

449
Map No. D-1W-C
Sec. 8
Twp. 27 DELANO
Range 1W

Z- _____
SCZ- _____
CU- 93
Filed P-30-66

APPLICATION DATA: From _____ to _____

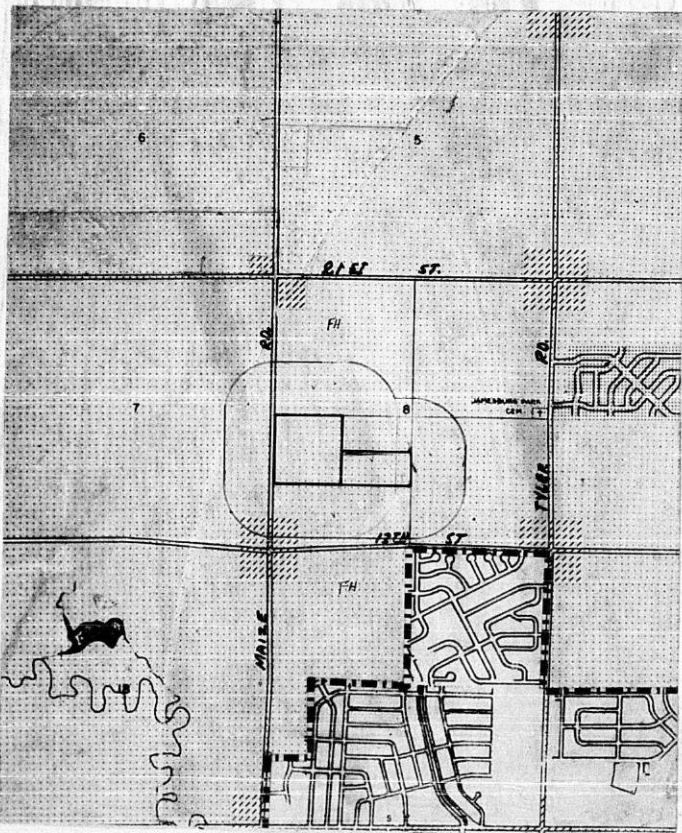
1. Applicant: Catholic Diocese of Wichita
Address 424 North Broadway Phone _____
2. Agent: J. Francis Hesse, Attorney
Address 500 Farmers & Bankers Bldg. Phone AM 2-8444
3. General Location: East side of Maize Road approximately 1/4 mile north of 13th Street Address _____
4. Proposed Use: Establishment of Cemetery in "R-1"

AREA DATA:

1. Acres: 40 (1320 ft. by 1320 ft.)
2. Adjoining Zoning: E R-1 S R-1 W R-1 N R-1
3. Land Use: East Vacant South Vacant
West Vacant North Vacant
4. Sketch Plan Land Use is for: N/A
5. Present Land Use is for: Vacant
6. Area ~~XXXX~~ (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



AGREEMENT

The undersigned, Catholic Diocese of Wichita, by its duly elected officers, in consideration of the granting of a conditional use for cemetery purposes on the premises described as:

The Northwest Quarter of the Southwest Quarter of Section 8, Township 27 South, Range 1 West, Sedgwick County, Kansas,

does hereby agree for itself, its successors and assigns, that it will pay all legally levied special assessments made by any appropriately constituted unit of government that would normally be levied against the said property if it were unplatted and not used for cemetery purposes, even though such assessment might normally be non-collectible on lots sold for sepulcher purposes.

Dated this 28th day of February, 1967.

CATHOLIC DIOCESE OF WICHITA

By Leo C. Byrne
Leo C. Byrne, President

State of Kansas, County of Sedgwick, ss:

BE IT REMEMBERED, That on this 28th day of February, 1967, before me, the undersigned, a Notary Public in and for said county and state, came Leo C. Byrne, known to me to be the president of the said Catholic Diocese of Wichita, who is personally known to me to be the same person who executed the foregoing instrument of writing, and such person duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Eugene J. Sisk
Notary Public

My commission expires:

My Commission Expires August 31, 1968

WICHITA EAGLE AND BEACON PUBLISHING CO., INC.

Affidavit of Publication

STATE OF KANSAS, }
County of Sedgwick, } ss.

W. W. Watson, of lawful age, being first duly sworn, deposes and saith: That he is Record Clerk of The Wichita Beacon, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of which a true copy is hereto attached was published in the regular and entire daily Evening issue of said The Wichita Beacon for 1 consecutive issues weeks, that the first publication of said notice was made as aforesaid on the 17 day March, A.D., 1967.

And affiant further says that ----- he has personal knowledge of the statements above set forth and that they are true.

Subscribed and sworn to before me this ----- day of ----- 1967

My Commission expires AUG 27 1969

W. W. Watson

W. W. Watson
Notary Public Sedgwick County, Kansas

(400) (Published in The Wichita Beacon on March 17 1967)

RESOLUTION
A RESOLUTION PERMITTING THE ESTABLISHMENT OF A CEMETERY IN CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA OR THE CITY OF HAYVILLE IN THE COUNTY OF SEDGWICK COUNTY, KANSAS UNDER THE AUTHORITY GRANTED BY SECTION 4.10 AND SECTION 11.6 OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS ON MARCH 3, 1964 AND SUBSEQUENT AMENDMENTS THERE TO.

CASE NO. CU-93
Conditional Use Request for Establishment of a Cemetery in R-1W Zoning

The No. of the SW1/4, except the NW1/4 of the E1/4 thereof, in Section 8, Township 27 North, Range 1 West of the 6th P.M., Sedgwick County, Kansas, Generally located on the east side of Alster Road approximately 1/2 mile north of 13th Street.

SECTION 2. That upon the taking effect of this Resolution, the notation of such conditional use approval shall be entered and shown on the particular sectional zoning map approved in the official zoning atlas on file in the office of the County Zoning Administrator and in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this resolution shall take effect and be in force from and after its adoption and publication in the official county newspaper.

PASSED AND ADOPTED at Sedgwick County, Kansas, this 17 day of October, 1964.

TOM SCOTT
ELMER S. PETERS
FLOYD SCHNEIDER
Attest:
W. D. WILLIAMS
(Seal) (1-1)

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 4.10 and Section 11.6 of the Zoning Resolution, as amended, a Conditional Use Permit to allow a cemetery is hereto approved subject to the following conditions:

- CONDITIONS TO APPROVAL:
1. Platting the property as a cemetery under the provisions of 17-320 and Chap. 131, Session Laws of Kansas, 1964. Said plat shall provide for:
 - a. A 50-foot half-street right-of-way for the east half of Alster Road.
 - b. Access control to be determined by the subdivision Committee.
 - c. A building setback line of 50 feet from all property lines.
 - d. A dedication for drainage to be determined by the Flood Control Division.
 - e. A 40-foot half-street right-of-way for a street along the north side of subject property.
 2. The 50-foot setback zone shall be used for the purposes of a landscape buffer and shall consist of plant material hereafter in this area. The planting plan shall be designed as follows in general, establish a focal point other than a screen, but it need not provide a fence or enclosure of view of the site. Said Conditional Use Permit shall not be effective until said landscape plan is submitted to the Planning Department for review and is approved by the County Commission, and filed with the County Clerk, County Zoning Administrator, and Metropolitan Area Planning Department.
 3. Platting shall begin in conjunction with the commencement of development of the cemetery and shall be completed within 3 years thereafter.
 4. Submission of an agreement binding on all owners, successors or assignees that the cemetery association will pay all special assessments made by any legally constituted unit of government that would normally be levied against the property if it were unplatred and not used for cemetery purposes, even though such assessments may normally be non-collectible on lots sold for residential purposes.
 5. Conditions No. 3 and 4 shall be complied with prior to the publication of the resolution effectuating the Conditional Use.
- On property legally described as follows:



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This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

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