

**FREE LOTS FOR RESIDENTIAL CONSTRUCTION
PEABODY, KANSAS**

Terms and Conditions for qualifying for this program will include, upon the successful completion and approval of application and executed binding agreement:

1. Applicants must be willing to:
 - Build a new house within 18 months of approval date;
 - Sign with a contractor within 3 months of approval date;
 - Break ground within 6 months of approval date; and
 - Complete construction and final occupancy within 18 months of approval date.
2. Proposed residential structure must:
 - be of new construction;
 - sit on a poured concrete foundation (i.e., crawl space or basement);
 - contain a minimum of 1,000 square feet on the main floor; and
 - possess a roof pitch minimum ratio of 5:12.
3. Any cost associated with preparing the lot for construction will be the responsibility of the home builder.
4. No mobile or titled homes are eligible for the Peabody Free Lot Program.
5. A complete application for a free lot must include pre-approval from your lender.
6. Failure to meet any of the terms and conditions herein may result in the assessment of a \$5,000.00 penalty fee to cover the cost of purchase of the parcel. In addition, applicants agree that the City may obtain injunctive relief against threatened conduct that violates these terms and conditions, under customary equity rules, including applicable rules for obtaining restraining orders and preliminary injunctions in Marion County District Court. Applicant agrees that the City may obtain such injunctive relief, without bond, but upon due notice, in addition to such further and other relief as may be available at equity or law, and further agrees that applicant's sole remedy in the event of the entry of such injunction, shall be the dissolution of such injunction, if warranted, upon hearing duly had, and all claims for damages by reason of the wrongful issuance of any such injunction are expressly waived hereby.
7. Approval of applications subject to City Council final approval to be determined within (30) days of the date on the application.
8. Selection criteria shall include:
 - total square footage of the house;
 - appraised value of the house;
 - number of people intended for the household; and
 - owner/occupancy considerations.

Dated: June 27, 2005.

CITY OF PEABODY, KANSAS

Application for Free Lots for Residential Construction

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| Date: | | | | | | | | | | | | | |
| Name: | | | | | | | | | | | | | |
| Current Address: | <input type="checkbox"/> Rent <input type="checkbox"/> Own | | | | | | | | | | | | |
| Telephone Number: | Home: _____ Work: _____ Cell: _____ _____ | | | | | | | | | | | | |
| Social Security Number: | | | | | | | | | | | | | |
| List all residences in the last 10 years [continue on separate sheet, if necessary]: | <table style="width: 100%; border: none;"> <tr> <td style="border: none;">_____</td> <td style="border: none; text-align: right;">Dates:</td> </tr> <tr> <td style="border: none;">_____ <input type="checkbox"/> Rent <input type="checkbox"/> Own</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none; text-align: right;">Dates:</td> </tr> <tr> <td style="border: none;">_____ <input type="checkbox"/> Rent <input type="checkbox"/> Own</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none; text-align: right;">Dates:</td> </tr> <tr> <td style="border: none;">_____ <input type="checkbox"/> Rent <input type="checkbox"/> Own</td> <td style="border: none;"></td> </tr> </table> | _____ | Dates: | _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | | _____ | Dates: | _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | | _____ | Dates: | _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | |
| _____ | Dates: | | | | | | | | | | | | |
| _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | | | | | | | | | | | | | |
| _____ | Dates: | | | | | | | | | | | | |
| _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | | | | | | | | | | | | | |
| _____ | Dates: | | | | | | | | | | | | |
| _____ <input type="checkbox"/> Rent <input type="checkbox"/> Own | | | | | | | | | | | | | |
| Current Employer: | No. of years: _____ | | | | | | | | | | | | |
| Lender: | | | | | | | | | | | | | |
| Pre-Approval Amount & Date: | | | | | | | | | | | | | |
| Name of Builder: | | | | | | | | | | | | | |
| Date Signed w/Contractor: | | | | | | | | | | | | | |
| Est. Date Ground Breaking: | | | | | | | | | | | | | |
| Est. Date of Completion: | | | | | | | | | | | | | |

I acknowledge that I have received, read and understand the "Requirements, Terms and Conditions of the Free Lots for Residential Construction, Peabody, Kansas," dated June 27, 2005. I further understand that lots will be delivered to qualified applicants, in the sole discretion of the City, based on the criteria set forth therein.

Signed: _____

Print Name: _____