

This Preliminary Official Statement and information contained herein are subject to completion or amendment without notice. These securities may not be sold nor an offer to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

**PRELIMINARY OFFICIAL STATEMENT DATED APRIL 29, 2024**

**NEW ISSUE – BOOK-ENTRY ONLY**

**RATING: S&P “\_\_\_”  
See “Ratings” herein**

*In the opinion of Bond Counsel, under existing law and assuming continued compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the “Code”): (1) the interest on the Notes [(including any original issue discount properly allocable to an owner thereof)] is excludable from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax; (2) the interest on the Notes is exempt from income taxation by the State of Kansas; and (3) the Notes have **not** been designated as “qualified tax-exempt obligations” within the meaning of Code § 265(b)(3). Bond Counsel notes that for tax years beginning after December 31, 2022, interest on the Notes may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax. See “TAX MATTERS” in this Official Statement. See “TAX MATTERS – Opinion of Bond Counsel” herein.*

**\$10,650,000\***  
**CITY OF MAIZE, KANSAS**  
**GENERAL OBLIGATION TEMPORARY NOTES**  
**SERIES 2024A**

**Dated: As of the Delivery Date shown below**

**Due: October 1, 2027**

The General Obligation Temporary Notes, Series 2024A (the “Notes”) will be issued by the City of Maize, Kansas (the “City” or “Issuer”), as fully registered Notes without coupons and, when issued, will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company (“DTC”), New York, New York. DTC will act as securities depository for the Notes. Purchases of the Notes will be made in book-entry form, in the denomination of \$5,000 or any integral multiples thereof (the “Authorized Denomination”) and shall be numbered in such manner as the Note Registrar shall determine. Purchasers will not receive certificates representing their interests in Notes purchased. So long as Cede & Co. is the registered owner of the Notes, as nominee of DTC, references herein to the Note owners or registered owners shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners (as herein defined) of the Notes. Principal will be payable at maturity or earlier redemption upon presentation and surrender of the Notes by the registered owners thereof at the office of the Treasurer of the State of Kansas, Topeka, Kansas, as note registrar and paying agent (the “Note Registrar” and “Paying Agent”). Interest on each Note will be payable semiannually on April 1 and October 1, commencing on October 1, 2024 to the persons who are registered owners of the Notes as of the close of business on the fifteenth day (whether or not a business day) of the calendar month preceding each interest payment date by check or draft of the Paying Agent mailed to such registered owner or, in the case of an interest payment to a registered owner of \$500,000 or more in aggregate principal amount of Notes, by electronic transfer. So long as DTC or its nominee, Cede & Co., is the Owner of the Notes, such payments will be made directly to DTC. DTC is expected, in turn, to remit such principal and interest to the DTC Participants (herein defined) for subsequent disbursement to the Beneficial Owners.

The Notes and the interest thereon will constitute general obligations of the Issuer, payable in part from special assessments levied upon the property benefited by the construction of certain public improvements (as hereinafter described in the section entitled “THE PROJECTS”) or from the proceeds of the Issuer's general obligation bonds, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer.

**MATURITY SCHEDULE\***

<u>Stated Maturity</u> <u>October 1</u> 2027	<u>Principal</u> <u>Amount*</u> \$10,650,000	<u>Interest</u> <u>Rate</u> _____%	<u>Yield</u> _____%	<u>CUSIP<sup>1</sup></u> <u>Base: 560687</u> _____
--	--	--	------------------------	--

(All plus accrued interest, if any)

<sup>1</sup>CUSIP data is provided by CUSIP Global Services, which is managed on behalf of the American Bankers Association by S&P Capital IQ, a subsidiary of The McGraw-Hill Companies, Inc, and is included solely for the convenience of the Owners of the Notes. Neither the Issuer nor the Underwriter shall be responsible for the selection or correctness of the CUSIP numbers set forth above.

The Notes may be called for redemption and payment prior to their Stated Maturity on October 1, 2025, and thereafter as a whole or in part at any time (selection of the amount of Notes to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date (see “THE NOTES – Redemption Provisions” herein).

The Notes are offered when, as and if issued by the Issuer, subject to the approval of legality by Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer. Certain other legal matters will be passed upon by Thomas R. Powell, Esq., counsel for the Issuer. It is expected that the Notes will be available for delivery through the facilities of the Depository Trust Company in New York, New York on or about June 20, 2024.

---

**BIDS WILL BE RECEIVED ON BEHALF OF  
THE CITY OF MAIZE, KANSAS BY:  
RANSON FINANCIAL GROUP, LLC  
ON JUNE 3, 2024 UNTIL 11:00 A.M. CT  
VIA PARITY®  
Or via  
FAX: (316) 265-5403 or EMAIL: [bids@ransonfinancial.com](mailto:bids@ransonfinancial.com)**

---

*THE COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. THE COVER PAGE IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE PRELIMINARY OFFICIAL STATEMENT, INCLUDING ALL APPENDICES ATTACHED HERETO TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION. “APPENDIX B - SUMMARY OF FINANCING DOCUMENTS” CONTAINS DEFINITIONS USED IN THIS PRELIMINARY OFFICIAL STATEMENT.*

\* Subject to change.

---

**IN CONNECTION WITH THIS OFFERING, THE UNDERWRITER MAY OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICES OF THE NOTES AT LEVELS ABOVE THOSE WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.**

**THE NOTES HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED. THE NOTES ARE OFFERED PURSUANT TO AN EXEMPTION FROM REGISTRATION WITH THE SECURITIES AND EXCHANGE COMMISSION. THE REGISTRATION, QUALIFICATION OR EXEMPTION OF THE NOTES IN ACCORDANCE WITH THE APPLICABLE SECURITIES LAW PROVISIONS OF THE JURISDICTIONS IN WHICH THESE SECURITIES HAVE BEEN REGISTERED, QUALIFIED OR EXEMPTED SHOULD NOT BE REGARDED AS A RECOMMENDATION THEREOF. NEITHER THESE JURISDICTIONS NOR ANY OF THEIR AGENCIES HAVE GUARANTEED OR PASSED UPON THE SAFETY OF THE NOTES AS AN INVESTMENT, UPON THE PROBABILITY OF ANY EARNINGS THEREON OR UPON THE ACCURACY OR ADEQUACY OF THIS PRELIMINARY OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.**

**THIS PRELIMINARY OFFICIAL STATEMENT CONTAINS STATEMENTS THAT ARE “FORWARD-LOOKING STATEMENTS” AS DEFINED IN THE PRIVATE SECURITIES LITIGATION REFORM ACT OF 1995. WHEN USED IN THIS OFFICIAL STATEMENT, THE WORDS “ESTIMATE,” “INTEND,” “EXPECT” AND SIMILAR EXPRESSIONS ARE INTENDED TO IDENTIFY FORWARD-LOOKING STATEMENTS. SUCH STATEMENTS ARE SUBJECT TO RISKS AND UNCERTAINTIES THAT COULD CAUSE ACTUAL RESULTS TO DIFFER MATERIALLY FROM THOSE CONTEMPLATED IN SUCH FORWARD-LOOKING STATEMENTS. READERS ARE CAUTIONED NOT TO PLACE UNDUE RELIANCE ON THESE FORWARD-LOOKING STATEMENTS, WHICH SPEAK ONLY AS OF THE DATE HEREOF.**

**THIS PRELIMINARY OFFICIAL STATEMENT IS DEEMED TO BE FINAL (EXCEPT FOR PERMITTED OMISSIONS) BY THE ISSUER FOR PURPOSES OF COMPLYING WITH RULE 15c2-12 OF THE SECURITIES AND EXCHANGE COMMISSION.**

**IN MAKING AN INVESTMENT DECISION INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE ISSUER AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED.**

---

**\$10,650,000\***  
**CITY OF MAIZE, KANSAS**  
**GENERAL OBLIGATION TEMPORARY NOTES**  
**SERIES 2024A**

**GOVERNING BODY**

Patrick Stivers, Mayor  
Jennifer Herington, Council President and Councilmember  
Jeff Hohnbaum, Council Member  
Dr. David Guo, Council Member  
Alex McCreath, Council Member  
Kevin Reid, Council Member

**CITY STAFF**

Nick Gregory, City Manager  
Joe Dessenberger, Deputy City Manager  
Tristin Terhune, Assistant City Manager  
Kelly Stephens, City Treasurer/Finance Officer  
Sue Villarreal, City Clerk

**CITY ATTORNEY**

Thomas R. Powell, Esq.  
Wichita, Kansas

**BOND COUNSEL**

Gilmore & Bell, P.C.  
Wichita, Kansas

**PAYING AGENT/BOND REGISTRAR**

Office of State Treasurer  
Topeka, Kansas

**FINANCIAL ADVISOR**

Ranson Financial Group, LLC  
Wichita, Kansas

**UNDERWRITER**

---

---

\* Subject to change.

No dealer, broker, salesman or other person has been authorized by the Issuer or the Underwriter to give any information or to make any representations with respect to the Notes other than those contained in this Preliminary Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by any of the foregoing. This Preliminary Official Statement does not constitute an offer to sell or the solicitation of an offer to buy the Notes by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein concerning the Issuer has been furnished by the Issuer and other sources which are believed to be reliable, but such information is not guaranteed as to accuracy or completeness, and is not to be construed as a representation, by the Underwriter. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Preliminary Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Issuer since the date hereof. This Preliminary Official Statement does not constitute a contract between the Issuer or the Underwriter and any one or more of the purchasers, Owners or Beneficial Owners of the Notes.

---

## TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION .....	1
THE NOTES .....	2
THE DEPOSITORY TRUST COMPANY.....	5
THE PROJECTS.....	7
SOURCES AND USES OF FUNDS .....	8
RISK FACTORS AND INVESTMENT CONSIDERATIONS .....	8
RATINGS.....	10
ABSENCE OF LITIGATION .....	10
LEGAL MATTERS .....	10
TAX MATTERS.....	11
FINANCIAL ADVISOR.....	12
UNDERWRITING.....	12
AUTHORIZATION OF PRELIMINARY OFFICIAL STATEMENT .....	12

APPENDIX A – INFORMATION CONCERNING THE ISSUER

APPENDIX B – AUDITORS’ REPORT FOR YEAR ENDED DECEMBER 31, 2022

APPENDIX C – SUMMARY OF FINANCING DOCUMENTS

APPENDIX D – FORM OF DISCLOSURE UNDERTAKING

**\$10,650,000\***  
**CITY OF MAIZE, KANSAS**  
**GENERAL OBLIGATION TEMPORARY NOTES**  
**SERIES 2024A**

**INTRODUCTION**

**General Matters**

The purpose of this Preliminary Official Statement is to furnish information relating to the City of Maize, Kansas (the “Issuer” or the “City”), and the General Obligation Temporary Notes, Series 2024A (the “Notes”), of the Issuer, dated June 20, 2024 (the “Dated Date”).

The Notes are being issued for the purpose of providing interim financing for certain internal improvements and to pay costs associated with the issuance of the Notes.

The Appendices to this Preliminary Official Statement are integral parts of this document, to be read in their entirety.

The Issuer is a municipal corporation duly organized and existing under the laws of the State of Kansas. Additional information regarding the Issuer is contained in APPENDIX A to this Preliminary Official Statement.

The material contained on the cover page, in the body and in the Appendices to this Preliminary Official Statement is to be read in their entirety. Except for the information expressly attributed to other sources, all information has been provided by the Issuer. The presentation of information herein, including tables of receipts from various taxes, is intended to show recent historic information, and is not intended to indicate future or continuing trends in the financial position or other affairs of the Issuer. No representation is made that past experience, as might be shown by such financial or other information, will necessarily continue or be repeated in the future. Bond Counsel has not assisted in the preparation of this Preliminary Official Statement. Except to the extent described under the sections captioned “LEGAL MATTERS,” Bond Counsel expresses no opinion as to the accuracy or sufficiency of any other information contained herein.

**Definitions**

Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in “*APPENDIX C – SUMMARY OF FINANCING DOCUMENTS.*”

**Continuing Disclosure**

The Securities and Exchange Commission (the “SEC”) has promulgated amendments to Rule 15c2-12 (the “Rule”), requiring continuous secondary market disclosure. In connection with the issuance of the Notes, the Issuer will enter into a continuing disclosure undertaking (the “Disclosure Undertaking”) wherein the Issuer covenants to annually provide certain financial information and operating data (collectively the “Annual Report”) and other information necessary to comply with the Rule, and to transmit the same to the MSRB. Pursuant to the Disclosure Undertaking, the Issuer has agreed to file its Annual Report with the national repository (“EMMA”) not later than August 1 of each year, commencing August 1, 2024. In the Note Resolution, hereinafter defined, the Issuer covenants with the Underwriter and the Beneficial Owners to apply the provisions of the Disclosure Undertaking to the Notes. This covenant is for the benefit of and is enforceable by the Beneficial Owners of the Notes.

The Issuer’s Annual Report filings for recent years are set forth on the table below, supplemented by additional filings as needed.

<b><u>Fiscal Year</u></b> <b><u>Ending December 31</u></b>	<b><u>Required</u></b> <b><u>Filing Date</u></b>	<b><u>Financial Information</u></b> <b><u>Filing Date</u></b>	<b><u>Operating Data</u></b> <b><u>Filing Date</u></b>
2018	06/29/2019	04/22/2019	06/25/2019
2019	06/28/2020	04/24/2020	07/23/2020 <sup>(1)</sup>
2020	06/29/2021	05/27/2021	06/01/2021
2021	06/29/2022	06/23/2022	06/23/2022
2022	06/29/2023	07/20/2023 <sup>(2)</sup>	07/20/2023 <sup>(2)</sup>
2023	06/29/2024	Not Yet Due	Not Yet Due

<sup>(1)</sup> A notice of failure to file on time was submitted on June 28, 2020.

<sup>(2)</sup> A notice of failure to file on time was submitted June 28, 2023; such notice included the Issuer’s draft audited financial statements; however, operating data was not included.

During the past five years, the City has made filings of event notices on EMMA with respect to bond calls, defeasances, and incurrences of financial obligations, however, during said time period, the City may not have made timely filings of event notices on EMMA relating to all bond calls, defeasances, ratings changes, or incurrences of financial obligations. The City believes this information was disseminated or available through other publicly available sources.

For more information regarding the Issuer's continuing disclosure undertaking, see “**APPENDIX D – FORM OF DISCLOSURE UNDERTAKING – THE DISCLOSURE UNDERTAKING.**”

### **Additional Information**

All of the summaries of statutes, opinions, financial and statistical data, and other related reports and documents described in this Preliminary Official Statement are subject to the actual provisions of such documents. The summaries do not purport to be complete statements of such provisions and reference is made to such documents, copies of which are either publicly available or available for inspection during normal business hours at the City Hall, 10100 Grady Ave., P.O. Box 245, Maize, Kansas 67101. Additional information regarding the Issuer, the City or the Notes may be obtained from the City’s Financial Advisor, Ranson Financial Group, LLC, 200 W. Douglas, Suite 600, Wichita, Kansas 67202, Attention: Larry Kleeman, by phone ((316) 264-3400) or e-mail ([larry@citycode.com](mailto:larry@citycode.com)).

## **THE NOTES**

### **Authority for the Notes**

The Notes are being issued pursuant to and in full compliance with the Constitution and statutes of the State of Kansas (the “State”), including K.S.A. 10-101 to 10-125, inclusive (specifically including K.S.A. 10-123), K.S.A. 12-6a01 *et seq.* (collectively, the “Act”), and a resolution adopted by the governing body of the Issuer on June 3, 2024 (the “Note Resolution”) for the purpose of paying a portion of the cost of certain internal improvements.

### **Security for the Notes**

The Notes shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefitted by the construction of certain public improvements (as hereinafter described in the section entitled “THE PROJECTS”) or from the proceeds of the Issuer's general obligation bonds, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The balance of the principal and interest on the Notes is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal of and interest on the Notes as the same become due.

### **Description of the Notes**

The Notes shall consist of fully registered [book-entry-only] Notes in the denomination of \$5,000 or any integral multiples thereof (the “Authorized Denomination”) and shall be numbered in such manner as the Note Registrar shall determine. All of the Notes shall be dated as of the Dated Date, shall become due in the amounts, on the Stated Maturity, subject to redemption and payment prior to their Stated Maturity, and shall bear interest at the rates per annum set forth on the cover page of this Official Statement. The Notes shall bear interest (computed on the basis of twelve 30 day months) from the later of the Dated Date or the most recent Interest Payment Date to the Stated Maturity or prior redemption in the manner hereinafter set forth.

### **Designation of Paying Agent and Note Registrar**

The Issuer will at all times maintain a paying agent and note registrar meeting the qualifications set forth in the Note Resolution. The Issuer reserves the right to appoint a successor paying agent or note registrar. No resignation or removal of the paying agent or note registrar shall become effective until a successor has been appointed and has accepted the duties of paying agent or note registrar. Every paying agent or note registrar appointed by the Issuer shall at all times meet the requirements of Kansas law.

The Treasurer of the State, Topeka, Kansas (the “Note Registrar” and “Paying Agent”) has been designated by the Issuer as paying agent for the payment of principal of and interest on the Notes and note registrar with respect to the registration, transfer and exchange of Notes.

### **Method and Place of Payment of the Notes**

The principal of, or Redemption Price, and interest on the Notes shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. The principal or Redemption Price of each Note shall

be paid at Maturity to the Person in whose name such Note is registered on the Note Register at the Maturity thereof, upon presentation and surrender of such Note at the principal corporate trust office of the Paying Agent.

The interest payable on each Note on any Interest Payment Date shall be paid to the Owner of such Note as shown on the Note Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Note Register or at such other address as is furnished to the Paying Agent in writing by such Owner or (b) in the case of an interest payment to [Cede & Co or] any Owner of \$500,000 or more in aggregate principal amount of Notes, by electronic transfer to such Owner upon written notice given to the Note Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing, any Defaulted Interest with respect to any Note shall cease to be payable to the Owner of such Note on the relevant Record Date and shall be payable to the Owner in whose name such Note is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Note and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall notify the Issuer of such Special Record Date and shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Owner of a Note entitled to such notice not less than 10 days prior to such Special Record Date.

**[SO LONG AS CEDE & CO., REMAINS THE REGISTERED OWNER OF THE NOTES, THE PAYING AGENT SHALL TRANSMIT PAYMENTS TO THE SECURITIES DEPOSITORY, WHICH SHALL REMIT SUCH PAYMENTS IN ACCORDANCE WITH ITS NORMAL PROCEDURES. See “THE NOTES – Book-Entry Notes; Securities Depository.”]**

#### **Payments Due on Saturdays, Sundays and Holidays**

In any case where a Note Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Note Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Note Payment Date, and no interest shall accrue for the period after such Note Payment Date.

#### **Book-Entry Notes: Securities Depository**

The Notes shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Notes, except in the event the Note Registrar issues Replacement Notes. It is anticipated that during the term of the Notes, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Notes to the Participants until and unless the Note Registrar authenticates and delivers Replacement Notes to the Beneficial Owners as described in the following paragraphs.

The issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Notes being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Notes; or

(b) if the Note Registrar receives written notice from Participants having interest in not less than 50% of the Notes Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Notes being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Notes, then the Note Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to owners requesting the same, and the Note Registrar shall register in the name of and authenticate and deliver Replacement Notes to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Note Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Note. Upon the issuance of Replacement Notes, all references herein to obligations imposed upon or to be

performed by the Securities Depository shall be deemed to be imposed upon and performed by the Note Registrar, to the extent applicable with respect to such Replacement Notes. If the Securities Depository resigns and the Issuer, the Note Registrar or Owners are unable to locate a qualified successor of the Securities Depository, then the Note Registrar shall authenticate and cause delivery of Replacement Notes to Owners, as provided herein. The Note Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Notes. The cost of printing, registration, authentication, and delivery of Replacement Notes shall be paid for by the Issuer.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Issuer may appoint a successor Securities Depository provided the Note Registrar receives written evidence satisfactory to the Note Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Note Registrar upon its receipt of a Note or Notes for cancellation shall cause the delivery of the Notes to the successor Securities Depository in appropriate denominations and form as provided in the Note Resolution.

### **Registration, Transfer and Exchange of Notes**

As long as any of the Notes remain Outstanding, each Note when issued shall be registered in the name of the Owner thereof on the Note Register. Notes may be transferred and exchanged only on the Note Register as hereinafter provided. Upon surrender of any Note at the principal office of the Note Registrar, the Note Registrar shall transfer or exchange such Note for a new Note or Notes in any Authorized Denomination of the same Stated Maturity and in the same aggregate principal amount as the Note that was presented for transfer or exchange. Notes presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Note Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Notes is exercised, the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note Resolution. The Issuer shall pay the fees and expenses of the Note Registrar for the registration, transfer and exchange of Notes. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Note Registrar, are the responsibility of the Owners of the Notes. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure.

The Issuer and the Note Registrar shall not be required (a) to register the transfer or exchange of any Note that has been called for redemption after notice of such redemption has been mailed by the Paying Agent and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Note during a period beginning at the opening of business on the day after receiving written notice from the Issuer of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest.

### **Mutilated, Lost, Stolen or Destroyed Notes**

If (a) any mutilated Note is surrendered to the Note Registrar or the Note Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Note, and (b) there is delivered to the Issuer and the Note Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Note Registrar that such Note has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Note Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Note, a new Note of the same Stated Maturity and of like tenor and principal amount. If any such mutilated, destroyed, lost or stolen Note has become or is about to become due and payable, the Issuer, in its discretion, may pay such Note instead of issuing a new Note. Upon the issuance of any new Note under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

### **Nonpresentation of Notes**

If any Note is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Note have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Note shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Note, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Note Resolution or on, or with respect to, said Note. If any Note is not presented for payment within four (4) years following the date when such Note becomes due at Maturity, the Paying Agent shall repay to the Issuer the funds theretofore held by it for payment of such Note, and such Note shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for



payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

## **Redemption Provisions**

***Optional Redemption.*** At the option of the Issuer, the Notes may be called for redemption and payment prior to their Stated Maturity on October 1, 2025, and thereafter, as a whole or in part at any time (selection of the amount of Notes to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date.

***Selection of Notes to be Redeemed.*** Notes shall be redeemed only in an Authorized Denomination. When less than all of the Notes are to be redeemed and paid prior to their Stated Maturity, such Notes shall be redeemed in such manner as the Issuer shall determine, Notes of less than a full Stated Maturity shall be selected by the Note Registrar in minimum Authorized Denomination in such equitable manner as the Note Registrar may determine. In the case of a partial redemption of Notes by lot when Notes of denominations greater than a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption each minimum Authorized Denomination of face value shall be treated as though it were a separate Note of a minimum Authorized Denomination. If it is determined that one or more, but not all, of the minimum Authorized Denomination value represented by any Note is selected for redemption, then upon notice of intention to redeem such minimum Authorized Denomination, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Note to the Note Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of such minimum Authorized Denomination value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Note or Notes of the aggregate principal amount of the unredeemed portion of the principal amount of such Note. If the Owner of any such Note fails to present such Note to the Paying Agent for payment and exchange as aforesaid, such Note shall, nevertheless, become due and payable on the redemption date to the extent of the minimum Authorized Denomination value called for redemption (and to that extent only).

***Notice and Effect of Call for Redemption.*** Unless waived by any Owner of Notes to be redeemed, if the Issuer shall call any Notes for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Notes to the State Treasurer, and the Purchaser. In addition, the Issuer shall cause the Note Registrar to give written notice of redemption to the Owners of said Notes. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information: (a) the Redemption Date; (b) the Redemption Price; (c) if less than all Outstanding Notes are to be redeemed, the identification (and, in the case of partial redemption of any Notes, the respective principal amounts) of the Notes to be redeemed; (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Note or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and (e) the place where such Notes are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent. The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Notes or portions of Notes that are to be redeemed on such Redemption Date. Official notice of redemption having been given as aforesaid, the Notes or portions of Notes to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Notes or portion of Notes shall cease to bear interest.

For so long as the Securities Depository is effecting book-entry transfers of the Notes, the Note Registrar shall provide the notices specified to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Note (having been mailed notice from the Note Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Note so affected, shall not affect the validity of the redemption of such Note.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. The Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Note.

## **THE DEPOSITORY TRUST COMPANY**

1. The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Notes. The Notes will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name

as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each scheduled maturity of the Notes and will be deposited with DTC.

2. DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2.2 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of "AA+." The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

3. Purchases of Notes under the DTC system must be made by or through Direct Participants, which will receive a credit for the Notes on DTC's records. The ownership interest of each actual purchaser of each Note ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Notes are to be accomplished by entries made on the books of Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Notes, except in the event that use of the book-entry system for the Notes is discontinued.

4. To facilitate subsequent transfers, all Notes deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Notes with DTC and their registration in the name of Cede & Co. or such other nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Notes; DTC's records reflect only the identity of the Direct Participants to whose accounts such Notes are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

6. Redemption notices shall be sent to DTC. If less than all of the Notes within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Notes unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Notes are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Notes will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Issuer or Paying Agent, on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the Paying Agent, or the Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Issuer or Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. A Beneficial Owner shall give notice to elect to have its Notes purchased or tendered, through its Participant, to the Paying Agent, and shall effect delivery of such Notes by causing the Direct Participant to transfer the Participant's interest in the Notes, on

DTC's records, to the Paying Agent. The requirement for physical delivery of the Notes in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Notes are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Notes to the Paying Agent's DTC account.

10. DTC may discontinue providing its services as depository with respect to the Notes at any time by giving reasonable notice to the Issuer or Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Note certificates are required to be printed and delivered.

11. The Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Note certificates will be printed and delivered to DTC.

12. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Issuer believes to be reliable, but the Issuer takes no responsibility for the accuracy thereof.

## THE PROJECTS

Proceeds of the Notes will be applied to: 1) temporarily finance certain internal improvements described below (collectively, the "Improvements"); and 2) to pay costs of issuance associated with the issuance of the Notes.

<u>Project Description</u>	<u>Ord./Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Petition/Resolution Amount</u>
<b>The Heights at Maize</b>			
Grading	796-23	K.S.A. 12-6a01 <i>et seq</i>	\$ 491,000
Paving	797-23	K.S.A. 12-6a01 <i>et seq</i>	1,438,000
Stormwater	798-23	K.S.A. 12-6a01 <i>et seq</i>	930,000
<b>The Coves Addition (Phase 2)</b>			
Grading	808-23	K.S.A. 12-6a01 <i>et seq</i>	530,000
Paving	809-23	K.S.A. 12-6a01 <i>et seq</i>	746,000
Sanitary Sewer	810-23	K.S.A. 12-6a01 <i>et seq</i>	710,000
Stormwater	811-23	K.S.A. 12-6a01 <i>et seq</i>	405,000
Water	812-23	K.S.A. 12-6a01 <i>et seq</i>	387,000
<b>119<sup>th</sup> Addition</b>			
Grading	814-23	K.S.A. 12-6a01 <i>et seq</i>	661,000
Paving (Phase 1)	815-23	K.S.A. 12-6a01 <i>et seq</i>	898,000
Sanitary Sewer (Phase 1)	816-23	K.S.A. 12-6a01 <i>et seq</i>	529,000
Water Distribution (Phase 1)	817-23	K.S.A. 12-6a01 <i>et seq</i>	316,000
<b>Hampton Lakes 3<sup>rd</sup> Addition</b>			
Sanitary Sewer	826-23	K.S.A. 12-6a01 <i>et seq</i>	201,000
Water	827-23	K.S.A. 12-6a01 <i>et seq</i>	149,000
<b>Eagles Nest 2<sup>nd</sup> Addition (Phase 4)</b>			
Water Distribution	833-24	K.S.A. 12-6a01 <i>et seq</i>	278,000
Paving	834-24	K.S.A. 12-6a01 <i>et seq</i>	564,000
<b>Woodard 2<sup>nd</sup> Addition</b>			
Paving (Phase 1 & 2)	823-23	K.S.A. 12-6a01 <i>et seq</i>	224,000
Sanitary Sewer (Phase 1)	825-23	K.S.A. 12-6a01 <i>et seq</i>	435,000
Storm Water Drain (Phase 1)	821-23	K.S.A. 12-6a01 <i>et seq</i>	794,000
Storm Water Sewer (Phase 1)	822-23	K.S.A. 12-6a01 <i>et seq</i>	135,000
Water Distribution (Phase 1)	824-23	K.S.A. 12-6a01 <i>et seq</i>	220,000
<b>Total:</b>			<b>\$11,041,000</b>

## SOURCES AND USES OF FUNDS

The following table itemizes the sources and uses of funds available for the Improvements, including the proceeds from the sale of the Notes, exclusive of accrued interest.

<b>Sources of Funds</b>	
Principal Amount of the Notes	\$10,650,000.00*
<b>Total Sources of Funds</b>	
<b>Uses of Funds</b>	
Deposit to Improvement Fund	
Capitalized Interest	
Underwriter's Discount	
Costs of Issuance	
<b>Total Uses of Funds</b>	

\* Subject to change

## RISK FACTORS AND INVESTMENT CONSIDERATIONS

***A PROSPECTIVE PURCHASER OF THE NOTES DESCRIBED HEREIN SHOULD BE AWARE THAT THERE ARE CERTAIN RISKS ASSOCIATED WITH THE NOTES WHICH MUST BE RECOGNIZED. THE FOLLOWING STATEMENTS REGARDING CERTAIN RISKS ASSOCIATED WITH THE OFFERING SHOULD NOT BE CONSIDERED AS A COMPLETE DESCRIPTION OF ALL RISKS TO BE CONSIDERED IN THE DECISION TO PURCHASE THE NOTES. PROSPECTIVE PURCHASERS OF THE NOTES SHOULD ANALYZE CAREFULLY THE INFORMATION CONTAINED IN THIS PRELIMINARY OFFICIAL STATEMENT AND ADDITIONAL INFORMATION IN THE FORM OF THE COMPLETE DOCUMENTS SUMMARIZED HEREIN, COPIES OF WHICH ARE AVAILABLE AND MAY BE OBTAINED FROM THE ISSUER OR THE UNDERWRITER.***

### Legal Matters

Various state and federal laws, regulations and constitutional provisions apply to the obligations created by the Notes. There is no assurance that there will not be any change in, interpretation of, or addition to such applicable laws, provisions and regulations which would have a material effect, either directly or indirectly, on the Issuer or the taxing authority of the Issuer.

### Kansas Public Employees Retirement System

As described in “**APPENDIX A – FINANCIAL INFORMATION – Pension and Employee Retirement Plans**,” the Issuer participates in the Kansas Public Employees Retirement System (“KPERs”), as an instrumentality of the State to provide retirement and related benefits to public employees in Kansas. KPERs administers three statewide defined benefit retirement plans for public employees which are separate and distinct with different membership groups, actuarial assumptions, experience, contribution rates and benefit options. The Issuer participates in the Public Employees Retirement System – Local Group (the “Plan”). Under existing law, employees make contributions and the Issuer makes all employer contributions to the Plan; neither the employees nor the Issuer are directly responsible for any unfunded accrued actuarial liability (“UAAL”). However, the Plan contribution rates may be adjusted by legislative action over time to address any UAAL. According to KPERs’ Valuation Report, the Local Group had an UAAL of approximately \$1.952 billion in calendar year 2022.

### Taxation of Interest on the Notes

An opinion of Bond Counsel will be obtained to the effect that interest earned on the Notes is excludable from gross income for federal income tax purposes under current provisions of the Internal Revenue Code of 1986, as amended (the “Code”), and applicable rulings and regulations under the Code; however, an application for a ruling has not been made and an opinion of counsel is not binding upon the Internal Revenue Service. There can be no assurance that the present provisions of the Code, or the rules and regulations thereunder, will not be adversely amended or modified, thereby rendering the interest earned on the Notes includable in gross income for federal income tax purposes.

The Issuer has covenanted in the Note Resolution and in other documents and certificates to be delivered in connection with the issuance of the Notes to comply with the provisions of the Code, including those which require the Issuer to take or omit to take certain actions after the issuance of the Notes. Because the existence and continuation of the excludability of the interest on the Notes depends upon events occurring after the date of issuance of the Notes, the opinion of Bond Counsel described under “TAX MATTERS” assumes the compliance by the Issuer with the provisions of the Code described above and the regulations relating thereto. No opinion is expressed by Bond Counsel with respect to the excludability of the interest on the Notes in the event of noncompliance with such provisions. The

failure of the Issuer to comply with the provisions described above may cause the interest on the Notes to become includable in gross income as of the date of issuance.

### **Premium on Notes**

[The initial offering price of the Notes that are subject to optional redemption are in excess of the respective principal amounts thereof. ]Any person who purchases a Note in excess of its principal amount, whether during the initial offering or in a secondary market transaction, should consider that the Notes are subject to redemption at par under the various circumstances described under “THE NOTES – Redemption Provisions.”

### **No Additional Interest or Mandatory Redemption upon Event of Taxability**

The Note Resolution does not provide for the payment of additional interest or penalty on the Notes or the mandatory redemption thereof if the interest thereon becomes includable in gross income for federal income tax purposes. Likewise, the Note Resolution does not provide for the payment of any additional interest or penalty on the Notes if the interest thereon becomes subject to income taxation by the State.

### **Note Rating**

The Notes have been assigned the financial rating set forth in the section hereof entitled “NOTE RATING.” There is no assurance that a particular rating will remain in effect for any given period of time or that it will not be revised, either downward or upward, or withdrawn entirely, if in the judgment of the agency originally establishing such rating, circumstances so warrant. Any downward revision or withdrawal of any rating may have an adverse affect on the market price of the Notes.

### **Secondary Market**

There is no assurance that a secondary market will develop for the purchase and sale of the Notes. Prices of Notes traded in the secondary market are subject to adjustment upward and downward in response to changes in the credit markets. From time to time it may be necessary to suspend indefinitely secondary market trading in the Notes as a result of financial condition or market position of broker-dealers, prevailing market conditions, lack of adequate current financial information about the Issuer, or a material adverse change in the financial condition of the Issuer, whether or not the Notes are in default as to principal and interest payments, and other factors which may give rise to uncertainty concerning prudent secondary market practices. Consequently, investors may not be able to resell the Notes purchased should they need or wish to do so for emergency or other purposes.

### **Limitations on Remedies Available to Owners of Notes**

The enforceability of the rights and remedies of the owners of Notes, and the obligations incurred by the Issuer in issuing the Notes, are subject to the following: the federal Bankruptcy Code and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditors' rights generally, now or hereafter in effect; usual equity principles which may limit the specific enforcement under state law of certain remedies; the exercise by the United States of America of the powers delegated to it by the United States Constitution; and the reasonable and necessary exercise, in certain unusual situations, of the police power inherent in the State of Kansas and its governmental subdivisions in the interest of serving a legitimate and significant public purpose. Bankruptcy proceedings, or the exercise of powers by the federal or state government, if initiated, could subject the owners of the Notes to judicial discretion and interpretation of their rights in bankruptcy and otherwise, and consequently may involve risks of delay, limitation or modification of their rights.

### **Debt Service Source**

The Notes are general obligations of the Issuer payable as to both principal and interest, if necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The Legislature may from time to time adopt changes in the property tax system or method of imposing and collecting property taxes within the State. Taxpayers may also challenge the fair market value of property assigned by the county appraiser. The effects of such legislative changes and successful challenges to the appraiser’s determination of fair market value could affect the Issuer’s property tax collections. If a taxpayer valuation challenge is successful, the liability of the Issuer to refund property taxes previously paid under protest may have a material impact on the Issuer’s financial situation. See “APPENDIX A – FINANCIAL INFORMATION – Property Valuations and Property Tax Levies and Collections.”

## **Suitability of Investment**

The tax-exempt feature of the Notes is more valuable to high tax bracket investors than to investors who are in low tax brackets, and so the value of the interest compensation to any particular investor will vary with individual tax rates. Each prospective investor should carefully examine this Preliminary Official Statement, including the Appendices hereto, and its own financial condition to make a judgment as to its ability to bear the economic risk of such an investment, and whether or not the Notes are an appropriate investment.

## **Cybersecurity Risks**

Security breaches, including electronic break-ins, computer viruses, attacks by hackers and similar breaches could create disruptions or shutdowns of the Issuer and the services it provides, or the unauthorized disclosure of confidential personal, health-related, credit and other information. If a security breach occurs, the Issuer may incur significant costs to remediate possible injury to the affected persons, and the Issuer may be subject to sanctions and civil penalties. Any failure to maintain proper functionality and security of information systems could interrupt the Issuer's operations, delay receipt of revenues, damage its reputation, subject it to liability claims or regulatory penalties and could have a material adverse effect on its operations, financial condition and results of operations.

## **Natural Disasters or Terrorist Attacks**

The occurrence of a terrorist attack in the Issuer, or natural disasters, such as fires, tornados, earthquakes, floods or droughts, could damage the Issuer and its systems and infrastructure, and interrupt services or otherwise impair operations of the Issuer.

## **Potential Impacts Resulting from Epidemics or Pandemics**

The Issuer's finances may be materially adversely affected by unforeseen impacts of future epidemics and pandemics, such as the Coronavirus (COVID-19) pandemic. The Issuer cannot predict future impacts of epidemics or pandemics, any similar outbreaks, or their impact on travel, on assemblies or gatherings, on the local, State, national or global economy, or on securities markets, or whether any such disruptions may have a material adverse impact on the financial condition or operations of the Issuer, including but not limited to the payment of debt service on any of its outstanding debt obligations.

## **RATINGS**

An application has been made to S&P Global Ratings, a division of S&P Global Inc. for a rating on the Notes. Such rating, if given, reflects only the view of such rating agency, and an explanation of the significance of such rating may be obtained therefrom. No such rating constitutes a recommendation to buy, sell, or hold any bonds, including the Notes, or as to the market price or suitability thereof for a particular investor. The Issuer furnished such rating agency with certain information and materials relating to the that have not been included in this Official Statement. Generally, rating agencies base their ratings on the information and materials so furnished and on investigations, studies and assumptions by the rating agencies. There is no assurance that a particular rating will remain in effect for any given period of time or that it will not be revised, either downward or upward, or withdrawn entirely, if in the judgment of the agency originally establishing such rating, circumstances so warrant. Any downward revision or withdrawal of any rating may have an adverse affect on the market price of the Notes.

## **ABSENCE OF LITIGATION**

The Issuer certifies that there is no controversy, suit or other proceeding of any kind pending or threatened wherein or whereby any question is raised or may be raised, questioning, disputing or affecting in any way the legal organization of the Issuer or its boundaries, or the right or title of any of its officers to their respective offices, or the legality of any official act or the constitutionality or validity of the indebtedness represented by the Notes or the validity of said Notes, or any of the proceedings had in relation to the authorization, issuance or sale thereof, or the levy and collection of a tax to pay the principal and interest thereof.

## **LEGAL MATTERS**

### **Approval of Notes**

All matters incident to the authorization and issuance of the Notes are subject to the approval of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer. The factual and financial information appearing herein has been supplied or reviewed by certain officials of the City and its certified public accountants, as referred to herein. Bond Counsel has participated in the preparation of the matters appearing in the sections of this Official Statement captioned "THE NOTES," "LEGAL MATTERS," "TAX MATTERS" and "*APPENDIX C – SUMMARY OF FINANCING DOCUMENTS.*" Payment of the legal fee of Bond Counsel is contingent upon the delivery of the Notes. Certain legal matters have been passed on for the Issuer by Thomas R. Powell, Esq.

## TAX MATTERS

The following is a summary of the material federal and State income tax consequences of holding and disposing of the Notes. This summary is based upon laws, regulations, rulings and judicial decisions now in effect, all of which are subject to change (possibly on a retroactive basis). This summary does not discuss all aspects of federal income taxation that may be relevant to investors in light of their personal investment circumstances or describe the tax consequences to certain types of holders subject to special treatment under the federal income tax laws (for example, dealers in securities or other persons who do not hold the Notes as a capital asset, tax-exempt organizations, individual retirement accounts and other tax deferred accounts, and foreign taxpayers), and, except for the income tax laws of the State of Kansas, does not discuss the consequences to an owner under state, local or foreign tax laws. The summary does not deal with the tax treatment of persons who purchase the Notes in the secondary market at a premium or a discount. Prospective investors are advised to consult their own tax advisors regarding federal, state, local and other tax considerations of holding and disposing of the Notes.

### Opinion of Bond Counsel

In the opinion of Bond Counsel, under the law existing as of the issue date of the Notes:

**Federal Tax Exemption.** The interest on the Notes [(including any original issue discount properly allocable to an owner thereof)] is excludable from gross income for federal income tax purposes.

**Alternative Minimum Tax.** Interest on the Notes is not an item of tax preference for purposes of computing the federal alternative minimum tax.

**Bank Qualification.** The Notes have **not** been designated as “qualified tax-exempt obligations” within the meaning of Code § 265(b)(3).

**Kansas Tax Exemption.** The interest on the Notes is exempt from income taxation by the State.

Bond Counsel’s opinions are provided as of the date of the original issue of the Notes, subject to the condition that the Issuer comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Notes in order that interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. The Issuer has covenanted to comply with all such requirements. Failure to comply with certain of such requirements may cause the inclusion of interest on the Notes in gross income for federal income tax purposes retroactive to the date of issuance of the Notes. Bond Counsel is expressing no opinion regarding other federal, state or local tax consequences arising with respect to the Notes.

### Other Tax Consequences

**[Original Issue Discount.** For federal income tax purposes, original issue discount is the excess of the stated redemption price at maturity of a Note over its issue price. The stated redemption price at maturity of a Note is the sum of all payments on the Note other than “qualified stated interest” (*i.e.*, interest unconditionally payable at least annually at a single fixed rate). The issue price of a Note is generally the first price at which a substantial amount of the Notes of that maturity have been sold to the public. Under Code § 1288, original issue discount on tax-exempt obligations accrues on a compound basis. The amount of original issue discount that accrues to an owner of a Note during any accrual period generally equals (1) the issue price of that Note, plus the amount of original issue discount accrued in all prior accrual periods, multiplied by (2) the yield to maturity on that Note (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period), minus (3) any interest payable on that Note during that accrual period. The amount of original issue discount accrued in a particular accrual period will be considered to be received ratably on each day of the accrual period, will be excludable from gross income for federal income tax purposes, and will increase the owner’s tax basis in that Note. Prospective investors should consult their own tax advisors concerning the calculation and accrual of original issue discount.]

**[Original Issue Premium.** For federal income tax purposes, premium is the excess of the issue price of a Note over its stated redemption price at maturity. The stated redemption price at maturity of a Note is the sum of all payments on the Note other than “qualified stated interest” (*i.e.*, interest unconditionally payable at least annually at a single fixed rate). The issue price of a Note is generally the first price at which a substantial amount of the Notes of that maturity have been sold to the public. Under Code § 171, premium on tax-exempt obligations amortizes over the term of the Note using constant yield principles, based on the purchaser’s yield to maturity. As premium is amortized, the owner’s basis in the Note and the amount of tax-exempt interest received will be reduced by the amount of amortizable premium properly allocable to the owner, which will result in an increase in the gain (or decrease in the loss) to be recognized for federal income tax purposes on sale or disposition of the Note prior to its maturity. Even though the owner’s basis is reduced, no federal income tax deduction is allowed. Prospective investors should consult their own tax advisors concerning the calculation and accrual of premium.]

**Sale, Exchange or Retirement of Notes.** Upon the sale, exchange or retirement (including redemption) of a Note, an owner of the Note generally will recognize gain or loss in an amount equal to the difference between the amount of cash and the fair market value of any property received on the sale, exchange or retirement of the Note (other than in respect of accrued and unpaid interest) and such owner's adjusted tax basis in the Note. To the extent the Notes are held as a capital asset, such gain or loss will be capital gain or loss and will be long-term capital gain or loss if the Note has been held for more than 12 months at the time of sale, exchange or retirement.

**Reporting Requirements.** In general, information reporting requirements will apply to certain payments of principal, interest and premium paid on Notes, and to the proceeds paid on the sale of Notes, other than certain exempt recipients (such as corporations and foreign entities). A backup withholding tax will apply to such payments if the owner fails to provide a taxpayer identification number or certification of foreign or other exempt status or fails to report in full dividend and interest income. The amount of any backup withholding from a payment to an owner will be allowed as a credit against the owner's federal income tax liability.

**Collateral Federal Income Tax Consequences.** Prospective purchasers of the Notes should be aware that ownership of the Notes may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits, certain S corporations with "excess net passive income," foreign corporations subject to the branch profits tax, life insurance companies, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry or have paid or incurred certain expenses allocable to the Notes. Bond Counsel expresses no opinion regarding these tax consequences. Purchasers of Notes should consult their tax advisors as to the applicability of these tax consequences and other federal income tax consequences of the purchase, ownership and disposition of the Notes, including the possible application of state, local, foreign and other tax laws.

Bond Counsel notes that for tax years beginning after December 31, 2022, the interest on the Notes may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax.

#### **FINANCIAL ADVISOR**

Ranson Financial Group, LLC, Wichita, Kansas, has acted as Financial Advisor to the Issuer in connection with the sale of the Notes. The Financial Advisor is a "municipal advisor" as defined in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. The Financial Advisor has assisted the Issuer in the preparation of this Official Statement and in other matters relating to the issuance of the Notes. The fees of the Financial Advisor are contingent upon the issuance of the Notes.

#### **UNDERWRITING**

The Notes have been sold at public sale by the Issuer to [ ] (the "Underwriter") on the basis of lowest true interest cost. [ ] bids were received by the Issuer. The Underwriter has agreed, subject to certain conditions, to purchase the Notes at a price equal to the principal amount of the Notes, plus accrued interest from the Dated Date to the Issue Date[, plus a premium of \$ ][, less an underwriting discount of \$ ].

The Notes will be offered to the public initially at the prices determined to produce the yield to maturity set forth on the inside cover page of this Preliminary Official Statement. The Underwriter may offer and sell the Notes to certain dealers (including dealers depositing the Notes into investment trusts) at prices other than the price stated on the inside cover page hereof and may change the initial offering price from time to time subsequent to the date hereof. In connection with the offering, the Underwriters may over allot or effect transactions which stabilize or maintain the market price of the Notes at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

#### **AUTHORIZATION OF PRELIMINARY OFFICIAL STATEMENT**

The preparation of this Preliminary Official Statement and its distribution has been authorized by the governing body of the Issuer as of the date on the cover page hereof.

**CITY OF MAIZE, KANSAS**

By: \_\_\_\_\_  
Patrick Stivers, Mayor

ATTEST:

\_\_\_\_\_  
Sue Villarreal, City Clerk



## APPENDIX A

### INFORMATION CONCERNING THE ISSUER

#### GENERAL

##### **Size and Location**

The City of Maize (the “City” or “Issuer”) is located in south central Kansas in Sedgwick County (the “County”). The City is situated to the northwest of Wichita, Kansas, adjacent to the neighboring city.

Between 2010 and 2020, the City has increased from 3,420 residents to approximately 5,735 residents, an increase of over 67%. The estimated population in 2023 is 7,200. This continued growth can in part be attributed to the Maize School District (USD No. 266), which is the fastest growing district in the State of Kansas. The Maize School District covers large portions of northwest Sedgwick County, which has experienced rapid residential growth and development.

##### **Government and Organization of the City**

The City is a municipal corporation incorporated in 1915, and is organized and existing under and pursuant to the Constitution and laws of the State of Kansas. The City has a Mayor-Council form of government. The Mayor and five Councilmembers are elected at large to staggered four (4) year terms.

The principal officials and officers of the Issuer are as follows:

<u>Title</u>	<u>Name</u>	<u>Term Expires</u>
Mayor	Patrick Stivers	01/2026
Council President and Councilmember:	Jennifer Herington	01/2026
Council Members:	Dr. David Guo	01/2024
	Jeff Hohnbaum	01/2026
	Alex McCreath	01/2024
	Kevin Reid	01/2024
City Manager	Nick Gregory	N/A
Deputy City Manager	Joe Dessenberger	N/A
Assistant City Manager	Tristin Terhune	
City Clerk	Sue Villarreal	N/A
City Treasurer / Finance Officer	Kelly Stephens	N/A
City Attorney	Tom Powell, Esq.	N/A

##### **Management Personnel**

The City Manager is appointed by the Council and is charged with the efficient and effective administration of the City. The City Council conducts all legislative functions for the City and establishes general policies which are executed by its staff, which serves at its pleasure.

##### **Public Safety**

The City has 14 full-time police officers, a police chief, deputy police chief, two sergeants, and one detective. Fire protection for the City is provided by the Sedgwick County Fire Department. The County provides emergency medical services (EMS) to the City.

##### **Municipal Services and Other Utilities**

The City provides a full range of services, which include construction and maintenance of infrastructure, community development and planning and cultural activities. The City operates the water and wastewater systems. Electric and natural gas services are provided to the City by Evergy Energy and Black Hills Energy, respectively. Cable TV service is provided by Direct TV and Cox Communications. Telephone and internet service is provided by AT&T and IdeaTek TelecomLLC. Additional services in the City are provided by private companies.

## Transportation Facilities

The City is served by a major highway, rail line, and two local airports. Kansas Highway 96 is a limited access freeway that runs through the northeastern portions of the community. Union Pacific railroad line transverses through eastern Maize, running nearly parallel to Kansas Highway 96. The Maize Airport is located to the east of town on West 45th Street. The Maize Airport has a 2,100-foot runway and is open for public use. The Wichita Dwight D. Eisenhower National Airport offers passenger service and is located eleven miles south of the City.

## Educational Institutions and Facilities

The City is served by the Maize Unified School District No. 266. The Maize Unified School District is an independent taxing unit with boundaries that are separate from the jurisdictional boundaries of the City of Maize. The schools continue to absorb the increasing number of students from western Wichita and have the potential to absorb future Maize growth. The district currently operates two high schools, two middle schools, five elementary schools, one alternative high school, a transport facility, a maintenance building and an administrative center, most of which are in the City area. The full-time equivalent number of students in the Maize Unified School District is approximately 7,846 for the 2023-2024 school year. A majority of students and staff come from Wichita. This influx of students and staff increases the daytime population of Maize impacting Maize and its service and utility capacity.

The following universities or colleges offering bachelor's or advanced degrees are also located in the region:

<u>Name</u>	<u>Location</u>	<u>Estimated Distance from City (in Miles)</u>	<u>Estimated Enrollment (FTE)</u>
Newman University	Wichita, KS	9	1,203
Friends University	Wichita, KS	9	1,056
Wichita Technical Institute	Wichita, KS	10	984
Wichita State University	Wichita, KS	11	12,326
Wichita State University Tech	Wichita, KS	14	3,244
Hutchinson Community College	Hutchinson, KS	33	3,289
Butler Community College	El Dorado, KS	33	4,403

## Medical and Health Facilities

Major medical service is available at HCA Wesley Medical Center, Ascension Via Christi Riverside Medical Center, Ascension Via Christi St. Francis Campus and Ascension Via Christi St. Joseph Campus, located within 10 miles of the City.

## Recreational, Cultural and Religious Facilities

The Jeeps Motorcycle Club Racing facility and 81 Speedway located in the immediate vicinity of the City provide motor sports activities. The City completed construction on the Maize Clair Donnelley Amphitheater in Maize City Park for future performances. Other amenities in the park includes free splashpad and playground facilities.

The County offers a wide variety of cultural and entertainment options, including: Botanica – The Wichita Gardens, Wurlitzer Organ Pops Concerts, Metropolitan Ballet Company, Wichita Community Theater, Wichita Children’s Theater, Music Theater of Wichita, Mid-America Dance Theater, Inc., Wichita Symphony and Choral Society, Wichita Art Association Galleries, Wichita Omnisphere Earth-Space Center, Lake Afton Public Observatory, Wichita Art Museum, Whittier Fine Arts Gallery, The Mid America All Indian Center Museum, and The Wichita Exploration Place.

Some of the major cultural events held annually are: St. Patrick’s Day Parade, Kansas Junior Livestock Show, Wichita Jazz Festival, Renaissance Fair, Wichita River Festival, Victorian Garden Festival, National Baseball Congress Tournament, Wichita Arts Festival, the Old Sedgwick County Fair, Park City Bluegrass Festival, and Salute to Freedom 4th of July Celebration. In addition to the recreational and cultural facilities offered by the cities in the County, the County operates the Kansas Coliseum, the Sedgwick County Zoo and Botanical Gardens, Lake Afton Park, and the Sedgwick County Park.

The Sedgwick County Zoo and Botanical Gardens are considered world-class facilities. The zoo provides an environment where animals roam in spacious areas that simulate their natural habitats, while the Botanical Gardens offers a wide variety of species of native American and foreign plants, trees, and shrubs in a natural setting.

The City has eight churches that serve the community.

## FINANCIAL INFORMATION CONCERNING THE CITY

### Accounting, Budgeting and Auditing Procedures

The City follows a statutory basis of accounting which is designed to show compliance with cash basis and budget laws of Kansas. The City has received a GAAP Waiver from the State of Kansas.

An annual budget of estimated receipts and disbursements for the coming calendar year is required by statute to be prepared for all funds (unless specifically exempted). The budget is prepared utilizing the modified accrual basis which is further modified by the encumbrance method of accounting. For example, commitments such as purchase orders and contracts, in addition to disbursements and accounts payable, are recorded as expenditures. The budget lists estimated receipts by funds and sources and estimated disbursements by funds and purposes. The proposed budget is presented to the governing body of the City prior to August 1, with a public hearing required to be held prior to August 15, with the final budget to be adopted by a majority vote of the governing body of the City prior to August 25 of each year (or October 1 if the City must conduct an election to increase property taxes above the tax lid described below). Budgets may be amended upon action of the governing body after notice and public hearing, provided that no additional tax revenues may be raised after the original budget is adopted.

The City may levy taxes in accordance with the requirements of its adopted budget. Property tax levies are based on the adopted budget of the City and the assessed valuations provided by the County appraiser. In 2021, the Kansas Legislature passed legislation (the "Revenue Neutral Tax Act") that repeals the "tax lid" (formerly K.S.A. 79 2925c) and provides that, beginning January 1, 2021, a taxing subdivision (which includes any political subdivision of the State that levies an ad valorem property tax, including the City) is not authorized to levy a property tax rate in excess of its revenue neutral rate without first providing notice, holding a public hearing, and authorizing such property tax rate by majority vote of its governing body. The revenue neutral rate means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation.

The Revenue Neutral Tax Act provides that by June 15 of every year, each county clerk shall calculate the revenue neutral rate for each taxing subdivision in their respective county. If a taxing subdivision desires to levy a tax rate in excess of its revenue neutral rate, it must first publish notice of a public hearing and notify, by July 20, the county clerk of the taxing subdivision's intent to exceed the revenue neutral rate. The county clerk is required to provide notice of the public hearing to each taxpayer with property in the taxing subdivision, along with following information concerning the taxing subdivision: (1) the revenue neutral rate, (2) the proposed property tax revenue needed to fund the proposed budget, (3) the proposed tax rate based on the proposed budget, (4) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement, (5) the appraised value and assessed value of the taxpayer's property, (6) estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates, (7) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate. The public hearing regarding exceeding the revenue neutral rate is to be held between August 20 and September 20, and can be held in conjunction with the taxing subdivision's budget hearing. If multiple taxing subdivisions within the county are required to hold a public hearing, the county clerk's notices to the taxpayer can be combined into a single notice. After the public hearing, the taxing subdivision can approve exceeding the revenue neutral rate by governing body approval of a resolution or ordinance, and thereafter the taxing subdivisions will hold the public hearing and adopt the budget by majority vote of its governing body. The amount of tax to be levied and the adopted budget must be certified to the county clerk by October 1. The taxing subdivision's adopted budget shall not result in a tax rate in excess of its proposed rate stated in the notice provided to the taxpayers. If a taxing subdivision fails to comply with the requirements of the Revenue Neutral Tax Act, it shall refund to the taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

The City cannot predict the impact of the Revenue Neutral Tax Act on the ratings on the Notes, or the general rating of the City. A change in the rating on the Notes or a change in the general rating of the City may adversely impact the market price of the Notes in the secondary market.

Kansas law prohibits governmental units from creating indebtedness unless there are funds on hand in the proper accounts and unencumbered by previous action with which to pay such indebtedness. An exception to this cash-basis operation is made where provision has been made for payment of obligations by bonds or other specific debt obligations authorized by law.

The financial records of the City are audited annually by a firm of independent certified public accountants in accordance with generally accepted auditing standards. For 2022, the annual audit was performed by Varney & Associates, CPAs, LLC in Manhattan, Kansas. Copies of the audit reports for the past five (5) years are on file in the Clerk's office and are available for review. The audited financial statements for the Fiscal Year ended December 31, 2022 is attached hereto as **APPENDIX B**. Such audited financial statements evidence a negative balance in the Issuer's Capital Project Fund for the fiscal year ended December 31, 2021, primarily resulting from the City's deferral of the issuance of temporary notes to the next fiscal year to reimburse capital expenditures made prior to December

31, 2021. The City hired a consultant and has implemented certain recommendations to update internal accounting procedures in compliance with the Kansas Municipal Accounting Guide.

The financial information contained in the Appendices to this Official Statement are an integral part of this document and are intended to be read in conjunction herewith.

### **Property Valuations**

The determination of assessed valuation and the collection of property taxes for all political subdivisions in the state of Kansas is the responsibility of the various counties under the direction of state statutes. The County Appraiser's office determines the fair market value of all taxable property within the County and the assessed valuation thereof that is to be used as a basis for the mill levy on property located in the Issuer.

Property subject to ad valorem taxation is divided into two classes, real property and personal property. Real property is divided into seven subclasses; there are six subclasses of personal property. The real property (Class 1) subclasses are: (i) real property used for residential purposes including multi-family mobile or manufactured homes and the real property on which such homes are located, assessed at 11.5%, (ii) agricultural land, valued on the basis of agricultural income or productivity, assessed at 30%, (iii) vacant lots, assessed at 12%, (iv) real property, owned and operated by a not-for-profit organization not subject to federal income taxation, pursuant to Section 501 of the Internal Revenue Code, assessed at 12%, (v) public utility real property, except railroad real property, assessed at the average rate that all other commercial and industrial property is assessed, assessed at 33%, (vi) real property used for commercial and industrial purposes and buildings and other improvements located on land devoted to agricultural use, assessed at 25%, and (vii) all other urban and real property not otherwise specifically classified, assessed at 30%. Tangible personal property (Class 2) subclasses are: (i) mobile homes used for residential purposes, assessed at 11.5%, (ii) mineral leasehold interests, except oil leasehold interests, the average daily production from which is 5 barrels or less, and natural gas leasehold interests, the average daily production from which is 100 mcf or less, which shall be assessed at 25%, assessed at 30%, (iii) public utility tangible personal property, including inventories thereof, except railroad personal property, including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed, assessed at 33%, (iv) all categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985, assessed at 20%, (v) commercial and industrial machinery and equipment which if its economic life is 7 years or more, shall be valued at its retail cost, when new, less seven-year straight-line depreciation, or which, if its economic life is less than 7 years, shall be valued at its retail cost when new, less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost, when new, of such property, assessed at 25%, and (vi) all other tangible personal property not otherwise specifically classified, assessed at 30%. All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.

The Kansas Legislature (the "Legislature") reduced the applicable assessment rates on motor vehicles from 30% of market value to 20% of market value as of January 1, 2000.

The 2006 Legislature exempted from all property or ad valorem property taxes levied under the laws of the State all commercial, industrial, telecommunications and railroad machinery and equipment acquired by qualified purchase or lease after June 30, 2006 or transported into the State after June 30, 2006 for the purpose of expanding an existing business or creation of a new business.

The Legislature may from time to time adopt changes in the property tax system or method of imposing and collecting property taxes within the State. Taxpayers may also challenge the fair market value of property assigned by the county appraiser. The effects of such legislative changes and successful challenges to the appraiser's determination of fair market value could affect the City's property tax collections. If a taxpayer valuation challenge is successful, the liability of the City to refund property taxes previously paid under protest may have a material impact on the City's financial situation.

## Sources of Revenue

The City finances its general fund operations through the local property tax levy, various other taxes, a variety of license and permit fees, and other miscellaneous sources as estimated below for the current fiscal year:

<u>Source</u>	<u>Percent</u>
Ad Valorem Tax	42.78%
Sales Tax	20.72%
Interest	11.98%
Franchise Tax	9.97%
Delinquent Tax	5.36%
Planning & Zoning Revenue	4.08%
Municipal Court	1.88%
Transient Guest Tax	1.67%
Fireworks Permit	0.51%
Motor Vehicle Tax	0.40%
Permits and Licenses	0.30%
Other	0.19%
Community Building Rental	0.13%
Liquor Tax	0.02%
Transfers In	0.02%
<b>Total</b>	<b>100.00%</b>

Source: City's 2022 audited financial statements.

## Assessed Valuation

The following table shows the assessed valuation of the taxable tangible property within the City for the following years:

<u>Levy Year</u>	<u>Budget Year</u>	<u>Real Property</u>	<u>Personal Property</u>	<u>Utilities</u>	<u>Motor Vehicles</u>	<u>Total Valuation</u>
2023	2024	\$82,552,536 <sup>(1)</sup>	\$556,724 <sup>(1)</sup>	\$2,602,709 <sup>(1)</sup>	\$10,661,645	\$96,373,614
2023	2024	82,561,195 <sup>(2)</sup>	490,907 <sup>(2)</sup>	2,602,709 <sup>(2)</sup>	10,661,645	96,316,456
2022	2023	70,516,508	413,642	2,438,956	9,996,469	83,365,575
2021	2022	62,292,534	380,871	2,290,498	9,423,442	74,387,345
2020	2021	57,674,405	415,663	2,019,032	8,442,473	68,551,573
2019	2020	53,280,078	362,282	1,693,181	8,141,667	63,477,208

<sup>(1)</sup> Final valuation figures as of November 1, 2023.

<sup>(2)</sup> Preliminary valuation figures as of July 15, 2023, used for budgeting purposes.

Source: County Clerk

## Property Tax Levies and Collections

**Tax Collections.** Tax statements are mailed November 1 each year and may be paid in full or one-half on or before December 20 with the remaining one-half due on or before May 10 of the following year. Taxes that are unpaid on the due dates are considered delinquent and accrue interest at a per annum rate established by State law until paid or until the property is sold for taxes. Real estate bearing unpaid taxes is advertised for sale on or before August 1 of each year and is sold by the County for taxes and all legal charges on the first Tuesday in September. Properties that are sold and not redeemed within two years after the tax sale are subject to foreclosure sale, except homestead properties which are subject to foreclosure sale after three years.

Personal taxes are due and may be paid in the same manner as real estate taxes, with the same interest applying to delinquencies. If personal taxes are not paid when due, and after written notice, warrants are issued and placed in the hands of the Sheriff for collection. If not paid on or before September 1, legal judgment is entered and the delinquent tax becomes a lien on the property. Unless renewed, a non-enforced lien expires five years after it is entered.

Motor vehicle taxes are collected periodically throughout the year concurrently with the renewal of motor vehicle tags based upon the value of such vehicles. Such tax receipts are distributed to all taxing subdivisions, including the State of Kansas, in proportion to the number of mills levied within each taxpayer's tax levy unit.

**Tax Rates.** The City may levy taxes in accordance with the requirements of its adopted budget. Property tax levies are based on the adopted budget of the City and the assessed valuations provided by the County appraiser.

The following table shows the City's mill levies by fund (per \$1000 of assessed valuation) for each of the years indicated and the current year:

<u>Levy Year</u>	<u>Budget Year</u>	<u>General</u>	<u>Bond &amp; Interest</u>	<u>Total Levy</u>
2023	2024	41.848	1.132	42.980
2022	2023	42.057	0.951	43.008
2021	2022	42.352	0.937	43.289
2020	2021	42.356	0.705	43.061
2019	2020	41.670	1.373	43.043

Source: County Clerk

**Aggregate Tax Levies.** The aggregate tax levies (per \$1000 assessed valuation) of the City and overlapping jurisdictions for the years indicated are included in the following table:

<u>Tax Year</u>	<u>Budget Year</u>	<u>City</u>	<u>Sedgwick County</u>	<u>USD No. 266<sup>(1)</sup></u>	<u>State</u>	<u>Township</u>	<u>Fire District</u>	<u>Regional Library</u>	<u>Cemetery District</u>	<u>Total</u>
2023	2024	42.980	28.988	61.120	1.500	0.158	17.883	1.161	0.543	154.333
2022	2023	43.008	29.368	61.155	1.500	0.179	17.912	1.229	0.543	154.894
2021	2022	43.289	29.370	59.850	1.500	0.496	17.817	1.229	0.542	154.093
2020	2021	43.061	29.376	59.829	1.500	0.404	17.891	1.229	0.540	153.830
2019	2020	43.043	29.384	59.842	1.500	0.088	17.896	1.229	0.540	153.522

<sup>(1)</sup> Includes levy for recreation commission.

Source: County Clerk

**Tax Collection Record.** The following table sets forth tax collection information (not including special assessments) for the City for the years indicated:

<u>Levy Year</u>	<u>Collection Year</u>	<u>Total Levy</u>	<u>Total Taxes Levied (\$)</u>	<u>Current Taxes Collected (\$)</u>	<u>Current Taxes Collected (%)</u>	<u>Delinquent Taxes Collected (\$)</u>	<u>Delinquent &amp; Current Taxes Collected (%)</u>
2023	2024	42.980	\$3,690,629	\$2,202,893 <sup>(1)</sup>	59.69%	\$38,303 <sup>(1)</sup>	60.73%
2022	2023	43.008	3,157,812	3,113,264	98.59%	25,655	99.40%
2021	2022	43.289	2,815,249	2,768,414	98.34%	26,441	99.28%
2020	2021	43.061	2,590,798	2,552,333	98.52%	68,279	101.15%
2019	2020	43.043	2,383,935	2,319,926	97.31%	53,415	99.56%

<sup>(1)</sup> Collections as of April 22, 2024.

Source: County Clerk & Treasurer

**Major Taxpayers.** The following table sets forth the ten largest taxpayers in the City based on total assessed valuation and total taxes levied in the most recent tax collection period (2023/24):

<u>Taxpayer</u>	<u>Assessed Valuation</u>	<u>Taxpayer</u>	<u>Taxes Levied</u>
1. Watercress Apartments	\$2,949,210	1. Watercress Apartments	\$126,757
2. Edward Rose Development Co	2,900,829	2. Edward Rose Development Co	124,677
3. Evergy Kansas South Inc.	1,652,216	3. Evergy Kansas South Inc.	71,012
4. HL Villas Investment Group LLC	1,283,864	4. HL Villas Investment Group LLC	55,180
5. City of Maize	1,168,908	5. Heartland Credit Union	47,583
6. Heartland Credit Union	1,107,103	6. City of Maize	37,670
7. J&K Investments of Wichita LLC	843,800	7. J&K Investments of Wichita LLC	36,266
8. Carlson Products LLC	743,732	8. Carlson Products LLC	31,965
9. Black Hills Corp	712,079	9. Black Hills Corp	30,605
10. Worthington Cylinders Kansas LLC	647,500	10. Worthington Cylinders Kansas LLC	27,829

Source: County Clerk

### Special Assessments

The City has pursued a policy of utilizing special benefit districts to pay the cost of certain improvement projects that directly benefit property from the construction thereof. Kansas statutes allow for the creation of special benefit districts to pay for the cost of a variety of improvements, including street construction, storm water drains, sanitary sewer system improvements, street lighting, water system improvements, recreational facilities, flood control projects, bridges, and parking facilities. The City has typically utilized special benefit districts to pay for the costs associated with constructing certain street, sewer, and water improvements within the newly developing subdivisions in the City.

The creation of special benefit districts, the determination of property benefited, and the method of allocating the cost of the improvement is at the discretion of the City. Property owners have the ability to suggest improvements to be made through a petition process and to comment on the final amounts of their assessments. The City may or may not be included as part of the special benefit district. All property owners have the option to pay their portions of the improvement cost with a one-time payment during an assessment prepayment period or in annual installments with interest over a certain number of years.

Upon completion of the special benefit district improvement projects and the prepayment period, the City issues general obligation bonds to provide for permanent project financing. The payment of the principal of and interest on such bonds is paid from the special assessments levied annually on the benefitted property owners. Special assessments are paid at the same time and in the same manner as ad valorem property taxes. If at any time the special assessments received from the property owners are insufficient to provide for the payment of the principal of and interest on the bonds, the City is obligated to provide for the balance of such payments through its ability to levy unlimited ad valorem property taxes. Pursuant to Kansas law, unpaid special assessments are collected in the same manner as property taxes and result in a lien on the property. Kansas statutes authorize the judicial sale of property in order to recover the unpaid taxes and special assessments.

The City has adopted Resolution No. 259-96 establishing a policy for the financing of certain public improvements and the levying of special assessments. Pursuant to the resolution, developers that utilize special assessment financing must provide a financial commitment in the form of either (a) funding (cash, cashier's check or escrow account) equal to 20% of the estimated principal costs of the project; or (b) financial guarantee (irrevocable letter of credit, corporate completion bond) equal to 35% of the estimated principal costs of the project. The financial guarantee is to be applied to satisfy unpaid principal and interest costs of bonded public improvements, should any applicable special assessments not be paid when due. The financial guarantee is released when certificates of occupancy are issued for at least 35% of the benefitting properties, or five years from the issuance date of the guarantee, whichever occurs sooner.

**Special Assessment Collection Record.** The following table shows the amount of special assessments levied and collected for each of the years indicated. Special assessments are spread on benefited real estate with the general property tax levy in November of each year.

<u>Tax Year</u>	<u>Total Assessment</u>	<u>Total Collections (Including Prior Years' Delinquencies)</u>	
		<u>Amount</u>	<u>Percentage</u>
2023	\$1,563,866	\$ 964,390 <sup>(1)</sup>	61.67%
2022	1,637,805	1,644,966	100.44%
2021	1,737,253	1,770,799	101.93%
2020	1,507,955	1,515,540	100.50%
2019	1,501,575	1,517,251	101.04%

<sup>(1)</sup> Collections as of April 22, 2024.

Source: County Clerk

### **Pension and Employee Retirement Plans**

The Issuer participates in the Kansas Public Employees Retirement System (“KPERS”) established in 1962, as an instrumentality of the State, pursuant to K.S.A. 74-4901 *et seq.*, to provide retirement and related benefits to public employees in Kansas. KPERS is governed by a board of trustees consisting of nine members, each of whom serve four-year terms. The board of trustees appoints an executive director to serve as the managing officer of KPERS and manage a staff to carry out daily operations of the system.

As of December 31, 2022, KPERS serves approximately 340,000 members and approximately 1,500 participating employers, including the State, school districts, counties, cities, public libraries, hospitals and other governmental units. KPERS administers the following three statewide, defined benefit retirement plans for public employees:

- (a) Kansas Public Employees Retirement System;
- (b) Kansas Police and Firemen’s Retirement System; and
- (c) Kansas Retirement System for Judges.

These three plans are separate and distinct with different membership groups, actuarial assumptions, experience, contribution rates and benefit options. The Kansas Public Employees Retirement System is the largest of the three plans, accounting for approximately 95% of the members. The Kansas Public Employees Retirement System is further divided into two separate groups, as follows:

- (a) *State/School Group* - includes members employed by the State, school districts, community colleges, vocational-technical schools and educational cooperatives. The State of Kansas makes all employer contributions for this group, the majority of which comes from the State General Fund.
- (b) *Local Group* - all participating cities, counties, library boards, water districts and political subdivisions are included in this group. Local employers contribute at a different rate than the State/School Group rate.

KPERS is currently a qualified, governmental, § 401(a) defined benefit pension plan, and has received IRS determination letters attesting to the plan’s qualified status dated October 14, 1999 and March 5, 2001. KPERS is also a “contributory” defined benefit plan, meaning that employees make contributions to the plan. This contrasts it from noncontributory pension plans, which are funded solely by employer contributions. The City’s employees currently annually contribute 6% of their gross salary to the plan if such employees are KPERS Tier 1 members (covered employment prior to July 1, 2009), KPERS Tier 2 members (covered employment on or after July 1, 2009), or KPERS Tier 3 members (covered employment on or after January 1, 2015).

The City’s contribution varies from year to year based upon the annual actuarial valuation and appraisal made by KPERS, subject to legislative caps on percentage increases. The City’s contribution is 8.43% of the employee’s gross salary for calendar year 2023, and is projected to change to 9.26% of the employee’s gross salary for calendar year 2024. In addition, the City contributes 1% of the employee’s gross salary for Death and Disability Insurance for covered employees.

In 2004, 2015 and 2021, the Kansas Development Finance Authority, on behalf of the State, issued pension obligation bonds and contributed the proceeds thereof to KPERS to assist with improving the status of the unfunded actuarial pension liability. In 2022 the Legislature provided for additional contributions totaling \$1.125 billion in four payments to be deposited into the KPERS trust fund for the School Group. For more information about the Legislature’s actions related to KPERS, please see the 2022 Valuation Report referenced below.



According to the Valuation Report as of December 31, 2022 (the “2022 Valuation Report”) the KPERS Local Group, of which the Issuer is a member, carried an unfunded accrued actuarial liability (“UAAL”) of approximately \$1.952 billion at the end of 2022. The amount of the UAAL in 2022 changed from the previous year’s amount due to the factors discussed in the 2022 Valuation Report; such report also includes additional information relating to the funded status of the KPERS Local Group, including recent trends in the funded status of the KPERS Local Group. A copy of the 2022 Valuation Report is available on the KPERS website at [kpers.org/about/reports](http://kpers.org/about/reports). The Issuer has no means to independently verify any of the information set forth on the KPERS website or in the 2022 Valuation Report, which is the most recent financial and actuarial information available on the KPERS website relating to the funded status of the KPERS Local Group. The 2022 Valuation Report sets the employer contribution rate for the period beginning January 1, 2025, for the KPERS Local Group, and KPERS’ actuaries identified that an employer contribution rate of 9.60% of covered payroll would be necessary, in addition to statutory contributions by covered employees, to eliminate the UAAL by the end of the actuarial period set forth in the 2022 Valuation Report. The statutory contribution rate of employers currently equals the 2022 Valuation Report’s actuarial rate. As a result, members of the Local Group are adequately funding their projected actuarial liabilities and the UAAL can be expected to diminish over time. The required employer contribution rate may increase up to the maximum statutorily allowed rate, which is 1.2% in fiscal year 2017 and thereafter.

The City has not implemented GASB 68 – Accounting and Financial Reporting for Pensions – An Amendment of GASB 27, because the City’s financial statements are prepared on a regulatory basis of accounting which is a comprehensive basis of accounting different from accounting principles generally accepted in the United States of America. KPERS, however, has implemented GASB 67 – Financial Reporting for Pension Plans – An Amendment of GASB Statement 25, and is required annually to provide its participants the proportional share of the net pension liability of KPERS allocated to each participant as of the end of the prior fiscal year. The KPERS’ Schedule of Employer and Nonemployer Allocations and Schedules of Pension Amounts by Employer and Nonemployer (the “GASB 68 Report”) provides the net pension liability allocated to each KPERS participant, including the City. The GASB 68 Report is available on the KPERS website at [kpers.org/about/reports.html](http://kpers.org/about/reports.html). Because the City has not implemented GASB 68, the net pension liability calculated by KPERS for the City is not reflected as a liability on the City’s financial statements. The City has no means to independently verify any of the information set forth on the KPERS website or in the GASB 68 Report. It is important to note that under existing State law, the City has no legal obligation for the UAAL or the net pension liability calculated by KPERS, and such figures are for informational purposes only.

**History of Employment**

The following table indicates the history of the City's employment for the years indicated.

<u>Year</u>	<u>Total Full-Time Employees</u>	<u>Total Part-Time Employees</u>	<u>Total</u>
2023	47	10	57
2022	43	11	54
2021	37	15	52
2020	35	14	49
2019	36	12	48

---

Source: City Clerk

**Risk Management**

The City is insured against the risks arising from general liability by Employer’s Mutual Company and employee medical coverage by Blue Cross & Blue Shield of Kansas.

**ISSUER’S AUTHORITY TO INCUR DEBT**

Equalized Assessed Valuation of Tangible Valuation for Computation of Bonded Debt Limitations <sup>(1)</sup> .....	\$96,316,456
Legal limitation of Bonded Debt <sup>(2)</sup> .....	\$28,894,936
Outstanding general obligation debt anticipated as of June 20, 2024 <sup>(3)</sup> .....	\$74,565,000
Exempt Debt .....	\$51,793,607
Net Debt against Statutory Debt limit capacity .....	\$22,771,393
Additional debt capacity .....	\$6,123,542
Direct debt per capita (population 6,405) .....	\$11,642
Overlapping Indebtedness .....	\$17,425,767
Direct and overlapping debt.....	\$91,990,767
Direct and overlapping debt per capita .....	\$14,362
Direct debt as a percentage of Equalized Assessed Valuation.....	77.42%
Direct and overlapping debt as a percentage of Equalized Assessed Valuation .....	95.51%
Statutory direct debt as a percentage of Equalized Assessed Valuation.....	23.64%

<sup>(1)</sup> The preliminary assessed value of all tangible taxable property within the City. Also includes the taxable value of motor vehicles within the City. See K.S.A. 10-301 *et seq.*

<sup>(2)</sup> See K.S.A. 10-301 *et seq.*

<sup>(3)</sup> Includes the Notes and subject to change.

**DEBT STRUCTURE OF THE ISSUER**

**Overlapping Indebtedness**

The following table sets forth overlapping indebtedness as of June 20, 2024 and the percent attributable (on the basis of assessed valuation not including motor vehicle valuation) to the City:

<u>Taxing Jurisdiction</u>	<u>2023 Assessed Valuation</u>	<u>Outstanding General Obligation Indebtedness</u>	<u>Percent Applicable to The City</u>	<u>Amount Applicable to The City</u>
Sedgwick County	\$6,433,934,558	\$ 39,240,000	1.33%	\$ 522,401
U.S.D. No. 266	660,626,874	130,370,000	12.97%	<u>16,903,366</u>
TOTAL				\$17,425,767

Source: County Clerk

**Current Indebtedness of the City**

The following tables sets forth as of the issue date of the Notes all of the outstanding obligations of the City:

**GENERAL OBLIGATION BONDS  
(As of June 20, 2024)**

<u>Description of Indebtedness</u>	<u>Series</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>Amount Outstanding</u>	<u>Amount Included In Debt Limitation</u>
General Obligation Refunding & Improvement Bonds	2018A	10/01/2038	\$5,545,000	\$ 3,450,000	\$1,216,815
General Obligation Refunding & Improvement Bonds	2019A	10/01/2034	6,275,000	4,440,000	1,384,621
General Obligation Refunding Bonds	2020A	10/01/2035	2,640,000	2,150,000	618,555
General Obligation Bonds	2021A	10/01/2041	4,240,000	3,905,000	1,722,203
General Obligation Refunding Bonds	2021B	10/01/2036	3,375,000	2,795,000	685,334
General Obligation Bonds	2023A	10/01/2044	2,740,000	<u>2,740,000</u>	<u>841,473</u>
TOTAL				\$19,480,000	\$6,469,001

**TEMPORARY NOTES  
(As of June 20, 2024)**

<b>Description of Indebtedness</b>	<b>Series</b>	<b>Maturity Date</b>	<b>Original Amount</b>	<b>Amount Outstanding</b>	<b>Amount Included In Debt Limitation</b>
General Obligation Temporary Notes	2021A	09/01/2024	\$ 4,990,000	\$ 2,745,000	\$ 914,999
General Obligation Temporary Notes	2022A	09/01/2024	11,015,000	11,015,000	1,899,976
General Obligation Temporary Notes	2022B	09/01/2025	9,210,000	9,210,000	2,651,675
General Obligation Temporary Notes	2023A	10/01/2026	9,635,000	9,635,000	3,840,119
General Obligation Temporary Notes	2023B	10/01/2026	11,830,000	11,830,000	3,637,914
General Obligation Temporary Notes <sup>(1)</sup>	2024A	10/01/2027	10,650,000	<u>10,650,000</u>	<u>3,357,709</u>
TOTAL				\$55,085,000	\$16,302,392

<sup>(1)</sup> This issue and subject to change.

**CERTIFICATES OF PARTICIPATION**

As of June 20, 2024, the City had no certificates of participation outstanding.

**REVENUE BONDS OUTSTANDING  
(As of June 20, 2024)**

<b>Description of Indebtedness</b>	<b>Series</b>	<b>Maturity Date</b>	<b>Original Amount</b>	<b>Amount Outstanding</b>
Water Utility System Revenue Bonds	2014A	10/01/2038	\$ 285,000	\$ 235,000
Wastewater Utility System Revenue Bonds	2014A	10/01/2038	995,000	795,000
Water Utility System Refunding Revenue Bonds	2016A	08/01/2031	4,125,000	<u>2,390,000</u>
TOTAL				\$3,420,000

**CAPITAL LEASE OBLIGATIONS**

As of June 20, 2024, the City had no capital lease obligations outstanding.

**LOAN OBLIGATIONS  
(As of June 20, 2024)**

<b>Description</b>	<b>Year</b>	<b>Maturity Date</b>	<b>Original Amount</b>	<b>Amount Outstanding</b>
KDHE Sewer Loan	2016	03/01/2038	\$6,100,000	\$4,550,193
KDHE Sewer Loan	2020	03/01/2042	2,500,000	<u>2,083,220</u>
TOTAL				\$6,633,413

**PUBLIC BUILDING COMMISSION REVENUE BONDS OUTSTANDING  
(As of June 20, 2024)**

<b>Description of Indebtedness</b>	<b>Series</b>	<b>Maturity Date</b>	<b>Original Amount</b>	<b>Amount Outstanding</b>
Public Building Commission Revenue Bonds	2015A	10/01/2025	\$1,050,000	\$ 225,000
Public Building Commission Refunding Revenue Bonds	2021A	05/01/2031	3,460,000	<u>2,585,000</u>
TOTAL				\$2,810,000

**Debt Payment Record**

The City has never been delinquent in any payments of its debt agreements.

**Future Indebtedness**

The City plans to periodically incur indebtedness in the form of temporary notes and general obligation bonds to finance at-large public improvements in accordance with its Capital Improvement Plan and to finance residential infrastructure projects which are anticipated to be repaid from special assessments upon benefitting property owners. Additionally, the City may complete issues to: 1) finance utility

infrastructure needs with revenue bonds or other debt; 2) lease small equipment; and 3) refinance or refund outstanding debt as needed when sufficient savings can be achieved.

## ECONOMIC INFORMATION CONCERNING THE CITY

### Population Trends

The following table shows the approximate population of the County and the City in the years indicated:

<u>Year</u>	<u>County Population</u>	<u>City Population</u>
2022	525,525	6,405
2021	523,828	6,060
2020	523,824	5,735
2019	516,042	4,934
2018	513,607	4,662
2010	498,365	3,420

Source: State of Kansas – Division of Budget (2018-2019, 2021-2022 data); U.S. Census Bureau (2010, 2020 data)

### Labor Force

The following table sets forth labor force figures for the County, and the State of Kansas:

#### SEDGWICK COUNTY

<u>Average For Year</u>	<u>Total Labor Force</u>	<u>Employed</u>	<u>Unemployed</u>	<u>Unemployment Rate</u>
2022	255,813	247,806	8,007	3.1%
2021	255,086	243,391	11,695	4.6%
2020	257,217	234,769	22,448	8.7%
2019	251,155	242,477	8,678	3.5%
2018	246,605	237,249	9,356	3.8%

#### STATE OF KANSAS

<u>Average For Year</u>	<u>Total Labor Force</u>	<u>Employed</u>	<u>Unemployed</u>	<u>Unemployment Rate</u>
2022	1,504,932	1,464,834	40,098	2.7%
2021	1,495,665	1,447,323	48,342	3.2%
2020	1,497,013	1,409,003	88,010	5.9%
2019	1,486,620	1,439,563	47,057	3.2%
2018	1,482,220	1,432,387	49,833	3.4%

Currently, the Kansas Department of Labor estimates an unemployment rate of 3.3% for the County and 3.0% for the State of Kansas for the month of March 2024.

Source: Kansas Statistical Abstract (2018 – 2020 data); Kansas Department of Labor (2021 – 2022 data and March 2024 estimate)

## Retail Sales and Use Tax Collections

The following table lists the County's state sales and use tax collections for the years indicated:

<u>Year</u>	<u>Sales and Use Tax Collections</u>	<u>Per Capita Sales and Use Tax</u>
2022	\$846,942,027	\$1,531.27
2021	762,214,079	1,360.99
2020	666,114,395	1,271.20
2019	656,724,476	1,234.11
2018	628,713,626	1,069.50 <sup>(1)</sup>

<sup>(1)</sup> Use tax collections not included.

Source: Kansas Statistical Abstract

Effective July 1, 2015, the statewide sales and use tax was increased to 6.50%.

## Building Permits

The following table lists the number of building permits and total valuation of these permits issued within the City for the years indicated. These numbers reflect permits issued either for new construction or for major renovation.

<u>Year</u>	<u>Number of Permits Issued</u>		<u>Total Valuation of Permits</u>	
	<u>Residential</u>	<u>Non-Residential</u>	<u>Residential</u>	<u>Non-Residential</u>
2023	104	4	\$40,681,207	\$ 6,799,283
2022	240	15	54,038,967	8,214,504 <sup>(1)</sup>
2021	193	14	29,538,218	16,867,884
2020	152	15	22,764,155	68,006,026 <sup>(2)</sup>
2019	154	13	21,591,064	5,186,789

<sup>(1)</sup> Includes one permit for expansion of the City's Wastewater treatment plant totaling \$2,079,000.

<sup>(2)</sup> Includes two permits for new construction for a local school district (USD 266) totaling \$58,075,000.

Source: City Clerk

## Oil Production

The oil production (in number of barrels) for Sedgwick County for the years listed is indicated in the following table:

<u>Year</u>	<u>Oil Production</u>
2023	84,322
2022	91,176
2021	94,739
2020	98,374
2019	111,958

Source: Kansas Geological Survey

## Financial and Banking Institutions

There are currently 37 banks, with 147 different branch locations, located in the County. During a five-year period, bank deposits of the County's banks are as follows:

<u>Year</u>	<u>Total Bank Deposits</u> (thousands of dollars)
2023	\$19,077,135
2022	17,990,588
2021	18,605,019
2020	16,661,846
2019	13,634,000

---

Source: Kansas Statistical Abstract (2019 data); FDIC (2020-2023 data)

## Personal Income Trends

The following table lists the County personal and per capita income and State of Kansas per capita income for the years indicated:

<u>Year</u>	<u>Sedgwick County</u> <u>Personal Income (\$000)</u>	<u>Sedgwick County</u> <u>Per Capita Income</u>	<u>State Per</u> <u>Capita Income</u>
2022	\$31,411,750	\$59,772	\$60,424
2021	30,231,865	57,173	58,924
2020	29,400,927	56,550	56,099
2019	27,647,784	53,577	53,426
2018	26,664,504	51,889	51,139

---

Source: U.S. Bureau of Economic Analysis

**APPENDIX B**

**FINANCIAL STATEMENTS AND REPORT OF  
INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS**

**CITY OF MAIZE, KANSAS**

**FINANCIAL STATEMENT**

**WITH**

**INDEPENDENT AUDITOR'S REPORT**

December 31, 2022



**CITY OF MAIZE, KANSAS**  
**TABLE OF CONTENTS**  
December 31, 2022

	<u>Page Number</u>
<b>Independent Auditor's Report</b>	1 - 3
<b>Statement 1</b>	
Summary Statement of Cash Receipts, Expenditures and Unencumbered Cash Regulatory Basis	4
<b>Notes to Financial Statement</b>	5 - 13
<b>Schedule 1</b>	
Summary of Expenditures - Actual and Budget - Regulatory Basis	15
<b>Schedule 2</b>	
<b>Schedule of Receipts and Expenditures - Actual and Budget - Actual</b>	
General Fund	16
Consolidated Street	17
Capital Improvement	18
Maize Park Cemetery City	19
Bond and Interest	20
Wastewater Treatment	21
Water	22
Equipment Reserve	23
Law Enforcement Training	24
Wastewater Reserve	25
Water Reserve	26
Water Bond Reserve	27
Wastewater Bond Reserve	28
Asset Forfeiture	29
Maize Public Building Commission	30
ARPA	31
Fight Addiction	32
Convention and Tourism	33
Capital Projects	34
<b>Schedule 3</b>	
Agency Funds	35
<b>Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statement Performed in Accordance with <i>Government Auditing Standards</i></b>	36 - 37
<b>Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance in Accordance with the Uniform Guidance</b>	38 - 39
<b>Schedule of Expenditures of Federal Awards</b>	40
<b>Notes to Schedule of Expenditures of Federal Awards</b>	41
<b>Schedule of Findings and Questioned Costs</b>	42



July 5, 2023

Mayor and Council Members  
City of Maize, Kansas

## Independent Auditor's Report

### ***Adverse and Unmodified Opinions***

We have audited the accompanying fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances of the City of Maize, Kansas (the City), as of and for the year ended December 31, 2022, and the related notes to the financial statement.

### ***Adverse Opinion on U.S. Generally Accepted Accounting Principles***

In our opinion, because of the significance of the matter discussed in the Basis for Adverse and Unmodified Opinions section of our report, the accompanying financial statement referred to above does not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the City as of December 31, 2022, or changes in financial position and cash flows thereof for the year then ended.

### ***Unmodified Opinion on Regulatory Basis of Accounting***

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the aggregate cash and unencumbered cash balance of the City as of December 31, 2022, and the aggregate receipts and expenditures for the year then ended in accordance with the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide* (KMAAG) described in Note 1.

### ***Basis for Adverse and Unmodified Opinions***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS), KMAAG and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statement section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our adverse and unmodified audit opinions.

### ***Matter Giving Rise to the Adverse Opinion on U.S. Generally Accepted Accounting Principles***

As discussed in Note 1 of the financial statement, the financial statement is prepared by the City on the basis of the financial reporting provisions of the KMAAG, which is a basis of accounting other than accounting principles generally accepted in the United States of America. The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

### ***Responsibilities of Management for the Financial Statement***

Management is responsible for the preparation and fair presentation of the financial statement in accordance with KMAAG as described in Note 1; this includes determining regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statement that is free from material misstatement, whether due to fraud or error.

In preparing the financial statement, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

***Auditor’s Responsibilities for the Audit of the Financial Statement***

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City’s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City’s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

***Supplementary Information***

Our audit was conducted for the purpose of forming an opinion on the fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances (basic financial statement) as a whole. The summary of regulatory basis expenditures-actual and budget, individual fund schedules of regulatory basis receipts and expenditures-actual and budget, schedule of regulatory basis receipts and expenditures-agency funds (Schedules 1, 2 and 3 as listed in the table of contents) are presented for purposes of additional analysis and are not a required part of the basic financial statement; however, are required to be presented under the provisions of the KMAAG. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statement. The information has been subjected to the auditing procedures applied in the audit of the basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement or to the basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying supplementary information is fairly stated in all material respects, in relation to the basic financial statement as a whole, on the basis of accounting described in Note 1.

July 5, 2023  
City of Maize, Kansas  
(Continued)

***Other Supplementary Information***

Our audit was conducted for the purpose of forming an opinion on the financial statement that collectively comprises the City's basic financial statement. The Schedule of Expenditures of Federal Awards, as required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards is presented for purposes of additional analysis and is not a required part of the basic financial statement. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statement. The information has been subjected to the auditing procedures applied in the audit of the basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement or to the basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of Federal Awards is fairly stated, in all material respects, in relation to the basic financial statement as a whole.

**Other Reporting Required by Government Auditing Standards**

In accordance with Government Auditing Standards, we have also issued our report dated July 5, 2023, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control over financial reporting and compliance.

*Varney & Associates, CPAs, LLC*

Certified Public Accountants  
Manhattan, Kansas

**CITY OF MAIZE, KANSAS**  
**SUMMARY STATEMENT OF CASH RECEIPTS, EXPENDITURES AND UNENCUMBERED CASH**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

Fund	Beginning Unencumbered Cash Balance	Prior Year Cancelled Encumbrances	Cash Receipts	Expenditures	Ending Unencumbered Cash Balance	Add: Outstanding Encumbrances and Accounts Payable	Ending Cash Balance
Governmental Funds							
General Fund	\$ 2,171,638	\$ -	\$ 5,623,327	\$ 6,488,578	\$ 1,306,387	\$ 164,791	\$ 1,471,178
Special Purpose Funds							
Consolidated Street	271,180	-	386,241	453,028	204,393	18,434	222,827
Capital Improvement	467,342	-	1,487,263	1,468,973	485,632	263,480	749,112
Maize Park Cemetery District	239,270	-	105,116	99,158	245,228	1,637	246,865
Equipment Reserve	60,560	-	402,758	418,991	44,327	28,345	72,672
Law Enforcement Training	25,593	-	9,533	14,528	20,598	1,575	22,173
Wastewater Reserve	333,261	-	156,569	343,657	146,173	3,848	150,021
Water Reserve	616,867	-	222,133	249,702	589,298	12,175	601,473
Water Bond Reserve	268,000	-	1,426	-	269,426	-	269,426
Wastewater Bond Reserve	147,800	-	-	74,800	73,000	-	73,000
Asset Forfeiture	4,165	-	-	-	4,165	-	4,165
Maize Public Building Commission	6,440	-	290,102	296,535	7	-	7
ARPA	376,487	-	376,487	752,974	-	-	-
Fight Addiction	-	-	1,294	-	1,294	-	1,294
Convention and Tourism	-	-	8,834	-	8,834	-	8,834
Bond and Interest Fund	72,390	-	3,183,533	2,827,227	428,696	-	428,696
Capital Projects	(15,007,998)	-	22,658,547	6,697,226	953,323	103,770	1,057,093
Business Funds							
Wastewater Treatment Fund	1,242,982	-	1,501,397	1,231,921	1,512,458	4,916	1,517,374
Water	1,747,846	-	1,759,383	1,593,233	1,913,996	9,726	1,923,722
<b>Total Reporting Entity</b>	<b>\$ (6,956,177)</b>	<b>\$ -</b>	<b>\$ 38,173,943</b>	<b>\$ 23,010,531</b>	<b>\$ 8,207,235</b>	<b>\$ 612,697</b>	<b>\$ 8,819,932</b>

**Composition of Cash**

Checking	\$ 1,846,218
Money Market	6,985,656
Certificate of Deposit	71,526
<b>Total Primary Government</b>	<b>\$ 8,903,400</b>
Agency Funds	(83,468)
<b>Total Reporting Entity</b>	<b>\$ 8,819,932</b>

The accompanying notes are an integral part of this financial statement.  
See Independent Auditor's Report.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT**  
December 31, 2022

**Note 1: Summary of Significant Accounting Policies**

The City of Maize, Kansas (the City) is a municipal corporation governed by an elected six-member council and mayor. The financial statement presents the City and its related municipal entity. The related municipal entity is included in the City's reporting entity because it was established to benefit the City and/or its constituents.

***Maize Public Building Commission***

The Maize Public Building Commission performs functions related to the issuance and repayment of debt for the City. The governing body of the related municipal entity is appointed by the governing body of the City. During the year ended December 31, 2022, the City of Maize made payments totaling \$439,716 to the Maize Public Building Commission for the purpose of debt service.

***Regulatory Basis Fund Types***

The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. In the financial statement in this report, the various funds are grouped into generic fund types and broad fund categories as follows:

*General Fund* - The general fund is the chief operating fund of the City. It is used to account for all resources except those required to be accounted for in another fund.

*Special Purpose Funds* - Special purpose funds are used to account for the proceeds of specific tax levies and other specific revenue sources intended for specified purposes.

*Bond and Interest Fund* - Bond and interest fund is used to account for the accumulation of resources, including tax levies, transfers from other funds and payment of general long-term debt.

*Capital Project Funds* – Capital Project Funds are used to account for the debt proceeds and other financial resources to be used for acquisition or construction of major capital facilities or equipment.

*Business Funds* - Business funds are used to account for funds financed in whole or in part by fees charged to users of the goods or services.

*Agency Fund* - Funds used to report assets held by the municipal reporting entity in a purely custodial capacity (payroll clearing fund, county treasurer tax collection accounts, etc.).

***Basis of Accounting***

The *Kansas Municipal Audit and Accounting Guide* (KMAAG) regulatory basis of accounting involves the recognition of cash, cash equivalents, marketable investments, and certain accounts payable and encumbrance obligations to arrive at net unencumbered cash and investments balance on a regulatory basis for each fund, and the reporting of changes in unencumbered cash and investments of a fund resulting from the difference in regulatory basis revenues and regulatory basis expenditures for the fiscal year. All recognized assets and liabilities are measured and reported at cost, unless they have been permanently impaired and have no future cash value or represent no future obligation against cash. The KMAAG regulatory basis does not recognize capital assets, long-term debt, accrued receivables and payables, or any other assets, liabilities or deferred inflows or outflows, other than those mentioned above.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 1: Summary of Significant Accounting Policies (Continued)**

***Basis of Accounting (Continued)***

The City has approved a resolution that is in compliance with K.S.A. 75-1120a(c), waiving the requirement for application of generally accepted accounting principles and allowing the City to use the regulatory basis of accounting.

***Budgetary Information***

The City Charter establishes the fiscal year as the twelve-month period beginning January 1. The Mayor and City Council prepare a budget of estimated expenditures and receipts for the ensuing fiscal year in accordance with State of Kansas Statutes. These statutes require that an annual operating budget be adopted for the general fund, special purpose funds (unless specifically exempted by statute), bond and interest funds, and business funds. Although directory rather than mandatory, the statutes provide for the following sequence and timetable in the adoption of the legal annual operating budget.

1. Preparation of the budget for the succeeding calendar year on or before August 1st.
2. Publication in local newspaper on or before August 5th of the proposed budget and notice of public hearing on the budget.
3. Public hearing on or before August 15th, but at least ten days after publication of notice of hearing.
4. Adoption of the final budget on or before August 25th.

If the municipality is holding a revenue neutral rate hearing, the budget timeline for adoption of the final budget has been adjusted to on or before September 20th.

The statutes allow for the governing body to increase the originally adopted budget for previously unbudgeted increases in revenue other than ad valorem property taxes. To do this, a notice of public hearing to amend the budget must be published in the local newspaper. At least ten days after publication, the hearing may be held and the governing body may amend the budget at that time. There were no such budget amendments for this year.

The statutes permit transferring budgeted amounts between line items within an individual fund. However, such statutes prohibit expenditures in excess of the total amount of the adopted budget of expenditures of individual funds. Budget comparison statements are presented for each fund showing actual receipts and expenditures compared to legally budgeted receipts and expenditures.

All legal annual operating budgets are prepared using the regulatory basis of accounting, in which revenues are recognized when cash is received and expenditures include disbursements, accounts payable, and encumbrances, with disbursements being adjusted for prior year's accounts payable and encumbrances. Encumbrances are commitments by the municipality for future payments and are supported by a document evidencing the commitment, such as a purchase order or contract. Any unused budgeted expenditure authority lapses at year end.

A legal operating budget is not required for capital project funds, trust funds, and the following special purpose funds:

Water Bond Reserve	ARPA
Asset Forfeiture	Fight Addiction
Maize Public Building Commission	Convention & Tourism

Spending in funds which are not subject to the legal annual operating budget requirement is controlled by federal regulations, other statutes, or by the use of internal spending limits established by the governing body.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 1: Summary of Significant Accounting Policies (Continued)**

***Special Assessments***

Projects financed in part by special assessments are financed through the issuance of general obligation bonds which are secured in full by the City and are retired from the City's bond and interest fund. Further, state statutes permit the levying of additional general ad valorem property taxes in the City's bond and interest fund to finance delinquent special assessments. Special assessment taxes are levied over a fifteen- or twenty year period and the annual installments are due and payable with annual ad valorem property taxes. The City may foreclose liens against property benefited by special assessments when delinquent assessments are two years in arrears.

**Note 2: Deferred Compensation Plan**

The City offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan is available to all City employees and permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency.

All amounts of compensation deferred under the plan, all property and rights purchased with those amounts, and all income attributable to those amounts, property, or rights are (until paid or made available to the employee or beneficiary) the property and rights of the plan (without being restricted to the provision of benefits under the plan), subject only to the claims of the plan's general creditors. Participants' rights under the plan are equal to those of general creditors of the plan in an amount equal to the fair market value of the deferred account for each participant.

**Note 3: Compensated Absences**

All permanent full-time employees are eligible for vacation and/or sick leave benefits in varying annual amounts depending on position and length of service.

It is the policy of the City to record vacation and sick leave benefits as expenditures when paid.

**Note 4: Deposits and Investments**

K.S.A. 9-1401 establishes the depositories which may be used by the City. The statute requires banks eligible to hold the City's funds have a main or branch bank in the county in which the City is located, or in an adjoining county if such institution has been designated as an official depository, and the banks provide an acceptable rate of return on funds. In addition, K.S.A. 9-1402 requires the banks to pledge securities for deposits in excess of FDIC coverage. The City has no other policies that would further limit interest rate risk.

K.S.A. 12-1675 limits the City's investment of idle funds to time deposits, open accounts, and certificates of deposit with allowable financial institutions; U.S. government securities; temporary notes; no-fund warrants; repurchase agreements; and the Kansas Municipal Investment Pool. The City has no investment policy that would further limit its investment choices.

*Concentration of credit risk.* State statutes place no limit on the amount the City may invest in any one issuer as long as the investments are adequately secured under K.S.A. 9-1402 and 9-1405.

*Custodial credit risk - deposits.* Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require the City's deposits in financial institutions to be entirely covered by federal depository insurance or by collateral held under a joint custody receipt issued by a bank within the State of Kansas, the Federal Reserve Bank of Kansas City, or the Federal Home Loan Bank of Topeka, except during designated "peak periods" when coverage is 50%. The City does not utilize "peak periods". All deposits were legally secured at December 31, 2022.

As of December 31, 2022, the City's carrying amount of the deposits was \$8,903,400 and the bank balance was \$9,122,018. The bank balance was held by one bank. Of the bank balance, \$250,000 was covered by federal depository insurance and the remaining balance was collateralized with securities held by the pledging financial institutions' agents in the City's name.



**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 5: Maize Public Building Commission**

As described in Note 1, the Maize Public Building Commission (MPBC) is a related municipal entity of the City. As of December 31, 2022, all funds of the MPBC were held in trust by Security Bank of Kansas City in a money market bank account. All funds are received by Security Bank of Kansas City and disbursed as appropriate in accordance with a Trust Agreement between the MPBC and Security Bank of Kansas City.

**Note 6: Reimbursed Expenditures**

The City records reimbursable expenditures in the fund that makes the disbursement and records reimbursements as a receipt to the fund that receives the reimbursement. For purposes of budgetary comparisons, the expenditures are properly offset by the reimbursements under the KMAAG regulatory basis of accounting.

**Note 7: Contingencies**

***Risk Management***

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City carries commercial insurance for all risks of loss. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

***Grant Programs***

The City participates in various federal and state grant programs. These grant programs are often subject to additional audits by agents of the granting agency, the purpose of which is to ensure compliance with the specific conditions of the grant. Any liability for reimbursement which may arise as a result of these audits cannot be reasonably determined at this time, although it is believed the amount, if any, would not be material.

**Note 8: Post-Employment Benefits**

As provided by K.S.A. 12-5040, the City allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the applicable premium, conceptually, the City is subsidizing the retirees because each participant is charged a level of premium regardless of age. However, the cost of this subsidy has not been quantified in the financial statement. Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City makes health care benefits available to eligible former employees and eligible dependents. Certain requirements are outlined by the federal government for this coverage. The premium is paid in full by the insured. The City did not provide any significant postemployment benefits for former employees at December 31, 2022.

**Note 9: Interfund Transactions**

Operating transfers were as follows:

<u>From</u>	<u>To</u>	<u>Regulatory Authority</u>	<u>Amount</u>
General	Consolidated Street	12-1, 119	\$ 158,334
General	Capital Improvement	12-1,118	1,454,000
General	Equipment Reserve	12-1,117	402,000
Wastewater Treatment	Wastewater Reserve	12-1,118	59,800
Wastewater Treatment	Bond and Interest	12-825d	454,801
Water	Water Bond Reserve	12-825d	1,426
Water	Bond and Interest	12-825d	776,657
Water	Water Reserve	12-825d	219,883
Wastewater Reserve	Bond and Interest	12-825d	85,000
Capital Projects	General	10-117a	1,074
Wastewater Bond Reserve	Wastewater Treatment	12-825d	74,800
			<u>\$ 3,687,775</u>

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 10: Subsequent Events**

Subsequent to December 31, 2022, the City issued a temporary note in the amount of \$9,635,000 with an interest rate of 4.19% (callable on October 1, 2024) with final maturity on October 1, 2026.

**Note 11: Capital Projects**

Capital project authorizations with approved change orders compared with expenditures from inception are as follows:

	<b>Project Authorization</b>	<b>Expenditures to Date</b>
Villas at Hampton lakes	\$ 614,000	\$ 577,260
Cathey Property Purchase	316,700	334,785
Urban Crest Addition	733,000	938,351
WWTP Phase 1B	2,302,140	2,264,941
Mallard Estates	1,230,000	1,018,651
Oasis Addition	1,146,000	868,030
45th Street Improvements	1,758,000	1,148,203
The Coves	8,536,000	7,593,260
Academy Ave Improvements	3,890,000	3,850,263
Woodward Addition Ph 1	3,309,000	2,389,470
53rd & Tyler Water Line	1,581,250	1,621,025
Eagles Nest 2nd Ph 2	1,824,000	1,618,028
119th & Academy	1,807,000	1,234,271
Woodward Addition Ph 3	440,000	388,119
45th & 119th	2,425,000	1,623,008
Carriage Crossing 7	582,000	634,306
Carriage Crossing 8	1,170,000	1,194,616
	<u>\$ 33,664,090</u>	<u>\$ 29,296,587</u>

**Note 12: Defined Benefit Pension Plan**

**Plan Description**

The City participates in the Kansas Public Employees Retirement System (KPERS), a cost-sharing multiple-employer defined benefit pension plan as provided by K.S.A. 74-4901, et. seq. Kansas law establishes and amends benefit provisions. KPERS issues a publicly available financial report that includes financial statements and required supplementary information. KPERS' financial statements are included in its Comprehensive Annual Financial Report which can be found on the KPERS website at [www.kpers.org](http://www.kpers.org) or by writing to KPERS (611 S. Kansas Avenue, Suite 100, Topeka, KS 66503) or by calling 1-888-275-5737.

K.S.A. 74-4919 and K.S.A. 74-49,210 establish the KPERS member-employee contribution rates. KPERS has multiple benefit structures and contribution rates depending on whether the employee is a KPERS 1, KPERS 2 or KPERS 3 member. KPERS 1 members are active and contributing members hired before July 1, 2009. KPERS 2 members were first employed in a covered position on or after July 1, 2009 and KPERS 3 members were first employed in a covered position on or after January 1, 2015. Effective January 1, 2015, Kansas law established the KPERS member-employee contribution rate at 6% of covered salary for KPERS 1, KPERS 2 and KPERS 3 members. Member contributions are withheld by their employer and paid to KPERS according to the provisions of Section 414(h) of the Internal Revenue Code.

State law provides that the employer contribution rates for KPERS 1, KPERS 2 and KPERS 3 be determined based on the results of each annual actuarial valuation. Kansas law sets a limited on annual increases in the employer contribution rates. The actuarially determined employee contribution rate (not including the 1% contribution rate for the Death and Disability Program) and the statutory contribution rate was 8.90% for fiscal year ended December 31, 2022. Contributions to the pension plan from the City were \$225,538 for the year ended December 31, 2022.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 12: Defined Benefit Pension Plan (Continued)**  
**Plan Description (Continued)**

*Net Pension Liability.* At December 31, 2022, the City's proportionate share of the collective net pension liability reported by KPERS was \$2,071,483. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2021, which was rolled forward to June 30, 2022. The City's proportion of the net pension liability was based on the ratio of the City's contributions to KPERS, relative to the total employer and non-employer contributions of the Local subgroup within KPERS. Since the KMAAG regulatory basis of accounting does not recognize long-term debt, this liability is not reported in this financial statement.

The complete actuarial valuation report, including all actuarial assumption and methods, and the report on the allocation of the KPERS collective net pension liability to all participating employers are publically available on the website at [www.kpers.org](http://www.kpers.org) or can be obtained as described above.

**Note 13: Sublease Agreement**

The City has entered into a sublease agreement with the Maize Recreation Commission for use of a portion of the City Hall building. Terms of the sublease agreement provide for payments by the Maize Recreation Commission based on the debt service schedule related to the Maize Public Building Commission Improvement Bonds. Future minimum payments under this agreement are as follows:

<u>Year Ending December 31</u>		
2023	\$	144,081
2024		150,626
2025		156,565
2026		161,856
2027		167,451
Thereafter		638,271
	<u>\$</u>	<u>1,418,850</u>

**Note 14: Tax Abatements**

The City negotiates property tax abatement agreements on an individual basis. The City has tax abatement agreements with two entities as of December 31, 2022:

<u>Entity</u>	<u>Amount of Taxes During the Fiscal Year</u>
Reiloy Westland Corporation	\$ 34,845
Aerotech Engineering	21,877
	<u>\$ 56,722</u>

The above agreements have been negotiated under K.S.A. 12-1740 et seq, which authorizes the City to issue industrial revenue bonds to pay for the costs of facilities used for commercial, industrial, and manufacturing purposes. The City must prepare an analysis of the costs and benefits of each exemption and conduct a public hearing on the granting of such exemption. The notice of public hearing must be published at least seven days prior to the hearing in the official City newspaper.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 15: Revenue Bond Reserve Requirements**

The City issued revenue bonds for the purpose of constructing a water distribution system and a wastewater treatment system.

Provisions of the bond ordinance make the following requirement for the Wastewater Treatment and Water Funds to assure profitable operation and timely repayment of debt by the establishment of rates that will produce revenues sufficient to:

- a. Pay the cost of the operation and maintenance of the System.
- b. Pay the principal and interest on the revenue bonds as and when the same become due.
- c. Enable the City to have in each fiscal year net revenues in an amount that will be not less than 110% of the debt service requirements required to be paid by the City for the current fiscal year on all Wastewater Fund and Water Fund revenue bonds at the time outstanding. For 2022, 110% of the debt service payments for the current fiscal year were \$382,793 for the water system and \$76,533 for the wastewater treatment system, while net revenues as calculated per the covenant were \$1,168,045 and \$784,077, respectively.
- d. Provide reasonable and adequate reserves for the payment of the bonds and the interest thereon.

**Note 16: Compliance with Revenue Bond Ordinance**

The financial statement, together with the description of the revenue bond requirements in Note 15, indicate the Water Fund and the Wastewater Treatment Fund did meet all requirements for reserves and debt service, and the current rate structure does appear to have been adequate in 2022, to meet the requirements of K.S.A. 12-866 and K.S.A. 10-1208, as applicable.

**Note 17: Conduit Debt**

From time to time, the City has issued Industrial Revenue Bonds to provide financial assistance to private-sector and other entities for the acquisition and construction of industrial and commercial facilities deemed to be in the public interest. The bonds are secured by the property financed and are payable solely from payments received on the underlying debt. Upon repayment of the bonds, ownership of the acquired facilities transfers to the entities served by the bond issuance. The City is not obligated in any manner for the repayment of the bonds. Accordingly, the bonds are not reported in the accompanying financial statement.

As of December 31, 2022, there were six series of Industrial Revenue Bonds outstanding with an aggregate principal balance outstanding as of December 31, 2022, of \$21,753,221.

**Note 18 : Capital Projects Fund**

In order to maintain the bank-qualified status of certain municipal debt issues in 2021, funding of some capital projects was delayed until 2022. This, along with past internal accounting practices, has contributed to the negative balance in the Capital Projects Fund at the beginning of 2022. The City has contracted the services of a consultant to review and update internal procedures to ensure compliance with proper fund accounting rules in the future.

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 18: Changes in Long-Term Debt**

Following is a summary of long-term debt transactions of the City for the year ended December 31, 2022:

ISSUE	Interest Rates	Date of Issue	Amount of Issue	Date of Final Maturity	Balance Beginning of Year	Additions	Reductions/ Payments	Net Change	Balance End of Year	Interest Paid
<b>General Obligation Bonds</b>										
Series 2015-B	1.00 - 2.00%	08/31/15	\$ 740,000	10/01/22	\$ 100,000	\$ -	\$ 100,000	\$ (100,000)	\$ -	\$ 2,000
Series 2018-A	2.00 - 3.40%	09/25/18	5,545,000	10/01/38	4,310,000	-	425,000	(425,000)	3,885,000	115,320
Series 2019-A	2.00 - 2.50%	09/30/19	6,275,000	10/01/34	5,395,000	-	470,000	(470,000)	4,925,000	113,250
Series 2020-A	1.00 - 1.40%	09/01/20	2,640,000	10/01/35	2,480,000	-	165,000	(165,000)	2,315,000	26,670
Series 2021-A	1.00 - 3.00%	08/04/21	4,240,000	10/01/41	4,240,000	-	160,000	(160,000)	4,080,000	97,630
Series 2021-B	1.00 - 2.00%	08/04/21	3,375,000	10/01/36	3,375,000	-	280,000	(280,000)	3,095,000	63,659
<b>Total General Obligation Bonds</b>					<u>\$ 19,900,000</u>	<u>\$ -</u>	<u>\$ 1,600,000</u>	<u>\$ (1,600,000)</u>	<u>\$ 18,300,000</u>	<u>\$ 418,529</u>
<b>Revenue Bonds</b>										
Water System Series 2014A	2.50 - 4.00%	10/29/14	285,000	10/1/38	\$ 255,000	\$ -	\$ 10,000	\$ (10,000)	\$ 245,000	\$ 9,025
Wastewater System Series 2014A	2.50 - 4.00%	10/29/14	995,000	10/1/38	875,000	-	40,000	(40,000)	835,000	29,575
Water System Refunding Series 2016A	2.00 - 3.00%	07/01/16	4,125,000	8/1/31	2,920,000	-	260,000	(260,000)	2,660,000	68,969
<b>Total Revenue Bonds</b>					<u>\$ 4,050,000</u>	<u>\$ -</u>	<u>\$ 310,000</u>	<u>\$ (310,000)</u>	<u>\$ 3,740,000</u>	<u>\$ 107,569</u>
<b>Revolving Loan</b>										
Wastewater Treatment Plant	1.74%	09/01/16	6,065,906	3/1/38	\$ 5,252,842	\$ -	\$ 277,413	\$ (277,413)	\$ 4,975,429	\$ 90,197
KDHE Revolving Loan	1.34%	09/01/22	2,500,000	3/1/42	-	2,257,121	-	2,257,121	2,257,121	3,608
					<u>\$ 5,252,842</u>	<u>\$ 2,257,121</u>	<u>\$ 277,413</u>	<u>\$ 1,979,708</u>	<u>\$ 7,232,550</u>	<u>\$ 93,805</u>
<b>Maize Public Building Commission</b>										
2012-A Improvement Revenue Bonds	1.00 - 2.00%	10/30/12	300,000	11/1/22	\$ 30,000	\$ -	\$ 30,000	\$ (30,000)	\$ -	\$ 600
2015-A Improvement Revenue Bonds	1.00 - 2.125%	10/01/15	1,050,000	10/01/25	440,000	-	105,000	(105,000)	335,000	9,081
2021-A Refunding Bonds	1.00 - 1.25%	07/08/21	3,405,000	05/01/31	3,405,000	-	260,000	(260,000)	3,145,000	35,035
<b>Total Maize Public Building Commission</b>					<u>\$ 3,875,000</u>	<u>\$ -</u>	<u>\$ 395,000</u>	<u>\$ (395,000)</u>	<u>\$ 3,480,000</u>	<u>\$ 44,716</u>
<b>Temporary Notes</b>										
Series 2019-A	1.75%	05/01/19	2,080,000	9/1/22	\$ 560,000	\$ -	\$ 560,000	\$ (560,000)	\$ -	\$ 5,853
Series 2020-A	1.00%	06/03/20	6,600,000	10/01/23	3,135,000	-	-	-	3,135,000	31,350
Series 2021-A	0.35%	09/23/21	4,990,000	12/31/24	4,990,000	-	-	-	4,990,000	16,398
Series 2022-A	0.45%	01/05/22	11,015,000	09/01/24	-	11,015,000	-	11,015,000	11,015,000	32,494
Series 2022-B	2.13%	04/05/22	9,210,000	09/01/25	-	9,210,000	-	9,210,000	9,210,000	79,372
<b>Total Temporary Notes</b>					<u>\$ 8,685,000</u>	<u>\$ 20,225,000</u>	<u>\$ 560,000</u>	<u>\$ 19,665,000</u>	<u>\$ 28,350,000</u>	<u>\$ 165,467</u>
<b>Total Long-Term Debt</b>					<u>\$ 41,762,842</u>	<u>\$ 22,482,121</u>	<u>\$ 3,142,413</u>	<u>\$ 19,339,708</u>	<u>\$ 61,102,550</u>	<u>\$ 830,086</u>

**CITY OF MAIZE, KANSAS**  
**NOTES TO FINANCIAL STATEMENT (CONTINUED)**  
December 31, 2022

**Note 18: Changes in Long-Term Debt (Continued)**

Current maturities of long-term debt and interest for the next five years and in five year increments through maturity are as follows:

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028 - 2032</u>	<u>2033 - 2037</u>	<u>2038 - 2042</u>	<u>Total</u>
<b>Principal</b>									
General Obligation Bonds	\$ 1,560,000	\$ 1,515,000	\$ 1,575,000	\$ 1,605,000	\$ 1,660,000	\$ 6,325,000	\$ 3,025,000	\$ 1,035,000	\$ 18,300,000
Revenue Bonds	320,000	325,000	330,000	350,000	355,000	1,575,000	395,000	90,000	3,740,000
Revolving Loan	392,776	399,195	405,719	412,352	419,095	2,200,582	2,386,700	616,131	7,232,550
Maize Public Building Commission	380,000	400,000	425,000	330,000	345,000	1,600,000	-	-	3,480,000
Temporary Notes	3,135,000	16,005,000	9,210,000	-	-	-	-	-	28,350,000
<b>Total Principal</b>	<u>\$ 5,787,776</u>	<u>\$ 18,644,195</u>	<u>\$ 11,945,719</u>	<u>\$ 2,697,352</u>	<u>\$ 2,779,095</u>	<u>\$ 11,700,582</u>	<u>\$ 5,806,700</u>	<u>\$ 1,741,131</u>	<u>\$ 61,102,550</u>
<b>Interest and Service Fees</b>									
General Obligation Bonds	\$ 364,533	\$ 332,798	\$ 301,668	\$ 268,903	\$ 235,203	\$ 756,428	\$ 256,893	\$ 51,210	\$ 2,567,636
Revenue Bonds	98,619	90,619	83,819	76,819	68,969	208,763	66,563	3,600	697,771
Revolving Loan	79,131	74,630	70,051	74,012	77,164	296,838	139,258	18,460	829,544
Maize Public Building Commission	39,366	34,366	29,029	23,385	20,010	39,398	-	-	185,554
Temporary Notes	328,745	262,745	195,713	-	-	-	-	-	787,203
<b>Total Interest and Service Fees</b>	<u>\$ 910,394</u>	<u>\$ 795,158</u>	<u>\$ 680,280</u>	<u>\$ 443,119</u>	<u>\$ 401,346</u>	<u>\$ 1,301,427</u>	<u>\$ 462,714</u>	<u>\$ 73,270</u>	<u>\$ 5,067,708</u>
<b>Total Principal and Interest</b>	<u>\$ 6,698,170</u>	<u>\$ 19,439,353</u>	<u>\$ 12,625,999</u>	<u>\$ 3,140,471</u>	<u>\$ 3,180,441</u>	<u>\$ 13,002,009</u>	<u>\$ 6,269,414</u>	<u>\$ 1,814,401</u>	<u>\$ 66,170,258</u>

**REGULATORY-REQUIRED SUPPLEMENTAL INFORMATION**

**CITY OF MAIZE, KANSAS**  
**SUMMARY STATEMENT OF CASH RECEIPTS, EXPENDITURES AND UNENCUMBERED CASH**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

Fund	Certified Budget	Adjustment for Qualifying Budget Credits	Total Budget for Comparison	Expenditures Chargeable to Current Year	Variance Over (under)
Governmental Funds					
General	\$ 6,976,763	\$ -	\$ 6,976,763	\$ 6,488,578	\$ (488,185)
Special Purpose Funds					
Consolidated Street	460,179	-	460,179	453,028	(7,151)
Capital Improvement	1,911,620	-	1,911,620	1,468,973	(442,647)
Maize Park Cemetery District	220,737	-	220,737	99,158	(121,579)
Equipment Reserve	442,800	-	442,800	418,991	(23,809)
Law Enforcement Training	15,000	-	15,000	14,528	(472)
Wastewater Reserve	456,100	-	456,100	343,657	(112,443)
Water Reserve	250,000	-	250,000	249,702	(298)
Wastewater Bond Reserve	74,800	-	74,800	74,800	-
Bond and Interest	2,877,781	-	2,877,781	2,827,227	(50,554)
Business					
Wastewater Treatment	1,233,500	-	1,233,500	1,231,921	(1,579)
Water	1,593,426	-	1,593,426	1,593,233	(193)
Totals	<u>\$ 16,512,706</u>	<u>\$ -</u>	<u>\$ 16,512,706</u>	<u>\$ 15,263,796</u>	<u>\$ (1,248,910)</u>



**CITY OF MAIZE, KANSAS**  
**GENERAL**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<u>Variance Over (Under)</u>
<b>CASH RECEIPTS</b>			
Taxes and Shared Revenue			
Ad valorem tax	\$ 2,696,206	\$ 2,751,368	\$ (55,162)
Delinquent tax	338,015	50,000	288,015
Motor vehicle tax	25,182	284,928	(259,746)
Sales tax	1,305,807	1,000,000	305,807
Transient guest tax	105,298	100,000	5,298
Liquor tax	1,347	80	1,267
Franchise tax	628,411	431,000	197,411
Municipal court	118,345	115,500	2,845
Permits and licenses	18,660	148,475	(129,815)
Community building rental	8,000	7,500	500
911 camp revenue	-	9,000	(9,000)
Planning & zoning revenue	257,247	5,500	251,747
Fireworks permit	32,000	28,000	4,000
Interest	75,478	7,500	67,978
Miscellaneous	12,257	2,500	9,757
Transfers in	1,074	-	1,074
<b>Total Cash Receipts</b>	<u>\$ 5,623,327</u>	<u>\$ 4,941,351</u>	<u>\$ 681,976</u>
<b>EXPENDITURES</b>			
City Council	\$ 37,027	\$ 34,950	\$ 2,077
Administration	415,848	399,000	16,848
Police Department	359,503	1,162,588	(803,085)
Municipal Court	167,516	164,110	3,406
Community Facilities	66,119	94,375	(28,256)
Planning Commission	53,601	55,000	(1,399)
Non-Departmental			-
Employee Benefits	919,845	950,000	(30,155)
Utilities	35,054	35,000	54
Community Services	6,514	8,000	(1,486)
Building Inspections	123,976	100,000	23,976
Audit	19,175	19,000	175
Economic Development	20,000	20,000	-
Park and Tree Board	33,033	35,000	(1,967)
Senior Services	1,128	-	1,128
City Hall and Public Works Lease Payments	287,226	295,262	(8,036)
Transient Guest Tax Rebate	105,298	100,000	5,298
Housing Grant	299,274	440,000	(140,726)
Commercial grant	13,643	16,000	(2,357)
911 Camp Expenses	-	8,000	(8,000)
Contingency	826,616	210,000	616,616
Tech Support	119,760	119,930	(170)
Debt service	563,048	-	563,048
Miscellaneous	1,040	1,500	(460)
Transfers out	2,014,334	2,609,048	(594,714)
Cash Reserve	-	100,000	(100,000)
<b>Total Expenditures</b>	<u>\$ 6,488,578</u>	<u>\$ 6,976,763</u>	<u>\$ (488,185)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	<u>\$ (865,251)</u>		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>2,171,638</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 1,306,387</u>		

See Independent Auditor's Report.

**CITY OF MAIZE, KANSAS**  
**CONSOLIDATED STREET**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<u>Variance Over (Under)</u>
<b>CASH RECEIPTS</b>			
State gas tax	\$ 153,380	\$ 126,880	\$ 26,500
County gas tax	67,969	55,130	12,839
Transfers in	158,334	190,000	(31,666)
Miscellaneous	6,558	-	6,558
<b>Total Cash Receipts</b>	<u>\$ 386,241</u>	<u>\$ 372,010</u>	<u>\$ 14,231</u>
<b>EXPENDITURES</b>			
Personnel services	\$ 195,710	\$ 233,279	\$ (37,569)
Operating expenses	257,318	226,900	30,418
<b>Total Expenditures</b>	<u>\$ 453,028</u>	<u>\$ 460,179</u>	<u>\$ (7,151)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ (66,787)		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>271,180</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 204,393</u>		

**CITY OF MAIZE, KANSAS**  
**CAPITAL IMPROVEMENT**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Transfers in	\$ 1,454,000	\$ 1,454,000	\$ -
Interest	13,264	7,500	5,764
Miscellaneous	19,999	-	19,999
<b>Total Cash Receipts</b>	<u>\$ 1,487,263</u>	<u>\$ 1,461,500</u>	<u>\$ 25,763</u>
<b>EXPENDITURES</b>			
Street Improvements	\$ 625,529	\$ 710,000	\$ (84,471)
Sidewalks	87,445	100,000	(12,555)
Park Improvements	740,999	1,101,620	(360,621)
Miscellaneous	15,000	-	15,000
<b>Total Expenditures</b>	<u>\$ 1,468,973</u>	<u>\$ 1,911,620</u>	<u>\$ (442,647)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 18,290		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>467,342</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 485,632</u>		

**CITY OF MAIZE, KANSAS**  
**MAIZE PARK CEMETERY DISTRICT**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<b>Actual</b>	<b>Budget</b>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Ad valorem tax	\$ 57,769	\$ 57,973	\$ (204)
Delinquent taxes	463	-	463
Motor vehicle taxes	6,432	6,764	(332)
Plot fees	22,550	9,000	13,550
Internments	11,625	3,000	8,625
Memorial permit fees	1,175	500	675
Interest	4,928	250	4,678
Miscellaneous	174	500	(326)
<b>Total Cash Receipts</b>	<b>\$ 105,116</b>	<b>\$ 77,987</b>	<b>\$ 27,129</b>
<b>EXPENDITURES</b>			
Personnel services	\$ 8,462	\$ 25,000	\$ (16,538)
Operating expenses	70,042	173,237	(103,195)
Capital outlay	20,654	22,500	(1,846)
<b>Total Expenditures</b>	<b>\$ 99,158</b>	<b>\$ 220,737</b>	<b>\$ (121,579)</b>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	<b>\$ 5,958</b>		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<b>239,270</b>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<b>\$ 245,228</b>		

**CITY OF MAIZE, KANSAS**  
**BOND AND INTEREST**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Ad valorem tax	\$ 59,651	\$ 60,858	\$ (1,207)
Delinquent taxes	474	2,000	(1,526)
Motor vehicle taxes	5,832	4,744	1,088
Special assessments	1,782,421	1,600,000	182,421
Interest	18,697	1,200	17,497
Transfers in	1,316,458	1,316,458	-
<b>Total Cash Receipts</b>	<u>\$ 3,183,533</u>	<u>\$ 2,985,260</u>	<u>\$ 198,273</u>
<b>EXPENDITURES</b>			
Debt service - principal	\$ 2,187,413	\$ 2,244,093	\$ (56,680)
Debt service - interest	639,814	633,688	6,126
<b>Total Expenditures</b>	<u>\$ 2,827,227</u>	<u>\$ 2,877,781</u>	<u>\$ (50,554)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 356,306		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>72,390</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 428,696</u>		

**CITY OF MAIZE, KANSAS**  
**WASTEWATER TREATMENT**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
User fees	\$ 1,134,490	\$ 975,000	\$ 159,490
Tap fees	123,900	60,000	63,900
Plant equity fees	122,400	65,000	57,400
Interest	38,154	6,000	32,154
Miscellaneous	7,653	7,500	153
Transfers in	74,800	-	74,800
<b>Total Cash Receipts</b>	<u>\$ 1,501,397</u>	<u>\$ 1,113,500</u>	<u>\$ 387,897</u>
 <b>EXPENDITURES</b>			
Personnel services	\$ 318,375	\$ 371,855	\$ (53,480)
Operating expenses	398,945	347,044	51,901
Transfers out	514,601	514,601	-
<b>Total Expenditures</b>	<u>\$ 1,231,921</u>	<u>\$ 1,233,500</u>	<u>\$ (1,579)</u>
 <b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 269,476		
 <b>UNENCUMBERED CASH - JANUARY 1</b>	<u>1,242,982</u>		
 <b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 1,512,458</u>		

**CITY OF MAIZE, KANSAS**  
**WATER**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
User Fees	\$ 1,411,482	\$ 1,100,000	\$ 311,482
Tap Fees	127,250	65,000	62,250
Plant Equity Fees	112,195	60,000	52,195
Connection Fees	8,500	7,000	1,500
Tower Rent	30,083	33,000	(2,917)
Water Tax	13,999	15,000	(1,001)
Interest	52,755	2,000	50,755
Miscellaneous	3,119	-	3,119
<b>Total Cash Receipts</b>	<u>\$ 1,759,383</u>	<u>\$ 1,282,000</u>	<u>\$ 477,383</u>
<b>EXPENDITURES</b>			
Personnel services	\$ 336,926	\$ 326,090	\$ 10,836
Operating expenses	258,341	269,370	(11,029)
Transfers out	997,966	997,966	-
<b>Total Expenditures</b>	<u>\$ 1,593,233</u>	<u>\$ 1,593,426</u>	<u>\$ (193)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 166,150		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>1,747,846</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 1,913,996</u>		

**CITY OF MAIZE, KANSAS**  
**EQUIPMENT RESERVE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<u>Actual</u>	<u>Budget</u>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Interest	\$ 758	\$ 1,000	\$ (242)
Transfers in	402,000	402,000	-
<b>Total Cash Receipts</b>	<u>\$ 402,758</u>	<u>\$ 403,000</u>	<u>\$ (242)</u>
<b>EXPENDITURES</b>			
Capital outlay	<u>\$ 418,991</u>	<u>\$ 442,800</u>	<u>\$ (23,809)</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ (16,233)		
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>60,560</u>		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u>\$ 44,327</u>		



**CITY OF MAIZE, KANSAS**  
**LAW ENFORCEMENT TRAINING**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<b>Actual</b>	<b>Budget</b>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Training receipts	\$ 9,533	\$ 10,000	\$ (467)
<b>EXPENDITURES</b>			
Training expenses	\$ 14,528	\$ 15,000	\$ (472)
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ (4,995)		
<b>UNENCUMBERED CASH - JANUARY 1</b>	25,593		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	\$ 20,598		

**CITY OF MAIZE, KANSAS**  
**WASTEWATER RESERVE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<b>Actual</b>	<b>Budget</b>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Fees	\$ 96,769	\$ 85,000	\$ 11,769
Transfers in	59,800	59,800	-
<b>Total Cash Receipts</b>	<b>\$ 156,569</b>	<b>\$ 144,800</b>	<b>\$ 11,769</b>
 <b>EXPENDITURES</b>			
Capital outlay	\$ 253,870	\$ 371,100	\$ (117,230)
Contractual services	4,787	-	4,787
Transfers out	85,000	85,000	-
<b>Total Expenditures</b>	<b>\$ 343,657</b>	<b>\$ 456,100</b>	<b>\$ (112,443)</b>
 <b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	 <b>\$ (187,088)</b>		
 <b>UNENCUMBERED CASH - JANUARY 1</b>	 <b>333,261</b>		
 <b>UNENCUMBERED CASH - DECEMBER 31</b>	 <b>\$ 146,173</b>		

**CITY OF MAIZE, KANSAS**  
**WATER RESERVE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

	<b>Actual</b>	<b>Budget</b>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>			
Fees	\$ 2,250	\$ -	\$ 2,250
Transfers in	219,883	219,883	-
<b>Total Cash Receipts</b>	<b>\$ 222,133</b>	<b>\$ 219,883</b>	<b>\$ 2,250</b>
 <b>EXPENDITURES</b>			
Contractual services	\$ 5,359	\$ 9,000	\$ (3,641)
Capital outlay	244,343	241,000	3,343
<b>Total Expenditures</b>	<b>\$ 249,702</b>	<b>\$ 250,000</b>	<b>\$ (298)</b>
 <b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	 \$ (27,569)		
 <b>UNENCUMBERED CASH - JANUARY 1</b>	 <u>616,867</u>		
 <b>UNENCUMBERED CASH - DECEMBER 31</b>	 <u><u>\$ 589,298</u></u>		

**CITY OF MAIZE, KANSAS**  
**WATER BOND RESERVE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Transfers in	<u>\$        1,426</u>
<b>EXPENDITURES</b>	<u>\$              -</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$        1,426
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>268,000</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$      269,426</u></u>

**CITY OF MAIZE, KANSAS**  
**WASTEWATER BOND RESERVE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET**  
**Regulatory Basis**  
 For the Year Ended December 31, 2022

	<b>Actual</b>	<b>Budget</b>	<b>Variance Over (Under)</b>
<b>CASH RECEIPTS</b>	\$ -	\$ -	\$ -
<b>EXPENDITURES</b>			
Transfers out	\$ 74,800	\$ 74,800	\$ -
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ (74,800)		
<b>UNENCUMBERED CASH - JANUARY 1</b>	147,800		
<b>UNENCUMBERED CASH - DECEMBER 31</b>	\$ 73,000		

**CITY OF MAIZE, KANSAS**  
**ASSET FORFEITURE**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	<u>\$ -</u>
<b>EXPENDITURES</b>	<u>\$ -</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ -
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>4,165</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$ 4,165</u></u>

**CITY OF MAIZE, KANSAS**  
**MAIZE PUBLIC BUILDING COMMISSION**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Miscellaneous	\$ 290,094
Investment income	8
<b>Total Cash Receipts</b>	<u>\$ 290,102</u>
 <b>EXPENDITURES</b>	
Debt service	\$ 295,035
Fees	1,500
<b>Total Expenditures</b>	<u>\$ 296,535</u>
 <b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	 \$ (6,433)
 <b>UNENCUMBERED CASH - JANUARY 1</b>	 <u>6,440</u>
 <b>UNENCUMBERED CASH - DECEMBER 31</b>	 <u><u>\$ 7</u></u>

**CITY OF MAIZE, KANSAS**  
**ARPA**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Federal aid	<u>\$ 376,487</u>
<b>EXPENDITURES</b>	
Miscellaneous	<u>\$ 752,974</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ (376,487)
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>376,487</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$ -</u></u>



**CITY OF MAIZE, KANSAS**  
**FIGHT ADDICTION**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Miscellaneous	<u>\$ 1,294</u>
<b>EXPENDITURES</b>	<u>\$ -</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 1,294
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>-</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$ 1,294</u></u>

**CITY OF MAIZE, KANSAS**  
**CONVENTION AND TOURISM**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Transient guest tax	<u>\$          8,834</u>
<b>EXPENDITURES</b>	<u>\$                  -</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$          8,834
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>                  -</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$          8,834</u></u>

**CITY OF MAIZE, KANSAS**  
**CAPITAL PROJECTS**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>CASH RECEIPTS</b>	
Debt proceeds	\$ 21,708,979
Other	949,568
<b>Total Cash Receipts</b>	<u>\$ 22,658,547</u>
 <b>EXPENDITURES</b>	
Personnel services	\$ 13,437
Construction/Engineering Costs	6,533,876
Bond interest	148,839
Transfers out	1,074
<b>Total Expenditures</b>	<u>\$ 6,697,226</u>
<b>RECEIPTS OVER (UNDER) EXPENDITURES</b>	\$ 15,961,321
<b>UNENCUMBERED CASH - JANUARY 1</b>	<u>(15,007,998)</u>
<b>UNENCUMBERED CASH - DECEMBER 31</b>	<u><u>\$ 953,323</u></u>

**CITY OF MAIZE, KANSAS**  
**AGENCY FUNDS**  
**SCHEDULE OF RECEIPTS AND EXPENDITURES**  
**Regulatory Basis**  
 For the Year Ended December 31, 2022

<b>Fund</b>	<u>Beginning Cash Balance</u>	<u>Cash Receipts</u>	<u>Cash Disbursements</u>	<u>Ending Cash Balance</u>
Municipal Court	\$ 68,231	\$ 43,376	\$ 34,554	\$ 77,053
Mayor Donnelly Memorial	4,780	-	2,537	2,243
Cafeteria Plan	(4,519)	100,408	91,717	4,172
<b>Total Cash Receipts</b>	<u>\$ 68,492</u>	<u>\$ 143,784</u>	<u>\$ 128,808</u>	<u>\$ 83,468</u>



July 5, 2023

Mayor and Council Members  
City of Maize, Kansas

**Independent Auditor's Report on Internal Control Over Financial Reporting  
and on Compliance and Other Matters Based on an Audit of Financial Statement  
Performed in Accordance With Government Auditing Standards**

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statement of the City of Maize, Kansas (the City) as of and for the year ended December 31, 2022, and the related notes to the financial statement, which collectively comprise the City's basic financial statement, and have issued our report thereon dated July 5, 2023.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statement, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statement is free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

July 5, 2023  
City of Maize, Kansas  
(Continued)

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Varney & Associates, CPAs, LLC*

Certified Public Accountants  
Manhattan, Kansas



July 5, 2023

Mayor and Council Members  
City of Maize, Kansas

**Independent Auditor's Report on Compliance for Each Major Program and on  
Internal Control over Compliance in Accordance with the Uniform Guidance**

**Unmodified Opinions**

We have audited City of Maize, Kansas' (the City) compliance with the types of compliance requirements described in the U.S. *Office of Management and Budget (OMB) Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended December 31, 2022. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2022.

**Basis for Unmodified Opinions**

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

**Responsibilities of Management for Compliance**

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the City's federal programs.

**Auditor's Responsibilities for the Audit of Compliance**

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

July 5, 2023  
City of Maize, Kansas  
(Continued)

### **Auditor's Responsibilities for the Audit of Compliance (continued)**

In performing an audit in accordance with GAAS, Government Auditing Standards, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

### **Report on Internal Control Over Compliance**

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

### **Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

*Vayne & Associates, CPAs, LLC*

Certified Public Accountants  
Manhattan, Kansas



**CITY OF MAIZE, KANSAS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

<b>Federal Grantor/Pass-Through Grantor/Program Title</b>	<b><u>Assistance Listing Number</u></b>	<b><u>Pass Through Number</u></b>	<b><u>Federal Award Expenditures</u></b>	<b><u>Subrecipient Expenditures</u></b>
<b>U.S. Department of the Treasury</b>				
Passed through Kansas Governor's Office				
Covid-19 Coronavirus State and Local Fiscal Recovery Funds	21.027	N/A	\$ 752,974	\$ -
<b>U.S. Department of the Interior</b>				
Passed through the Kansas Department of Wildlife & Parks				
Outdoor Recreation Acquisition, Development and Planning	15.916	N/A	<u>398,591</u>	<u>-</u>
<b>Total Federal Expenditures</b>			<b><u>\$ 1,151,565</u></b>	<b><u>\$ -</u></b>

**CITY OF MAIZE, KANSAS**  
**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**  
December 31, 2022

**Note 1: Organization**

The City of Maize, Kansas (the City) is the recipient of several federal awards. All federal awards received directly from federal agencies as well as those awards that are passed through other government agencies, are included on the schedule of Expenditures of Federal Awards.

**Note 2: Basis of Presentation**

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the City, and is presented on the Kansas regulatory basis of accounting which includes cash disbursements, accounts payable and encumbrances. The information presented in this schedule is in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the basic financial statement. The City elected not to use the 10% de minimis indirect cost rate.

**Note 3: Local Government Contributions**

Local cost sharing is required by certain federal grants. The amount of cost sharing varies with each program. Only the federal share of expenditures is presented in the Schedule of Expenditures of Federal Awards.

**Note 4: Additional Audits**

Grantor agencies reserve the right to conduct additional audits of the City's grant programs for economy and efficiency and program results that may result in disallowed costs to the City. However, management does not believe such audits would result in any disallowed costs that would be material to the City's financial position at December 31, 2022.

**Note 5: Outstanding Loans**

The City did not have any outstanding loans under any federal grants at December 31, 2022.

**CITY OF MAIZE, KANSAS**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**Regulatory Basis**  
For the Year Ended December 31, 2022

**Section I - Summary of Auditor's Results**

**Financial Statement**

Type of auditor's report issued:	Unmodified
Internal control over financial reporting:	
Material weaknesses identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Reportable conditions identified not considered to be material weaknesses?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None reported
Noncompliance material to financial statement noted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None

**Federal Awards**

Internal controls over major programs:	
Material weaknesses identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Reportable conditions identified not considered to be material weaknesses?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None reported

Type of auditor's report issued on compliance for major programs:	Unmodified
---	------------

Any audit findings disclosed that are required to be reported in accordance with Title 2 U.S. Code of Federal Regulations (CFR) Part 200.516(a)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

Identification of major programs:	
<u><b>Name of Federal program</b></u>	<u><b>CFDA Number</b></u>
Covid-19 Coronavirus State and Local Fiscal Recovery Funds	21.027

Dollar threshold used to distinguish between Type A and Type B programs:	\$ 750,000
--	------------

Auditee qualified as a low-risk auditee?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

Note:

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the City, and is presented on the Kansas regulatory basis of accounting which includes cash disbursements, accounts payable and encumbrances. The information presented in this schedule is in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the basic financial statement. The City elected not to use the 10% de minimis indirect cost rate.

**Section II - Financial Statement Findings**

No matters were reported

**Section III - Federal Award Findings and Questioned Costs**

There were no current year findings or questioned costs.

**APPENDIX C**

**SUMMARY OF FINANCING DOCUMENTS**

## *APPENDIX C*

### SUMMARY OF FINANCING DOCUMENTS

The following is a summary of certain provisions contained in the Note Resolution authorizing the issuance of the Notes. This summary does not purport to be complete and is qualified by reference to the entirety of the foregoing document.

#### THE NOTE RESOLUTION

##### DEFINITIONS

In addition to words and terms defined elsewhere in this Official Statement, the following words and terms as used herein shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“**Act**” means the Constitution and statutes of the State, including K.S.A. 10-101 to 10-125, inclusive (specifically including K.S.A. 10-123), K.S.A. 10-620 *et seq.*, K.S.A. 12-6a01 *et seq.*; [and K.S.A. 65-163d *et seq.*], all as amended and supplemented.

“**Authorized Denomination**” means \$5,000 or any integral multiples thereof.

“**Beneficial Owner**” of the Notes includes any Owner of the Notes and any other Person who, directly or indirectly has the investment power with respect to such Notes.

“**Bond and Interest Fund**” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“**Bond Counsel**” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“**Business Day**” means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

“**Cede & Co.**” means Cede & Co., as nominee of DTC and any successor nominee of DTC with respect to the Notes.

“**City**” means the City of Maize, Kansas.

“**Clerk**” means the duly appointed and acting Clerk of the Issuer or, in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk of the Issuer.

“**Code**” means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder of the United States Department of the Treasury.

“**Consulting Engineer**” means an independent engineer or engineering firm, or architect or architectural firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by the Note Resolution.

“**Costs of Issuance**” means all costs of issuing the Notes, including but not limited to all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code, and all expenses incurred in connection with receiving ratings on the Notes.

“**Costs of Issuance Account**” means the account by that name created by the Note Resolution.

“**Dated Date**” means June 20, 2024.

**“Debt Service Account”** means the account by that name (within the Bond and Interest Fund) created by the Note Resolution.

**“Debt Service Requirements”** means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Notes for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

**“Defaulted Interest”** means interest on any Note which is payable but not paid on any Interest Payment Date.

**“Defeasance Obligations”** means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) such obligations are rated in a rating category by Moody's or Standard & Poor's that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

**“Derivative”** means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

**“Disclosure Undertaking”** means the Continuing Disclosure Undertaking, dated as of the Dated Date, relating to certain obligations contained in the SEC Rule.

**“DTC”** means The Depository Trust Company.

**“Event of Default”** means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, of any of the Notes shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise;

(b) Payment of any installment of interest on any of the Notes shall not be made when the same shall become due; or

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Notes or in the Note Resolution (other than the covenants relating to continuing disclosure contained in the Note Resolution or the Disclosure Undertaking) on the part of the Issuer to be performed, and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the Issuer by the Owner of any of the Notes then Outstanding.

**“Federal Tax Certificate”** means the Issuer's Federal Tax Certificate for the Notes, dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

**“Fiscal Year”** means the twelve month period ending on December 31.

**“Financeable Costs”** means the amount of expenditure for an Improvement which has been duly authorized by action of the governing body of the Issuer to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

**“Funds and Accounts”** means funds and accounts created by or referred to in the Note Resolution.

**“Improvement Fund”** means the fund by that name created in the Note Resolution.

**“Improvements”** means the improvements referred to in the preamble to the Note Resolution and any Substitute Improvements.

**“Independent Accountant”** means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by the Note Resolution.

**“Interest Payment Date(s)”** means the Stated Maturity of an installment of interest on any Note which shall be April 1 and October 1 of each year, commencing October 1, 2024.

**“Issue Date”** means the date when the Issuer delivers the Notes to the Purchaser in exchange for the Purchase Price.

**“Issuer”** means the City and any successors or assigns.

**“Maturity”** when used with respect to any Note means the date on which the principal of such Note becomes due and payable as therein and in the Note Resolution provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

**“Mayor”** means the duly elected and acting Mayor, or in the Mayor's absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the Issuer.

**“Moody's”** means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody's” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

**“Note Payment Date”** means any date on which principal of or interest on any Note is payable.

**“Note Register”** means the books for the registration, transfer and exchange of Notes kept at the office of the Note Registrar.

**“Note Registrar”** means the State Treasurer, and its successors and assigns.

**“Note Resolution”** means the resolution adopted by the governing body of the Issuer authorizing the issuance of the Notes, as amended from time to time.

**“Notes”** means the General Obligation Temporary Notes, Series 2024A, authorized and issued by the Issuer pursuant to the Note Resolution.

**“Official Statement”** means the Issuer's Official Statement relating to the Notes.

**“Outstanding”** means, when used with reference to the Notes, as of a particular date of determination, all Notes theretofore, authenticated and delivered, except the following Notes:

- (a) Notes theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Notes deemed to be paid in accordance with the provisions of the Note Resolution; and

(c) Notes in exchange for or in lieu of which other Notes have been authenticated and delivered hereunder.

**“Owner”** when used with respect to any Note means the Person in whose name such Note is registered on the Note Register. Whenever consent of the Owners is required pursuant to the terms of this Note Resolution, and the Owner of the Notes, as set forth on the Note Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Notes.

**“Participants”** means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

**“Paying Agent”** means the State Treasurer, and any successors and assigns.

**“Permitted Investments”** shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the Issuer's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's or Standard & Poor's; (i) investments and shares or units of a money market fund or trust, the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the State as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f), all as may be further restricted or modified by amendments to applicable State law.

**“Person”** means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

**“Purchaser”** means the financial institution or investment banking firm that is original purchaser of the Notes.

**“Rating Agency”** means any company, agency or entity that provides ratings for the Notes.

**“Rebate Fund”** means the fund by that name created by the Note Resolution.

**“Record Dates”** for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

**“Redemption Date”** when used with respect to any Note to be redeemed means the date fixed for the redemption of such Note pursuant to the terms of the Note Resolution.

**“Redemption Price”** when used with respect to any Note to be redeemed means the price at which such Note is to be redeemed pursuant to the terms of the Note Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

**“Replacement Notes”** means Notes issued to the Beneficial Owners of the Notes in accordance with the Note Resolution.

**“SEC Rule”** means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

**“Securities Depository”** means, initially, The Depository Trust Company, New York, New York, and its successors and assigns.

**“Special Record Date”** means the date fixed by the Paying Agent for the payment of Defaulted Interest.



“**Standard & Poor's**” means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor's shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“**State**” means the state of Kansas.

“**State Treasurer**” means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State.

“**Stated Maturity**” when used with respect to any Note or any installment of interest thereon means the date specified in such Note and the Note Resolution as the fixed date on which the principal of such Note or such installment of interest is due and payable.

“**Substitute Improvements**” means the substitute or additional improvements of the Issuer described in the Note Resolution.

“**Treasurer**” means the duly appointed and/or elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“**United States Government Obligations**” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

#### **ESTABLISHMENT OF FUNDS AND ACCOUNTS; DEPOSIT AND APPLICATION OF NOTE PROCEEDS**

***Creation of Funds and Accounts.*** Simultaneously with the issuance of the Notes, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Improvement Fund.
- (b) Debt Service Account.
- (c) Rebate Fund.
- (d) Costs of Issuance Account.

The above Funds and Accounts shall be administered in accordance with the provisions of the Note Resolution so long as the Notes are Outstanding.

***Deposit of Note Proceeds.*** The net proceeds received from the sale of the Notes shall be deposited simultaneously with the delivery of the Notes as follows:

- (a) Excess proceeds, if any, received from the sale of the Notes and an amount representing interest on the Notes during construction of the Improvements shall be deposited in the Debt Service Account.
- (b) An amount necessary to pay the Costs of Issuance shall be deposited in the Costs of Issuance Account.
- (c) The remaining balance of the proceeds derived from the sale of the Notes shall be deposited in the Improvement Fund.

***Application of Moneys in the Improvement Fund.*** Moneys in the Improvement Fund shall be used for the sole purpose of: (a) paying the costs of the Improvements; (b) paying interest on the Notes during construction of the Improvements; (c) paying Costs of Issuance; and (d) transferring any amounts to the Rebate Fund.

Withdrawals from the Improvement Fund shall be made only when authorized by the governing body of the Issuer. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Consulting Engineer stating that such payment is being made for a purpose within the scope of the Note Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof.

Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Clerk (or designate) stating that such payment is being made for a purpose within the scope of the Note Resolution. Upon completion of the Improvements, any surplus remaining in the Improvement Fund shall be deposited in the Debt Service Account.

***Substitution of Improvements; Reallocation of Proceeds.*** The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Notes provided the following conditions are met: (a) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the governing body of the Issuer in accordance with the laws of the State; (b) a resolution authorizing the use of the proceeds of the Notes to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the governing body of the Issuer pursuant to this Section, (c) the Attorney General of the State has approved the amendment made by such resolution to the transcript of proceedings for the Notes to include the Substitute Improvements; and (d) the use of the proceeds of the Notes to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Notes under State or federal law.

The Issuer may reallocate expenditure of Note proceeds among all Improvements financed by the Notes; provided the following conditions are met: (a) the reallocation is approved by the governing body of the Issuer; (b) the reallocation shall not cause the proceeds of the Notes allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (c) the reallocation will not adversely affect the tax-exempt status of the Notes under State or federal law.

***Application of Moneys in the Debt Service Account.*** All amounts paid and credited to the Debt Service Account shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Notes as and when the same become due and the usual and customary fees and expenses of the Note Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account sums sufficient to pay both principal or Redemption Price of and interest on the Notes and the fees and expenses of the Note Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Notes are no longer entitled to enforce payment of the Notes or the interest thereon, the Paying Agent shall return said funds to the Issuer. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in the Note Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Notes entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the indebtedness for which the Notes were issued shall be transferred and paid into the Bond and Interest Fund.

***Payments Due on Saturdays, Sundays and Holidays.*** In any case where a Note Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Note Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Note Payment Date, and no interest shall accrue for the period after such Note Payment Date.

***Application of Moneys in the Rebate Fund.*** There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Federal Tax Certificate), for payment to the United States of America, and neither the Issuer nor the Owner of any Notes shall have any rights in or claim to such money.

***Application of Moneys in the Costs of Issuance Account.*** Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance.

## **DEPOSIT AND INVESTMENT OF MONEYS**

***Deposits.*** Moneys in each of the Funds and Accounts shall be deposited in a bank, savings and loan association or savings bank which are members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law, and which meet certain guidelines of State law. All such deposits shall be held in cash or invested in Permitted Investments or shall be adequately secured as provided by the laws of the State.

***Investments.*** Moneys held in any Fund or Account may be invested in accordance with the Note Resolution and the Federal Tax Certificate, in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account; provided that, during the period of construction of the Improvements, earnings on the investment of such funds may be credited to the Debt Service Account.

## DEFAULT AND REMEDIES

**Remedies.** The provisions of the Note Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Notes. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Notes at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Notes similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Note Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the Issuer, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Notes.

**Limitation on Rights of Owners.** The covenants and agreements of the Issuer contained in the Note Resolution and in the Notes shall be for the equal benefit, protection, and security of the Owners of any or all of the Notes, all of which Notes of any series shall be of equal rank and without preference or priority of one Note over any other Note in the application of the Funds and Accounts pledged to the payment of the principal of and the interest on the Notes, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in the Note Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for in the Note Resolution, or to enforce any right, except in the manner provided in the Note Resolution, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of such Outstanding Notes.

**Remedies Cumulative.** No remedy conferred upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred. No waiver of any default or breach of duty or contract by the Owner of any Note shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon.

## DEFEASANCE

When any or all of the Notes, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in the Note Resolution and all other rights granted thereby shall terminate with respect to the Notes or scheduled interest payments thereon so paid and discharged. Notes, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of the Note Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Notes or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal or Redemption Price of said Notes and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments. If the amount to be so deposited is based on the Redemption Price of any Notes, no such satisfaction shall occur until: (a) the Issuer has elected to redeem such Notes, and (b) either notice of such redemption has been given, or the Issuer has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Note Registrar to give such notice of redemption.

## TAX COVENANTS

**General Covenants.** The Issuer covenants and agrees that: it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Notes; and (b) all provisions and requirements of the Federal Tax Certificate. The Issuer will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Notes will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

**Survival of Covenants.** The covenants contained in the Note Resolution and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Notes pursuant to the Note Resolution or any other provision thereof until such time as is set forth in the Federal Tax Certificate

## CONTINUING DISCLOSURE REQUIREMENTS

**Disclosure Requirements.** The Issuer covenants in the Note Resolution with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking and to make the provisions of the Disclosure Undertaking applicable to the Notes. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

**Failure to Comply with Continuing Disclosure Requirements.** In the event the Issuer fails to comply in a timely manner with its covenants contained in the Note Resolution, the Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement or for the enforcement of any other appropriate legal or equitable remedy, as the Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section.

## MISCELLANEOUS PROVISIONS

**Annual Audit.** Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. Within 30 days after the completion of each such annual audit, a copy thereof shall be filed in the office of the Clerk. Such audits shall at all times during the usual business hours be open to the examination and inspection by any Owner of any of the Notes, or by anyone acting for or on behalf of such user or Owner.

**Levy and Collection of Annual Tax.** The governing body of the Issuer shall annually make provision for the payment of Debt Service Requirements on the Notes as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be deposited in the Debt Service Account and shall be used solely for the payment of the principal of and interest on the Notes as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Notes when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer and to reimburse said general funds for money so expended when said taxes are collected.

**Amendments.** The rights and duties of the Issuer and the Owners, and the terms and provisions of the Notes or of the Note Resolution, may be amended or modified at any time in any respect by resolution of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Notes then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Note;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal of or interest on any Note;
- (c) permit preference or priority of any Note over any other Note; or
- (d) reduce the percentage in principal amount of Notes required for the written consent to any modification or alteration of the provisions of the Note Resolution.

Any provision of the Notes or of the Note Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the Issuer at any time in any legal respect with the written consent of the Owners of all of the Notes at the time Outstanding.

Without notice to or the consent of any Owners, the Issuer may amend or supplement the Note Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more

precisely identify the Improvements, to reallocate proceeds of the Notes among Improvements, to provide for Substitute Improvements, to conform the Note Resolution to the Code or future applicable federal law concerning tax-exempt obligations, or in connection with any other change therein which is not materially adverse to the interests of the Owners.

**Notices, Consents and Other Instruments by Owners.** Any notice, request, complaint, demand or other communication required or desired to be given or filed under the Note Resolution shall be in writing, and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

**Electronic Transaction.** The issuance of the Notes and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

**Severability.** If any section or other part of the Note Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of the Note Resolution.

**Governing Law.** The Notes and the Note Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**APPENDIX D**

**FORM OF DISCLOSURE UNDERTAKING**

---

**CONTINUING DISCLOSURE UNDERTAKING**

**DATED AS OF JUNE 20, 2024**

**BY**

**CITY OF MAIZE, KANSAS**

---

**CITY OF MAIZE, KANSAS  
GENERAL OBLIGATION TEMPORARY NOTES  
SERIES 2024A  
DATED JUNE 20, 2024**

---

## CONTINUING DISCLOSURE UNDERTAKING

This **CONTINUING DISCLOSURE UNDERTAKING** dated as of June 20, 2024 (the “Continuing Disclosure Undertaking”), is executed and delivered by **CITY OF MAIZE, KANSAS** (the “Issuer”).

### RECITALS

1. This Continuing Disclosure Undertaking is executed and delivered by the Issuer in connection with the issuance by the Issuer of its General Obligation Temporary Notes, Series 2024A (the “Notes”), pursuant to a Resolution adopted by the governing body of the Issuer (the “Note Resolution”).

2. The Issuer is entering into this Continuing Disclosure Undertaking for the benefit of the Beneficial Owners of the Notes and in order to assist the Participating Underwriter in complying with Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the “Rule”). The Issuer is the only “obligated person” with responsibility for continuing disclosure hereunder.

The Issuer covenants and agrees as follows:

**Section 1. Definitions.** In addition to the definitions set forth in the Note Resolution, which apply to any capitalized term used in this Continuing Disclosure Undertaking unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“**Annual Report**” means any Annual Report provided by the Issuer pursuant to, and as described in, **Section 2** of this Continuing Disclosure Undertaking.

“**Beneficial Owner**” means any registered owner of any Notes and any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Notes (including persons holding Notes through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Notes for federal income tax purposes.

“**Business Day**” means a day other than (a) a Saturday, Sunday or legal holiday, (b) a day on which banks located in any city in which the principal office or designated payment office of the paying agent or the Dissemination Agent is located are required or authorized by law to remain closed, or (c) a day on which the Securities Depository or the New York Stock Exchange is closed.

“**Dissemination Agent**” means any entity designated in writing by the Issuer to serve as dissemination agent pursuant to this Continuing Disclosure Undertaking and which has filed with the Issuer a written acceptance of such designation.

“**EMMA**” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at [www.emma.msrb.org](http://www.emma.msrb.org).

“**Financial Obligation**” means a: (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of (a) or (b) in this definition; *provided however*, the term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.



“**Fiscal Year**” means the 12-month period beginning on January 1 and ending on December 31 or any other 12-month period selected by the Issuer as the Fiscal Year of the Issuer for financial reporting purposes.

“**Material Events**” means any of the events listed in *Section 3* of this Continuing Disclosure Undertaking.

“**MSRB**” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with the Rule.

“**Participating Underwriter**” means any of the original underwriter(s) of the Notes required to comply with the Rule in connection with the offering of the Notes.

## **Section 2. Provision of Annual Reports.**

(a) The Issuer shall, not later than August 1 of each year, commencing August 1, 2024, file with the MSRB, through EMMA, the following financial information and operating data (the “Annual Report”):

(1) The audited financial statements of the Issuer for the prior Fiscal Year, prepared on a statutory basis of accounting other than GAAP which demonstrates compliance with the State's “cash-basis” and “budget” laws. A more detailed explanation of the accounting basis is contained in the Official Statement relating to the Notes. If audited financial statements are not available by the time the Annual Report is required to be provided pursuant to this Section, the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement relating to the Notes, and the audited financial statements shall be provided in the same manner as the Annual Report promptly after they become available.

(2) Updates as of the end of the Fiscal Year of certain financial information and operating data contained in the final Official Statement related to the Notes, as described in *Exhibit A*, in substantially the same format contained in the final Official Statement with such adjustments to formatting or presentation determined to be reasonable by the Issuer.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been provided to the MSRB and are available through EMMA or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB on EMMA. The Issuer shall clearly identify each such other document so included by reference.

In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in this Section; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer’s Fiscal Year changes, it shall give notice of such change in the same manner as for a Material Event under *Section 3*, and the Annual Report deadline provided above shall automatically become the last day of the sixth month after the end of the Issuer’s new fiscal year.

(b) The Annual Report shall be filed with the MSRB in such manner and format as is prescribed by the MSRB.

**Section 3. Reporting of Material Events.** Not later than 10 Business Days after the occurrence of any of the following events, the Issuer shall give, or cause to be given to the MSRB, through EMMA, notice of the occurrence of any of the following events with respect to the Notes (“Material Events”):

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes;
- (7) modifications to rights of bondholders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of property securing repayment of the Notes, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) the consummation of a merger, consolidation, or acquisition involving the obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of the trustee, if material;
- (15) incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

If the Issuer has not submitted the Annual Report to the MSRB by the date required in *Section 2(a)*, the Issuer shall send a notice to the MSRB of the failure of the Issuer to file on a timely basis the Annual Report, which notice shall be given by the Issuer in accordance with this *Section 3*.

**Section 4. Termination of Reporting Obligation.** The Issuer’s obligations under this Continuing Disclosure Undertaking shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Notes. If the Issuer’s obligations under this Continuing Disclosure Undertaking are assumed in full by some other entity, such person shall be responsible for compliance with this Continuing Disclosure Undertaking in the same manner as if it were the Issuer, and the Issuer shall have no further responsibility hereunder. If such termination or substitution occurs prior to the final maturity of the Notes, the Issuer shall give notice of such termination or substitution in the same manner as for a Material Event under *Section 3*.

**Section 5. Dissemination Agents.** The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Continuing Disclosure Undertaking, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. Any Dissemination Agent may resign as dissemination agent hereunder at any time

upon 30 days prior written notice to the Issuer. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report (including without limitation the Annual Report) prepared by the Issuer pursuant to this Continuing Disclosure Undertaking.

**Section 6. Amendment; Waiver.** Notwithstanding any other provision of this Continuing Disclosure Undertaking, the Issuer may amend this Continuing Disclosure Undertaking and any provision of this Continuing Disclosure Undertaking may be waived, provided that Bond Counsel or other counsel experienced in federal securities law matters provides the Issuer with its written opinion that the undertaking of the Issuer contained herein, as so amended or after giving effect to such waiver, is in compliance with the Rule and all current amendments thereto and interpretations thereof that are applicable to this Continuing Disclosure Undertaking.

In the event of any amendment or waiver of a provision of this Continuing Disclosure Undertaking, the Issuer shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (1) notice of such change shall be given in the same manner as for a Material Event under **Section 3**, and (2) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

**Section 7. Additional Information.** Nothing in this Continuing Disclosure Undertaking shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Continuing Disclosure Undertaking or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Material Event, in addition to that required by this Continuing Disclosure Undertaking. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Material Event, in addition to that specifically required by this Continuing Disclosure Undertaking, the Issuer shall have no obligation under this Continuing Disclosure Undertaking to update such information or include it in any future Annual Report or notice of occurrence of a Material Event.

**Section 8. Default.** If the Issuer fails to comply with any provision of this Continuing Disclosure Undertaking, any Participating Underwriter or any Beneficial Owner of the Notes may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Continuing Disclosure Undertaking. A default under this Continuing Disclosure Undertaking shall not be deemed an event of default under the Note Resolution or the Notes, and the sole remedy under this Continuing Disclosure Undertaking in the event of any failure of the Issuer to comply with this Continuing Disclosure Undertaking shall be an action to compel performance.

**Section 9. Beneficiaries.** This Continuing Disclosure Undertaking shall inure solely to the benefit of the Issuer, the Participating Underwriter, and the Beneficial Owners from time to time of the Notes, and shall create no rights in any other person or entity.

**Section 10. Severability.** If any provision in this Continuing Disclosure Undertaking, the Note Resolution or the Notes shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**Section 11. Electronic Transactions.** The arrangement described herein may be conducted and related documents may be sent, received, or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

**Section 12. Governing Law.** This Continuing Disclosure Undertaking shall be governed by and construed in accordance with the laws of the State of Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**IN WITNESS WHEREOF**, the Issuer has caused this Continuing Disclosure Undertaking to be executed as of the day and year first above written.

**CITY OF MAIZE, KANSAS**

(SEAL)

---

Mayor

---

Clerk

***EXHIBIT A***

**FINANCIAL INFORMATION AND OPERATING DATA  
TO BE INCLUDED IN ANNUAL REPORT**

The financial information and operating data contained in tables in the following sections contained in ***Appendix A*** of the final Official Statement relating to the Notes:

Assessed Valuation  
Tax Rates  
Aggregate Tax Levies

Tax Collection Record  
Major Taxpayers  
Current Indebtedness of the City\*

\* This Operating Data is also available in the Issuer's financial information portion of its Annual Report.