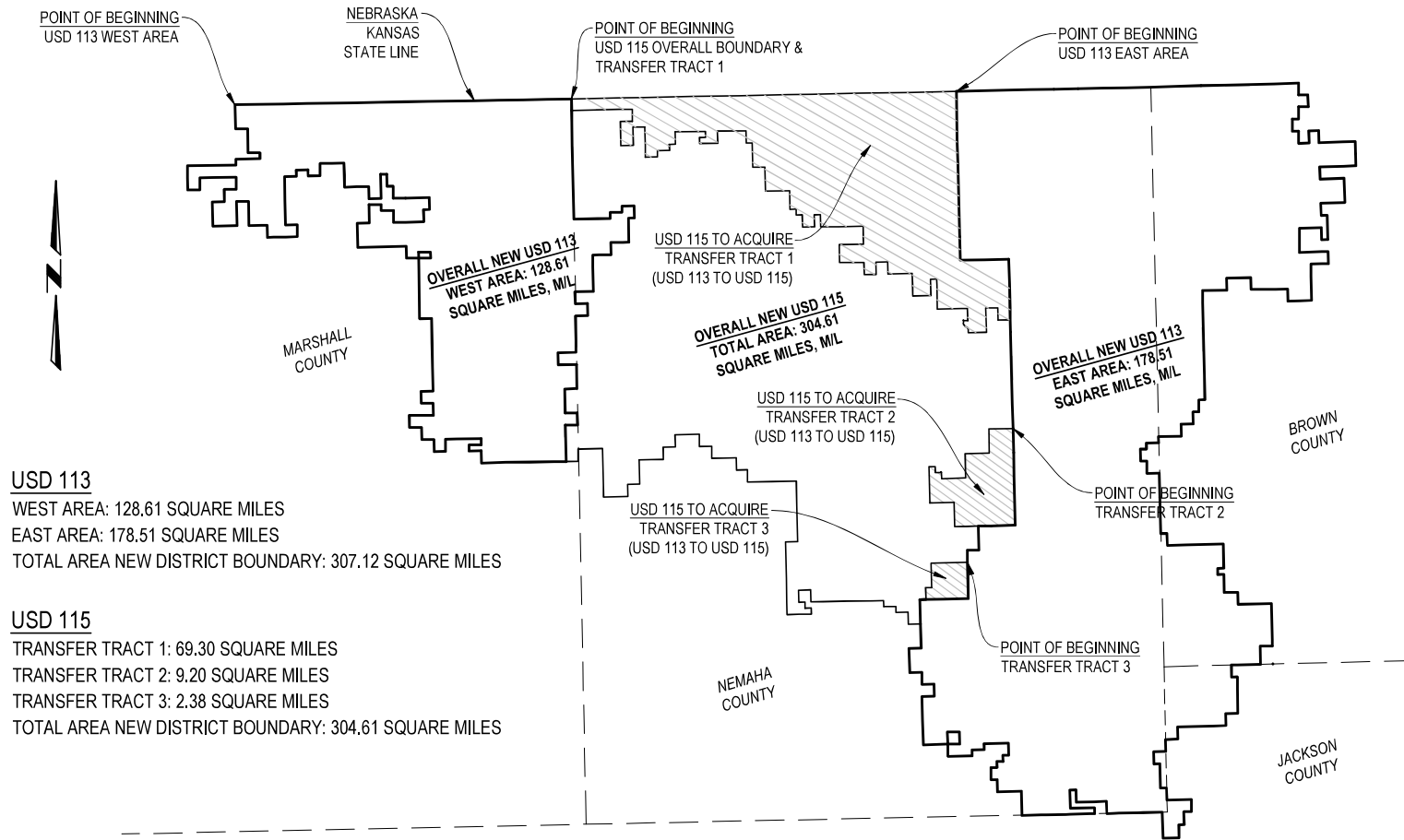
THE ABOVE CONTAINS 2.38 SQUARE MILES, MORE OR LESS.

I, JESSE A. NOLL, PROFESSIONAL SURVEYOR, KANSAS LICENSE #1711, DO HEREBY CERTIFY THAT THE REVISED BOUNDARY DESCRIPTIONS SET FORTH ABOVE ARE TRUE AND CORRECT DESCRIPTIONS OF THE OFFICIAL BOUNDARIES OF THE TRACTS TO BE TRANSFERRED BETWEEN UNIFIED SCHOOL DISTRICT NO. 113 AND UNIFIED SCHOOL DISTRICT NO. 115 IN THE EVENT THE PROPOSED PETITION/AGREEMENT TO TRANSFER TERRITORY FROM UNIFIED SCHOOL DISTRICT NO. 113 TO UNIFIED SCHOOL DISTRICT NO. 115 IS APPROVED BY THE STATE BOARD OF EDUCATION.



DISTRICT BOUNDARIES EXHIBIT

UNIFIED SCHOOL DISTRICTS 113 & 115



NOTES

1. EXHIBIT PREPARED FOR KRIEGSHAUSER NEY LAW GROUP AND IS FOR REFERENCE ONLY
2. DRAWING IS NOT TO SCALE

GENERAL INFORMATION

WHERE APPROPRIATE, CIRCLE "YES" OR "NO" [Petitioner's answers highlighted]

- Yes** No A. In case a transfer is ordered, will changes occur that both sides agree would be educationally beneficial? If yes, list.
- Yes, upon information and belief, it is anticipated that both sides acknowledge that at least 78 of 104 (75%) students in the Petitioned Area who currently attend USD 115 will be educationally benefited due to, at least, the following undisputed factors: 1) district attendance centers in USD 115 are closer than attendance centers in USD 113 for students in the Petitioned Area; 2) upon transfer, the vast majority of student families in Petitioned Area would be democratically represented by school board members of their resident district; 3) ad valorem assessments would better reflect long-term enrollment trends in Petitioned Area and provide additional educational resources (e.g. local option budget, transportation, capital outlay, bond issues) for the vast majority of students in the Petitioned Area.*
- Yes **No** B. In case a transfer is ordered, will changes occur that both sides agree would be educationally detrimental? If yes, list.

CRITERIA

WHERE APPROPRIATE, CIRCLE "YES" OR "NO"

- Yes **No** 1. Has the state board denied a petition for substantially the same territory within the past two years?
- Yes** No 2. Is the petitioned territory contiguous with the boundary line of the "receiving" district?
- Yes **No** 3. Are a majority of the residents in the petitioned area tenants?
- Upon information and belief, the majority of the residents in the Petitioned Area are landowners.*
- Yes **No** 4. Is this a housing development area or part of an industrial district? If yes, explain.
- Yes** No 5. Are there any other unusual characteristics of the petitioned area? If yes, explain.
- Unusual characteristics of the Petitioned Area and surrounding region include: 1) Petitioned Area impacted by multiple school closures in*

past 12 years; 2) the Petitioned Area is geographically closer to USD 115 attendance centers (Seneca) than USD 113 attendance centers (Sabetha, Axtell); 3) vast majority of students in proposed area to be transferred already attend USD 115, even though they reside in USD 113; 4) during each of the last 12 years, the vast majority of students in the Petitioned Area have chosen to attend USD 115 out of district, representing an entire generation of K-12 students; 5) as recent as January 2023 (effective date of November 2022 bond issue), USD 115 has had to pass additional bond issues to support the continued influx of out-of-district students from the Petitioned Area; 6) for the past several years, USD 115 has operated at capacity as a result of the continued influx of out-of-district students from the Petitioned Area; and 7) while USD 115 has had to pass bond issues to support out-of-district students, USD 113 has cut ad valorem taxes due in part to the tax revenue derived from the Petitioned Area.

- | | | |
|------------|-----------|--|
| Yes | No | 6. Do a majority of the resident families that have school-age children desire to transfer? |
| Yes | No | 7. Do a majority of the resident families that do not have school-age children desire to transfer? |
| Yes | No | 8. Do a majority of the nonresident landowners support the transfer? |
| Yes | No | 9. If this a request for a transfer of land on which there are no resident families? |
| Yes | No | 10. Does the "receiving" district have a policy of not accepting out-of-district pupils? |
| | | <i>No, the district does not have such a policy and has accepted a vast majority of the USD 113 students residing in the proposed transferred land for several years. However, due to the influx in students residing in portions of USD 113, the receiving district USD 115 is operating at capacity and had to decline enrollment to 10 out-of-district students in the 2022-2023 school year.</i> |
| Yes | No | 11. If the "receiving" district accepts out-of-district pupils, does it charge tuition? If so, how much? _____
Who pays it? _____ |
| Yes | No | 12. Will the "receiving" district board permit its buses to enter other districts to pick up children at their homes if permission is granted? |
| Yes | No | 13. Does the "giving" district board permit buses of the "receiving" district to enter the petitioned area to pick up children? |

Yes No 14. Will the "receiving" district permit buses of the "giving" district or other districts to enter its boundaries to pick up children?

Yes No 15. Are all or any of the pupils residing in the petitioned area attending school in the district of their choice? If yes, explain.

As of the 2022-2023 school year, 78 of 104 (75%) of students residing in the Petitioned Area attend USD 115 as out-of-district students.

Yes No 16. Do any pupils who reside in the petitioned area and attend school in the "receiving" district live more than a mile from a "receiving" district bus pickup point or the attendance facility of each district? If yes, explain.

Majority of students live more than one mile from attendance facilities in both districts. Nearly all students in the Petitioned Area live closer to attendance centers in USD 115 than attendance centers in USD 113.

Yes **No** 17. If the children of the petitioned area attend school in the "giving" district, are they required to walk more than a mile to board a district bus?

Yes No 18. Do physical conditions such as topography, roads, bridges, waterways, etc., make it more practical for the "receiving" district to serve the children in the petitioned area?

Yes, Petitioned Area is closer to USD 115 "receiving" district attendance centers than USD 113 "giving" district attendance centers and is contiguous with the current northern boundary of USD 115. Additionally, USD 115 attendance centers are accessible by the safest and most direct routes for students in the Petitioned Area, when compared routes to USD 113 attendance centers in Sabetha.

Yes No 19. Will an undue hardship be placed on pupils residing in the petitioned area if the transfer is **not** approved? If so, explain.

Yes, for the vast majority of students in the Petitioned Area (75% of resident students attend USD 115 out-of-district) ad valorem tax dollars for the land in the area will continue to be collected by USD 113, resulting in continued underfunding of resources for USD 115 pupils, while USD 113 is benefited from Petitioned Area technically within its ad valorem tax base. Additionally, if the transfer is not approved, the vast majority of students in the Petitioned Area will attend a district (USD 115) that does not receive transportation funding for transporting those

students, necessitating USD 115 to allocate other budgeted moneys to transportation instead of expanding educational services.

- Yes **No** 20. Would the transfer of the petitioned area and loss of enrollment or valuation impose a substantial financial hardship on the "giving" district?

It is not anticipated that USD 113 will lose enrollment as a result of the transfer. Most families in the area have enrolled in the district with the closest attendance center (USD 115), and that factor would not change as a result of this land transfer.

- Yes **No** 21. Would the proposed transfer impair the ability of the "giving" district to offer and teach thirty units of credit?

- Yes** No 22. Are the schools of both districts accredited? If not, explain.

- Yes **No** 23. Would a transfer of the petitioned area separate more than ¼ of the territory and taxable tangible valuation of the "giving" school district as it was constituted at time of unification?

- Yes** No 24. Are there reasons for requesting the transfer other than the educational needs of the children, such as an anticipated bond election in the "giving" district or a considerable higher tax levy in the "giving" district?

1) The vast majority of families with enrolled students in the Petitioned Area do not have representation on the school board of their enrolled district.

2) USD 115 residents have had to pass additional bond issues to support the additional "at-capacity" strain put on USD 115 resources and facilities as a result of 75% of students in the Petitioned Area attending USD 115. This has resulted in regional inequities accruing to the benefit of USD 113 that is underserving the Petitioned Area while continuing to derive tax revenue from that area.

- Yes** No 25. Would a transfer substantially lessen the distance most pupils living in the petitioned area have to travel to school?

Yes, the Petitioned Area is closer in proximity to the attendance center in USD 115 (Seneca) versus the attendance centers in USD 113 (Sabetha, Axtell).

Yes No 26. Are the pupils proposed to be transferred former students of a school closed by the "giving" district?

Yes, the pupils residing in land to be transferred previously attended schools closed by USD 113 in Bern (2013). USD 115 also received several students in 2023 as a result of USD 113's decision to close the Wetmore attendance district (2023).

27. What is the assessed valuation of the petitioned area?

\$14,335,977.00	REAL ESTATE
\$977,678.00	PERSONAL PROPERTY
\$2,046,002.00	PUBLIC UTILITY
\$16,359,657.00	TOTAL ASSESSED VALUATION

28. Briefly describe how each of the factors listed in subsection (d) of K.S.A. 72-532 impacts the request for transfer of territory. (**Statutory factors listed in bold**, *Petitioner statements listed in italics.*)

K.S.A. 72-532(d) Prior to issuing an order, the state board shall consider the following:

(1) City boundaries and the area within three miles surrounding any city with more than one district in the area;

Seneca is the county seat of Nemaha County and the District Headquarters of USD 115. The Petitioned Area is completely within Nemaha County. The Petitioned Area, including the city of Bern (site of the 2012 school closure), is closer in driving distance and time to Seneca, Kansas, than it is to Sabetha, Kansas, site of USD 113 District Office and attendance centers. Sabetha is a city in Nemaha and Brown Counties. None of the Petitioned Area is within Brown County. The City of Bern, Kansas is in Nemaha County and completely within the Petitioned Area.

(2) available capacity of districts involved in the territory transfer to serve existing or additional students;

USD 115 is already serving 75% of students in the Petitioned Area as out-of-district enrollees. This land transfer is sought to better reflect the clear enrollment trends, family preferences, and landowner preferences in the Petitioned Area.

In November 2022, USD 115 electors approved a \$24 million bond issue to expand capacity of its attendance centers in Seneca, Kansas. USD 115 is currently operating at capacity due to the influx in students from the Petitioned Area over the past several

years. Anticipated to be completed in August 2024, the infrastructure upgrade and expansion will accommodate additional students as more families chose to attend USD 115 due to regional practicalities.

(3) condition and age of buildings and physical plant;

USD 115's November 2022 \$24 million bond issue has financed an extensive renovation and expansion project for its attendance centers in Seneca, Kansas, which is anticipated to be completed in August 2024.

The renovation and expansion project includes: 1) expanded early childhood and elementary school facilities, including classrooms, support space, cafeteria expansion, playground and parking expansion, and direct street access; 2) existing high school renovation, including classroom, restroom, locker room, tech building, band room, special education room renovation, as well as HVAC, fire alarm, mechanical systems, and site/sidewalk upgrades; and 3) new high school construction, including new classrooms, STEM facilities, secured main entry and office, and other site/sidewalk/access upgrades.

(4) overall costs including renovation of existing buildings versus construction;

USD 115's November 2022 \$24 million bond issue has financed an extensive renovation and expansion project for its attendance centers in Seneca, Kansas, which is anticipated to be completed in August 2024. The infrastructure upgrade and expansion will accommodate additional students as more families chose to attend USD 115 due to regional practicalities.

Construction progress of the bond issue upgrades is available at <https://www.usd115.org/o/usd115/page/construction-progress>.

(5) cost of bussing;

As families from the Petitioned Area have enrolled out-of-district in USD 115, USD 115 has bussed the students in the Petitioned Area to Nemaha Central attendance centers, while receiving no transportation funding from the state. Upon transfer, USD 115 will be eligible for transportation funding as the home district of this area. USD 115 has purchase additional vehicles and busses to accommodate the transportation of its students, including out-of-district students in the Petitioned Area for whom the district does not receive transportation funding.

(6) food service;

Upgrades to USD 115 attendance center cafeterias included in the \$24 million bond issue upgrades expected to be completed in August 2024 will enhance accommodation of the 75% of students in the Petitioned Area already attending USD 115.

(7) administration and teachers;

USD 115 has accommodated the now 78 of 104 students living in the Petitioned Area for several years with existing staff resources. Transfer of the Petitioned Area to USD 115 would allow the district to derive ad valorem revenue from this area, ensuring that expanded local option budget revenues can support overall budget strategies that prioritize educational services provided by USD 115 administration and teachers.

(8) areas of interest including access and distances for parents to travel to participate in student activities;

The vast majority of students residing in the Petitioned Area (75%) already attend USD 115, and those families share governmental, cultural, religious, recreational, economic, and other affinities with Nemaha County residents. The Nemaha County seat and USD 115 district and school facilities is Seneca, Kansas, and the Petitioned Area is closer in driving distance and time to Seneca, Kansas than to similar resources in Sabetha, Kansas, the site of USD 113 district and school headquarters. Additionally, residences in the Petitioned Area access Seneca, Kansas on more safe and direct routes compared to access to Sabetha, Kansas, given that Seneca is accessible by a well-maintained state highway, while the most direct route to Sabetha is accessed by a county road with no dividing lines. The parcels of the Petitioned Area closest to Sabetha are still equal in distance and time to Seneca, while the vast majority of parcels within the Petitioned Area are closer to Seneca.

(9) matters of commerce, including regular shopping areas, meeting places, community activities and youth activities;

Nemaha County Seat. The Petitioned Area exists completely within the northern and eastern parts of Nemaha County, Kansas. The county seat of Nemaha County is Seneca, Kansas. Seneca, Kansas is also the location of the USD 115 District Office and attendance centers, including Nemaha Central High School, Nemaha Central Elementary and Middle School, and Marshall-Nemaha Special Education Co-op. As a result, the center for public and governmental activities for families and landowners in the Petitioned Area is Seneca, Kansas, where families in the Petitioned Area pay their taxes, register their vehicles, and vote. Additionally, families and students in the Petitioned Area obtain and renew their driving permits and licenses at the DMV extension at the Nemaha County Treasurer's Office in Seneca, Kansas.

Shopping. Bern, Kansas and rest of the Petitioned Area do not have a grocery store, so most families from the Petitioned Area do grocery and other daily shopping in and around Seneca.

Hospital. Nemaha Valley Community Hospital is in Seneca, Kansas, and is closer to the parcels in the Petitioned Area than other area hospitals, including Sabetha Community Hospital.

Family and Youth Activities. The Petitioned Area is closer to centralized family and youth activities in the area's home county seat in Seneca than similar resources and activities in Sabetha. The Seneca Aquatic Center, 4-H and the Nemaha County Fair, all service the families in the Petitioned Area. Families in the Petitioned Area access Parks and Recreation activities like youth and adult basketball, baseball, softball, blastball, flag football, t-ball, soccer, and volleyball, before eventually beginning middle school and high school sports at USD 115 Nemaha Central. Additionally, many families from the Petitioned Area attend worship or other religious services in and around Seneca, including NorthRidge Church, Seneca United Methodist Church, Saints Peter and Paul Catholic Church, and New Hope Baptist Church.

Catholic K-8 School. Saints Peter and Paul Catholic School is a K-8 Catholic parochial school in Seneca, Kansas. Graduating eighth graders from this school attend USD 115 Nemaha Central for high school. The Petitioned Area has been home to many of these families historically, and the Petitioned Area currently has two students attending Saints Peter and Paul Catholic School in Seneca who are expected to attend USD 115 for high school.

(10) districts that are landlocked with changing demographics that cause declining enrollment; and

As a result of school closures in Bern (2013) and Wetmore (2023), as well as other demographic and geographical factors, USD 113 (giving district) has experienced declining enrollment in the Petitioned Area as the vast majority (75%) of students in the Petitioned Area have enrolled out-of-district in USD 115. The original inclusion of the Petitioned Area in USD 113 as a result of USD 113's consolidation with former USD 488 Axtell-Bern-Summerfield in 2010 no longer reflects the enrollment trends of the region, especially after USD 113's closure of the Bern attendance centers in 2013.

Beginning in FY 2012-2013, USD 115 had 55 out-of-district students, nearly all of whom resided in the Petitioned Area. That number dropped to 41 in FY 2013-14, before steadily climbing each year. Between 2018 and 2023, USD 115 has educated an average of 84 out-of-district students, the vast majority of which have been from the Petitioned Area due to proximity and various other factors discussed herein.

USD 113 attendance centers in Axtell and Sabetha have not been feasible educational options for the vast majority of students in the Petitioned Area since 2013, a reality

that is reaffirmed and renewed every enrollment year when new families and students in the Petitioned Area choose to enroll in USD 115.

(11) effect on students living in the area.

As a result of the variety of factors discussed above, the vast majority of families and students in the Petitioned Area have chosen to enroll in USD 115 for the past 10+ years. These enrollment trends have grown despite the complete lack of transportation funding and ad valorem revenue USD 115 derives from the Petitioned Area. The transfer of the Petitioned Area to USD 115 would have significant positive effects on the students and families in the Petitioned Area since the school district servicing most students in the area would receive more equitable funding streams to enhance and expand educational resources.

The foregoing shall not be deemed to limit the factors which the state board of education may consider.

Additional factors in favor of land transfer include, but are not limited to: 1) ability for families in Petitioned Area to have democratic representation on school board issues in USD 115; 2) ability for families and landowners to see their ad valorem tax revenues support the school district (USD 115) educating vast majority of students in the area; 3) inclusion of Petitioned Area in USD 115 would create a more proportionate radial geographical layout of the district, giving that Seneca, Kansas is in the center of the proposed new district lines for USD 115; 4) periodic adjustment of school district lines is consistent with other governmental redistricting principles, including decennial census considerations mandated by United States and state law; 5) approval of land transfer correcting the development of chronic “out-of-district” enrollment trends in USD 115 would incentivize other districts in state to “wait and see” before petitioning for land transfer based on a singular event; 6) equitable distribution of land that reflects short- and long-term enrollment trends and landowner preferences in the Petitioned Area.

**COMPARISON OF DISTRICTS
(BEFORE TRANSFER)**

		USD No. <u>115</u>	USD No. <u>113</u>
Area (Sq. Miles):		<u>222</u>	<u>543</u>
Enrollment:		<u>636*</u>	<u>921</u>
Assessed Valuation:		<u>\$102,867,878</u>	<u>\$148,651,979</u>
Tax Levy:		<u>58.302</u>	<u>48.261</u>
Teachers (FTE):		<u>62.00</u>	<u>76.7</u>
Enrollment by Grade:	K	<u>52</u>	<u>72</u>
	1	<u>56</u>	<u>71</u>
	2	<u>45</u>	<u>69</u>
	3	<u>46</u>	<u>76</u>
	4	<u>43</u>	<u>64</u>
	5	<u>44</u>	<u>73</u>
	6	<u>41</u>	<u>69</u>
	7	<u>32</u>	<u>66</u>
	8	<u>52</u>	<u>69</u>
	9	<u>68</u>	<u>62</u>
	10	<u>56</u>	<u>62</u>
	11	<u>49</u>	<u>75</u>
	12	<u>52</u>	<u>68</u>

**USD 115 serves at least 78 of the 104 students (75%) who live in the petitioned USD 113 territory. The majority of these students transferred to USD 115 due to either the Bern or Wetmore school closures.*

**COMPARISON OF DISTRICTS
(AFTER TRANSFER)
ESTIMATE**

		USD No. <u>115</u>	USD No. <u>113</u>
Area (Sq. Miles):		<u>299.71</u>	<u>465.29</u>
Enrollment:		<u>636*</u>	<u>921</u>
Assessed Valuation:		<u>\$117,203,855</u>	<u>\$134,316,002</u>
Tax Levy:		<u>58.302</u>	<u>48.261</u>
Teachers (FTE):		<u>62.00</u>	<u>76.7</u>
Enrollment by Grade:	K	<u>52</u>	<u>72</u>
	1	<u>56</u>	<u>71</u>
	2	<u>45</u>	<u>69</u>
	3	<u>46</u>	<u>76</u>
	4	<u>43</u>	<u>64</u>
	5	<u>44</u>	<u>73</u>
	6	<u>41</u>	<u>69</u>
	7	<u>32</u>	<u>66</u>
	8	<u>52</u>	<u>69</u>
	9	<u>68</u>	<u>62</u>
	10	<u>56</u>	<u>62</u>
	11	<u>49</u>	<u>75</u>
	12	<u>52</u>	<u>68</u>

**USD 115 serves at least 78 of the 104 students (75%) who live in the petitioned USD 113 territory. The majority of these students transferred to USD 115 due to either the Bern or Wetmore school closures.*

LEGAL DESCRIPTION FOR DISTRICT BOUNDARY MODIFICATION BETWEEN
UNIFIED SCHOOL DISTRICTS NO.113 AND NO.115.

MARSHALL AND NEMAHA COUNTIES

NEW OVERALL BOUNDARY U.S.D. NO.115

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M., ALSO BEING THE CORNER OF MARSHALL AND NEMAHA COUNTIES AND THE KANSAS-NEBRASKA STATE LINE; THENCE EAST 16 MILES ALONG THE KANSAS-NEBRASKA STATE LINE TO THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 7 MILES TO THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 2 MILES; THENCE SOUTH 11 MILES TO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST 1 ½ MILES; THENCE SOUTH 1 MILE; THENCE WEST ½ MILE TO THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 2 MILES; THENCE WEST 2 MILES TO THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH 1 MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ¼ MILE; THENCE WEST ½ MILE; THENCE NORTH ¼ MILE; THENCE WEST 3 MILES; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE SOUTH ½ MILE; THENCE EAST ¼ MILE; THENCE SOUTH ¼ MILE; THENCE EAST ¼ MILE; THENCE SOUTH ¼ MILE; THENCE WEST 1 MILE TO THE CENTER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 12 EAST OF THE 6TH P.M.; THENCE NORTH 3 MILES; THENCE EAST ½ MILE; THENCE NORTH 2 ½ MILES TO THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 12 EAST OF THE 6TH P.M.; THENCE WEST 2 MILES; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST 1 MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST 1 MILE; THENCE SOUTH ½ MILE; THENCE WEST ½ MILE; THENCE SOUTH ½ MILE; THENCE WEST 1 MILE TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE SOUTH 1 MILE; THENCE WEST ½ MILE; THENCE SOUTH ½ MILE; THENCE WEST 1 MILE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE NORTH 2 MILES; THENCE WEST 1 MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE SOUTH ½ MILE ALONG SAID COUNTY LINE; THENCE WEST ½ MILE; THENCE NORTH 1 ½ MILES TO THE CENTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE EAST ½ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE NORTH ½ MILE ALONG SAID COUNTY LINE; THENCE WEST ½ MILE; THENCE NORTH 1 MILE; THENCE EAST ½ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE NORTH 1 MILE ALONG SAID COUNTY LINE TO THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE WEST ¾ MILE; THENCE NORTH ½ MILE; THENCE EAST ¾ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE NORTH 1 ½ MILES ALONG SAID COUNTY LINE; THENCE EAST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE TO

THE MARSHALL AND NEMAHA COUNTY LINE; THENCE NORTH ½ MILE ALONG SAID COUNTY LINE TO THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE EAST ¾ MILE; THENCE NORTH 1 ½ MILES; THENCE EAST ¾ MILE; THENCE NORTH ½ MILE; THENCE EAST ¾ MILE; THENCE NORTH 1 MILE; THENCE EAST ¼ MILE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE SOUTH ¼ MILE; THENCE WEST ½ MILE; THENCE SOUTH ¼ MILE; THENCE WEST 1 ½ MILES TO THE MARSHALL AND NEMAHA COUNTY LINE AND TO THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE NORTH 5 MILES ALONG THE MARSHALL AND NEMAHA COUNTY LINE TO THE POINT OF BEGINNING.

THE ABOVE CONTAINS 304.61 SQUARE MILES, MORE OR LESS.

I, JESSE A. NOLL, PROFESSIONAL SURVEYOR, KANSAS LICENSE #1711, DO HEREBY CERTIFY THAT THE REVISED BOUNDARY DESCRIPTION SET FORTH ABOVE IS A TRUE AND CORRECT DESCRIPTION OF THE OFFICIAL BOUNDARY OF UNIFIED SCHOOL DISTRICT NO. 115 IN THE EVENT THE PROPOSED PETITION/AGREEMENT TO TRANSFER TERRITORY FROM UNIFIED SCHOOL DISTRICT NO. 113 TO UNIFIED SCHOOL DISTRICT NO. 115 IS APPROVED BY THE STATE BOARD OF EDUCATION.



LEGAL DESCRIPTIONS FOR DISTRICT BOUNDARY MODIFICATION BETWEEN
UNIFIED SCHOOL DISTRICTS NO.113 AND NO.115.

MARSHALL, NEMAHA, BROWN, AND JACKSON COUNTIES

NEW OVERALL BOUNDARY U.S.D. NO.113

(WEST AREA – 128.61 SQUARE MILES, MORE OR LESS)

BEGINNING AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE 6TH P.M.; THENCE EAST 14 MILES ALONG THE KANSAS-NEBRASKA STATE LINE TO THE MARSHALL AND NEMAHA COUNTY LINE AND THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE SOUTH 5 MILES ALONG SAID COUNTY LINE TO THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE EAST 1 ½ MILES; THENCE NORTH ¼ MILE; THENCE EAST ½ MILE; THENCE NORTH ¼ MILE; THENCE EAST ½ MILE; THENCE SOUTH ½ MILE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE WEST ¼ MILE; THENCE SOUTH 1 MILE; THENCE WEST ¾ MILE; THENCE SOUTH ½ MILE; THENCE WEST ¾ MILE; THENCE SOUTH 1 ½ MILES; THENCE WEST ¾ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE AND THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 11 EAST OF THE 6TH P.M.; THENCE SOUTH ½ MILE ALONG SAID COUNTY LINE; THENCE EAST ½ MILE; THENCE SOUTH ½ MILE; THENCE WEST ½ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE SOUTH 1 ½ MILES ALONG SAID COUNTY LINE; THENCE WEST ¾ MILE; THENCE SOUTH ½ MILE; THENCE EAST ¾ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE AND THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE SOUTH 1 MILE ALONG SAID COUNTY LINE; THENCE WEST ½ MILE; THENCE SOUTH 1 MILE; THENCE EAST ½ MILE TO THE MARSHALL AND NEMAHA COUNTY LINE; THENCE SOUTH ½ MILE ALONG SAID COUNTY LINE; THENCE WEST ½ MILE TO THE CENTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE SOUTH 1 ½ MILES; THENCE WEST 3 ½ MILES; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ¼ MILE; THENCE EAST ½ MILE; THENCE NORTH ¼ MILE TO THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE WEST 1 ½ MILES; THENCE SOUTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE TO THE CENTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE EAST 1 MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE TO THE CENTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE NORTH ½ MILE; THENCE EAST ½ MILE; THENCE NORTH 3 MILES TO THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 10 EAST OF THE 6TH P.M.; THENCE WEST ½ MILE; THENCE NORTH 2 ½ MILES TO THE CENTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE EAST ½ MILE; THENCE NORTH ¼ MILE; THENCE WEST ½ MILE; THENCE SOUTH ¼ MILE; THENCE WEST ½ MILE; THENCE NORTH ½ MILE TO THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE WEST 2

MILES; THENCE NORTH 1 MILE; THENCE EAST $\frac{1}{2}$ MILE; THENCE NORTH $\frac{3}{4}$ MILE; THENCE EAST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{4}$ MILE; THENCE EAST $\frac{1}{2}$ MILE TO THE CENTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $1\frac{1}{4}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{4}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST $1\frac{1}{2}$ MILES TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH 1 MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE TO THE CENTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE NORTH 1 MILE; THENCE WEST 1 MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{2}$ MILE TO THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE NORTH $\frac{1}{4}$ MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{4}$ MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH 2 MILES; THENCE EAST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE TO THE CENTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 9 EAST OF THE 6TH P.M.; THENCE WEST $1\frac{1}{2}$ MILES; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{3}{4}$ MILE; THENCE NORTH 1 MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH 1 MILE TO THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE NORTH 1 MILE; THENCE EAST $\frac{1}{2}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{2}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE TO THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE 6TH P.M.; THENCE WEST $1\frac{1}{2}$ MILES; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE NORTH 1 MILE; THENCE EAST 2 MILES; THENCE NORTH $\frac{1}{4}$ MILE; THENCE EAST 1 MILE; THENCE NORTH $\frac{1}{4}$ MILE TO THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE 6TH P.M.; THENCE WEST $\frac{1}{2}$ MILE; THENCE NORTH 1 MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE NORTH 1 MILE TO THE POINT OF BEGINNING.

AND

(EAST AREA – 178.51 SQUARE MILES, MORE OR LESS)

BEGINNING AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 8 MILES ALONG THE KANSAS-NEBRASKA STATE LINE TO THE NEMAHA AND BROWN COUNTY LINE; THENCE CONTINUING EAST 6 MILES ALONG THE KANSAS-NEBRASKA STATE LINE TO THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{2}$ MILE TO THE CENTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{2}$ MILE TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{2}$ MILE TO THE CENTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE NORTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $1\frac{1}{2}$ MILES; THENCE SOUTH 1 MILE TO THE CENTER OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE WEST $1\frac{1}{2}$ MILES; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST 1 MILE; THENCE SOUTH 1 MILE; THENCE WEST 1 MILE; THENCE SOUTH $\frac{1}{2}$ MILE TO THE

NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH 1 MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST 1 MILE; THENCE SOUTH 1 MILE TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE EAST $1\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{3}{4}$ MILE; THENCE SOUTH $1\frac{1}{2}$ MILES TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 16 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST $1\frac{1}{2}$ MILES; THENCE NORTH $\frac{1}{2}$ MILE; THENCE WEST 1 MILE; THENCE SOUTH $\frac{1}{2}$ MILE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE WEST 1 MILE; THENCE SOUTH $4\frac{1}{2}$ MILES; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST 1 MILE TO THE NEMAHA AND BROWN COUNTY LINE; THENCE SOUTH $\frac{1}{4}$ MILE ALONG SAID COUNTY LINE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{4}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{4}$ MILE TO THE CENTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 14 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{2}$ MILE TO THE NEMAHA AND BROWN COUNTY LINE; THENCE SOUTH $2\frac{1}{2}$ MILES ALONG SAID COUNTY LINE; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $2\frac{1}{4}$ MILES TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE SOUTH 1 MILE; WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{4}$ MILE; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{3}{4}$ MILE TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE EAST APPROXIMATELY $\frac{9}{16}$ MILE TO HIGHWAY 75; THENCE SOUTH $\frac{1}{2}$ MILE ALONG SAID HIGHWAY 75; THENCE EAST APPROXIMATELY $1\frac{7}{16}$ MILES TO THE CENTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE SOUTH $1\frac{3}{4}$ MILES; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{3}{4}$ MILE TO THE BROWN AND JACKSON COUNTY LINE; THENCE WEST $1\frac{1}{4}$ MILES ALONG SAID COUNTY LINE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH $1\frac{1}{2}$ MILES TO THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST 2 MILES; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{2}$ MILE TO THE NEMAHA AND JACKSON COUNTY LINE AND TO THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE ALONG SAID COUNTY LINE; THENCE WEST $\frac{1}{2}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE EAST $\frac{1}{4}$ MILE; THENCE SOUTH 1 MILE; THENCE EAST $\frac{1}{4}$ MILE TO THE NEMAHA AND JACKSON COUNTY LINE AND TO THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE ALONG SAID COUNTY LINE; THENCE EAST 1 MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE TO THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{1}{4}$ MILE; THENCE SOUTH $\frac{1}{2}$ MILE; THENCE WEST $\frac{3}{4}$ MILE; THENCE NORTH 1 MILE TO THE NEMAHA AND JACKSON COUNTY LINE; THENCE WEST $2\frac{1}{4}$ MILES ALONG SAID COUNTY LINE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE

6TH P.M.; THENCE NORTH ½ MILE; THENCE WEST 1 ¼ MILES; THENCE NORTH ½ MILE; THENCE WEST ¼ MILE; THENCE SOUTH ¾ MILE; THENCE EAST 1 MILE; THENCE SOUTH ¼ MILE TO THE NEMAHA AND JACKSON COUNTY LINE AND TO THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE 6TH P.M.; THENCE WEST 3 MILES ALONG SAID COUNTY LINE; THENCE NORTH 1 MILE; THENCE WEST 1 MILE; THENCE NORTH ½ MILE; THENCE WEST ¼ MILE; THENCE NORTH ½ MILE; THENCE EAST ¼ MILE TO THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE NORTH ¼ MILE; THENCE EAST ¼ MILE; THENCE NORTH ¼ MILE; THENCE EAST ¼ MILE; THENCE NORTH ½ MILE; THENCE WEST 1 MILE TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE SOUTH ¼ MILE; THENCE WEST ½ MILE; THENCE SOUTH ¼ MILE; THENCE WEST 1 MILE; THENCE NORTH ½ MILE; THENCE EAST ½ MILE; THENCE NORTH ½ MILE TO THE CENTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST ½ MILE; THENCE SOUTH ½ MILE; THENCE WEST 1 MILE; THENCE NORTH 2 MILES; THENCE EAST ½ MILE; THENCE NORTH ½ MILE TO THE CENTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST ½ MILE; THENCE NORTH ½ MILE; THENCE WEST ½ MILE; THENCE NORTH 1 MILE; THENCE EAST ½ MILE; THENCE NORTH 2 MILES TO THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST 2 MILES; THENCE NORTH 2 MILES TO THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE EAST ½ MILE; THENCE NORTH 1 MILE; THENCE EAST 1 ½ MILE TO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE NORTH 11 MILES TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 13 EAST OF THE 6TH P.M.; THENCE WEST 2 MILES; THENCE NORTH 7 MILES TO THE POINT OF BEGINNING.

THE ABOVE EAST AND WEST DESCRIPTIONS CONTAIN 307.12 SQUARE MILES, MORE OR LESS, IN TOTAL.

I, JESSE A. NOLL, PROFESSIONAL SURVEYOR, KANSAS LICENSE #1711, DO HEREBY CERTIFY THAT THE REVISED BOUNDARY DESCRIPTION SET FORTH ABOVE IS A TRUE AND CORRECT DESCRIPTION OF THE OFFICIAL BOUNDARY OF UNIFIED SCHOOL DISTRICT NO. 113 IN THE EVENT THE PROPOSED PETITION/AGREEMENT TO TRANSFER TERRITORY FROM UNIFIED SCHOOL DISTRICT NO. 113 TO UNIFIED SCHOOL DISTRICT NO. 115 IS APPROVED BY THE STATE BOARD OF EDUCATION.



Resolution 2024-004

**A RESOLUTION AUTHORIZING FILING OF PETITION WITH KANSAS STATE
BOARD OF EDUCATION FOR THE TRANSFER OF CERTAIN LAND
FROM USD 113 (PRAIRIE HILLS) TO USD 115 (NEMAHA CENTRAL)**

WHEREAS, the USD 115 Board of Education meeting in regular session on February 12, 2024 has considered the matter of petitioning the Kansas State Board of Education pursuant to K.S.A. 72-532 regarding the transfer of certain land as described on Exhibit A attached hereto ("Petitioned Area") from USD 113 (Prairie Hills) to USD 115 (Nemaha Central);

WHEREAS, representatives of USD 115 engaged USD 113 in mediation pursuant to K.S.A. 72-530 on December 5 and 6, 2023, but mediation was unsuccessful;

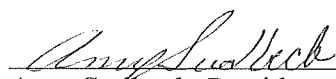
WHEREAS, upon due consideration, the USD 115 Board of Education has determined that it is in the best interests of its students, including the at least 78 students attending USD 115 who live in the Petitioned Area of the 104 total students living in such area, to seek the transfer of such land;

WHEREAS, having considered the chronic inequities burdening USD 115 taxpayers as a result of USD 115 educating 75% of students in the Petitioned Area, while USD 113 has annually kept 100% of the *ad valorem* tax revenue from the same area for the past 11 years;

WHEREAS, in November 2022, USD 115 passed a bond issue to support district infrastructure and facilities that are functioning at capacity as a result of the influx in students residing in the Petitioned Area who attend USD 115;

NOW THEREFORE, having duly reviewed and considered the Petition By Board of Education of School District No. 115 for Transfer of Territory prepared by USD 115 legal counsel, the USD 115 Board of Education now authorizes the signing and filing of such petition with accompanying exhibits by the USD 115 Board of Education President.

RESOLVED this 12th day of February, 2024, by the USD 115 Board of Education:



Amy Sudbeck, President (Position 1)



Cara Baker, Vice President (Position 2)

VACANT (Position 3)



Jason Kramer, Board Member (Position 4)



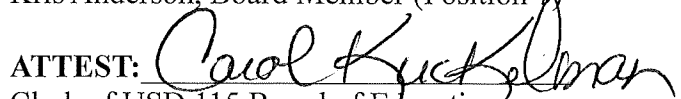
Tory Jost, Board Member (Position 5)



John Deters, Board Member (Position 6)



Kris Anderson, Board Member (Position 7)

ATTEST: 

Carol Kuckelman
Clerk of USD 115 Board of Education