

**GEORGIANN MANZ, ET AL., APPELLANTS**  
**vs.**  
**PRAIRIE TOWNSHIP FIRE PROTECTION**  
**BOARD, ET AL., RESPONDENTS**

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DOCKET NUMBER WD78662  
**MISSOURI COURT OF APPEALS**  
**WESTERN DISTRICT**

DATE: June 16, 2015

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Appeal from:

The Circuit Court of Jackson County, Missouri  
The Honorable Kenneth R. Garrett III, Judge

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Appellate Judges:

Special Division: Victor C. Howard, Presiding Judge, James E. Welsh, Judge and Mark D. Pfeiffer, Judge

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Attorneys:

Steven E. Mauer, Kansas City, MO for Appellants

Ken Barnes, Kansas City, MO for Respondents

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**GEORGIANN MANZ, ET AL., APPELLANTS**

**v.**

**PRAIRIE TOWNSHIP FIRE PROTECTION  
BOARD, ET AL., RESPONDENT**

WD78662

Jackson County, Missouri

Before Special Division: Victor C. Howard, Presiding Judge, James E. Welsh, Judge and Mark D. Pfeiffer, Judge

Thomas and Georgiann Manz, Donald and Vada Bryant, Trudy Surber, Suzanne Apel, and Melissa Burner (Petitioners) appeal the judgment of the trial court denying their motion for writ of mandamus requesting the trial court to direct the Jackson County Election Board to place on the August ballot a question that would allow voters to determine whether property within Blue Springs should be excluded from the boundaries of the Prairie Township Fire Protection District. The trial court's judgment is affirmed.

**AFFIRMED.**

**Special Division holds:**

Where the board of directors of the fire protection district did not have the power to exclude property from the district, the voters of the district also did not have power to exclude property from the district by initiative or referendum under section 321.490. The trial court did not abuse its discretion in denying the motion for writ of mandamus.

**Opinion by: Victor C. Howard, Judge**

Date: June 16, 2015

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