



Johnson County, Kansas

April 3, 1998

RE: Sanitary Sewer Inspections

Dear

I have been informed by the Johnson County Unified Wastewater Districts that they have not received any response from the letter dated March 23, 1998, from Richard J. Lind, Deputy County Counselor. This letter requested your cooperation in allowing an inspection of the sewer facilities on your property to determine if any storm or ground water was entering the sanitary sewers. While you may not have experienced basement flooding, this could cause flooding for someone near you.

The third paragraph of the March 23, 1998, letter, which was the fourth such letter sent to your address concerning this matter stated; "Please be advised that in the event you fail to act, in accordance with the directions of this letter, then this office intends to take all necessary legal action available in order to compel involuntary access to your property for purposes of conducting the inspection. As such, you may wish to obtain private legal counsel to assist and advise you concerning your legal rights and obligations."

Therefore, in accordance with the paragraph above, a lawsuit will be filed on May 6, 1998, against you in District Court of Johnson County to require your compliance with the Code of Regulations for Private Infiltration/Inflow, 1992 Edition, adopted by Resolution No. W.D. 92-22.

It is with reluctance that we take this action; however, as over 51,000 other homes and buildings within the sewer system have been voluntarily inspected, we must pursue this Court action to complete the program.

If you wish to avoid being named a defendant to this lawsuit, please contact Jim Doleshal, Johnson County Unified Wastewater Districts, 681-3200, Ext. 2105, prior to May 6, 1998, to arrange a voluntary inspection. Otherwise, you may expect to be receiving your summons to answer as a party to the lawsuit shortly thereafter.

Sincerely,

Roger L. Tarbutton
Assistant County Counselor

cc: Board of County Commissioners
E. H. Denton, County Administrator
Don Jarrett, Chief Counsel
Douglas L. Smith, Wastewater Administrator
John A. Metzler, Chief Engineer
Ron Thomann, I/I Coordinator
Jim Doleshal, Senior I/I Inspector