



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

Curt T. Schneider
Attorney General

March 28, 1978

ATTORNEY GENERAL OPINION NO. 78- 129

The Honorable Jim Parrish
State Senator
3rd Floor - State Capitol
Topeka, Kansas 66612

Re: Highways--City and County Highway Fund--Recipients

Synopsis: An improvement district, such as that organized under K.S.A. 19-2753 *et seq.*, is a "public corporation" and a "body politic and corporate," but it is not a municipal corporation, and is not a "city" as that term is used in K.S.A. 79-3425.

* * *

Dear Senator Parrish:

You advise that you have received an inquiry from a group of constituents, residents of Lakewood Hills Improvement District, asking whether state funds are available to finance the repair of roads within the improvement district. You ask whether an improvement district is a city as that term is used in K.S.A. 79-3425.

An improvement district, such as that created under K.S.A. 19-2753 *et seq.*, is a "public corporation," and a "body politic and corporate." K.S.A. 19-2756. It is not, however, a municipal corporation, and does not constitute a "city" under K.S.A. 79-3425.

Yours truly,

A handwritten signature in cursive script that reads "Curt T. Schneider".

CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj