

ACTION

1100 *Hampville Comm.* *Approved and its condition* DATE *3-22-79*
Wm. Derby P. COMMITTEE *Subject and its address* *4-5-79*
Application

M.A.P.C. *Approved and its condition* *4-12-79*

B.C.C. B. CO. C. *approve subject* *5-9-79*
to revised conditions

Closed

B.C.O.C. *Selected option* *11-9-83*
for 10 years - to
May 9, 1994

Closed

CU-217 - George Nicholson, et al requests Conditional Use Permit to establish a Sand Extraction Operation on property zoned "R" Rural Residential District & "R-1" Suburban Residential District. Generally located on the north side of 63rd St. South, between Hydraulic and Kansas Turnpike

Map No. Book 4
M-5-B
 Sec. 28
 Twp. 28
 Range 1E

DATA SHEET
 (ZONING & CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- 217
 Filed 3-12-79

APPLICATION DATA: From _____ to _____
 1. Applicant: George Nicholson, et al
 Address 10829 Pineaire Dr., Sun City, Ariz. 85351 Phone 602-974-8642
 2. Agent: _____ Phone _____
 Address _____
 3. General Location: North side of 63rd St. South, between Hydraulic & Kansas Turnpike Address _____
 4. Proposed Use: Sand Extraction Operation

AREA DATA:
 1. Acres: 77.3 (1290 ft. by 2610 ft.)
 2. Adjoining Zoning: E "R" & "R-1" S "R" W "R" N "R-1"
 3. Land Use: East FRUIT ORCHARD South UNDEVELOPED
 West KANSAS TURNPIKE North SINGLE FARM
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: FRUIT ORCHARD & SINGLE FARM
 6. Area (is) (is not) platted.

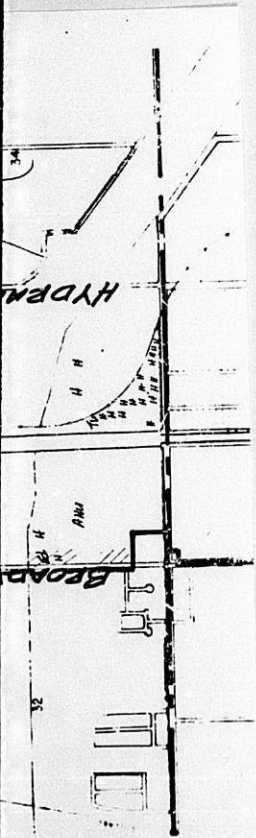
PROCEDURE DATA:
 1. Zoning Committee _____ by _____
 2. MAPC Meeting:

	Date	Action
HAYSVL	3-22-79	Approved subj to condition 7 screening
DERBY	4-5-79	Approved subj to condition 7 no dedication
MAPC	4-12-79	Approved subj to condition

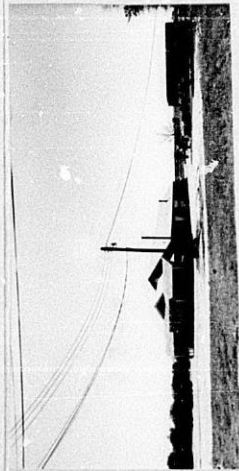
3. Governing Body (~~Bd. City Commissioners~~ - Bd. County Commissioners)
 Date 5-9-79 Action Approved subj to revised conditions Resolution # 329-1983 Pub. 11-16-83

NOTES: 12.60% Protest
5/30/79 Joe Freeman called this date and advised that satisfactory arrangements had been made with County Engineers office for improvement of 61st street South and is sending letter to that effect. jbb

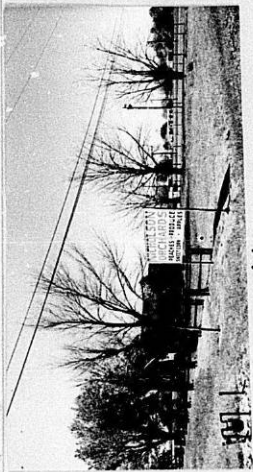
HAYNES, JR.
 108 ANSELLE, CINCINNATI, OH
 45202
 513-261-1100
 11-81



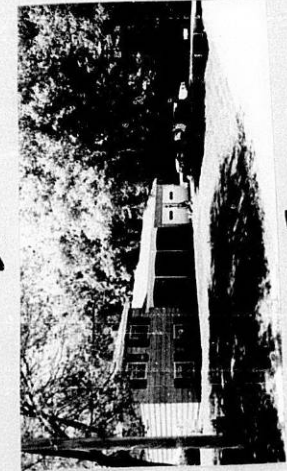
2.



3.



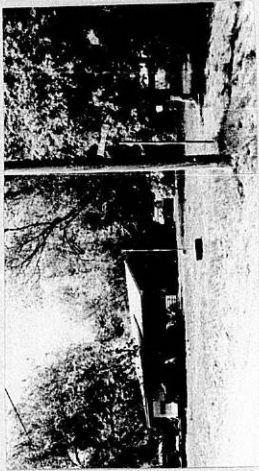
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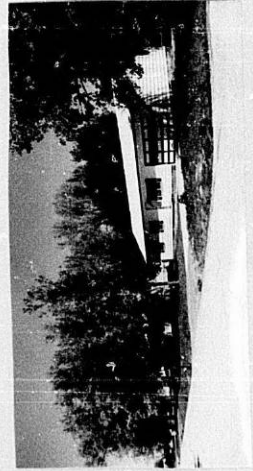
5.



6.



7.



8.

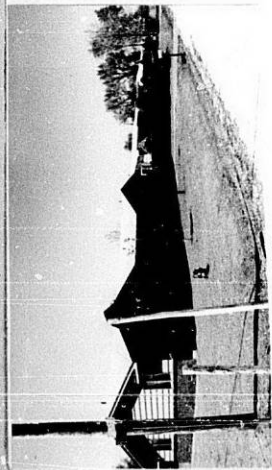


9.



10.

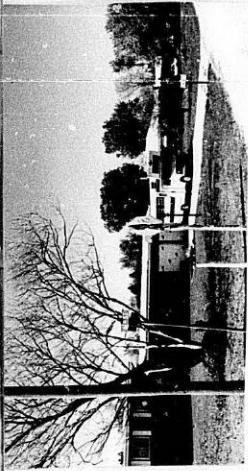
1 thru 4
on Site



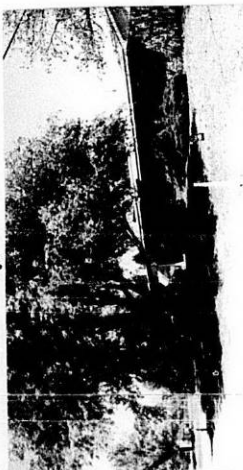
11.



12.



13.



14.



15.



16.



17.

5 thru 17 - Houses to North
of Application Area
going West to East

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: October 17, 1988

TO: Mark Schroeder, Chairman, Board of County Commissioners
FROM: Marvin S. Krout, Director of Planning *MSK*
SUBJECT: SCZ-0569 - "R" and "R-1" to "R-1" and "LC". North side
of 63rd Street South, between Hydraulic and the Kansas
Turnpike (Commission District #2).

We are in receipt of a letter requesting a two-year extension of the platting time associated with SCZ-0569. On December 17, 1986, the Board of County Commissioners approved this zone change for an 81.7 acre tract of property. Of that total, 78.4 acres were approved for the Suburban Residential District and 3.3 acres were approved for Light Commercial zoning. Approval was granted subject to platting the property within two years. No property owners in the area protested the zone changes. We have attached for your reference a copy of the letter which requests this platting time extension.

The original two-year platting time limit will expire on December 17, 1988. As stated in the attached letter, the applicant has completed the sand excavation (CU-217) on the subject property and is in the process of cleaning up the site. The resolution permitting the sand excavation requires that the property be platted for residential uses within two years after the sand extraction has ceased. The applicant's progress toward completing the required plat has been slowed by his inability to acquire municipal water from Haysville. His ability to acquire this improvement dictates lot size on the required plat.

Given the above-stated factors, we recommend that a two-year extension to December 17, 1990, be granted. However, we will not support any further requests for extension of time because the conditional use case resolution requires platting within two years after completion of the sand extraction. We urge the applicant to continue to work with the City of Haysville toward serving the property with municipal water. If municipal water cannot be obtained within the next two years, the applicant should proceed to plat the larger lots required for property without a public water supply.

Please place this request for platting time extension on the October 26 agenda with the recommended action being to grant the requested two-year platting time extension to December 17, 1990.

MSK:FLN:jcm
Attachment

FILE COPY

cc: Kim Dewey, County Manager
George W. Nicholson, P. O. Box 134, Haysville, KS 67060
Wilmer Freund, Booker-Freund Associates, 111 W. Douglas,
Wichita, KS 67202

George W. Nicholson
P.O. Box 134
Haysville, KS 67060
(316) 687-3035



George W. Nicholson
P.O. Box 1998
Sun City, AZ 85372
(602) 974-8642

LAKE GEORGE

Mr. Marvin Krout
Director of Planning
10th Floor, City Hall
455 N. Main
Wichita, Kansas 67202

September 23, 1988

Re: SCZ-0569
BF K-9219

Dear Mr. Krout:

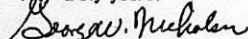
This letter is written to request a two year extension to the platting deadline in connection with the above zoning case. That date is December 17, 1988. Because the sand pumping operation, cleanup and grading has taken almost one year longer than what was previously planned due to the weather and economic slump, I have been unable to accomplish the necessary cleanup, grading and other requirements in connection with the preparation for platting until the last two weeks.

The pumping operation has now ceased and the operator is in the process of moving his equipment from the property. I have engaged a grading contractor to shape the banks down to the water's edge and to do the necessary grading on the property to comply with the conditional use permit. Under these conditions, there is not sufficient time between now and December 17, 1988 to go through the entire platting process and have a plat recorded by that time. We are still in the process of working with the City of Haysville to provide municipal water to the area. That issue has not yet been resolved, and will determine whether the plat will be platted into 20,000 or 40,000 S.F. lots.

An extension is being requested at this time to allow ample time to resolve some of these issues and for me to complete the cleanup work of the area. We have scheduled new aerial photography for the area as soon as the cleanup and shaping of the area is complete; we then will submit to your Department a revised sketch plat for review so we can proceed with the preliminary plat immediately.

We will appreciate your consideration of this request for a two year extension to the platting requirement and to forward it to the Board of County Commissioners for approval.

Very truly yours,


George Nicholson
P.O. Box 1998
Sun City, Arizona 85372
Phone (602) 974-8642

GN/1jb

RECEIVED

SEP 27 1988

METROPOLITAN PLANNING
ROUTE Frank/Dick/SA

_____, being first duly sworn, Deposits
Publisher _____ of

DAILY REPORTER

of the State of Kansas, and published in and
Sedgwick County, Kansas, with a general
office in Sedgwick County, Kansas, and that
it is not a religious or fraternal publication.

Published Monday through Friday and
continuously and uninterruptedly in said county
for more than five years prior to the first
publication thereof being admitted at the post office
as second class matter.

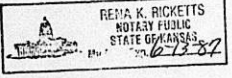
A true copy thereof and was published in
said newspaper for 1 consecutive
_____ days, the first publication thereof being
_____ 16th _____ day of

_____, 1983, with subsequent publications
on the following dates:

- _____ 19 _____
- _____ 19 _____
- _____ 19 _____
- _____ 19 _____
- _____ 19 _____

_____ 16th _____
_____ 19 83.

Ricketts
Notary Public
June 13, 1987



(First Published in The Daily Reporter
Nov. 16, 1983)

**RESOLUTION
RM 129-1983
A RESOLUTION PROVIDING FOR
AN EXTENSION OF TIME IN CASE
NO. CU-217**

WHEREAS, on May 9, 1979, the
Board of County Commissioners passed
a resolution providing for a condi-
tional use permit in case no. CU-217;
and

WHEREAS, it is provided in Section 1
(p) of said resolution that the granting
of the conditional use permit is subject
to the following:

"The operation shall cease within 5
years from the date of approval by the
Board of County Commissioners, and
the platting of the property shall be
completed within 2 years after the
operation closes, unless an extension
of such time shall be granted by the
Board of County Commissioners;"

and
WHEREAS, the Board of County
Commissioners desires to extend the
said termination of operations date;

NOW, THEREFORE, BE IT
RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS:

SECTION 1, Subsection (p) of Sec-
tion 1 of Resolution No. 118-1972 (case
no. CU-217) is hereby amended to read
as follows:

"The operation shall cease within 15
years from May 9, 1979, and the plat-
ting of the property shall be com-
pleted within 2 years after the opera-

tion closes, unless an extension of
time shall be granted by the Board of
County Commissioners."

SECTION II. The remaining terms,
conditions and provisions of Resolution
No. 118-1979 are hereby approved, con-
firmed and ratified and shall continue
in force and effect.

SECTION III. This Resolution shall
take effect from and after its passage
and publication once in the official
county newspaper.

Commissioners present and voting
were:
JACK SPRATTAye
DONALD E. GRAGGAye
TOM SCOTTAye
DATED this 9th day of November,
1983.

**BOARD OF
COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS**
/s/ Jack Spratt
Chairman
/s/ Donald E. Gragg
Commissioner
/s/ Tom Scott
Commissioner

(SEAL)
ATTEST:
/s/ Dorothy K. White
County Clerk
APPROVED AS TO FORM:
/s/ William D. Rustin
for RICHARD A. EUSON,
Assistant County Counselor
(Nov. 16)

RECEIVED

NOV 23 1983

METROPOLITAN PLANNING
ROUTE _____



SEDGWICK COUNTY, KANSAS
LEGAL DEPARTMENT

Richard A. Euson
Assistant County Counselor

COUNTY COURTHOUSE • SUITE 315 • WICHITA, KANSAS 67203-3790 • TELEPHONE (316) 268-7111

TO: Jack Spratt, Chairman, Board of County Commissioners
Donald E. Gragg, Commissioner, First District
Tom Scott, Commissioner, Second District

FROM: Richard A. Euson, Assistant County Counselor *RAE*

DATE: November 4, 1983

RE: Time Extension in Case #CU-217

We have prepared the attached resolution for your consideration at the November 9, 1983, commission meeting. The effect of this resolution is to extend the time during which a conditional use permit is effective.

The original hearing in this case was May 9, 1979, and it resulted in the adoption of resolution #116-1979, a copy of which is also attached. One of the conditions, in Section I((p) of the resolution, is that the conditional use will expire within 5 years of the date of its approval by the Board of County Commissioners unless the Board of County Commissioners shall grant an extension of such time. The applicant desires the extension in order to complete sand extraction operations on the subject property.

Because the Board of County Commissioners reserved the right to extend the time in this case, it is our opinion that the Board has authority to adopt the proposed resolution without necessity of having the matter re-filed through the MAPC.

The applicant will be present to answer any of your questions concerning the request.

cc: Robert Lakin
F. Tim Witsman
William D. Rustin

RECEIVED

NOV 7 1983

METROPOLITAN PLANNING

ROUTE _____

329-1983

RESOLUTION

A RESOLUTION PROVIDING FOR AN
EXTENSION OF TIME IN CASE NO. CU-217

WHEREAS, on May 9, 1979, the Board of County Commissioners passed a resolution providing for a conditional use permit in case no. CU-217; and

WHEREAS, it is provided in Section I (p) of said resolution that the granting of the conditional use permit is subject to the following:

"The operation shall cease within 5 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within 2 years after the operation closes, unless an extension of such time shall be granted by the Board of County Commissioners;" and

WHEREAS, the Board of County Commissioners desires to extend the said termination of operations date.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. Subsection (p) of Section I of Resolution No. 116-1979 (case no. CU-217) is hereby amended to read as follows:

"The operation shall cease within 15 years from May 9, 1979, and the platting of the property shall be completed within 2 years after the operation closes, unless an extension of time shall be granted by the Board of County Commissioners."

SECTION II. The remaining terms, conditions and provisions of Resolution No. 116-1979 are hereby approved, confirmed and ratified and shall continue in force and effect.

SECTION III. This Resolution shall take effect from and after its passage and publication once in the official county newspaper.

Commissioners present and voting were:

JACK SPRATT

DONALD E. GRAGG

TOM SCOTT

DATED this ____ day of _____, 1983.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DOROTHY K. WHITE
County Clerk

JACK SPRATT, Chairman

APPROVED AS TO FORM:

DONALD E. GRAGG, Commissioner

RICHARD A. EUSON,
Assistant County Counselor

TOM SCOTT, Commissioner

() Published in The Wichita Beacon on _____, 1979

R E S O L U T I O N

CASE NO. CU-217

A RESOLUTION PERMITTING A SAND EXTRACTION OPERATION IN THE "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 3.A.8.f AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from 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 3.A.8.f and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a sand extraction operation in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

South half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the north side of 63rd Street South in an area between Hydraulic and Kansas Turnpike.

SUBJECT TO THE FOLLOWING:

- a. The applicant shall dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South and contingently dedicate by separate instrument, sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way), and 75 feet of half-street right-of-way on both streets to provide for major street intersection improvements. The contingency is on the need for the right-of-way for any street purposes as determined by the governing body.

The applicant shall cause the south one-half of 61st Street South to be improved in accordance with plans and specifications approved by the County Director of Public Works and shall provide a guarantee for such improvement in an amount to be determined by the County Director of Public Works.

- b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.

- ✓
- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
 - d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
 - e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
 - f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
 - g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
 - h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
 - i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
 - j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 - 1. A 48-inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
 - k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
 - l. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
 - m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
 - n. A landscape plan shall be submitted for the area south of the half-street dedication for 61st Street South. The plan shall provide for plant materials in such a way as to break

up visual contact along the entire north line, and the plan shall take into consideration existing trees and appropriate plants which will grow on the required fence. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.

- o. The hours of operation for the sand dredging operation shall be between 7:00 a.m., and 30 minutes after sunset.
- ✓ p. The operation shall cease within 5 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within 2 years after the operation closes, unless an extension of such time shall be granted by the Board of County Commissioners.
- q. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "IC" zoning at the northeast corner of the site.
- r. The applicant shall comply with conditions a, h, n and q, prior to the publication of the resolution effectuating the conditional use.
- s. Violation of conditions of approval shall render the conditional use permit null and void.
- t. The applicant and any operator shall utilize "Turbo charged" and muffled pumping equipment for sand extraction. The operator shall maintain and operate the equipment to keep the decibel level compatible with the adjacent residential area.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered 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 III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this _____ day of _____, 19_____.

7th May 79
_____, Chairman

_____, Commissioner

_____, Commissioner

ATTEST:

Dorothy K. White, County Clerk

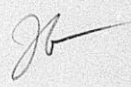
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

September 28, 1983

TO Tom Scott, County Commissioner
FROM Robert A. Lakin, Director of Planning
SUBJECT CU-217



You inquired about extending the time limit on the Nicholson sand pit. Attached for your information is a copy of the adopted resolution on this case and a copy of the approved excavation plan.

Nicholson apparently contacted our staff last week and was interested in not only a time extension, but a change in the plan. The plan change he is interested in is to allow more excavation to the west and south. This would take it closer to the KG&E easement. He indicated that KG&E might even let him excavate in the easement.

I looked at our new aerials and they show little excavation to the east. Most of it has been in the west half. Based on the limited excavation to date, I don't think we would have any trouble recommending approval of a lengthened time. I need to know more about extending the excavation area.

This case is a little different than Cook's case as this resolution provides for the Board of County Commissioner's to extend the time. I would think you could handle it either of two ways:

- 1) Place on your agenda and take such action as the Commission deems appropriate. If approved, adopt a supplemental resolution at the same time dealing with the time period only.
- 2) Place on your agenda and refer to MAPC and Haysville City Planning Commission for comment prior to final Board of County Commission action. In this approach, we should be furnished a new ownership list and we should give notice to the neighbors. They were quite vocal last time including the issue of how long he is to be allowed to excavate the area.

I note from the minutes of the Board of County Commission, the County Commission changed an 8 year time limit to 5. MAPC and Derby had both recommended 8 years. If he wants to extend the excavation area, he will need to refile an amended application including filing fees, ownership list and have the usual hearings.

*Delivered 9/28/83
RAL*

Page 2

Attached is an application form for him to use if he needs it. A new "plan" will be needed if he wishes to change excavation boundaries. We will be glad to assist him in completing the application if he wishes.

If you need additional information, please let me know.

Robert A. Lakin

RAL:sad
Attachments

cc: Jack H. Galbraith, Chief Planner

September 28, 1983

Tom Scott, County Commissioner

Robert A. Lakin, Director of Planning

CU-217

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Robert A. Lakin

RAL:sad
Attachments

cc: Jack H. Galbraith, Chief Planner

() Published in The Wichita Beacon on ~~11-16-83~~, ~~1979~~

RESOLUTION # 329-1983

CASE NO. CU-217

A RESOLUTION PERMITTING A SAND EXTRACTION OPERATION IN THE "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 3.A.8.f AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from 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 3.A.8.f and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a sand extraction operation in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

South half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the north side of 63rd Street South in an area between Hydraulic and Kansas Turnpike.

SUBJECT TO THE FOLLOWING:

- a. The applicant shall dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South and contingently dedicate by separate instrument, sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way), and 75 feet of half-street right-of-way on both streets to provide for major street intersection improvements. The contingency is on the need for the right-of-way for any street purposes as determined by the governing body.

The applicant shall cause the south one-half of 61st Street South to be improved in accordance with plans and specifications approved by the County Director of Public Works and shall provide a guarantee for such improvement in an amount to be determined by the County Director of Public Works.
- b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.

- ✓
- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
 - d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
 - e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
 - f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
 - g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
 - h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
 - i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
 - j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 15 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 1. A 48-inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
 - k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
 - l. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
 - m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
 - n. A landscape plan shall be submitted for the area south of the half-street dedication for 61st Street South. The plan shall provide for plant materials in such a way as to break

up visual contact along the entire north line, and the plan shall take into consideration existing trees and appropriate plants which will grow on the required fence. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.

- o. The hours of operation for the sand dredging operation shall be between 7:00 a.m., and 30 minutes after sunset.
- p. The operation shall cease within 5 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within 2 years after the operation closes, unless an extension of such time shall be granted by the Board of County Commissioners.
- q. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
- r. The applicant shall comply with conditions a, h, n and q, prior to the publication of the resolution effectuating the conditional use.
- s. Violation of conditions of approval shall render the conditional use permit null and void.
- t. The applicant and any operator shall utilize "Turbo charged" and muffled pumping equipment for sand extraction. The operator shall maintain and operate the equipment to keep the decibel level compatible with the adjacent residential area.

11-9-83
Omitted 10720
added to
may 9, 1984

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered 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 III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this ____ day of _____, 19____.

_____, Chairman
Tom Scott

_____, Commissioner
Donald Gragg

_____, Commissioner
Everett Patrick

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

June 30, 1981

Mr. George Nicholson
10829 Pineaire Drive
Sun City, Arizona 85831

Re: CU-217 - Conditional Use Permit for a sand extraction
operation

Dear Mr. Nicholson:

On June 25, 1981, I noticed that most of the Honeysuckle plants which had been planted along the north line of the conditional use area have died. Landscaping the north property line with Honeysuckles was a requirement made by the County Commission at the time of their approval. It appeared that no effort had been made to water or care for the Honeysuckle since the weeds were three to four feet high along the fence. I would encourage you to have the missing plants replaced and to provide adequate care for all of the plants.

I would appreciate your attention to this matter.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:hh

cc: Dale V. Kuhn, 1300 Brookfield, Derby, Ks. 67037
Kenneth E. Cain, 568 S. Georgie, Derby, Ks. 67037
Syd Warbin, County Bldg., Planning & Inspection, Court-
house, 525 N. Main, Wichita, Ks. 67203

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

City Manager	Comm. Development	Municipal Court
City Clerk	C. D. A.	Park Department
Fed. Aid Coord.	C. A. A.	Planning Dept.
Office of Human Res.	E. E. D. C.	Police Dept.
Dir. of Administration	Library	Pool
Auditing	Municipal Court	Public Works
Budget	Community Facilities	Administration
Data Processing	Community Grievance	Central Inspection
Safety Office	Credit Union	Engineering
Community Arts	Special Programs	Maintenance
Personnel	Municipal Dev.	Sanitation
Public Information	Public Resources	Traffic Eng.
Purchasing	E.E.O./A.A.P. Office	Urban Renewal
Duplicating	Fire Department	Water Department
Ret. & Ins.	Health Department	Water Pol. Control
Treasury	Director of Law	Library

RECEIVED

JAN 18 1980

METROPOLITAN PLANNING

ROUTE SLIP

For: Louise Olivarez

For your information Reply sending me _____ copies
 For your comments Prepare reply for my signature
 Note and return You handle. No report required.

MESSAGE: CU-217 - We have no use for this, thought you could keep with other documents

Signed Debra Frerking Date 1-17-80

000-013 71-22

RESTRICTIVE COVENANT

George W. Nicholson, Owner, hereby makes the following Declaration as to restrictions, limitations and use of the following described real estate:

The South One-Half of the Southeast Quarter, Section 28, Township 28 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas.

which said Declaration shall constitute covenants running with said land and shall be binding upon all owners and their successors, assigns and heirs;

"No rubbish, car bodies or any other foreign matter shall be deposited within the excavation made in the removal of sand or gravel on said premises at any time."

The above restriction and agreement shall be deemed a covenant running with the land and shall not be amended, deleted or changed.

IN WITNESS WHEREOF, this Restriction has been executed on this 24th day of May, 19 79.

George W. Nicholson
George W. Nicholson

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AS
3:00 P.M.
AUG 23 1979
NO. 4 55298
BETTE F. McCART
REGISTER OF DEEDS

*Sat Kistler
Deputy*

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

The foregoing instrument was acknowledged before me this 24th day of May, 19 79, by George W. Nicholson.

Glenda M. Crites
Glenda M. Crites, Notary Public

GLEND A. CRITES
STATE NOTARY PUBLIC
Sedgwick County, Kansas
My Appl. Exp. 4/25/82

My Appointment Expires:

June 24, 1982

5.00 *City Clerk*

August 9, 1979

Donald C. Gisick, City Clerk
G. Lynn Shirkey, Junior Planner

CU-217 - Sand Extraction Operation. North side of 63rd
Street South, in an area between Hydraulic and Kansas
Turnpike.

Attached is a restrictive covenant required as a condition of
approval of the above captioned case by the Board of County
Commissioners. Please file with the Register of Deeds with
the cost being billed to the Planning Department.

If you have any questions concerning this matter, please call.

G. Lynn Shirkey
Junior Planner

GLS:el
Attachment

RESTRICTIVE COVENANT

George W. Nicholson, Owner, hereby makes the following Declaration as to restrictions, limitations and use of the following described real estate:

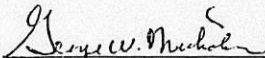
The South One-Half of the Southeast Quarter, Section 28,
Township 28 South, Range 1 East of the Sixth P.M., Sedgwick
County, Kansas.

which said Declaration shall constitute covenants running with said land and shall be binding upon all owners and their successors, assigns and heirs;

"No rubbish, car bodies or any other foreign matter shall be deposited within the excavation made in the removal of sand or gravel on said premises at any time."


The above restriction and agreement shall be deemed a covenant running with the land and shall not be amended, deleted or changed.

IN WITNESS WHEREOF, this Restriction has been executed on this
24th day of May, 19 79.


George W. Nicholson

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

The foregoing instrument was acknowledged before me this 24th day
of May, 19 79, by George W. Nicholson.


Glenda M. Crites, Notary Public

My Appointment Expires:

June 24, 1982



IMPORTANT MESSAGE

FOR Jack
DATE 7-30-79 TIME 1:53 A.M.
P.M.

WHILE YOU WERE AWAY

OF Barry Anderson
PHONE No. 261-3135

TELEPHONED	PLEASE CALL	<input checked="" type="checkbox"/>
CALLER WANTS TO SEE YOU	CALLER WILL CALL AGAIN	<input type="checkbox"/>
CALLER WANTS TO SEE YOU	CALLER RETURNED YOUR CALL	<input type="checkbox"/>

MESSAGE Complained about hours of operation and service

SIGNED [Signature]

8-3-79

Dale Kuhn called that they were trying their best to comply with all of the conditions, that they have never worked to 10-10:30, that they often leave by 6:00 and believe they have never violated the time limit set for hours of operation.

Regarding the fence, the material is on site and they are waiting the improvement of 61st, that they wanted to be able to grade, and turn equipment out on their area without interruption of the fence. 61st street improvement is expected to be completed in Sept and fence will be installed right after that. He confirmed that plant material would go in next spring.

He mentioned how their present fence keeps being cut, and that equipment has been damaged.

J.H.H.

August 2, 1979

George Nicholson
10829 Pineaire Drive
Sun City, Arizona 85351

Re: CU-217 - Conditional Use Permit -
North side of 63rd St. South,
between Hydraulic & Kansas Turnpike

Dear Mr. Nicholson:

In the last few days I have received calls asking whether or not you are in compliance with the conditions of approval associated with the above case. Specifically, questions have been raised as to fencing, landscaping and hours of operation.

The plan specifically provides that "a 48 inch chain link fence with 3 strands of barbed wire" and planted with honeysuckle along the entire north line will be erected prior to beginning the operation on phase one. In reviewing the area earlier, I remember observing the fence only along the north line of phase one and not along the north line of phase two. I explained to the callers that you intended to plant the materials next spring as I remember you stated that they would probably be ordered from K.State.

In addition, the hours of operation were to be between 7:00 a.m. and 30 minutes after sunset. The callers have advised that dredging has occurred to between 10:00 and 10:30 p.m.

This letter is to alert you on the complaints that we have received and to request that you see that the fencing is brought into compliance, hours of operation are observed and all conditions of approval are complied with.

I appreciate your attention to this matter.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Syd Warbin, County Director of Building, Planning & Codes
Dale U. Kuhn, 1300 Brookfield, Derby, 67037

R# 116-1979

() Published in The Wichita Beacon on June 1, 1979

RESOLUTION

CASE NO. CU-217

A RESOLUTION PERMITTING A SAND EXTRACTION OPERATION IN THE "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 3.A.8.f AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from 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 3.A.8.f and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a sand extraction operation in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

South half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the north side of 63rd Street South in an area between Hydraulic and Kansas Turnpike.

SUBJECT TO THE FOLLOWING:

- a. The applicant shall dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South and contingently dedicate by separate instrument, sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way), and 75 feet of half-street right-of-way on both streets to provide for major street intersection improvements. The contingency is on the need for the right-of-way for any street purposes as determined by the governing body.

The applicant shall cause the south one-half of 61st Street South to be improved in accordance with plans and specifications approved by the County Director of Public Works and shall provide a guarantee for such improvement in an amount to be determined by the County Director of Public Works.

- b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.

- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
- e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 - 1. A 48-inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
- k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- l. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- # m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
- n. A landscape plan shall be submitted for the area south of the half-street dedication for 61st Street South. The plan shall provide for plant materials in such a way as to break

up visual contact along the entire north line, and the plan shall take into consideration existing trees and appropriate plants which will grow on the required fence. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.

- o. The hours of operation for the sand dredging operation shall be between 7:00 a.m., and 30 minutes after sunset.
- p. The operation shall cease within 5 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within 2 years after the operation closes, unless an extension of such time shall be granted by the Board of County Commissioners.
- q. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
- r. The applicant shall comply with conditions a, h, n and q, prior to the publication of the resolution effectuating the conditional use.
- s. Violation of conditions of approval shall render the conditional use permit null and void.
- t. The applicant and any operator shall utilize "Turbo charged" and muffled pumping equipment for sand extraction. The operator shall maintain and operate the equipment to keep the decibel level compatible with the adjacent residential area.

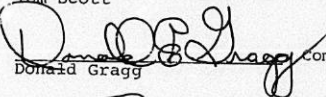
SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.


SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 9th day of May, 1979.

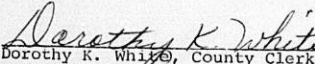



Tom Scott, Chairman


Donald Gragg, Commissioner


Everett Patrick, Commissioner

ATTEST:


Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

for Russell C. Monday asst.
Theodore H. Hill, County Counselor



CONTINGENT DEDICATION

WHEREAS, George W. Nicholson, is the owner of the following described real property, to wit:

The South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; and

D-0901:

(*Assoc. CU. 217*)

WHEREAS, the County of Sedgwick, is requesting that a portion of said property be dedicated to the public for street right-of-way purposes;

Now, therefore, George W. Nicholson being the legal owner of the aforesaid property does dedicate to the public for street purposes, the following described property:

Beginning at the southeast corner of the Southeast Quarter of Section 28, Township 28 South, Range 1 East; thence north 1300.6 feet; thence west 50 feet; thence south 950.6 feet; thence southwesterly to a point 75 feet west and 250 feet north of the southeast corner of said southeast quarter; thence south 175 feet to a point 75 feet north and 75 feet west of the southeast corner of said southeast quarter; thence west 175 feet; thence southwesterly to a point 60 feet north and 350 feet west of the southeast corner of said southeast quarter; thence west to the west line of said southeast quarter; thence south 60 feet; thence east to the point of beginning.

But the right of the public and the County of Sedgwick to use, maintain, excavate, fill, pave, or install utilities or to make similar use of said property shall not occur until such time as the right-of-way is deemed necessary for the improvement or re-improvement of Hydraulic and 63rd Street South by the County Engineer of Sedgwick County, at which time said dedication shall become effective.

It is the intent of the grantors herein that this shall be a covenant running with the land and shall be binding upon the heirs, assigns and successors and upon all subsequent owners of any part or parcel of said property covered by this dedication.

Executed at Wichita, Sedgwick County, Kansas, this 24th day of May, 19 79.

George W. Nicholson
George W. Nicholson

STATE OF KANSAS) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 24th day of May, 19 79, before me a Notary Public in and for said County and State came

George W. Nicholson

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Glenda M. Crites
Notary Public

My Commission expires June 24, 1982.



DEDICATION

D-0900
(Assoc. CV-217)

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, George W. Nicholson

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

The north 30 feet of the South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this 24th day of May 19 79.

George W. Nicholson
George W. Nicholson

STATE OF KANSAS)
SEDGWICK COUNTY) ss

BE IT REMEMBERED, that on this 24th day of May, 1979, came George W. Nicholson

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

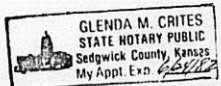
Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this _____,

City Clerk

Glenda M. Crites
Notary Public

My Commission Expires: June 24, 1982



May 31, 1979

Mr. George Nicholson
10829 Pineaire Drive
Sun City, Arizona 85351

Re: CU-217 - Conditional Use Permit -
North side of 63rd Street South
between Hydraulic and Kansas
Turnpike.

Dear Mr. Nicholson:

We have reviewed the landscape plan submitted as a condition of approval in conjunction with the above captioned case, with Tom Scott, Chairman of the Board of County Commissioners, and find it to be acceptable, subject to the seedlings being planted no later than the spring planting season of 1980. The landscape plan is, therefore, approved subject to that condition.

Inasmuch as this completes the required conditions of approval of the conditional use, the sand excavation may now commence. However, should the landscape material not be planted by the spring of 1980, or should the plants not be properly maintained, The County Zoning Administrator is authorized to issue an order to stop operation of the sand extraction until the condition of approval has been properly complied with.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Tom Scott, Chairman - Board of County Commissioners
Plan enclosed Syd Werbin, Director of Building, Planning & Codes (County)
Dale U. Kuhn, 1300 Brookfield, Derby 67037
Wilmer Freund, Century Plaza Bldg., 67202

Memo to File: 249-J
Date: May 15, 1979
From: Wilmer

This memo is to confirm a conference and agreement relative to improvement of 61st. Street from Hydraulic west approximately 1800 feet in connection with the application for a conditional use permit for sand extraction between 61st. Street and 63rd. Street South and west of Hydraulic. Those attending the meeting in the field were Mr. Grover McLure, Mrs. Cahail, (Riverside Township Clerk), Mr. George Nicholson, Messrs Kuhn, Cain and Robertsen along with Wilmer Freund.

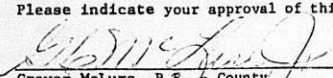
After looking at existing 61st. Street and its present condition, and viewing the trees at the west end of 61st. Street, it was agreed that the following conditions would be met by the applicant/owner.

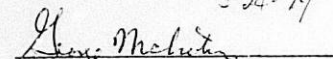
- 1) Set the required fence on the south side of 61st. Street from Hydraulic to the west line of the applicant's property on the 30 foot line;
- 2) Widen the existing roadway (61st. Street) from Hydraulic west to a point approximately 50 feet east of the trees on the south side of the road (station 17 + 70±) to 24 foot roadway and construct a V-ditch along the south side of the roadway for drainage purposes. Transition from that point back to existing roadway.
- 3) After the grading is approved by the county engineer, the widened part of the roadway will be primed, sealed and covered with chips. All work to be done as directed by the county engineer at no cost to Riverside Township.

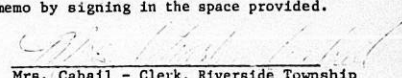
At station 17 + 50, the roadway will be narrowed back to its existing roadway, this in order to avoid removal of the trees from that point west to the turnpike right-of-way. This will provide some of the screen and will conform with the desires of area residents. It is further understood in accordance with some of the conditions associated with the application that there shall be no access to 61st. Street from the sand plant operation during its tenure. This condition will not apply when the area is platted, but was required to prevent undue nuisance to the area north of the proposed sand pit by large trucks hauling sand out of the area.

This will complete all of the requirements insofar as road improvement on 61st. Street is concerned in connection with the application for the conditional use permit or in the future when the applicant/owner must plat the property in accordance with the same application. The county engineer and Mrs. Cahail fully understand and have agreed accordingly this date.

Please indicate your approval of this memo by signing in the space provided.


Grover McLure, P.E., County
Engineer/Director of Public Works
5-24-79


George Nicholson
5-25-79


Mrs. Cahail - Clerk, Riverside Township
5-30-79



249-J

CONTINGENT DEDICATION

WHEREAS, George Nicholson, is the owner of the following described real property, to wit:

The South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; and

WHEREAS, the County of Sedgwick, is requesting that a portion of said property be dedicated to the public for street right-of-way purposes;

Now, therefore, George Nicholson, being the legal owner of the aforesaid property does dedicate to the public for street purposes, the following described property:

Beginning at the southeast corner of the Southeast 1/4 of Section 28, Township 28 South, Range 1 East; thence north 1300.6 feet; thence west 50 feet; thence south ^{950.6} 1050.6 feet; thence southwesterly to a point 75 feet west and 75 feet north of the southeast corner of said southeast 1/4; thence west 175 feet; thence southwesterly 100 feet to a point 60 feet north and 350 feet west of the southeast corner of said southeast 1/4; thence west to the west line of said southeast 1/4; thence south 60 feet; thence east to the point of beginning.

South 175' to a point 75' north + 75' west of the S. E. corner of said SE 1/4

But the right of the public and the County of Sedgwick to use, maintain, excavate, fill, pave, or install utilities or to make similar use of said property shall not occur until such time as the right-of-way is deemed necessary for the improvement or re-improvement of Hydraulic and 63rd Street South by the County Engineer of Sedgwick County, at which time said dedication shall become effective.

It is the intent of the grantors herein that this shall be a covenant running with the land and shall be binding upon the heirs, assigns and successors and upon all subsequent owners of any part or parcel of said property covered by this dedication.

Executed at Wichita, Sedgwick County, Kansas, this _____ day of _____, 19_____.

George Nicholson

STATE OF KANSAS) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 19_____, before me a Notary Public in and for said County and State came

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Notary Public

My Commission expires _____.

D E D I C A T I O N

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, George Nicholson

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

The north 30 feet of the South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this _____ day of _____ 19__.

STATE OF KANSAS)
SEDGWICK COUNTY)^{ss}

BE IT REMEMBERED, that on this _____ day of _____, came _____

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this _____,

City Clerk

Notary Public

My Commission Expires: _____

Sample

RESTRICTIVE COVENANTS

DEAN PITTENGER and BEULAH B. PITTENGER, husband and wife,
and THE WALT KEELER CO., INC. hereby make the following Declaration
as to restrictions, limitations and use of the following described
real estate:

The West One-Half of the Southeast Quarter of
Section 21, Township 26 South, Range 1 West
of the 6th P.M., Sedgwick County, Kansas,

which said Declaration shall constitute covenants running with said
land and shall be binding upon all owners and their successors,
assigns and heirs;

"No rubbish, car bodies or any other foreign
matter shall be deposited within the excava-
tion made in the removal of sand or gravel on
said premises at any time."

The above restriction and agreement shall be deemed a
covenant running with the land and shall not be amended, deleted
or changed.

IN WITNESS WHEREOF, this Restriction has been executed
on this 6 day of October, 1975.

Dean Pittenger
Dean Pittenger

Beulah B. Pittenger
Beulah B. Pittenger

THE WALT KEELER CO., INC.
By Earl F. Callison
President

STATE OF KANSAS }
SEDGWICK COUNTY } SS:



The foregoing instrument was acknowledged before me this
6th day of October, 1975, by Dean Pittenger and Beulah B. Pittenger,
and wife, and Earl F. Callison, President of The Walt Keeler

Elaine M. Lynch
Notary Public

Commission Expires:
Mar. 11, 1978

4-12-79

Brent Remsburg said
the County does want
the additional street
r.o.w. for 63rd now.

It is likely (although
not definite) that road
improvements of some
type will occur between
Hydraulic and Broadway
within the next few years.

A. TOTAL AREA 14,307,000 #
B. APPLICATION AREA 3,367,000 #
C. STREET R/W 2,435,596 #
D. NET AREA 8,504,404 #
E. 20% OF NET AREA 1,700,880 #
F. NET PROTEST AREA 1,071,725 #
G. TOTAL % PROTESTING 12.60

CU-217

5/9/79

5540
 Map No. Book 4
 Sec. M-5-B
 Twp. 28
 Range. 28
 1E

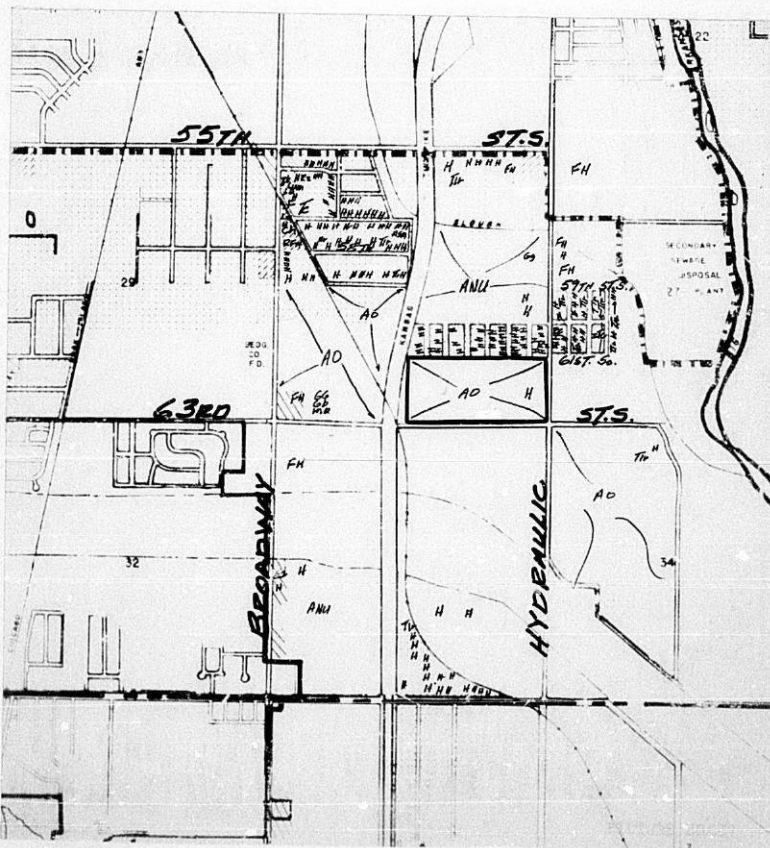
DATA SHEET
 (ZONING & CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- _____
 Filed 217
 3-12-79

APPLICATION DATA: From _____ to _____
 1. Applicant: George Nicholson, et al
 Address: 10829 Pineaire Dr., Sun City, Ariz Phone: 602-974-8642
 2. Agent: 85351 Phone: _____
 Address: _____
 3. General Location: North side of 63rd St. South between Hydraulic & Kansas Turnpike
 4. Proposed Use: Sand Extraction Operation

AREA DATA:
 1. Acres: 77.3 (1290 ft. by 2610 ft.)
 2. Adjoining Zoning: E "up" S "up" W "up" N "R-1"
 3. Land Use: East FRUIT DECHARD South UNDEVELOPED
 West KANSAS TURNPIKE North SINGLE FARM
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: _____
 6. Area (is) (is not) platted. FRUIT DECHARD & SINGLE FARM.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Apples

Strawberries

Cherries

Peaches

NICHOLSON ORCHARDS

6201 SOUTH HYDRAULIC
WICHITA, KANSAS

GEORGE W. NICHOLSON
OWNER

JACKSON 4-8943

JOHN D. GARNER
RESIDENT MANAGER

Mr. Jack H. Galbraith
Chief Planner - Planning Department
10th. Floor - City Hall
455 North Main
Wichita, Kansas 67202

April 30, 1979

In Re: Conditional Use Permit - CU-217

Dear Mr. Galbraith:

I am writing to you in regard to your letter dated April 17, 1979 concerning the above referenced. The letter refers to my request for a Conditional Use Permit, Case #CU-217. This case has passed three Planning Commissions and was approved unanimously with certain conditions. The purpose of this letter is to discuss these conditions with you.

The Haysville Planning Commission met on March 22, 1979 and approved the plan, paragraphs A through Q, with no opposition from me, because I was not prepared to discuss those items since I did not receive an explanation of what certain conditions would be before the meeting.

The Derby Planning Commission met on April 5, 1979 and approved the request subject to the operation being completed within eight years and platting being completed within two years after completion of the sand extraction.

Since we have had a chance to review and study the conditions, we are in full concurrence and agree with all of the conditions except paragraphs a, e, k, l and n. We feel as the applicant and to the best interest of ownership around us, it would not be feasible to be restricted as much as indicated in those conditions. My family and myself own several hundred acres around this sand extraction operation and we do not, nor would we allow, any operation that would not be desirable and for the best use of the land at this time. As you know, the grade of sand found under my property is of high quality and much in demand at the present time.

I am appealing the above paragraphs and will enumerate them as follows, with reasons for my request.

(a) We are appealing the contingent dedication on 61st. Street South since most of the people in the area were not in favor of it. This would allow us to set the fence on the existing line and maintain up to it and keep it in a more orderly fashion until such time as the property is platted. At such time, we will grant that dedication. We will also

→ TREE RIPENED QUALITY FRUITS ←

P. 2
Conditional Use Permit

show complete access control along the south side of 61st. Street South to guarantee that there will be no access to 61st. Street during the sand extraction operation. We will grant the contingent dedications on 63rd. Street South and Hydraulic and the necessary right-of-way for traffic control at the intersection of Hydraulic and 63rd. Street South by separate instrument to comply with this Conditional Use Permit.

(e) It was our understanding that the five to one slope would extend only to eight feet below the water table as per the drawing. From that point on down, we understand that the slope could be reduced to 2:1.

(k) We request that we be allowed to stock the lake with fish and allow fishing in the sand pit area.

(l) All ground, other than the lake area and ground used for sand extraction, will be farmed with the best suitable crop available at the time.

(n) The landscaping is planned and plants tentatively have been ordered for spring 1980 planting. The plants are honeysuckle and were shown to the Derby and Wichita Planning Commissions. The plants will be set ten feet apart on my line and full length of 61st. Street, approximately one-half mile. The plants will be maintained to get cover on the fence as soon as possible.

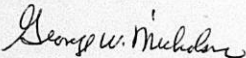
I have spent considerable time in visiting with the residents of the housing area to the north of me and find a very small percent of the people are against the Conditional Use Permit, providing the conditions that have been set up by the Metropolitan Area Planning Commission and myself, are carried out.

One incidental benefit to be derived will be the elimination of the present use of the property for motorcycling. The area residents to the north have expressed concern about this with respect to the danger and noise.

Please advise if these matters can be discussed with you or if we can discuss them with the County Commission when this matter is presented to them.

Very truly yours,

George W. Nicholson



GWN:cat

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT

CASE NO. CU-217

CONSIDERED BY HCPC: 3-22-79

CONSIDERED BY DCPD: 4-5-79

CONSIDERED BY MAPC: 4-12-79

REQUEST FOR: Approval of a Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"Sand extraction operation."

GENERAL LOCATION: North side of 63rd Street South in an area between Hydraulic and Kansas Turnpike.

LEGAL DESCRIPTION:

South half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

5/4/79
Insects -
Campbell 6111 1/2 Dea.
Dean banner - Michigan map.
Jays castle
Worthington side lot
Noggin Vanderhaeghe - Dea.

Bob Kelley -

- *Don Woods* - *quintanilha*

Paul ... 6135 Dea.

- *Frank ...*

Richard ...

- *Donald ...* 6112 S Dea. 5/4/79
1120 ...

Joe Knight

Robert ...

Dale ...

APPLICANT: George Nicholson, et al, 10829 Pineaire Dr., Sun City, Arizona

AGENT FOR APPLICANT: Wilmer Freund, engineer, Century Plaza Bldg.

PROTESTORS (LIST AGENT) IF ANY: Robert K. Kunze, 6115 N. Ellis; Teresa A. Sparks, 6123 S. Greenwood; Mrs. Richard Anderson, 6155 Ellis; Bessie Lance, 6112 Laura; Pearl Lance, 6112 Laura; Maria Knetsch, 1414 E. 61st St. So.; Frances Cupples, 6148 S. Greenwood; Reinier Knetsch, 1414 E. 61st St. So.

SURROUNDING ZONING: North, South and West, "R"; East, "R" & "R-1".

LAND USE: Existing, Orchard & Single Family; North, Single Family; East, Orchard; South, Agriculture; West, Undeveloped & Kansas Turnpike.

PLANNING COMMISSION RECOMMENDATION:

That this Conditional Use Permit be approved subject to the recommended conditions as shown in the attached excerpt from minutes of the Planning Commission, April 12, 1979. Cole moved, Barrier seconded and it carried unanimously.

NOTE: The percentage of the protest petitions received on this application will be pointed out at the time the case is considered by the County Commission.

12.60%

ACTION: 1. Approve the application as recommended by the Metropolitan Area Planning Commission subject to the recommended conditions of approval and adopt a resolution effectuating the conditional use, and instruct the Planning Department to withhold publication until items a., h., n., and q. have been complied with; or
2. Deny the application.

Richard ...
approve - or
Recommend ...
change to 5 yrs ...
unless otherwise
approved by ...

Scott - and change to 5 yrs, condition
- and about 5% of 61st

Gregg - and ...
change
and ...
lead ...
cell to "A" guarantee for improvement
See A Public ...

30

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 12, 1979:

28. Case No. CU-217 - George Nicholson, et al requests Conditional Use Permit for the South half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the north side of 63rd Street South, between Hydraulic and the Kansas Turnpike.

TAYLOR left the meeting.

GALBRAITH pointed out adjacent land use, zoning, and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

1. The applicant is requesting a conditional use permit to establish a sand extraction operation on approximately 80 acres of land zoned "R" Rural Residential and "R-1" Suburban Residential located on the north side of 63rd Street South in an area between Hydraulic and the Kansas Turnpike.
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated, as well as a redevelopment plan which proposes the development of single family lots, recreation area, and two spots proposed for light commercial zoning around an approximate 38 acre lake which will remain after the extraction operation ceases. Although it could be expected that "LC" zoning would later be proposed at the major street intersection, the proposed future development plan suggests adjacent single family lots. The suggested "LC" at the northeast corner is adjacent to existing single family homes and is inappropriately located. The revised site plan should eliminate that suggested zoning classification.
3. The following items should be considered by the Planning Commission in making findings of fact:

Subject property is developed with an older orchard and is located in an area where predominantly agricultural uses are in transition to suburban development patterns. The property to the north is developed with well-maintained single family homes, as is the property to the northeast. The Kansas Turnpike is located to the west with agricultural uses to the south and east. The noise, truck traffic, and blowing sand associated with excavation operations could adversely affect the single family uses in the area if adequate protective measures are not taken.
4. Should the Planning Commission determine the extraction use appropriate for the area, it should be approved subject to the following conditions:
 - a. ~~The applicant shall dedicate by separate instrument~~ 30 feet of half-street right-of-way for 61st Street South and sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way), and sufficient half-street right-of-way on both streets to provide for major street intersection improvements (75 feet of half-street right-of-way).
 - b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.

- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
- e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 - 1. A 48 inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
- k. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
 - 1. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.

- m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
 - n. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
 - o. The applicant shall comply with conditions A, H, and N, prior to the publication of the resolution effectuating the conditional use.
 - p. Violation of conditions of approval shall render the conditional use permit null and void.
 - q. The Planning Commission may want to consider setting a time that the operation must commence and a date that the operation must cease.
5. The Haysville Planning Commission, in considering and recommending approval of this request subject to the recommended conditions, also recommended that a landscape plan be required for the area south of the half-street dedication for 61st Street South. They suggested that the plan provide for screening, to break up visual contact, along the entire north line, that the plan take into consideration existing trees and that appropriate plants which might grow on the fence also be considered. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.

In addition, the Haysville Planning Commission recommended that the Metropolitan Area Planning Commission consider establishing appropriate daytime hours of operation.

GALBRAITH stated that there had been three hours of public hearing already on this case. Both Haysville and Derby have considered this case because it is in their three-mile ring, and during these evenings of discussion all of the problems concerned with sandpit operations have been raised. He cited some of the problems that were discussed.

TAYLOR returned.

GALBRAITH said that the applicant has tried to make comments about his intended operational use, and has emphasized on his plan that he would not have any access to the residential street to the north, and that he would provide fencing along the entire north property line. Also he would plant landscaping along the fence. GALBRAITH stated that even though the applicant has mentioned all of the things he was willing to do, the neighborhood still has concerns. He said that the applicant prefers not to dedicate right-of-way at this time, but would dedicate when he platted his property. GALBRAITH called to the Commissioner's attention that 61st Street and all of the streets to the residential subdivision to the north are asphalt streets today, and even though 61st Street to the north was only a half street right-of-way, its still a hard surface street, and the applicant has stated that he would prefer not to dedicate street right-of-way for 61st Street now because he would have to place his fence on his property and that he would not maintain the road right-of-way and was desirous of keeping the fence on his property line. GALBRAITH stated that the staff had contacted the County Engineer's Office, and they agree that they would like to have the dedication for Hydraulic and 63rd Street now.

GALBRAITH pointed out that the Derby Planning Commission recommended that right-of-way not be required on any of the three streets at this time. Derby also recommended that operation of the sandpit should cease within eight years, and platting should occur two years after the operation ceases. The applicant was

agreeable with the recommendations. The Haysville Planning Commission suggested appropriate hours of operations due to the concern of the neighborhood about noise. GALBRAITH stated that since the Derby meeting, some question was raised about the Sanitation Code No. 5 approved by the Environmental Health Department concerning excessive noise. He said that the Environmental Health Director was contacted and he could not provide any directions at this time. The noise could be minimized by the lake.

CHAIRMAN GREIDER stated that Haysville recommended approval of the permit, and asked how did Derby recommend on the permit.

GALBRAITH stated that Derby recommended approval, except that they did not recommend dedication of street right-of-way at this time.

MAY noted that in the recommendation from the Haysville Planning Commission where the landscape plan takes into consideration of the existing trees. She urged that the span of trees be saved because a fence would not offer the kind of visual protection that the trees would provide.

GEORGE NICHOLSON, applicant, stated that he was upgrading the area by doing this. He said that he did have a drainage problem because of the Turnpike, which he took to court and lost.

HENNESSY left the meeting.

NICHOLSON said that by going this route he can drain his entire 80 acres into the lake on his own property. He said that he objected to dedicating the ground on any road, 61st, 63rd or Hydraulic. He will dedicate it when he plats the land, within two years after the sand operation ceases, and fence along the north side of the site.

HENNESSY returned.

BAYOUTH asked where would the applicant have his sand plant operation.

NICHOLSON said the sand plant would be on 63rd Street, 1/4 mile from the houses with no access to the residential area.

COLE asked Mr. Nicholson if he would prefer, rather than approval with a contingent dedication, that the request be denied.

NICHOLSON said that he was not able to answer that at this time.

JONES stated that this is not the first time dedication of land was required of people, who like Mr. Nicholson, had paid taxes all of their lives, as a condition of platting. What the Commission was asking of him, was to have a contingent dedication that would not be required until it was needed.

BAYOUTH stated that if a contingent dedication was not required on 61st Street, and only on 63rd Street, like staff requested, that was about as painless as they can make it. He continued that if the applicant could hold off until the County finished the road, they would buy it from him.

ROBERT K. KUNZE, 6115 North Ellis, speaking in opposition, stated that there has been many sandpit requests lately, but this is the only one adjacent to an established residential area, and was concerned that not only would this set a precedent, but was concerned about their particular case. He mentioned that one of his major concerns was property value decrease. He said that they were led to believe that the lake was to drain the property. They found out, with additional questioning, that fifty percent more residential acreage could be developed now without the sandpit, than there would be left to develop with the lake in there.

TERESA A. SPARKS, 6123 South Greenwood, pointed out that this was the first she had heard of this. She never received anything regarding this sandpit operation. She commented that

there were several families in the area that have small children, and she was concerned about the children getting over the fence. SPARKS said that a lot of sandpits that you see now look like old ghost towns. She pointed out that there would be four sandpits around their area, and did not feel it was necessary for another one so close. Another point she wanted to bring out was that there were many retired people in the neighborhood, and with the property value going down, they could not sell their homes for what they were worth. She mentioned the noise level.

MRS. RICHARD ANDERSON, 6155 Ellis, stated that she did not receive a notice. She commented that they have spent 2,000 dollars getting their water to where they can use it, and wondered if the sandpit operation would hurt their water.

GALBRAITH said that there had been a number of people raise the question of not receiving notice. He said that if they would advise him of what the legal description of their property was, he could check the abstract ownership list to see who was listed as owning that land.

BESSIE LANCE, 6112 Laura, speaking in opposition, said that they would have to think of how this operation would hurt them financially; both in the value of their houses, but what about the roads that they were paying taxes for, with all of the heavy trucks traveling the roads. She said that if housing does go in she could not feature someone wanting to live on a lake that was 40 feet deep.

DEARL LANCE, 6112 Laura, speaking in opposition, was not sure Mr. Nicholson was going to put houses in after the sandpit operation. A lot depends on the economy. He said as far as not widening 61st Street, right now in the winter it is a very bad road. He said that the applicant wants a number of things, but does not want to put a guarantee on it. LANCE emphasized that there would be a lot of surface drainage besides Mr. Nicholson's own 80 acres.

MARIA KNETSCH, 1414 E. 61st St. South, stated that they bought their lot because it was so beautiful, and to be able to look at the peach trees. She said that Mr. Nicholson said that the peach trees could not grow there any more. She said that some people have to live a life time to only educate their children and have a little house of their own, and maybe they would have to sell their house because of poor health or something. They pay taxes too, and the value of their house could go down.

FRANCES CUPPLES, 6148 South Greenwood, stated that the first thing that she objected to when she received the mailing list of property owners, she found it very obsolete. She said it was hard to go along the street and talk to people who had not received the notice. She said that she could not understand how they could have a sandpit area commercial, and they were residential.

MRS. BERRY CAMPBELL, 6155 South Ida, stated that she was at the Haysville meeting and did oppose very strongly, but that it was based on her opinion that there would be loss of property value. Then she went and started calling real estate people, and they told her that her land would not lose its value other than nuisance. She said she also talked to someone that lived near a sandpit and was told that they got more dirt from the ground farmed than they did from the sandpit itself. She said that those were her two reasons for opposing the sandpit, and now have changed her mind and as far as she was concerned Mr. Nicholson could go ahead if they were given the conditions of a fence along 61st Street, landscaped so that it would be compatible to the neighborhood, and to farm up to the fence line to cut down on the dust. They would also like reasonable hours of operation, and no operations on holidays; a time limit of 8 to 10 years, and to plat within two years.

MAY remarked that to her recollection, in driving the area with the Zoning Committee, it would be the neighborhood's benefit to have the trees remain.

VIRGINIA VANDERHOOF, 6156 Ida, said that she would rather have a sandpit and fenced, than have cheap housing. She agreed with everything that Mrs. Campbell had said.

REINIER KNETSCH, 1414 E. 61st St. South, said that he had lived here 26 years and would like to stay there the rest of his life without living in a dust cloud, and without the noise of tractors and bulldozers.

LOVINA GATSON, 6128 Ida, stated the water was her main concern. She said that she had been assured that the sandpit operation does not lower the water table because she does have a well, and she believed that when the lake is in with the houses around it, it would be an asset to the neighborhood.

WILMER FREUND, engineer for the applicant, wanted to address some of the questions raised. He said that first of all, it was a sand plant operation only. The operation would be on the south side of the site, as far removed from the residential area as possible. He considered this the highest and best use of the land for that particular 80 acres. He said that concerning the hours of operation, the hours would be only from sun up to thirty minutes after sundown. He mentioned that they had checked with the County Engineer's office and with other agencies in the area who use this material, and found that while there was a lot of sand available, finding sand that's in the range of a gradation from 3.5 to 4.0 was not only hard to find, but was expensive when it is found. This sand will meet that gradation adequately.

SAVINA pointed out that the staff report calls for half street dedication for 61st Street, also Hydraulic and 63rd Street. He felt that the half street dedication on 61st Street was very important because of the people that live north of there.

GERALD BLOOD, 6346 South Broadway, stated that he had no objections to the application.

FAY ASTLE, 1049 Pershing, said that she was in favor of the sandpit operation.

JONES said that he was not speaking for or against the application at this time, however, he lived closer to this area than any of the other Commissioners. He said that if he was living in the 6100 block of Greenwood, Ellis or any of the other streets, he would probably feel like the majority of the people, and if he was in the position of the applicant, he would probably feel exactly like he does, even to the extent of not wishing to dedicate land if he didn't have to. JONES said that when he moved where he lives now, there were no houses to the north, and in the mornings you could hear the birds sing and the air was a little fresher. He would have preferred that it remained that way, but the developer could not afford to have two other streets vacant because it was suitable for residential construction. He said that the Zoning Committee drove the area, and he was in sympathy with the people that live there because they are mostly homeowners and they have pride of ownership. They keep up their properties, and there was a lot of emotion involved, but he did not think this operation was going to be as bad as the neighborhood thinks its going to be, and he added that he didn't think it was going to be quite as good as the applicant thought it was going to be. He said that there were a few points brought out that might be questionable from a practical standpoint. It may take 8 to 10 years for the sandpit extraction, but if the applicant was sincere in platting the rest of the site, and 8 to 10 more years to develop the housing, then it would be better to leave as is. He said that eventually there might be lots worth more than the nice neighborhood there now. He knew that each of them felt that a sandpit should be miles from them, but unfortunately, you have to get sand where sand is.

BAYOUTH stated that he built a house 20 years ago not too far from a sandpit and his house never depreciated. He said that the realtors that advise people that their houses would depreciate, he did not know where they got their information from. He felt that overall it would be an improvement to the area, and the sand that is blowing there now would be controlled better.

MOTION: Having considered the factors as contained in Policy Statement No. 10, in conjunction with Conditional Use case no. CU-217, I moved that we recommend to the Governing Body that the application be approved subject to the following conditions:

**
See application to 61st
Road to bring to 63rd*

- a. The applicant shall contingently dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way) and sufficient half-street right-of-way on both streets to provide for major street intersection improvements (75 feet of half-street right-of-way). The contingency is on the need for the right-of-way for any street right-of-way purpose as determined by the governing body. *
- b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.
- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
- e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical. X
- f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:

1. A 48 inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

- k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto. X
- l. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion. X
- m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
- n. A landscape plan shall be submitted for the area south of the half-street dedication for 61st Street South. The plan shall provide for plant materials in such a way as to break up visual contact along the entire north line, and the plan shall take into consideration existing trees and appropriate plants which will grow on the required fence. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department. X
- o. The hours of operation for the sand dredging operation shall be between 7:00 a.m., and 30 minutes after sunset.
- p. The operation shall cease within 8 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within two years after the operation closes.
- q. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
- r. The applicant shall comply with conditions A, H, N and Q, prior to the publication of the resolution effectuating the conditional use.
- s. Violation of conditions of approval shall render the conditional use permit null and void.

Cole moved, Barrier seconded and it carried unanimously.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DEPUTY COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a land pit in R-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S R 1 E of 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>Duane F. Baxter</u> Signature <u>DUANE FREDRICK BAXTER</u> Typed or Printed Name	<u>3</u>	<u>6</u>		<u>So Hydraulic Vista</u>
b) <u>Polly V. Baxter</u> Signature <u>Polly V. BAXTER</u> Typed or Printed Name	<u>3</u>	<u>6</u>		<u>So. Hydraulic Vista</u>

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Duane F. Baxter and Polly V. Baxter to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Arlene E. Meff
Notary Public

My Commission expires September 13, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

4-12-79

AS CONCERNED CITIZENS, WE FEEL THAT THERE IS NO NEED FOR A SAND PIT TO REPLACE NICKELSON'S ORCHARDS. WE FEEL THAT IT WOULD REPRESENT A SAFETY HAZARD TO OUR CHILDREN & A CAUSE OF EXCESSIVE NOISE TO THE NEIGHBORHOOD.

IT WILL BRING DOWN THE VALUE OF OUR HOUSE & ALL OTHER HOUSES IN THE AREA WHEN OR IF THEY ARE SOLD. MY HUSBAND & I BOTH FEEL THAT NO MATTER HOW BIG OR TALL A FENCE SURROUNDS THE PIT, IF SOMEONE WANTS TO GET IN THEY CAN. THIS INCLUDES OUR CHILDREN, EVEN IF THEY ARE INSTRUCTED TO STAY AWAY FROM THE SAND PIT. THEY DO NOT REALIZE THE TRUE DANGER. WE DON'T FEEL THAT WE SHOULD HAVE TO WATCH OUR CHILDREN LIKE HAWKS EVERYTIME THEY PLAY OUTSIDE. EVERY YEAR, WE READ IN THE PAPERS OR HEAR ON THE NEWS ABOUT SOMEONE DROWNING IN A SANDPIT. WE DO NOT WANT THIS TO HAPPEN TO OUR CHILDREN OR ANYONE ELSE'S CHILDREN.

IF THIS SAND PIT IS CONSTRUCTED, IT WILL BE THE THIRD WITHIN 1 1/2 MILES OF OUR NEIGHBORHOOD.

I'M SURE THIS IS NOT NECESSARY.

I SINCERLY HOPE THAT THE COUNTY COMMISSIONERS WILL SUPPORT US IN OUR EFFORT TO KEEP OUR NEIGHBORHOOD SAFE & QUIET.

THOMAS & TERESA
SPARKS

6123 S GREENWOOD
WICHITA KANSAS 67216

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 302217, zone change from _____ to _____ (for establishment of a _____ FRONT in R-1-1 zoning).

1/2 SE 1/4 Sec 28-TWP 28 S. R1E 6 E. FM.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Thomas F. Sparks</u> Signature Thomas F. Sparks Typed or Printed Name	10	2	S. Hydraulic Vista
b) <u>Teresa A Sparks</u> Signature Teresa A. Sparks Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12 day of April, 19 79, before me, a notary public in and for said County and State, came Thomas F. Sparks and Teresa A. Sparks to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.



Margaret Lancaster
Notary Public

My Commission expires July 25, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

April 9, 1979

I am very much opposed to the zone change, per attached, because I feel the establishment of a sand pit so close to a residential area would be dangerous from the standpoint of children living in this area. There would also be many other disadvantages from having sand excavated and hauled from the property adjacent to this housing development. Surely, it is unnecessary for our property to be devaluated to such a degree when there are many other more isolated areas where sand could be extracted.

Naomi (Young) Walling
6100 S. Laura
Wichita, Kansas 67216

Naomi (Young) Walling
Signature

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a same lot in R+P-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Naomi (Young) Walling</u> Signature	<u>1</u>	<u>5</u>	<u>South Hyman's Vista</u>
<u>Naomi (Young) Walling</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 9th day of April, 1979, before me, a notary public in and for said County and State, came Naomi (Young) Walling to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Terrisa Compton
Notary Public

My Commission expires December 1, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-212, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S 1/2 SE 1/4 SEC. 28 - TWP 28 S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>JACOBUS GRIEKSPOR</u> Signature	<u>7</u>	<u>1</u>	<u>SOUTH HYDRAULIC</u>	<u>VISTA</u>
<u>JACOBUS GRIEKSPOR</u> Typed or Printed Name				
b) _____ Signature				
<u>Johanna Cornelia Griekspoor</u> <u>JOHANNA CORNELIA GRIEKSPOR</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Jacobus Griekspoor and Johanna Cornelia Griekspoor to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1-14-81

Virginia K. Aaron
Notary Public
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

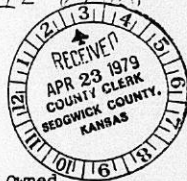
APR 23 1979

SECTION I.

DOROTHY K. ... E

The undersigned, property owners in Sedgwick County, Kansas hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CD-217, zone change from to (for establishment of a SAND P+ in R+k-1 zoning).

S 1/2 SE 1/4 Sec. 28 - TWP 28 S R1E 6.P.M.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Robert Eugene Morton</u> Signature	<u>4</u>	<u>2</u>	<u>S. Hydraulic Vista</u>
<u>ROBERT EUGENE MORTON</u> Typed or Printed Name			
b) <u>Ilus E. Morton</u> Signature			
<u>ILUS E. MORTON</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Robert Eugene Morton and Ilus E. Morton to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Reya F. Campbell
Notary Public

My Commission expires 8-10-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DORIS K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R+R1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28 S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Elmer Wayne Testerman</u> Signature <u>Elmer Wayne Testerman</u> Typed or Printed Name	<u>3</u>	<u>3</u>	<u>South Hydraulic Vista</u>
b) <u>Mrs. Louise Testerman</u> Signature <u>Mary Louise Testerman</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Elmer Wayne Testerman and Mary Louise Testerman, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kenneth L. Cumley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

- | Name | Lot(s) | Block(s) | Property Owned | Addition |
|---|----------|----------|-----------------|----------|
| a) <u>William A. Klaus</u>
Signature
<u>WILLIAM A. KLAUS</u>
Typed or Printed Name | <u>7</u> | <u>4</u> | <u>S. Klaus</u> | |
| b) <u>Musta D. Klaus</u>
Signature
<u>MUSTA D. KLAUS</u>
Typed or Printed Name | | | | |

ACKNOWLEDGMENT

State of Kansas) as
County of Sedgwick)

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came William A. Klaus & Musta D. Klaus to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my seal the day and year above written.



William E. Adams
Notary Public

My Commission expires August 26, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec. 28-TWP 28S R1E 6PM



SECTION II - Protestor(s)

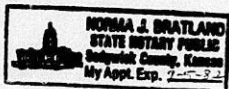
Name	Lot(s)	Block(s)	Addition
a) <u>Robert L. Morgan</u> Signature <u>Robert L. Morgan</u> Typed or Printed Name	5	2	South Hydraulic Vista
b) <u>Leta M. Morgan</u> Signature <u>LETA M Morgan</u> Typed or Printed Name			

ACKNOWLEDGMENT.

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18 day of April, 1979, before me, a notary public in and for said County and State, came Robert L. Morgan and Leta M. Morgan to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Norma J. Bratland
Notary Public

My Commission expires 9-5-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

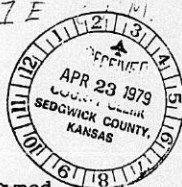
FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 21-317, zone change from _____ to _____ (for establishment of a COMMERCIAL in R-1 zoning).

1/2 SE 1/4 Sec 28-TWP 28S R1E



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) _____ Signature	12	1	S. Hydraulic Vista

Typed or Printed Name			
b) <u>Mrs. Dolores Coates</u> Signature	12	1	S. Hydraulic Vista

Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 23rd day of April, 1979 before me, a notary public in and for said County and State, came Mrs. Dolores Coates to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Dorothy K. White
Notary Public



My Commission expires Mar. 1 - 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CL-217, zone change from _____ to _____ (for establishment of a Land Use in R2P-1 zoning).

2 1/2 & 5 1/4 Sec. 28 - TWP 28S R1E 6th P.M.



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Daniel O'Neal Reiter</u> Signature <u>DANIEL O'NEAL REITER</u> Typed or Printed Name	3	1	S. Hydraulic Vista
b) <u>Georgia Ann Reiter</u> Signature <u>Georgia Ann Reiter</u> Typed or Printed Name	3	1	S. Hydraulic Vista

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 22 day of April, 1979, before me, a notary public in and for said County and State, came Daniel O'Neal Reiter and Georgia Ann Reiter to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Charles T. Eastman
Notary Public

My Commission expires 1-25-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a FRONT YLF in R & R I zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R 1 E LPM



SECTION II - Protestor(s)

12 5 Property Owned

Name

Lot(s)

Block(s)

Addition

a) Elmer C. Richardson
Signature

ELMER C. RICHARDSON
Typed or Printed Name

b) Edna P. Richardson
Signature

EDNA P. RICHARDSON
Typed or Printed Name

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Elmer C. Richardson and Edna P. Richardson to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Edward O. Kennedy
Notary Public

Commission expires April 10, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. _____, ~~some change from~~ to _____ (for establishment of a _____ zoning) in _____ zoning).

SW 1/4 SEC 28 - TWP 28 S R1E 6PM



SECTION II - Protestor(s)

Name	Property Owned	
Lot(s)	Block(s)	Addition
a) <u>James D. Winter</u> Signature	lot 2 block 2	Loach Hydraulic Water Addition
<u>James D. Winter</u> Typed or Printed Name		
b) <u>Diane L. Winter</u> Signature		
<u>Diane L. Winter</u> Typed or Printed Name		

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16 day of April, 1979, before me, a notary public in and for said County and State, came James D. Winter & Diane L. Winter to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Earl S. Smith
Notary Public



My commission expires 12-9-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAID P.T. in R+K-1 zoning).

S 1/2 SE 1/4 Sec. 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owner	Addition
a) <u>Robert Eugene Morton</u> Signature	<u>3</u>	<u>2</u>	<u>S. Hydraulic Vista</u>	
<u>ROBERT EUGENE MORTON</u> Typed or Printed Name				
b) <u>Ilus E. Morton</u> Signature				
<u>ILUS E. MORTON</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Robert Eugene Morton and Ilus E. Morton to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Reta F. Campbell
Notary Public

My Commission expires 8-10-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SPND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S RANGE 1 E
OF 6th PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Kenneth L. Garrett</u> Signature	1	2	South Hydraulic Vista Addn.
<u>Kenneth L. Garrett</u> Typed or Printed Name			
b) <u>Patricia C. Garrett</u> Signature			
<u>Patricia C. Garrett</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Kenneth L. Garrett and Patricia C. Garrett, husband and wife, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In testimony Whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.



Catherine K. Tall
Notary Public Catherine K. Tall

My Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

Cook

PROTEST PETITION
(COUNTY CASES)

FILED
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a land-pit in RPL-1 zoning).

8 1/2 E 1/4 Sec. 28-TWP 28 S R1E 6th p 7m



SECTION II - Protestor(s)

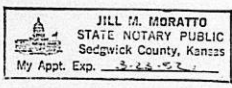
Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>John W Cook</u> Signature John W. Cook Typed or Printed Name	2	1	So. HYDRAULIC VISTA
b) <u>Fay F Cook</u> Signature Fay F. Cook Typed or Printed Name	2	1	So. HYDRAULIC VISTA

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 19 79, before me, a notary public in and for said County and State, came John W. Cook and Fay F. Cook, husband and wife, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Jill M. Moratto
Notary Public Jill M. Moratto

My Commission expires March 23, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. , zone change from to (for establishment of a zoning) in 5451 zoning).

5 1/2 SEC 28 TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>Joyce A. Mourer</u> Signature Joyce A. Mourer Typed or Printed Name	9	3		South Hydraulic District Sedgwick County, Ks.
b) <u>Charles E. Mourer</u> Signature Charles E. Mourer Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 19 79, before me, a notary public in and for said County and State, came Joyce A. Mourer to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1/14/81

Virginia K. Aaron
Notary Public Virginia K. Aaron

My Commission expires January 14, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a sanitary in R-1 zoning).

5 1/2 SE 1/4 Sec 28 - Twp 28 S R 1 E of 6th PM



SECTION II - Protestor(s)

Name	Property Owner	Lot(s)	Block(s)	Address
a) <u>Charles Warren Harold</u> Signature <u>Charles Warren Harold</u> Typed or Printed Name		<u>8</u>	<u>4</u>	<u>Vista</u>
b) <u>Joyce Ann Harold</u> Signature <u>Joyce Ann Harold</u> Typed or Printed Name		<u>8</u>	<u>4</u> ✓	<u>Vista</u>

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 7th day of April, 1979, before me, a notary public in and for said County and State, came Charles Warren Harold & Joyce Ann Harold to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

My Commission expires 2-10-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

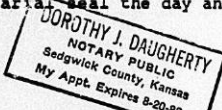
Name	Lot(s)	Block(s)	Addition
a) <u>James R. Razy</u> Signature <u>James R. Razy</u> Typed or Printed Name	10	4	S Hydraulic Uist
b) <u>Betty L. Razy</u> Signature <u>Betty L. Razy</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20 day of April, 1978, before me, a notary public in and for said County and State, came James R. Razy and Betty L Razy to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Dorothy J. Daugherty
Notary Public

My Commission expires 8-20-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a SAND PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28 S R1E 6



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>James R Razez</u> Signature	11	4	S Hydraulic Uista
	<u>James R Razez</u> Typed or Printed Name			
b)	<u>Betty L Razez</u> Signature			
	<u>Betty L Razez</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20 day of April, 1979, before me, a notary public in and for said County and State, came James R. Razez and Betty L. Razez

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

DOROTHY J. DAUGHERTY
NOTARY PUBLIC
Sedgwick County, Kansas
My Comm. Expires 8-20-82

Dorothy J. Daugherty
Notary Public

My Commission expires 8-20-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S RANGE 1E
OF 6th



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Richard M. Reinhart</u> Signature	1	6	South Hydraulic Vista
<u>Richard M. Reinhart</u> Typed or Printed Name			
b) <u>Wanda K. Reinhart</u> Signature			
<u>Wanda K. Reinhart</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19th day of Apr., 1979, before me, a notary public in and for said County and State, came Richard M. and Wanda K. Reinhart to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Louise E. Pehrs
Notary Public

My Commission expires Nov. 1 - 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. W. E.
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 11-317, zone change from _____ to _____ (for establishment of a AND PM in RES zoning).

SW 1/4 Sec 28 - T1N R1E 14W



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Martin R Nolan</u> Signature	9	2	South Hydraulic VISTA
<u>Martin R Nolan</u> Typed or Printed Name			
b) <u>Carlotta J Nolan</u> Signature			
<u>Carlotta J Nolan</u> Typed or Printed Name			

ACKNOWLEDGMENT

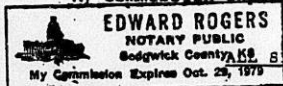
State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19 day of April, 1979, before me, a notary public in and for said County and State, came Martin R Nolan and Carlotta J Nolan (H/W) to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Edward Rogers
Notary Public

My Commission expires Oct 29 1979



SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

Knetsch

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 20-217, zone change from _____ to _____ (for establishment of a land pit in R-K-1 zoning).

S 1/2 S E 1/4 Sec. 28 - TWP 285 R 1 E 6PM



SECTION II - Protestor(s)

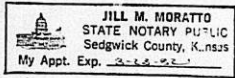
	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Reinier Knetsch</u> Signature	7	2	<u>South Hydrolic Vista</u>
	<u>Reinier Knetsch</u> Typed or Printed Name			
b)	<u>Maria G. Knetsch</u> Signature			
	<u>Maria G. Knetsch</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Reinier Knetsch and Maria G. Knetsch, husband and wife, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Jill M. Moratto
Notary Public Jill M. Moratto

My Commission expires March 23, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a wand pit in R-1 zoning).

S 1/2 D E 1/4 Sec. 28-TWP 28 S R1E 6th pm



SECTION II - Protestor(s)

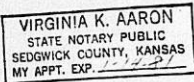
Name	Lot(s)	Block(s)	Addition
a) <u>Dale H. Cupples</u> Signature	526	1	South Hydraulic Venter
Dale H. Cupples Typed or Printed Name			
b) <u>Frances W. Cupples</u> Signature			
Frances W. Cupples Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Dale H. Cupples and Frances W. Cupples to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Virginia K. Aaron
Notary Public
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 44-212, zone change from _____ to _____ (for establishment of a land use in R+K-1 zoning).

DOROTHY K. WHITE

S 1/2 SE 1/4 Sec. 28 - TWP 28S R1E 6P N



SECTION II - Protestor(s)

	Name	Lot(s)	Block(s)	Property Owned	Addition
a)	<u>Dale H. Cupples</u> Signature	5+6	1		South Hydraulic Vista
	<u>Dale H. Cupples</u> Typed or Printed Name				
b)	<u>Frances W. Cupples</u> Signature				
	<u>Frances W. Cupples</u> Typed or Printed Name				

VOID
DUPLICATE

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20th day of April, 19 79, before me, a notary public in and for said County and State, came Dale H. Cupples and Frances W. Cupples to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1-14-81

Virginia K. Aaron
Notary Public
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C 277, zone change from _____ to _____ (for establishment of a Sand pit in R+R1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28S R1E



SECTION II - Protestor(s)

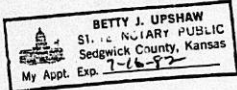
Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Richard L. Anderson</u> Signature	7	3	South Hydraulic Vista
<u>RICHARD L. ANDERSON</u> Typed or Printed Name			
b) <u>Sandra L. Anderson</u> Signature			
<u>SANDRA L. ANDERSON</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18 day of April, 1979, before me, a notary public in and for said County and State, came Richard L. + Sandra L. Anderson to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Betty J. Upshaw
Notary Public

My Commission expires 7-16-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

SECTION I.

APR 23 1979

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

DOROTHY K. WHITE
COUNTY CLERK

S 1/2 SE 1/4 SEC 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Address
a) <u>Calvin T. Rader</u> Signature <u>CALVIN T RADER</u> Typed or Printed Name	12	4	S. HYDRAULIC VISTA
b) <u>Mary H. Rader</u> Signature <u>MARY H. RADER</u> Typed or Printed Name	12	4	S. HYDRAULIC VISTA

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Calvin T. Rader and Mary H. Rader to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine L. Dall
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 4-217, zone change from to (for establishment of a sand pit in R+R-1 zoning).

S 1/2 SE 1/4 Sec. 28 - Twp 28 S Range 1 E 6th PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Eugene T. Scouler</u> Signature	3	5	J. Hey branch Vista
<u>Eugene T. Scouler</u> Typed or Printed Name			
b) <u>Barbara J. Scouler</u> Signature			
<u>Barbara J. Scouler</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Eugene T. Scouler and Barbara J. Scouler to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Keesi L. Purley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 7, zone change from _____ to _____ (for establishment of a SAND PIT in R&R zoning).

5 1/2 SE 1/4 SEC. 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Property Owned

Name	Lot(s)	Block(s)	Addition
a) <u>Harley R. Cheever</u> Signature	Lot 11,	Block 3,	South Hydraulic Vista Addition, Wichita, Sedgwick County, Kansas.
and <u>Anna M. Cheever</u> Signature			
<u>ANNA M. CHEEVER</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) as
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Harley R. Cheever and Anna M. Cheever to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

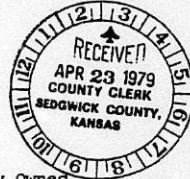
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28 S R1E 6 P.M.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>Mrs Bonnie J. Coldren</u> Signature	9	5	South Hydrobi Vista
Mrs Bonnie J. Coldren Typed or Printed Name			
b) <u>Robert E. Coldren</u> Signature	9 -	5'	South Hydrobi Vista
Mr. Robert E. Coldren Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Robert E. Coldren and Bonnie J. Coldren to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

My Commission expires Aug 4 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from _____ to _____ (for establishment of a SANP PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S RANGE 1E
09 6th PM



SECTION II - Protestor(s)

Name	Property Owned	Lot(s)	Block(s)	Addition
a) <u>Joseph S. Knight</u> signature		<u>7</u>	<u>6</u>	<u>South Hydraulic VISTA</u>
<u>Joseph S. Knight</u> Typed or Printed Name				<u>PURCHASE CONTRACT OWNER</u>
b) <u>Peggy J. Knight</u> signature				<u>PURCHASE CONTRACT OWNER</u>
<u>Peggy J. Knight</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Joseph S. Knight and Peggy J. Knight to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kecki L. Cunday
Notary Public

Commission expires Dec 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

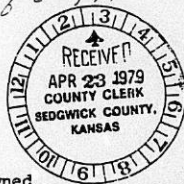
SECTION I.

DOROTHY K. WHITE

COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a road pit in R+R-1 zoning).

S 1/2 SE 1/4 Sec 28-Twp 28 S R 1 E 3 6⁴ PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Willard F Leslie</u> Signature	9	6	S. Hydraulic Creta
<u>Willard F Leslie</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19 day of April, 1979, before me, a notary public in and for said County and State, came Willard F. Leslie to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Georgette Armstrong
Notary Public

My Commission expires 4-13-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED
PR 2 3 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 217, zone change from _____ to _____ (for establishment of a pond pit in R1 R-1 zoning).

S 1/2 SE 1/4 SEC. 28 - Twp 28 S R 1 E of 6" PM



SECTION II - Protestor(s)

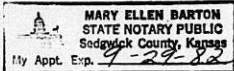
Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Oscar Samuel Dickey</u> Signature	2	6	SOUTH HYDRAULIC (VISTA)
<u>OSCAR SAMUEL DICKEY</u> Typed or Printed Name			
b) <u>Opal Lena Dickey</u> Signature	2	6	SOUTH HYDRAULIC (VISTA)
<u>OPAL LENA DICKEY</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of April, 19 79, before me, a notary public in and for said County and State, came Oscar Samuel Dickey and Opal Lena Dickey to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Mary Ellen Barton
Notary Public

My Commission expires Sept. 29, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 011-217, zone change from _____ to _____ (for establishment of a small plot in R-1 zoning).

S 1/2 SE 1/4 of Sec 28 - Twp 28 S Range 1 E 26 W P.M



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>John Donaghue</u> Signature John Donaghue Typed or Printed Name	5	5	S. Hydraulic Vista
b) <u>Terry Sue Donaghue</u> Signature Terry Sue Donaghue Typed or Printed Name	5	5	S Hydraulic Vista

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 9th day of April, 19 79, before me, a notary public in and for said County and State, came John Donaghue and Terry Sue Donaghue to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1-14-81

Virginia K. Aaron
Notary Public
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-119, zone change from _____ to _____ (for establishment of a land use in R-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S R 1 E of 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Larry J. Shinkle</u> Signature <u>Larry J. Shinkle</u> Typed or Printed Name	10	5	So. Hydraulic Vista
b) <u>May Shinkle</u> Signature <u>May Shinkle</u> Typed or Printed Name	10	5	So. Hydraulic Vista

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Larry J. Shinkle and May Shinkle to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Marilyn J. Wahl
Notary Public Marilyn J. Wahl

My Commission expires 5/30/79

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from to (for establishment of a SAND PIT in ARI zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R 1E 24 13 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Mrs Bonnie J. Coldren</u> Signature	<u>8-5</u>	<u>5</u>	<u>South Hydrolic Vista</u>
<u>Mrs Bonnie J. Coldren</u> Typed or Printed Name			
b) <u>Robert E. Coldren</u> Signature	<u>8-</u>	<u>5</u>	<u>South Hydrolic Vista</u>
<u>Mr. Robert E. Coldren</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Robert E. Coldren and Bonnie J. Coldren to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S RANGE 16
of 6th PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>Wendell L. Lillich</u> Signature	11	1	So Hydraulic Dista
<u>WENDELL L. LILLICH</u> Typed or Printed Name			
b) <u>Dorian C. Lillich</u> Signature			
<u>DORIAN C. LILLICH</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Wendell L. Lillich and Dorian C. Lillich to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

My Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

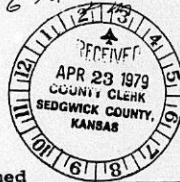
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S RANGE 1 E
OF 6 TH



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Rosemarie Talbot</u> Signature	1)	SOUTH HYDRAULIC VISTA
<u>Rosemarie Talbot</u> Typed or Printed Name			
b) <u>Jack E. Talbot</u> Signature	1	1	SOUTH HYDRAULIC VISTA
<u>JACK E. TALBOT</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came JACK E. Talbot and Rosemarie Talbot to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

My Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

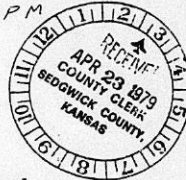
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a zoning in R & R-1 zoning).

S 1/2 SE 1/4 Sec 28-Twp 28 S R1E 7 6th PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Arthur M. Stevens</u> Signature	<u>11</u>	<u>6</u>	<u>So. Hydraulic Viste</u>
Arthur M. Stevens Typed or Printed Name			
b) <u>Martha J. Stevens</u> Signature	<u>11</u>	<u>6</u>	<u>So. Hydraulic Viste</u>
Martha J. Stevens Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 12th day of April, 1979, before me, a notary public in and for said County and State, came Arthur M. Stevens and Martha J. Stevens to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



L. Conley
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

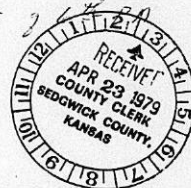
APR 23 1979

SECTION I.

- DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a road pit) in R4R-1 zoning).

S 1/2 SE 1/4 Sec. 28 - Twp 28 S R1E 2



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Arthur M. Stevens</u> Signature	12	6	So. Hydraulic Vista
<u>Arthur M. Stevens</u> Typed or Printed Name			
b) <u>Martha J. Stevens</u> Signature	12	6	So. Hydraulic Vista
<u>Martha J. Stevens</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of April, 1979, before me, a notary public in and for said County and State, came Arthur M. Stevens and Martha J. Stevens to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Philip L. Conley
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a Sand pit in R + R-1 zoning).

S 1/2 SE 1/4 Sec 28-TWP28S R1E



SECTION II - Protestor(s)

	Name	Property Owned		Addition
		Lot(s)	Block(s)	
a)	<u>Frank Schmidt</u> Signature	<u>4</u>	<u>5</u>	<u>So. Hydraulic Vista</u>
	<u>FRANK SCHMIDT</u> Typed or Printed Name			
b)	<u>-- NONE --</u> Signature			
	<u>-- NONE --</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 13th day of April, 1979, before me, a notary public in and for said County and State, came Frank Schmidt -- 6128 S. Laura -- Wichita, Kansas 67216 to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Mary H. Valdois
Notary Public - Mary H. Valdois

My Commission expires 13 February 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 217, zone change from _____ to _____ (for establishment of a 5.411 PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec. 28 - TWP 28 S R 1 E



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Richard E. Markham</u> Signature	<u>6</u>	<u>2</u>	<u>South Hydrant Water</u>
<u>Richard E. Markham</u> Typed or Printed Name			
b) <u>Dorothy J. Markham</u> Signature			
<u>Dorothy J. Markham</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19th day of April, 1979, before me, a notary public in and for said County and State, came Richard E. Markham and Dorothy J. Markham to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Judith Ann Seal
JUDITH ANN SEAL Notary Public
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
My Commission expires EP 3/20/82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217 zone change from _____ to _____ (for establishment of a SAND PIT in RFR zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R2E 6PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Donald E. Shepherd</u> Signature	4	4	<u>Sand Hydraulic</u> <u>Water Addition</u>
<u>Donald E. Shepherd</u> Typed or Printed Name			
b) <u>Carole M. Shepherd</u> Signature			
<u>Carole M. Shepherd</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19th day of April, 1979, before me, a notary public in and for said County and State, came Donald E. Shepherd and Carole M. Shepherd to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Betty Buhrman
Notary Public

My Commission expires 1-31-83

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from _____ to _____ (for establishment of a SAND PIT in R1R1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R 1 E



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Donald E. Shepherd</u> Signature	<u>5</u>	<u>4</u>	<u>South Hydraulic</u> <u>Vista Addition</u>
	<u>Donald E. Shepherd</u> Typed or Printed Name			
b)	<u>Carole M. Shepherd</u> Signature			
	<u>Carole M. Shepherd</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19th day of April, 1979,
before me, a notary public in and for said County and State, came
Donald E. Shepherd and Carole M. Shepherd
to me personally known to be the same person who executed the foregoing
instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my
notarial seal the day and year above written.



Betty Burman
Notary Public

My Commission expires 1-31-83

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a
part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>Donald E. Shepherd</u> Signature <u>Donald E. Shepherd</u> Typed or Printed Name	3	4		<u>South Hydraulic</u> <u>Water Addition</u>
b) <u>Carole M. Shepherd</u> Signature <u>Carole M. Shepherd</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of April, 1979, before me, a notary public in and for said County and State, came Donald E. Shepherd and Carole M. Shepherd to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Betty Buhrman
Notary Public

My Commission expires 1-31-83

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 44-217, zone change from _____ to _____ (for establishment of a small lot in R+R-1 zoning).

S 1/2 SE 1/4 SEC 28-Twp 28 S R 1 E of 6th PM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>George T. Corey</u> Signature	11	5	South Hydraulic Vista
<u>GEORGE T. COREY</u> Typed or Printed Name			
b) <u>Lois E. Corey</u> Signature			
<u>LOIS E. COREY</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of APRIL, 1979, before me, a notary public in and for said County and State, came George T. Corey and Lois E. Corey to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kelli L. Curley
Notary Public

My Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a land use in R-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S Range 1 E 1 W



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Fredrick J. Plummer</u> Signature	1	7	SOUTH HYDRAULIC VISTA
<u>FREDRICK J. PLUMMER</u> Typed or Printed Name			
b) _____ Signature			

*DOTD
PART OF KANSAS
TOWNSHIP PLAN.*

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Fredrick J. Plummer

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cumley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R-1 zoning).

S 1/2 SE 1/4 Sec 28 TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Bill B Carr</u> Signature	12	3	So. Hydraulic Vista
<u>Bill B. Carr</u> Typed or Printed Name			
b) <u>Anna A. Carr</u> Signature			
<u>ANNA A. CARR</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) as

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Bill B. Carr and Anna A. Carr to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Keeri L. Cunley
Notary Public

Commission expires Dec 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

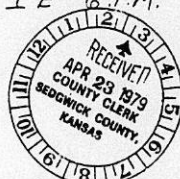
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R+R zoning).

S 1/2 SE 1/4 Sec. 28 - TWP 28S R 1E 6.P.M.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>Robert K. Kunze</u> Signature	10	3	South Hydraulic Vista
<u>Robert K. KUNZE</u> Typed or Printed Name			
b) <u>Golda M. I. Kunze</u> Signature			
<u>GOLDA M.L. KUNZE</u> Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 14th day of April, 1979, before me, a notary public in and for said County and State, came Robert K. Kunze and Golda M. I. Kunze to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Connie M. Stuber
Notary Public

My Commission expires March 2, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

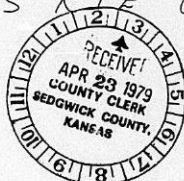
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a SAND PIT in R4R-1 zoning).

S 1/2 SE 1/4 SEC. 28-TWP-28S R7E 6.P.M.



SECTION II - Protestor(s)

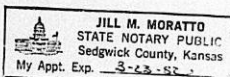
<u>Name</u>	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a) <u>Cecil T. Wescott</u> Signature	<u>2</u>	<u>3</u>	<u>Property Owned S. HYDRA-LIC VISTA</u>
<u>CECIL T. WESCOTT</u> Typed or Printed Name			
b) <u>Lucile Wescott</u> Signature			
<u>LUCILE WESCOTT</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of April, 1979, before me, a notary public in and for said County and State, came Cecil T. Wescott and Lucile Wescott, husband and wife, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Jill M. Moratto
Notary Public Jill M. Moratto

My Commission expires March 23, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R-4-E-1 zoning).

S 1/2 SE 1/4 Sec 28-TWP 28 S R 1 E 6 PM.



SECTION II - Protestor(s)

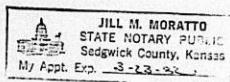
<u>Name</u>	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a) <u>Cecil T. Wescott</u> Signature	<u>1</u>	<u>3</u>	<u>Property Owned S 1/2 NE 1/4 Sec 28</u>
<u>CECIL T WESCOTT</u> Typed or Printed Name			
b) <u>Lucile Wescott</u> Signature			
<u>LUCILE WESCOTT</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of April, 19 79 before me, a notary public in and for said County and State, came Cecil T. Wescott and Lucile Wescott, husband and wife, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Jill M. Moratto
Notary Public - Jill M. Moratto

My Commission expires March 23, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

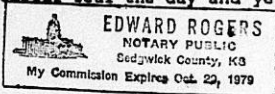
Name	Lot(s)	Block(s)	Property Owned
a) <u>Charles E. Crocker</u> Signature	#2	#4	SOUTH HYDRAULIC VISTA
<u>CHARLES E. CROCKER</u> Typed or Printed Name			
b) <u>Ireta J. Crocker</u> Signature			
<u>I.R. L.A. Crocker</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17 day of April, 1979, before me, a notary public, in and for said County and State, came Charles E. Crocker and Ireta J. Crocker (H.W.) to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Edward Rogers
Notary Public

My Commission expires Oct 29 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-212, zone change from to (for establishment of a SAND PIT in R&R1 zoning).

5 1/2 SE 1/4 Sec 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

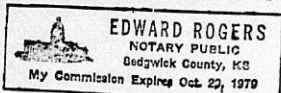
Name	Lot(s)	Block(s)	Property Owner	Addition
a) <u>Charles E. Crocker</u> Signature <u>CHARLES E. CROCKER</u> Typed or Printed Name	<u>#1</u>	<u>#4</u>		<u>SOUTH HYDRAULIC VISTA</u>
b) <u>Ireda J. Crocker</u> Signature <u>Ireda J. Crocker</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17 day of April, 1979, before me, a notary public in and for said County and State, came Charles E. Crocker and Ireda J. Crocker (H & W) to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Edward Rogers
Notary Public

My Commission expires Oct 29 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

5 1/2 SE 1/4 SEC. 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Roy R. Rossiter</u> Signature	6	3	50. Hyd. Vista Add To Sedgwick Co. Kansas.
	<u>Roy R. Rossiter</u> Typed or Printed Name			
b)	<u>Glenna R. Rossiter</u> Signature			
	<u>Glenna R. Rossiter</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17 day of April, 19 79, before me, a notary public in and for said County and State, came Roy R. Rossiter and Glenna R. Rossiter to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Betty Lou Thompson
Notary Public

My Commission expires June 23, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

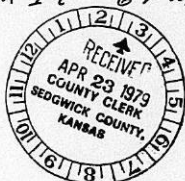
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

P.S.

Name

Lot(s)

Block(s)

Addition

a) Paul Spunak-Gie
Signature

4 Property Owned KARST DISTA
South Hydronee Disty
P.S.

PAUL SPUNAK-GIE
Typed or Printed Name

b) Lula B. Spunak-Gie
Signature

Lula B. SPUNAK-GIE
Typed or Printed Name

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Paul Spunak-Gie & Lula B. Spunak-Gie to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



William E. Blumer
Notary Public

Commission expires August 26, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

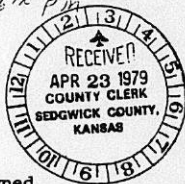
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 24-217, zone change from - to - (for establishment of a Sand pit in R4 P-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S R 1 E 7 6th PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Dearl E. Lance</u> Signature	<u>2</u>	<u>5</u>	<u>So Hydraulic Vista</u>
<u>Dearl E. LANCE</u> Typed or Printed Name			
b) <u>Bessie L. Lance</u> Signature	<u>2</u>	<u>5</u>	<u>So Hydraulic Vista</u>
<u>Bessie L. LANCE</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Dearl E. Lance and Bessie L. Lance to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

GARY L. UBBEN
NOTARY PUBLIC
Sedgwick County, Kansas
My Appt. Exp. 7-23-82

Gary L. Ubben
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

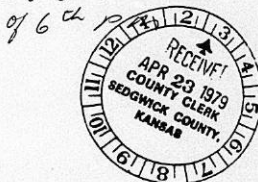
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 28 - TWP 28S RANGE 1E



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Donald G. Gourley</u> Signature	16	6	SOUTH HYDRAULIC VISTA
<u>Donald G. Gourley</u> Typed or Printed Name			We have assumed mortgage on property from David Langenegger
b) <u>Lois J. Gourley</u> Signature			
<u>Lois J. Gourley</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Donald G. Gourley & Lois J. Gourley to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Keenan L. Cumley
Notary Public

My Commission expires Dec 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

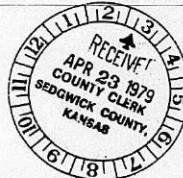
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND pit in R+R-1 zoning).

S 1/2 SE 1/4 SEC 28
TWP 28S R 1E GPM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Barton L. Dannels</u> Signature	8	3	Hydraulic Vista
<u>BARTON L. DANNELS</u> Typed or Printed Name			
b) <u>Sharon A. Dannels</u> Signature			
<u>SHARON A. DANNELS</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Barton L. Dannels & Sharon A. Dannels to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerr L. Cumley
Notary Public

Commission expires Dec 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 44-214, zone change from _____ to _____ (for establishment of a Land Use in R-1-1 zoning).

S 1/2 S E 1/4 Sec. 28 - TWP 28 S R 1 E



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>Matilda M. Schmidt</u> Signature <u>Matilda M. Schmidt</u> Typed or Printed Name	<u>4</u>	<u>1</u>	<u>South Hydraulic Vests</u>
b) <u>Frank C. Schmidt</u> Signature <u>FRANK C. SCHMIDT</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Matilda M. Schmidt & Frank C. Schmidt to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cumley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RR-1 zoning).

S 1/2 SE 1/4 SEC. 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

	Name	Lot(s)	Block(s)	Property Owned	Addition
a)	<u>[Signature]</u> DAN E. WILLMS Typed or Printed Name	<u>2</u>	<u>2</u>	<u>SOUTH HYDRAULIC GARDENS</u>	<u>SOUTH HYDRAULIC GARDENS</u>
b)	<u>[Signature]</u> MARY C. WILLMS Typed or Printed Name				

VOIP
OUTSIDE OF
PROTEST ZONE

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Dan E. Willms and Mary C. Willms to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

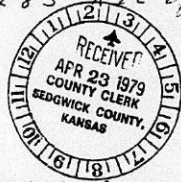
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

5 1/2 SE 1/4 SEC 28 - TWP 28S R1E of 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Leo M. Lindner</u> Signature <u>Leo M. Lindner</u> Typed or Printed Name	12	1	So. Hydraulic Gardens
b) <u>Evelyn L. Lindner</u> Signature <u>Evelyn L. Lindner</u> Typed or Printed Name	12	1	So. Hydraulic Gardens

VOID OUTSIDE OF PROTEST. PNG

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Leo M. Lindner and Evelyn L. Lindner to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dill
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

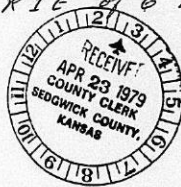
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CY-217 zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S 1/2 SE 1/4 SEC 28 TWP 28 S R1E 21 6 P.M.



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Leo M. Lindner</u> Signature <u>Leo M. Lindner</u> Typed or Printed Name	2	1	So. Hydraulic Gardens
b) <u>Evelyn L. Lindner</u> Signature <u>Evelyn L. Lindner</u> Typed or Printed Name	2	1	So. Hydraulic Gardens

VOID
OUTSIDE OF
1000' PROTEST DIST.

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Leo M. Lindner and Evelyn L. Lindner to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Nail
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RER-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R1E 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Leo M. Lindner</u> Signature	1	1	So. Hydraulic Gardens
<u>Leo M. Lindner</u> Typed or Printed Name			
b) <u>Evelyn L. Lindner</u> Signature	1	1	So. Hydraulic Gardens
<u>Evelyn L. Lindner</u> Typed or Printed Name			

VOID
OUTSIDE OF 1000' PROTEST

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Leo M. Lindner and Evelyn L. Lindner to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dill
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

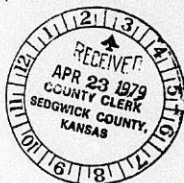
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. RI 917, zone change from to (for establishment of a in SE 1/4 zoning).

5 1/2 SE 1/4 SEC 28 - TWP 28S R1E 60M



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Eldwin G. Edwards</u> Signature <u>Eldwin G. Edwards</u> Typed or Printed Name	<u>6</u>	<u>6</u>	<u>SO. Highwood Gardens</u>
b) <u>Hellen C. Edwards</u> Signature <u>Hellen C. Edwards</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18 day of April, 1979, before me, a notary public in and for said County and State, came Eldwin G. Edwards and Hellen C. Edwards to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

SONA CHICK
NOTARY PUBLIC
Sedgwick County, Kansas
My Appt. Expires 8-27-81

Sona Chick
Notary Public

My Commission expires August 27, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

DOROTHY K. WHITE
COUNTY CLERK

S 1/2 SE 1/4 SEC. 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>Marie Cottle</u> Signature Marie Cottle Typed or Printed Name	<u>7</u>	<u>2</u>	<u>SOUTH HYDRAULIC GARDENS</u>
b) _____ Signature _____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of April, 19 79, before me, a notary public in and for said County and State, came Marie Cottle to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1-14-81

Notary Public

Virginia K. Aaron
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

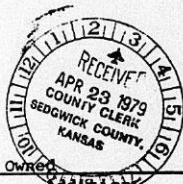
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R.R.-1 zoning).

S 1/2 SE 1/4 SEC. 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owner's Address
a) <u>[Signature]</u> Signature <u>JOHN F. ROETS</u> Typed or Printed Name	1	6	SOUTH HYDRAULIC GARDENS
b) <u>[Signature]</u> Signature <u>JUANITA E. ROETS</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came John F. Roets and Juanita E. Roets to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dail
Notary Public

Commission expires August 14, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

Stamps

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 21-117, zone change from _____ to _____ (for establishment of a land use in R-2-T zoning).

8 1/2 SE 1/4 Sec. 28 - TWP 28.5 R1E 6 PM



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Lee Harris</u> Signature	<u>4</u>	<u>1</u>	<u>South Highland Gardens</u>
	<u>Lee Harris</u> Typed or Printed Name			
b)	<u>Leona M. Harris</u> Signature			
	<u>Leona M. Harris</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 21st day of April, 1979, before me, a notary public in and for said County and State, came Lee Harris & Leona M. Harris to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Michael E. Adams
Notary Public

My Commission expires August 26, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

Almond

**PROTEST PETITION
(COUNTY CASES)**

FILED

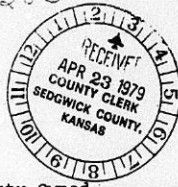
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CB-27, zone change from _____ to _____ (for establishment of a Special Use in _____ zoning).

d 1/2 S E 1/4 Sec. 23 - TWP 22S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>Leo Harris</u> Signature	<u>5</u>	<u>1</u>	<u>Hydraulic Zanders</u>
<u>Leo Harris</u> Typed or Printed Name			
b) <u>Leona M. Harris</u> Signature			
<u>Leona M. Harris</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 21st day of April, 1978, before me, a notary public in and for said County and State, came Leo Harris & Leona M. Harris to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



William F. Blank
Notary Public

Commission expires August 26, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

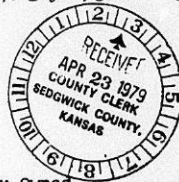
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217 zone change from to (for establishment of a SAND RID in R&R-1 zoning).

S 1/2 SE 1/4 SEC 28-TWP 28 S RANGE 1E of 6th PM



SECTION II - Protestor(s)

	Name	Property Owned		Addition
		Lot(s)	Block(s)	
a)	<u>Dan E. Williams</u> Signature <u>DAN E. WILLIAMS</u> Typed or Printed Name	<u>11</u>	<u>1</u>	<u>S. HYDRAULIC GARDENS</u>
b)	<u>Mary C. Williams</u> Signature <u>MARY C. WILLIAMS</u> Typed or Printed Name			

VOID
OUTSIDE OF 100'
PROTEST RING

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Dan E. Williams and Mary C. Williams, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Catherine K. Hall
Notary Public



My Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

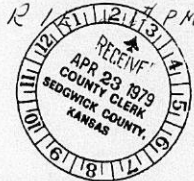
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 44-217, zone change from _____ to _____ (for establishment of a 1/2 acre lot in R4 P-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>Don E. Johnson</u> Signature	<u>6</u>	<u>5</u>	<u>So. Hyde Park Vista</u>
<u>Don E. Johnson</u> Typed or Printed Name			<u>purchase contract owner</u>
b) <u>Patricia J. Johnson</u> Signature			<u>purchase contract owner</u>
<u>Patricia Johnson</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Don E. Johnson & Patricia J. Johnson to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Keesi L. Cumley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a in R + R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 29S R 1E 6PM.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>[Signature]</u> Signature <u>JAMES F. COLLINS</u> Typed or Printed Name	<u>8</u>	<u>5</u>	<u>S. HYDRAULIC GARDENS</u>
b) <u>[Signature]</u> Signature <u>Winifred D Collins</u> Typed or Printed Name			

*VOID
OUTSIDE OF
PROTEST ZONE*

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 21st day of April, 1979, before me, a notary public in and for said County and State, came James E. Collins and Winifred D. Collins to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

Commission expires June 28, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a SHED PIT in R7A-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

	Name	Lot(s)	Block(s)	Property Owned Addition
a)	<u>Frank G. Hensley</u> Signature	6	2	S. HYDRAULIC GARDENS
	<u>Frank G. Hensley</u> Typed or Printed Name			
b)	<u>Judy A. Hensley</u> Signature	6	2	S. HYDRAULIC GARDENS
	<u>JUDY A. HENSELEY</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Frank G. Hensley and Judy A. Hensley to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

Commission expires August 4 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RBI zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R 1E LPM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Kenneth M. Ormston</u> Signature <u>Kenneth M. Ormston</u> Typed or Printed Name	10	1	SOUTH HYDRAULIC GARDENS
b) <u>Jarvis E. Ormston</u> Signature <u>Jarvis E. Ormston</u> Typed or Printed Name	10	1	SOUTH HYDRAULIC GARDENS

VOID OUTSIDE OF PROTEST RING

ACKNOWLEDGMENT

State of Kansas) as
County of Sedgwick)

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Kenneth M. Ormston and Jarvis E. Ormston, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Catherine K. Hall
Notary Public



ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

Davis

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-27, zone change from _____ to _____ (for establishment of a Amusement in R-1 zoning).

3 1/2 S E 1/4 Sec. 28 - TWP 28S - 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u><i>Durwood S. Davis</i></u> Signature Durwood S. Davis Typed or Printed Name	3	1	<u><i>S. Hydraulic Gardens</i></u>
b) <u><i>Ruth E. Davis</i></u> Signature Ruth E. Davis Typed or Printed Name			

*VOID
OUTSIDE OF
PROTEST PAGE*

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 20th day of April, 1979, before me, a notary public in and for said County and State, came Durwood S. Davis and Ruth E. Davis to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

VIRGINIA K. AARON
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 1-14-81

Virginia K. Aaron
Notary Public
Virginia K. Aaron

My Commission expires 1-14-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 17-17, zone change from to (for establishment of a SALO P.T. in RTR zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R 1E 6P 211



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>William G. Manion</u> Signature	4	5	So. Hydraulic Gardens
<u>WILLIAM H. MANION</u> Typed or Printed Name			
b) <u>Stella M. Manion</u> Signature	4	5	So. Hydraulic Gardens
<u>STELLA M. MANION</u> Typed or Printed Name			
<u>Roger Perry Saylor</u> Signature		5	So Hydraulic Garden
<u>ROGER LEROY SAYLOR</u> Typed or Printed Name			

ACKNOWLEDGMENT

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came William G. Manion, Stella M. Manion and Roger Perry Saylor to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Martin E. Charles
Notary Public



My Commission expires March 3, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R4R-1 zoning).

S 1/2 - SE 1/4 Sec 28 - TWP 28S R 1E 6Pm



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>William C. Manion</u> Signature <u>WILLIAM A. MANION</u> Typed or Printed Name	10	5	S-Hydraulic Gardens
b) <u>Stella M. Manion</u> Signature <u>STELLA M. MANION</u> Typed or Printed Name	10	5	S-Hydraulic Gardens

VOID
OUTSIDE OF
PROTEST ZONE

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came William C. Manion and Stella M. Manion to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.



In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal, the day and year above written.

Merlin F. Clark
Notary Public

My Commission expires March 3, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SANDBIT in RFR1 zoning).

5 1/2 SE 1/4 SEC 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Frances (Byrd) Fuik</u> Signature	8	2	So Hyd. Gardens
<u>Frances (Byrd) Fuik</u> Typed or Printed Name			
b) <u>Ronald J. Fuik</u> Signature			
<u>Ronald J. Fuik</u> Typed or Printed Name			

*VOID
OUTSIDE OF
PROTEST RING*

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Frances (Byrd) Fuik + Ronald J. Fuik to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



M. L. Larsen
Notary Public

My Commission expires Oct. 12, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a sand pit in R-1 zoning).

S 1/2 SE 1/4 SEC 28-Twp 28 S R 1 E of 6 PM



SECTION II - Protestor(s)

	<u>6</u>	<u>1</u>	Property Owned <u>to Hydraulic Garden</u>
Name	Lot(s)	Block(s)	Addition
a) <u>Samuel W. Bridgess</u> Signature			
<u>Samuel W. Bridgess</u> Typed or Printed Name			
b) <u>Zelma G. Bridgess</u> Signature			
<u>Zelma G. Bridgess</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Samuel W. Bridgess and Zelma G. Bridgess to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Lloyd W. Cameron
Notary Public

My Commission expires 7-19-1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a land use in R+R-1 zoning).

1/2 SE 1/4 Sec 28 - Twp 28 S Range 12 E 13 M



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>David D. Mitchell</u> Signature	8	7	SOUTH HYDRAULIC CARBONS
<u>DAVID D. MITCHELL</u> Typed or Printed Name			
b) <u>Connie L. Mitchell</u> Signature			
<u>Connie L. Mitchell</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 15th day of April, 1979, before me, a notary public in and for said County and State, came David D. Mitchell and Connie L. Mitchell to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Keeri L. Cunley
Notary Public

Commission expires Dec 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 177, zone change from --- to --- (for establishment of a Shops in R-1 zoning).

S 1/2 SE 1/4 S60 28-TWP 28 S R1E 6AM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Walter Ray Bird</u> Signature <u>Walter Ray BIRD</u> Typed or Printed Name	12	Block 7	South Hydraulic Gardens
b) <u>Opal J. Bird</u> Signature <u>Opal J. Bird</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Walter Ray Bird and Opal J. Bird to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Keei L. Cuning
Notary Public



Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

	<u>Name</u>	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a)	<u>Robert L Cooper</u> Signature	<u>11</u>	<u>6</u>	<u>Property Owned 779 Tawhe Gardens</u>
	<u>Robert L Cooper</u> Typed or Printed Name			
b)	<u>Sheila K Cooper</u> Signature			
	<u>Sheila K Cooper</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 13th day of April, 1979, before me, a notary public in and for said County and State, came Robert L. Cooper and Sheila K. Cooper to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cumley
Notary Public

Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28-TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>Jerry Samples</u> Signature <u>JERRY SAMPLES</u> Typed or Printed Name	6	5	SO. HYDRAULIC GARDENS
b) <u>Melodee Samples</u> Signature <u>MELODEE SAMPLES</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 22 day of April, 1979 before me, a notary public in and for said County and State, came Jerry & Melodee Samples to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notary seal, the day and year above written.



Donald F. Jabe
Notary Public

My Commission expires Aug 1, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

These are the following reasons we are against the sandpit.

Our water is just getting much better, we were told the reason our water had been bad, was because of the sewage plant.

We also have several small children in this area, likewise it would be hazardous.

The noise and dust would be bad.

We have checked with several real estate firms and this is the information we received on the sale value of our homes.

- Shirley J Beach Realtor - Elva Thomas - decrease sale value 30%
- Don Benning - Pat Moore - definitely hurt sale value.
- C.K.L. - Mr. Jenkins - definitely decrease sale value
- Spears - Mr. Adams - definitely decrease sale value
- Hagyard - Mr. Highland - price go down 25% (deleprice) or more
hard to sell, hayard for children (young ???)
- Mrs Caldwell - Mr. Caldwell - become an asset after a few years.
Insignificantly impacted.
- Pat Harte - Rick Batt - loose \$3000, to 7000 of sale price
~~watch~~ watch for ground sifting from under homes.
- English - Barbara Williams - A big problem in selling, not sure
as well as dangerous. Several thousand dollar loss (selling)
- Combet - Allen Fox - infinite detriment will certainly cut the
selling price.
- Tom Smith & Co. - Don Smith - hard to sell - if proper extreme signs
without good planning - will hurt market value.
- Why in a residential area? There are several in the area already.
Richard & Jean Marble

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE

COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RARI zoning).

S 1/2 SE 1/4 SEC 28, TWP 28 S R 1 E G PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Urcel G. Esham</u> Signature	8	6	SOUTH HYDRAULIC GARDENS
<u>URCEL G. ESHAM</u> Typed or Printed Name			
b) <u>Norma Esham</u> Signature			
<u>NORMA ESHAM</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 16th day of April, 19 79, before me, a notary public in and for said County and State, came Urcel G. Esham and Norma Esham to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public D. L. Mittlesteadt

My Commission expires Feb. 5, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, ~~property owners in Sedgwick County, Kansas,~~ hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 01-217, zone change from _____ to _____ (for establishment of a Small Lot in R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28 S R 1 E 6 PM.



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>Walter R. Bird</u> Signature	<u>11</u>	<u>Block 7</u>	<u>South Hydraulic Gardens</u>
<u>Walter R. Bird</u> Typed or Printed Name			
b) <u>Opal J. Bird</u> Signature			
<u>Opal J. Bird</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Walter R. Bird and Opal J. Bird to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerrill Cumley
Notary Public

My Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217 zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S RANGE
1E 07 6th PM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Robert L. Mueller</u> Signature	3	7	SOUTH HYDRAULIC GARDENS
<u>Robert L. Mueller</u> Typed or Printed Name			
b) <u>Karen I. Mueller</u> Signature			
<u>KAREN I. MUELLER</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Robert L. Mueller and Karen I. Mueller to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cumley
Notary Public

My Commission expires Dec 27 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a sand pit in R-1 zoning).

S 1/2 SE 1/4 SEC 28 - Twp 28 S R 1 E - FLEM



SECTION II - Protestor(s)

Name	Lot(s) / Block(s)	Property Owned
a) <u>Robert L. Mueller</u> Signature <u>Robert L. Mueller</u> Typed or Printed Name	<u>7</u>	<u>South Hydraulic Gardens</u>
b) <u>Karen I. Mueller</u> Signature <u>KAREN I. MUELLER</u> Typed or Printed Name		

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Robert L. Mueller and Karen I. Mueller to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cumley
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R-1 zoning).

S 1/2 SEC 14 SEC 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
<u>Ms. Dora D. Campbell</u> Signature Ms. Dora D. Campbell Typed or Printed Name	<u>5</u>	<u>6</u>	<u>SOUTH HYDRAULIC GARDENS</u>

b) _____
Signature
Typed or Printed Name

Per the County Clerk's office today, April 16, I will be listed on the tax rolls for the year 1979 as Dora D. (Dell) Campbell, and not listed as Donald L. Bennett and/or Dora D. Bennett.

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1978, before me, a notary public in and for said County and State, came Dora D. Campbell to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



R. A. Bowen
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

DOROTHY K. WILHELM
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C.U.-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R15 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Dora D. Campbell</u> Signature	<u>4</u>	<u>6</u>	<u>SOUTH HYDRAULIC GARDENS</u>
<u>Ms. Dora D. Campbell</u> Typed or Printed Name	Per the County Clerk's office today, April 16, I will be listed on the tax rolls for the year 1979 as Dora D (Dell) Campbell, and not listed as Donald L. Bennett and/or Dora D. Bennett.		
b) _____ Signature			
_____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16th day of April, 1979, before me, a notary public in and for said County and State, came Dora D. Campbell to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public



Commission expires Feb. 29 1983

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

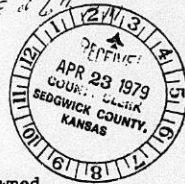
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 411-217, zone change from - to - (for establishment of a 1A and 1B in R + R-1 zoning).

S 1/2 SE 1/4 Sec 28 - Twp 28 S Range 1 E of 6th



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Carl R. McDowell</u> Signature	<u>3</u>	<u>6</u>	<u>South Hydraulic Gardens</u>
<u>CARL R. McDOWELL</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss.

Be it remembered that on this 17 day of APRIL, 1979, before me, a notary public in and for said County and State, came CARL R. McDOWELL to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

SHARI BEVAN
NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. 5-3-80

Shari Bevan
Notary Public

My Commission expires MAY 3, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R&R1 zoning).

S 1/2 SE 1/4 SEC. 28 - TWP 28 S R1 E 6 PM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>R. Willard Parker</u> Signature <u>Ralph Willard Parker</u> Typed or Printed Name	<u>5</u>	<u>5</u>	<u>South Hydraulic Gardens</u>
b) <u>Zelma E. Parker</u> Signature <u>Zelma E. Parker</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of April, 1979, before me, a notary public in and for said County and State, came Ralph Willard Parker and Zelma E. Parker to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Betty L. Lines
Notary Public

My Commission expires June 5, 1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RAR-1 zoning).

DOROTHY K. WHITE
COUNTY CLERK

S 1/2 SE 1/4 SEC 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>James R. Whitcomb</u> Signature	9	1	SO HYDRAULIC GARDENS
<u>James R. Whitcomb</u> Typed or Printed Name			
b) <u>Connie S. Whitcomb</u> Signature	9	1	SO. HYDRAULIC GARDENS
<u>Connie S. Whitcomb</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 25th day of April, 1979, before me, a notary public in and for said County and State, came James R. Whitcomb & Connie S. Whitcomb, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOR E

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a SPND PIT in RFR-1 zoning).

5 1/2 SE 1/4 SEC 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>James R. Whitcomb</u> Signature	8	✓	SO. HYDRAULIC GARDENS
<u>James R. Whitcomb</u> Typed or Printed Name			
b) <u>Carrie S. Whitcomb</u> Signature	8	1	SO. HYDRAULIC GARDENS
<u>Carrie S. Whitcomb</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 23rd day of April, 1979, before me, a notary public in and for said County and State, came James R. Whitcomb + Carrie S. Whitcomb, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

My commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>James R. Whitcomb</u> Signature	7	1	SO. HYDRAULIC GARDENS
<u>James R. Whitcomb</u> Typed or Printed Name			
b) <u>Cornie S. Whitcomb</u> Signature	7	1	SO. HYDRAULIC GARDENS
<u>Cornie S. Whitcomb</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 23rd day of April, 1979, before me, a notary public in and for said County and State, came James R. Whitcomb & Cornie S. Whitcomb, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.



Catherine L. Dall
Notary Public

My Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from to (for establishment of a SAND PIT in RAR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28 S R1E 60W



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>James R. Whitcomb</u> Signature	9	1	50 HYDRAULIC GARDENS
<u>James R. Whitcomb</u> Typed or Printed Name			
b) <u>Corrie S. Whitcomb</u> Signature	9	1	50 HYDRAULIC GARDENS
<u>Corrie S. Whitcomb</u> Typed or Printed Name			

DUPLICATE

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 28th day of April, 1979, before me, a notary public in and for said County and State, came James R. Whitcomb & Corrie S. Whitcomb, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine K. Dall
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217 zone change from _____ to _____ (for establishment of a SAND PIT in R+R-1 zoning).

S 1/2 SE 1/4 Sec 28 - TWP 28S R1E 6PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>James R. Whitcomb</u> Signature	7	1	SO. HYDRAULIC GARDENS
<u>James R. Whitcomb</u> Typed or Printed Name			
b) <u>Connie S. Whitcomb</u> Signature	7	1	SO. HYDRAULIC GARDENS
<u>Connie S. Whitcomb</u> Typed or Printed Name			

*VOID
DUPLICATE*

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 23rd day of April, 1979, before me, a notary public in and for said County and State, came James R. Whitcomb & Connie S. Whitcomb to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.



Catherine K. Dall
Notary Public

Commission expires August 4, 1979

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

**PROTEST PETITION
(COUNTY CASES)**

FILED

APR 23 1979

DOROTHY M. W. E.
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 21-717, zone change from _____ to _____ (for establishment of a Small Lot in RFR-1 zoning).

S 1/2 S E 1/4 SEC 28 - TWP 25S R 1E 6P24



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Eldwin G. Edwards</u> Signature <u>Eldwin G. Edwards</u> Typed or Printed Name	<u>7</u>	<u>6</u>	<u>So Hydraulic Gardens</u>
b)	<u>Hellen C. Edwards</u> Signature <u>Hellen C. Edwards</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18 day of April, 1979, before me, a notary public in and for said County and State, came Eldwin G. Edwards and Hellen C. Edwards to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

SONA CHICK
NOTARY PUBLIC
Sedgwick County, Kansas
My Appt. Expires 8-27-81

Sona Chick
Notary Public

My Commission expires August 27, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 41-217, zone change from _____ to _____ (for establishment of a SAND P. in R-1 zoning).

S 1/2 S 4 Sec 28 - TWP 28S R 2E 6 PM



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>[Signature]</u> Signature	2	3	S. Hydraulic Gardens
	<u>[Typed Name]</u> Typed or Printed Name			
b)	<u>[Signature]</u> Signature	2	3	S. Hydraulic Gardens
	<u>[Typed Name]</u> Typed or Printed Name			

VOID
OUTSIDE
OF PROTEST
AREA

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 19th day of April, 1979, before me, a notary public in and for said County and State, came James E. & Donna L. Ball to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Lucile E. Charles
Notary Public

My Commission expires May 1 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

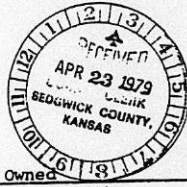
FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 1-217, zone change from _____ to _____ (for establishment of a SUB P1 zoning).

S 1/2 SE 1/4 Sec 23-TWP 23 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned
a) <u>[Signature]</u> Signature	(3)	(3)	South Hydraulic Gardens
<u>David L. Rice</u> Typed or Printed Name	(3)	(3)	South Hydraulic Gardens
b) <u>[Signature]</u> Signature	(3)	(3)	South Hydraulic Gardens
<u>Alta A. Rice</u> Typed or Printed Name	(3)	(3)	South Hydraulic Gardens

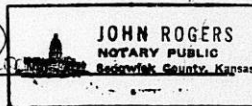
ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18th day of APRIL, 1979, before me, a notary public in and for said County and State, came DAVID L. RICE & ALTA A. RICE to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public



My Commission expires 3-29-81

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

APR 23 1979

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217 zone change from _____ to _____ (for establishment of a SAND PIT in R+R-1 zoning).

DOROTHY K. WHITE
COUNTY CLERK

S 1/2 - SE 1/4 Sec 28 - Twp 28S R 16 E 6 P. 14



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>JOHN Houston</u> Signature	<u>4</u>	<u>3</u>	<u>So. Hydraulic Gardens</u>
<u>JOE H HOUSTON</u> Typed or Printed Name			
b) <u>Jodie B Houston</u> Signature			<u>So Hydraulic Gardens</u>
<u>JODIE B HOUSTON</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Joe H Houston and Jodie B Houston to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Charles F. Chandler
Notary Public

My Commission expires April 3, 1981

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FOLED

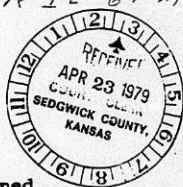
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in R R-1 zoning).

S. 1/2 SE 1/4 SEC. 28 - TWP 28 S R 1 E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>Bessie Mae Buster</u> Signature	<u>5</u>	<u>2</u>		<u>SOUTH HYDRAULIC GARDENS</u>
<u>BESSIE MAE BUSTER</u> Typed or Printed Name				
b) <u>Delmar L. Cowel</u> Signature				
<u>DELMAR L. COWEL</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 17th day of April, 1979, before me, a notary public in and for said County and State, came Delmar L. Cowel to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Patricia Andra
Notary Public



Commission expires Jan. 10, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

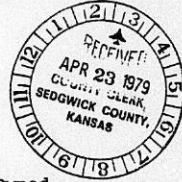
APR 23 1979

SECTION I.

DOROTHY K. WHITE
COUNTY CLERK

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

5 1/2 SE 1/4 SEC. 28 - TWP 28 S R1E 6 PM



SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>Lawrence L. Taylor</u> Signature	<u>12</u>	<u>6</u>	✓	<u>2 Hydraulic Gardens</u>
<u>Lawrence L. Taylor</u> Typed or Printed Name				
b) <u>Wilma J. Taylor</u> Signature				
<u>Wilma J. Taylor</u> Typed or Printed Name				

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 16 day of April, 1979, before me, a notary public in, and for said County and State, came Lawrence L. + Wilma J. Taylor to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Bill Armstrong
Notary Public

My Commission expires 7-16-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

FILED

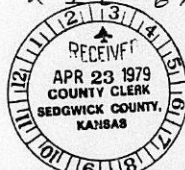
APR 23 1979

DOROTHY K. WHITE
COUNTY CLERK

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-217, zone change from _____ to _____ (for establishment of a SAND PIT in RFR-1 zoning).

S 1/2 SE 1/4 SEC 28 - TWP 28S R 2E 6 PM



SECTION II - Protestor(s)

Name _____ Lot(s) 10 Block(s) 6 Property Owned Hydraulic Gardens Addition _____

a) Robert L Cooper
Signature

ROBERT L COOPER
Typed or Printed Name

b) Sheila K Cooper
Signature

Sheila K Cooper
Typed or Printed Name

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 18th day of April, 1979, before me, a notary public in and for said County and State, came Robert L. Cooper and Sheila K. Cooper to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Kerri L. Cunley
Notary Public

My Commission expires Dec. 27, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

April 17, 1979

Mr. Robert K. Kunze, Jr.
6115 Ellis
Wichita, Kansas 67216

Re: CU-217 - Conditional Use Permit
North side of 63rd St. South
between Hydraulic & Kansas Turnpike

Dear Mr. Kunze:

The Planning Commission at its regular meeting of April 12, 1979, considered the above-captioned conditional use request. Their action was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1000 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, April 23, 1979.

Representatives from your neighborhood have already obtained protest petition forms but should additional forms be needed, they may be secured from our office.

If you have any questions concerning this matter, please call.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc
Encl.

cc: Teresa A. Sparks, 2117 S. Mosley 67211
Elizabeth Anderson, 6155 Ellis 67216
Darl & Bessie Lance, 6112 Laura 67216
Rainier & Maria Knetsch, 1414 E. 61st St. S. 67216
Frances Cupples, 6148 S. Greenwood 67216

April 17, 1979

George Nicholson
10829 Pineaire Drive
Sun City, Arizona 85351

Re: CU-217 - Conditional Use Permit
north side of 63rd St. South
between Hydraulic & Kansas Turnpike

Dear Mr. Nicholson:

At its regular meeting of April 12, 1979, the Metropolitan Area Planning Commission considered the above-captioned request for a Conditional Use Permit to establish a sand extraction operation. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The applicant shall contingently dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South and sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way) and sufficient half-street right-of-way on both streets to provide for major street intersection improvements (75 feet of half-street right-of-way). The contingency is on the need for the right-of-way for any street right-of-way purpose as determined by the governing body.
- b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.

- c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
- e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 - 1. A 48 inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

Page 3
April 17, 1979
CU-217

- k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- l. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
- n. A landscape plan shall be submitted for the area south of the half-street dedication for 61st Street South. The plan shall provide for plant materials in such a way as to break up visual contact along the entire north line, and the plan shall take into consideration existing trees and appropriate plants which will grow on the required fence. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.
- o. The hours of operation for the sand dredging operation shall be between 7:00 a.m. and 30 minutes after sunset.
- p. The operation shall cease within 8 years from the date of approval by the Board of County Commissioners, and the platting of the property shall be completed within 2 years after the operation closes.
- q. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
- r. The applicant shall comply with conditions A, H, N and Q, prior to the publication of the resolution effectuating the conditional use.
- s. Violation of conditions of approval shall render the conditional use permit null and void.

Page 4
April 17, 1979
CU-217

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, May 9, 1979, in Room 320, Sedgwick County Courthouse.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Syd Werbin, County Zoning Officer
Dale U. Kuhn, 1300 Brookfield, Derby 67037
Charles F. Thomas, 8718 Hendryx 67209
Wilmer Freund, Century Plaza Bldg. 67202
Lovina A. Gatson, 6128 Ida 67216
Berry F. & Rose Marie Campbell, 6155 Ida 67216
Fay Astle, 1049 N. Pershing 67208
Virginia Vanderhoof, 6156 Ida 67216
Gerald Blood, 6346 S. Broadway 67216
Frances Cupples, 6148 S. Greenwood 67216
Reinier & Maria Knetsch, 1414 E. 61st St. S. 67216
Teresa A. Sparks, 2117 S. Mosley 67211
Robert K. Kunze, Jr., 6115 Ellis 67216
Dearl & Bessie Lance, 6112 Laura 67216
Elizabeth Anderson, 6155 Ellis 67216

REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION TO
DERBY CITY PLANNING COMMISSION.

CASE No. CU-217 To BE HEARD BY THE M. A. P. C. ON 4-12-79

REQUEST FOR approval of a Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY PETITIONER):
"Sand extraction operation."

LOCATION OF PROPERTY: North side of 63rd Street South in an area
between Hydraulic and Kansas Turnpike.

LEGAL DESCRIPTION OF PROPERTY:
The South Half of the Southeast Quarter of Section 28,
Township 28 South, Range 1 East of the 6th P.M., Sedgwick
County, Kansas.

APPLICANT: George Nicholson, et al
Address: 10829 Pineaire Dr., Sun City, Arizona, 85351

AGENT FOR APPLICANT: None

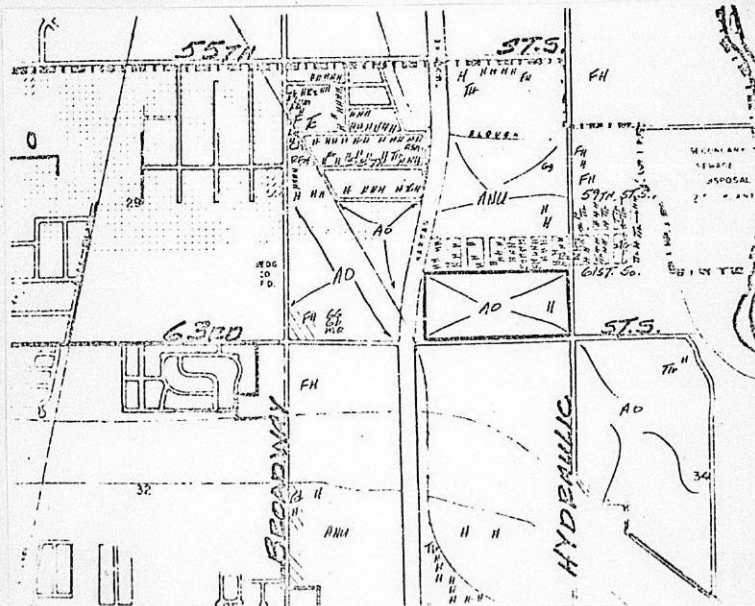
SURROUNDING LAND USE:

North - Single Family

East - Orchard

South - Undeveloped

West - Undeveloped & Kansas Turnpike



RECOMMENDATION OR COMMENTS BY P. C. C.:

REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO HAYSVILLE CITY PLANNING COMMISSION.

CASE No. CU-217 TO BE HEARD BY THE M. A. P. C. ON 4-12-79

REQUEST FOR approval of a Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY PETITIONER):

"Sand extraction operation."

LOCATION OF PROPERTY: North side of 63rd Street South in an area
between Hydraulic and Kansas Turnpike.

LEGAL DESCRIPTION OF PROPERTY:

The South Half of the Southeast Quarter of Section 28,
Township 28 South, Range 1 East of the 6th P.M., Sedgwick
County, Kansas.

APPLICANT: George Nicholson, et al

ADDRESS: 10829 Pineaire Dr., Sun City, Arizona, 85351

AGENT FOR APPLICANT: None

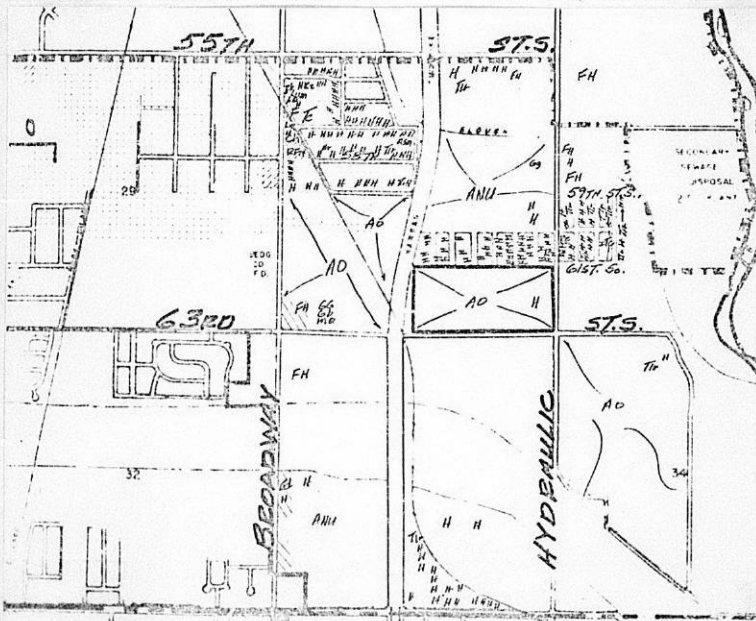
SURROUNDING LAND USE:

North - Single Family

East - Orchard

South - Undeveloped

West - Undeveloped & Kansas Turnpike



RECOMMENDATION OR COMMENTS BY H. C. P. C. :

DERBY CITY PLANNING COMMISSION

April 5, 1979



Meeting called to order by Chairman Larry Sims at 7:06 P.M.

7 Members Present: Bill Burress
Tote Butler
Ron Fangmann
L.O. Payne
Dolan Pelley
Larry Sims
Bill Smith

2 Members absent: Lillian Gardner
John Lauber, Jr.

PUBLIC HEARING

Case No. CU-217

Conditional Use Request to Permit Establishment of a Sand Extraction Operation in the "R" Rural Residential District and the "R-1" Suburban Residential District. Location: The South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the north side of 63rd St. South, between Hydraulic and the Kansas Turnpike.

Jack Galbraith, MAPD Chief Planner, presented this case and stated many fruit trees in this orchard area must come out & applicant, George Nicholson, had submitted an operational and future development plan. Plan has been revised since review March 22, 1979 by Haysville Planning Commission. Area residents concerned about noise, blowing dust, truck traffic & loss of property valuation.

George Nicholson - applicant - stated much effort and expense incurred by him when Turnpike authority appraised and condemned land for highway. He agrees to fencing, but objects to dedication of 30 feet of half-street right-of-way for 61st Street South until platting of land, since this 80 acre tract has been in his family for over 100 years. Nicholson plans to remove 30 year old peach trees soon and intends to farm land up to fence.

Joe Knight - 6155 S. Laura: What will this do to our water level and property values?
Galbraith: Sand to be pumped out of water, does not affect water table. affect on property value a matter of opinion. Environmental Health says sand pits do not contaminate water.

Darrell Lance - 6112 S. Laura: Concerned for devaluation of property. Desires guarantee future development will be completed. Feels water will be contaminated with run-off, (ie: chemicals, fertilizer).

Bob Kinsley - 6115 Ellis: Feels if water is contaminated, area residents have no recourse and stated area residents desire guarantee future plans will be completed.

Elmer Testerman - 6144 Lulu: Feels sandpits unsafe for children in area, property values will drop, already have two sandpits in area, does not want anymore.

Mrs. Barry Campbell: Attended Haysville Planning Commission meeting to register protest and wishes to withdraw protest after reassurance from realtors sandpit will not necessarily devalue property. Does desire the fencing, screening, reasonable operating hours and planting of vegetation along fence to keep down dust. Would like guarantee of developmental plan completion within 10 years. Feels fence would be better situated along Nicholson property line, as her property is above area to be fenced.

Nicholson agreed to relocation of fencing proposal.

Virginia Vanderhook - 6156 Ida: Area resident who agrees with Mrs. Campbell.

Mr. Couples - 6148 Greenwood: Asked if this is a company or corporation and if completion of development plan could be guaranteed. Nicholson stated he is owner, but would not be operator, and that he feels sure 38 acre lake with 62 surrounding housing sites will be developed, considering housing shortage in Wichita area.

Frances Couples - 6148 Greenwood: Expressed concern for noise level.

Gerald Blood - 6346 S. Broadway - orchard owner: States water on East side of turnpike already contaminated with salt and drainage problem exists. Proposed lake will allow drainage.

Mr. & Mrs. Kintz - 1414 - 61st St: Worried about property devaluation.

May & Larry Shinkle - 6123 S. Pattie: Do not want ugly permanent sandpit in area.

Dale Kuhn - 1300 Brookfield - Derby: One of proposed operators of sandpit, states operation will be standard set-up, will be monitored by Bureau of Mines, trucks will run 0 to 5 MPH causing minimum dust blowing & inke will make surrounding land more farmable.

Comm. Payne: Does sand extraction contaminate water? Galbraith: Environmental Health authorities say "no" - would have to be landfill operation to contaminate.

Comm. Butler: How much of this property could be developed as is? Galbraith: East 60 acres & West 20 acres.

Comm. Payne: Would you agree to plat property within two years after sand operation completed? Nicholson: Yes, when lake completed.

James Robertson - 302 S. Water - Derby: Proposed sand pit operator, stated development of lake will cut number of lots available, but make lots more desirable and valuable.

Virginia Williams - 63rd & Hydraulic: Feels development will be asset to her property value.

Mrs. Markum - 6156 Ellis: Feels lack of previous removal of trees shows poor management on part of landowner.

Bob Morgan - 6136 Ellis: What will entrance and exit of trucks on 63rd do to flow of traffic? Dale Kuhn: Goal of 1,000 to 1,500 tons per day. 75 to 150 trucks max at full operation. Approximately 50 to 75 trucks per day to begin.

John Barnes - 6102 S. Hydraulic: Caretaker of Nicholson property for 40 years. Stated proposed sandpit site now unfarmable. Has pumped water at rate of 500 gallons per minute and not lowered water table.

Comm. Payne: MOTION - "I make a recommendation to the Board of County Commissioners to approve Case CU-217, contingent upon the comments of the Haysville Planning Commission, with deletion of Item 4 (a), to be dedicated at time of platting, sand extraction to be completed within 8 years, platting to be completed within two years of completion of sand extraction".

Comm. Butler seconded. Vote: 7 yea, 0 nay. Motion carried.

PUBLIC HEARING CLOSED

Minutes March 8, 1979 meeting approved as mailed.

Preliminary & Final Plat - Derby Hills East Re-Plat - postponed until later date.

Preliminary Plat - El Paso Heights - Lowell High, H.E. Phillips, Pat Egan:

Comm. Burress stated: (a) Street names changed to reflect Spanish theme; (b) easement corrected according to K.G. & E. request; (c) ten feet along 91st street corrected, to be dedicated by separate instrument; (d) feels more details of channel (Item A, Sect. BB) not required, two more sections added to channel; (e) Right-of-way access will be maintained partially by city and partially by adjoining property owners. Wichita desires hydrology on pond. Pad elevations will be set on final plat.

Park Board Representatives, Norma Coles & John Fair, have decided Park Board will withdraw request for neighborhood park site due to it's unsuitability for same.

Lowell High: Stated flood plain will be controlled by land contours, must build up some pad elevations, as 100 year flood elevation is 1,253 feet and some pad elevations same height. Plans to leave exception vacant for drainage, would agree to annexation within 3 to 4 years.

Pat Egan: Desires conditional approval from commission, contingent upon hydrology study.

Comm. Sims: Expressed concern for river backing up creek.

Comm. Payne: Expressed concern for water back-up when land filled and stated new Federal Flood Control laws require developers to make hydrology studies.

Comm. Fangmann: Expressed concern for "exception" in city when property annexed.

Leon Sallee: Stated pad elevations must be one foot above 100 year flood line. When city of Derby adopts flood ordinance, he will recommend they exceed one foot.

Comm. Butler: Expressed concern for large area of plat being below 100 year flood plain. Feels corner lot & creek exception should be platted.

No recommendation made by commission. El Paso Heights to be reviewed at May 3, 1979 Planning Commission Meeting.

Mid-States of Derby: Elwood Jones representing Farmers & Merchants Bank of Derby.

Location - Oliver & K-15 Highway. Land zoned light industrial. Bank has two prospective buyers for property and would like property to remain Light Industrial. They will make correction of drainage as required by the County Engineer.

Jack Galbreith: County Commission and County Council have agreed to re-open this case. Hopes to find out "tomorrow" what drainage correction required. Has no objection if DCEC re-approves plat.

Comm. Payne: MOTION - "I move we recommend to the City Council, approval of this plat, and to the Board of County Commissioners, approval subject to drainage correction; and correction to correct ownership".

Comm. Fangmann seconded. Vote: 7 yea, 0 Nay - Motion carried.

Commission members to review "Table of Computability for Zoning Districts" and discuss in the future.

No City Council Report - council went into closed executive session.

Zoning committee meeting Monday - April 9, 1979 - 7:00 P.M.

Date next sub-division committee meeting not set as of this meeting.

Next city council meeting representative - Dolan Felley - April 17, 1979 meeting.

Comm. Fargmann: "I move we adjourn". Comm. Payne seconded. Vote: 7 yes, 0 nay. (10:00 P.M.)

Respectfully submitted,

Mary Ann Gnagey

Mary Ann Gnagey
Secretary

3 hours of public debate already
on this case and the concerns
expressed are as follows:

Unavailability of the operation
Truck traffic - Property devaluation
Noise - Danger to children

Dust

Hours of operation

How many years will operation occur

Screening - landscaping + fencing

Underground water contamination

No access to 61st

Type of vegetation covering kept around
subject

No operation on Sundays or Holidays

Environmental Health Dept advises that
they have no information or noise regarding
dredges. That as long as there is a
reasonable distance from home to the
dredge and as long as it is operated during
the normal daylight hours, there should
not be a problem.

Derby City Planners

Approve Sand Extraction Permit

Residents living around the proposed sand extraction plant between 63rd St. S. and Hydraulic appeared at the public hearing held before the Derby Planning Commission last night to voice their opinions on the project.

After 90 minutes of discussion among commissioners, residents and owners of the property and sand pit, L. O. Payne, planning commission member, recommended to approve the permit for the sand pit. Conditions of approval are to be an eight year time limit on the sand pit, and plating of the land for a residential development within two years of the completion of the sand extraction from the lake located on the property.

The land on which the sand pit will be located belongs to George Nicholson, who will retain ownership of it. In a statement to commissioners and those present, Nicholson

said he planned to keep the area attractive by providing visual barriers between residents and the extraction plant. Ultimately, the land will be a residential section on which homes will be built, Nicholson said. He reportedly plans to build around the lake from which the sand is to be extracted. It was understood, however, the residential development can not take place for at least eight to ten years, depending on when the sand extraction was complete.

Residents in the immediate area were concerned with many undesirable items they thought would result from a sand pit in their area. Among those mentioned were unsightliness of a sand pit, water contamination, devaluation of property values, danger to children due to the fascination of the facility, sand blowing and noise level.

One resident who would be living right across from the operation withdrew the protest she made at the Haysville Planning Commission, saying she spoke to two real estate firms who stated the sand pit next to their property would serve only as nuisance value, like airplane noise. She stated it would not decrease the value of property. Also in her statement, she said she talked to a woman who already lived near one of the present sand pits about the amount of sand blowing. Reportedly, the woman stated she receives more dirt from the farm community than from the sand pit.

Jack Galbraith, Metropolitan Area Planning Department, said sand pits do not pollute water. His information, he continued, came from the environmental

See CITY PLANNERS Page 8

City Planners

(Cont'd from page 1)

health department.

The Haysville Planning Commission has also recommended a conditional use permit for the operation be granted.

This case will be heard by the Metropolitan Area Planning Department on April 21.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

HCPC HEARING DATE: 3-22-79
DCPC HEARING DATE: 4-05-79
MAPC HEARING DATE: 4-21-79

REVISED REPORT

Case No. CU-217 Request: Conditional Use Permit for Sand
Extraction Operation

Location: North side of 63rd Street South in an area between
Hydraulic and Kansas Turnpike

Reason: Sand extraction operation

Acres: 80 Size: 1330' x 2640'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Orchard & Single Family	"R" & "R-1"
North	Single Family	"R"
East	Orchard	"R" & "R-1"
South	Agriculture	"R"
West	Undeveloped & Kansas Turnpike	"R"

Existing R/W - 61st St. So.-full-30 ft.	Platted: No
Proposed R/W - 61st St. So.-full-60 ft.	History: None
Existing R/W - Hydraulic-half-40 ft.	
Proposed R/W - Hydraulic-half-50 & 75 ft.	
Existing R/W - 63rd St. So.-half-40 ft.	
Proposed R/W - 63rd St. So.-half-60 & 75 ft.	

COMMENTS:

1. The applicant is requesting a conditional use permit to establish a sand extraction operation on approximately 80 acres of land zoned "R" Rural Residential and "R-1" Suburban Residential located on the north side of 63rd Street South in an area between Hydraulic and the Kansas Turnpike.
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated, as well as a redevelopment plan which proposes the development of single family lots, recreation area and two spots proposed for light commercial zoning around an approximate 38 acre lake which will remain after the extraction operation ceases. Although it could be expected that "LC" zoning would later be proposed at the major street intersection, the proposed future development plan suggests adjacent single family lots. The suggested

"LC" at the northeast corner is adjacent to existing single family homes and is inappropriately located. The revised site plan should eliminate that suggested zoning classification.

3. The following items should be considered by the Planning Commission in making findings of fact:

Subject property is developed with an older orchard and is located in an area where predominantly agricultural uses are in transition to suburban development patterns. The property to the north is developed with well-maintained single family homes, as is the property to the northeast. The Kansas Turnpike is located to the west with agricultural uses to the south and east. The noise, truck traffic, and blowing sand associated with excavation operations could adversely affect the single family uses in the area if adequate protective measures are not taken.

4. Should the Planning Commission determine the extraction use appropriate for the area, it should be approved subject to the following conditions:
- a. The applicant shall dedicate by separate instrument, 30 feet of half-street right-of-way for 61st Street South and sufficient half-street right-of-way to bring 63rd Street South up to F&S road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring Hydraulic up to major street standards (50 feet of half-street right-of-way), and sufficient half-street right-of-way on both streets to provide for major street intersection improvements (75 feet of half-street right-of-way).
 - b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.
 - c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.

- d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
- e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition. No operational roads shall have access to 61st Street South.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site in two phases, as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 1. A 48 inch or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

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MAPC AGENDA
4-12-79
Page 4

- k. Concrete or asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
 - l. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
 - m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for sand excavation operation.
 - n. Submission of five revised copies of the plan indicating necessary street rights-of-way, access control to 61st Street South for the sand extraction operation, and deletion of the proposed "LC" zoning at the northeast corner of the site.
 - o. The applicant shall comply with conditions A, H, and N, prior to the publication of the resolution effectuating the conditional use.
 - p. Violation of conditions of approval shall render the conditional use permit null and void.
 - q. The Planning Commission may want to consider setting a time that the operation must commence and a date that the operation must cease.
5. The Haysville Planning Commission, in considering and recommending approval of this request subject to the recommended conditions, also recommended that a landscape plan be required for the area south of the half-street dedication for 61st Street South. They suggested that the plan provide for screening, to break up visual contact, along the entire north line, that the plan take into consideration existing trees and that appropriate plants which might grow on the fence also be considered. The landscape plan is to be submitted to and approved by the Metropolitan Area Planning Department.

In addition, the Haysville Planning Commission recommended that the Metropolitan Area Planning Commission consider establishing appropriate daytime hours of operation.

Superseded

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

HCPC HEARING DATE: 3-22-79
DCPC HEARING DATE: 4-05-79
MAPC HEARING DATE: 4-12-79

Case No. CU-217 Request: Conditional Use Permit for Sand
Extraction Operation

Location: North side of 63rd Street South in an area between
hydraulic and Kansas Turnpike

Reason/Proposed Use: Sand extraction operation

Acres: 80 Size: 1330' x 2640'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Orchard & Single family	"R" & "R-1"
North	Single family	"R"
East	Orchard	"R" & "R-1"
South	Undeveloped	"R"
West	Undeveloped	"R"

Existing R/W	61st St. So. - full - 30 ft.	Platted: No
Proposed R/W	61st St. So. - full - 60 ft.	history: None
Existing R/W	hydraulic - half - 40 ft.	
Proposed R/W	hydraulic - half - 50 & 75 ft.	
Existing R/W	63rd St. So. - half - 40 ft.	
Proposed R/W	63rd St. So. - half - 60 & 75 ft.	

COMMENTS

1. The applicant is requesting a conditional use permit to establish a sand extraction operation on approximately 80 acres of land zoned "R" Rural Residential and "R-1" Suburban Residential located on the north side of 63rd Street South in an area between hydraulic and the Kansas Turnpike.

CASE NO. CU-217
PAGE TWO

2. The applicant has submitted an operational plan indicating the limits of the area to be excavated, as well as a redevelopment plan which proposes the development of single family lots, recreation area and two spots proposed for light commercial zoning around an approximate 38 acre lake which will remain after the extraction operation ceases. Although the area proposed for "LC" zoning at the northwest corner of 63rd Street South and Hydraulic would appear to be appropriate, the area proposed at the northeast corner of the site adjacent to single family development is questionable as it would be against Commission policy of establishing "spot zoning".
3. Should the Planning Commission determine the extraction use appropriate for the area, it should be approved subject to the following conditions:
 - a. The applicant shall dedicate by separate instrument sufficient half-street right-of-way to bring 63rd Street South up to FAS road standards (60 feet of half-street right-of-way), sufficient half-street right-of-way to bring hydraulic up to major street standards (50 feet of half street right-of-way), and sufficient half-street right-of-way on both streets to provide for major street intersection improvements (75 feet of half-street right-of-way).
 - b. The stockpiling of sand or storage of equipment shall be permitted only in that area adjacent to 63rd Street South indicated on the site plan as the "plant operation" area and shall not be permitted nearer than 100 feet from the north right-of-way line for 63rd Street South.
 - c. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
 - d. The earth shall be extracted to at least a minimum depth of six feet below the water table.
 - e. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
 - f. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.

- g. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- h. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- i. The applicant shall be responsible for maintaining all operational roads in a graveled and dust free condition.
- j. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter the site in two phases as indicated on the operational plan on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following type:
 - 1. A 48" or higher chain link fence with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
- k. Concrete or asphalt mixing plats, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- l. All slopes shall have vegetative covering consisting of a perennial drowth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- m. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.

CASE NO. CU-217
PAGE FOUR

- n. Submission of five revised copies of the plan indicating necessary street rights of way and deletion of the proposed "LC" zoning at the northeast corner of the site.
- o. The applicant shall comply with conditions A, H, and N, prior to the publication of the resolution effectuating the conditional use.
- p. Violation of conditions of approval shall render the conditional use permit null and void.
- q. The Planning Commission may want to consider setting a time that the operation must commence and a date that the operation must cease.

CU 217
Mailed 3-16-79
Mailed 3-16 Haysville, PC
" 3-19 Derby PC

CU-217 - 99 "Notice to Adjoining Property Owners" mailed 3-16-79³²²²⁻⁷⁹ ✓
for the MAPC meeting for 3/29/79 of Haysville, Derby 4-5-79

REFERRAL SHEET, STAFF REPORT AND NOTICE MAILED TO:

Haysville P.C.	12	(includes Sect., Outside Agent & Grover McLure, County Dir. Pub. Works)
	3	Applicants (Recd. Haysville & Derby)
Derby P.C.	12	(includes Sect., C. Bickley Foster, & Grover McLure.)
	—	
27	27	total

—
126 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

March 15, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, March 22, 1979 at 8:00 p.m., the HAYSVILLE CITY PLANNING COMMISSION, City Hall, Haysville, Kansas, will consider the following item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners:

CASE NO. CU-217

Conditional Use Request to Permit Establishment of
a Sand Extraction Operation
in the "R" Rural Residential District
and the "R-1" Suburban Residential District

The South Half of the Southeast Quarter of Section 28,
Township 23 South, Range 1 East of the 6th P.M.,
Sedgwick County, Kansas. Generally located on the
north side of 63rd St. South, between Hydraulic and
the Kansas Turnpike.

This matter will also appear on the agenda for the regular meeting of the DERBY CITY PLANNING COMMISSION at 7:00 p.m., Thursday, April 5, 1979, Derby City Hall, Derby, Kansas, for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings before either the Haysville City Planning Commission or the Derby City Planning Commission, then as provided in the County Zoning Resolution, Section 14 - Administration sub-paragraph C, this item will be discussed and considered by the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION at their regular meeting beginning at 1:30 p.m., Thursday, April 12, 1979, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas. All persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed Conditional Use will be considered as by law provided.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 263-4421.

Robert A. Lakin
Secretary

March 12, 1979

Mr. Clay Ricketts
Daily Reporter
201 South Baltimore
Derby, Kansas 67037

Re: CU-217

Dear Mr. Ricketts:

Enclosed is a notice for public hearing which I would like to have published one time, on the earliest possible date.

I would appreciate a copy of the Daily Reporter in which this notice will appear.

Sincerely,

G. Lynn Shirkey
Junior Planner

GLS:el
Enclosure

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

CU 217

Book 4
M-5-B
28-28-1E

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT George & Elaine Nicholson

ADDRESS 10829 Pineaire Drive PHONE 602-974-8642
Sun City, Arizona zip. code 85351

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT Dale U. Kuhn

ADDRESS 1300 Brookfield, Derby, Ks. 67037 PHONE 788-4851

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT Kenneth E. Cain

ADDRESS 568 South Georgie, Derby, Kansas 67037 PHONE 788-0404

AGENT _____

ADDRESS _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a Sand extraction

(use)

on property legally described as Lot(s) South half of Southeast

quarter of _____ section 28-28-1E ~~xxxxxx~~

_____ Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

Use legal from ownership list

N-R
S-R
E-R+R-1
W-R

I. I. THIS PROPERTY IS LOCATED AT (ADDRESS) _____

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Southeast CORNER OF Hydraulic AND
63rd street South, OR

B. ON THE North SIDE OF 63rd Street South (AVENUE)
STREET BETWEEN Hydraulic (AVENUE) STREET AND
and Kansas Turnpike (AVENUE) STREET
Broadway

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED "R* and R-1"
(ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:

To develop 38 acre lake by sand extraction and platting single
family home sites around water perimeter on balance of 80 acres.

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRU-
TION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION.
I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS
IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S
CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED
BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND
FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR)
KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS
SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY
IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER
OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

George W. Matheson

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at 1:05
(AM PM) on March 12, 1979 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 70.00.

J. Lynn Shirley Name
J. Planner Title

OWNERSHIP LIST

Tract		Property Owner
The South Half of the SE $\frac{1}{4}$ of Section 28-28-1E <i>10829 PINEAIRE DR SUN CITY, ARIZ 85351</i>		<i>D</i> George W. Nicholson 6201 South Hydraulic 67216
The East half of the SW $\frac{1}{4}$ of Section 28-28-21E except Midland Valley Railroad row		Frank Emmett Blood c/o Gerald Blood 6346 South Broadway 67216
The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27-28-1E		<i>D</i> George W. Nicholson 6201 South Hydraulic 67216
The North half of the NE $\frac{1}{4}$ of Section 33-28-1E <i>250 South PERSHING WICHITA, KAN 67218</i>		Faye Astle and Virginia Williams, Trustees of Ethel Martin Living Trust Address Unknown <i>X</i>
The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33-28-1E except K.T.A.		John Wheeler, deceased
The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34-28-1E		Gerald E. Blood 6346 South Broadway 67216
Lots 3,4,5,6 Block A	L. R. Stevens Addition	<i>D</i> LaVeta R. Stevens 6-37 South Hydraulic 67216
lots 1 thru 10 Block C	Same	Same
lots 1,2,9,10 Block 10	Same	<i>X</i> Charles F. Thomas & Gayle Address Unknown <i>CONDUCTOR SOUTHWEST RAILROAD 9718 HUDRICK AV.</i>
lots 3,4,5,6,7,8 Block D	Same	LaVeta R. Stevens 6037 South Hydraulic 67216
lots 1 thru 5 Block 5	Same	<i>D</i> LaVeta R. Stevens 6037 South Hydraulic 67216
lot 1, Block 1	South Hydraulic Vista	Jack E. Talbot and Rosemarie F. Talbot 313 West 32nd St. South 67217
lot 2, Block 1	Same	John W. Cook & Fay F. Cook 6112 South Greenwood 67216
lot 3, Block 1	Same	Daniel O. Reiter and Georgia A. Reiter 6124 S. Greenwood 67216
lot 4, Block 1	Same	Matilda M. Schmidt and Frank C. Schmidt 6136 South Greenwood 67216

Lot	Addition	Property Owner
lots 5 and 6, Block 1	South Hydraulic Vista	✓ Dale H. Cupples and Frances W. Cupples 6148 South Greenwood 67216 *
lot 7, Block 1	Same	Jacobus Griekspoor and Johanna Cornelia Griekspoor 6155 S. Hydraulic 67216
lot 8, Block 1	Same	Watie Morga McGlothlin and Bette A. McGlothlin 6147 S. Hydraulic 67216
lots 9 and 10 Block 1	Same	James E. Fleming and Annie M. Fleming 6135 S. Hydraulic 67216
lot 11, Block 1	Same	Wendell L. Lillich and Dorian C. Lillich Address Unknown <i>Correct file in City City Name Cross Ref</i>
lot 12, Block 1	Same	Elmer Coates 511 East 57th St. South 67216
lot 1, Block 2	Same	Kenneth L. Garrett and Patricia C. Garrett 6102 Ellis 67216
lot 2, Block 2	Same	James D. Winter and Diana L Address Unknown <i>Correct file in City City Name Cross Ref</i>
lots 3 and 4 Block 2	Same	Robert E. Morton and Ilus E. Morton 6122 Ellis 67216
lot 5, Block 2	Same	Robert L. Morgan & Leta M. 6136 Ellis 67216
lot 6, Block 2	Same	Richard E. Markham and Dorothy J. Markham 6156 South Ellis 67216
lot 7, Block 2	Same	✓ <i>Present</i> ^{EAST} Reinier Knetsch & Maria 1414 West 61st St. South 67217 *
lot 8, Block 2	Same	Ralph V. Fansler and Shannon Nicole Fansler Address Unknown <i>Correct file in City City Name Cross Ref</i>

Lot	Addition	Property Owner
lot 9, Block 2	South Hydraulic Vista	Martin Roy Nolan and Carlotta J. Nolan 6135 S. Greenwood 67216
lot 10, Block 2	Same	Thomas F. Sparks and Teresa A. Sparks * 2117 S. Mosley 67211
lot 11, Block 2	Same	Diana Mae Kirtley 6111 S. Greenwood 67216
lot 12, Block 2	Same	Claude E. Moyer and Eula Jean Moyer Address Unknown
lots 1 and 2 Block 3	Same	Cecil T. Wescott & Lucille 6112 S. Lulu 67216
lot 3, Block 3	Same	Elmer Wayne Testerman and Mary Louise Testerman 6124 S. Lulu 67216
lot 4, Block 3	Same	Paul R. Lancaster and Virginia E. Lancaster Address Unknown
lot 5, Block 3	Same	Jack Campbell & Patricia 6136 S. Lulu 67216
lot 6, Block 3	Same	Ray Ronald Rossiter 6156 South Lulu 67216
lot 7, Block 3	Same	Richard L. Anderson and Sandra L. Anderson 1426 Jump 67216
lot 8, Block 3	Same	Barton L. Dannels and Sharon A. Dannels Address Unknown
lot 9, Block 3	Same	Archie L. Nichols and Betty J. Nichols 325 Mimosa Drive, Haysville 67060
lot 10, Block 3	Same	Robert K. Kunze Jr. and * Golda M. Kunze 6115 Ellis 67216
lot 11, Block 3	Same	Harley R. Cheever & Anna M. 6111 Ellis 67216
lot 12, Block 3	Same	Bill B. Carr and Anna M. 6101 Ellis 67216

*Amount paid
to Sales Office
City of
Cross Ref*

*Amount paid
to Sales Office
City of
Cross Ref*

*Present to 400 W. Central
67203*

*Amount paid
to Sales Office
City of
Cross Ref*

Lot	Addition	Property Owner
lots 1 and 2 Block 4	South Hydraulic Vista	Charles E. Crocker and Ireta I. Crocker 6112 South Pattie 67216
lots 3,4,5 Block 4	Same	Donald E. Shepherd and Carole M. Shepherd 6136 S. Pattie 67216
lot 6, Block 4	Same	William C. Hinderliter and Donna M. Hinderliter 6156 S. Pattie 67216
lot 7, Block 4	Same	William A. Klaus and Mysta D. Klaus 6155 South Lulu 67216
lot 8, Block 4	Same	Charles Warren Harrod and J. Ann Harrod 6147 South Lulu 67216
lot 9, Block 4	Same	Paul Spunaugle and Lula Bell Spunaugle 6135 South Lulu 67216
lots 10 and 11 Block 4	Same	James R. Razey and Betty L. 6111 South Lulu 67216
lot 12, Block 4	Same	Calvin T. Rader & Mary H. 6101 South Lulu 67216
lot 1, Block 5	Same	Myrle K. Young & Naomi F. 6100 Laura 67216
lot 2, Block 5	Same	Dearl E. Lance & Bessie L. 6112 Laura 67216 *
lot 3, Block 5	Same	Eugene T. Scoular and Barbara J. Scoular 6124 Laura 67216
lot 4, Block 5	Same	Frank Schmidt 6136 Greenwood 67216
lot 5, Block 5	Same	John Donaghue & Terry S. 6148 Laura 67216
lot 6, Block 5	Same	John Nivens and Elois ✓ 7201 N. Meridian Valley Center, Ks. 67147 ✓
lot 7, Block 5	Same	Sherry L. Hickerson 6155 S. Pattie 67216
lots 8 and 9, Block 5	Same	Robert E. Coldren & Bonnie 6135 South Pattie 67216

*no other address
found*

Lot	Addition	Property Owner
lot 10, Block 5	South Hydraulic Vista	Larry J. Shinkle & May E. 6123 S. Pattie 67216
lot 11, Block 5	Same	George T. Corey & Lois E. 6111 South Pattie 67216
lot 12, Block 5	Same	Elmer Cedell Richardson Edna P. Richardson 6101 South Pattie 67216
lot 1, Block 6	Same	Richard M. Rinehart and Wanda C. Rinehart 6102 Ida 67216
lot 2, Block 6	Same	Arthur L. Kirby, deceased
lot 3, Block 6	Same	Duane Fredrick Baxter and Polly V. Baxter 6124 Ida 67216
lot 4, Block 6	Same	Lovina A. Gatson * 6128 Ida 67218
lot 5, Block 6	Same	X Leon L. White & Connie L. Address Unknown 732 N. Ridge Wood Dr
lot 6, Block 6	Same <i>Virginia Vanderhoff</i> <i>* 6156 S Ida</i> <i>67216</i>	Oscar Samuel Dickey and Opal Lena Dickey 6120 Ida 67216
lot 7, Block 6	Same	Administrator of Vet. Affairs 5500 E. Kellogg 67218
lot 8, Block 6	Same	James F. Hullinger and Lennea A. Hullinger 1134 South St. Clair 67213
lot 9, Block 6	Same	Willard Floyd Leslie and Imogene D. Leslie Rt. 1, Rose Hills, Kansas
lot 10, Block 6	Same	David L. Langenegger and Melba K. Langenegger 9022 Harvest Court 67212
lots 11 and 12 Block 6	Same	Arthur M. Stevens and Martha J. Stevens 6111 Laura 67216
lots 6 and 7 Block 7	Same	Berry F. Campbell and Rose Marie Campbell * 6155 Ida 67216

Lot	Addition	Property Owner
lots 8 and 9 Block 7	South Hydraulic Vista	Richard Leön Gates and Wilma Lee Gates 6147 Ida 67216
lot 10, Block 7	Same	Harold J. Tanquary and Esther L. Tanquary 6123 Ida 67216
lot 11, Block 7	Same	Roy A. Yackley and Ruth A. 872 Buffum 67203
lot 12, Block 7	Same	Frederick Joseph Plummer 6101 South Ida 67216
lot 3, Block 1	South Hydraulic Gardens	Durwood S. Davis and Ruth E. Davis 6024 South Hydraulic 67216
lots 4 and 5, Block 1	Same	Lee Harris and Leona M. 6032 South Hydraulic 67216
lot 6, Block 1	Same	Samuel W. Bridges and Zelma G. Bridges 6054 South Hydraulic 67216
lots 7 and 8 Block 1	Same	James R. Whitcomb and Connie Sue Whitcomb 6035 South Kansas 67216
lot 9, Block 1	Same	James Rollins Whitcomb Connie Sue Whitcomb 6035 South Kansas 67216
lot 10, Block 1	Same	Kenneth M. Ormston and Janice E. Ormston 1915 West McArthur 67217
lot 4, Block 2	Same	Dale L. Coffman and Lucille V. Coffman 6034 South Kansas 67216
lot 5, Block 2	Same	Bessie Mae Buster and Delmar L. Cowel 6044 South Kansas 67216
lot 6, Block 2	Same	Frank G. Hensley and Judy A 6054 South Kansas 67216
lot 7, Block 2	Same	Kenneth Leroy Estes and Margaret Maxine Estes 819 South Martinson 67213
lot 8, Block 2	Same	Frances Byrd 6045 S. Minneapolis 67216
lots 1,2,3, Block 5	Same	Frank W. Slusser and Verna L. Slusser 6114 S. Minneapolis 67216

Lot	Addition	Property Owner
lot 4, Block 5	South Hydraulic Gardens	Roger Leroy Saylor, William A. Manion & Stella 6114 S. Minneapolis 67216
lot 5, Block 5	Same	Ralph Willard Parker and Zelma E. Parker 4617 South Hydraulic 67216
lot 6, Block 5	Same	Gilbert W. Hoaglan & Jean E 4741 Pattie 67216
lot 7, Block 5	Same	Jerry Milan Cummings and Sharon Kay Cummings Address Unknown
lot 8, Block 5	Same	Martin L. Collins and Ethel M. Collins Address Unknown
lot 9, Block 5	Same	James F. Collins and Winifred D. Collins 3301 South Osage 67217
lot 1, Block 6	Same	John F. Roets and Juanita E. Roets 6100 South Kansas 67216
lot 2, Block 6	Same	Darrell D. Simler Jr. Nancy M. Simler 6114 South Kansas 67216
lot 3, Block 6	Same	Carl Robert McDowell 9301 South Hydraulic 67233
lots 4 and 5 Block 6	Same	Donald Lee Bennett and Dora Dell Bennett 6144 South Kansas 67216
lots 6 and 7 Block 6	Same	Edwin G. Edwards and Hellen C. Edwards 6154 S. Kansas 67216
lot 8, Block 6	Same	Urcel G. Esham & Norma L. 6145 S. Minneapolis 67216
lot 9, Block 6	Same	Paul F. Warne and Nelda M. 3700 South Broadway 67216
lots 10 and 11 Block 6	Same	Robert L. Cooper and Sheila Cooper 6115 S. Minneapolis 67216
lot 12, Block 6	Same	Lawrence L. Taylor and Wilma J. Taylor 6105 S. Minneapolis 67216
lot 1, Block 7	Same	Robert L. Mueller and Karen I. Mueller 6102 S. Hydraulic 67216

*cannot find
in sale Dis
city file
cross ref
cannot find
in sale file
city file
cross ref*

Lot	Addition	Property Owner
lot 2, Block 7	South Hydraulic Gardens	Ladislado R. Palacio Conception R. Palacio 1923 S. St. Francis 67211
lot 3, Block 7	Same	Albert P. Guerra and Reva 706 N. Main 67203
lot 4, Block 7	Same	<i>Cannot find in City Direct or City</i> Leonard James Barnes and Barbara K. Barnes Address Unknown
lot 5, Block 7	South Hydraulic Gardens	Ordell Elroy Menk and Shirley A. Menk 6152 S. Hydraulic 67216
lot 6, Block 7	Same	Max D. Coleman and Shirley A. Coleman 2036 East 59th St. South 67216
lot 7, Block 7	Same	Verl W. Garton & Dorris 6155 S. Kansas 67216
lot 8, Block 7	Same	David D. Mitchell and Connie L. Mitchell 6145 South Kansas 67216
lot 9, Block 7	Same	Laurence D. Annin Jr. and Anita J. Annin 6135 South Kansas 67216
lot 10, Block 7	Same	Richard R. Hardison and Patty Hardison, Richard T. Hardison 5944 South Jones 67217
lot 11, Block 7	Same	Walter R. Bird and Opal J. 6115 South Kansas 67216
lot 12, Block 7	Same	Walter Ray Bird and Opal J. Bird 6115 South Kansas 67216

We hereby certify the foregoing to be a true and correct list of the property owners of:

use for legal

A 1000 foot radius of: [The South Half of the Southeast Quarter of Section 28, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.]

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 6th day of March, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Doble

Vice President

Order No. 274250
wh

Resent 4-24-79
 to 15700 H Avenue
 Bart 12091
 Goddard
 67052

WICHITA - SEDGWICK COUNTY
W.S.C.
 METROPOLITAN AREA PLANNING COMMISSION
 CITY HALL - TENTH FLOOR
 405 NORTH MAIN STREET
 WICHITA, KANSAS 67202

ADDRESS UNKNOWN
 RETURN TO SENDER

WICHITA, KS
 APR 17 1979
 APR 21 2/6

U.S. POSTAGE
 15c

Charles F. Thomas
 8718 Hendryx
 Wichita, Kansas 67209

NO SUCH ADDRESS!

CU 217

CU-217

WICHITA - SEDGWICK COUNTY
W.S.C.
 METROPOLITAN AREA PLANNING DEPARTMENT
 CITY HALL - TENTH FLOOR
 405 NORTH MAIN STREET
 WICHITA, KANSAS 67202

ADDRESS UNKNOWN
 RETURN TO SENDER

WICHITA, KS
 APR 17 1979
 PM

U.S. POSTAGE
 15c

Resent

Richard L. & Sandra L. Anderson *for phone book*
~~1426 Jump~~ *This add. in City Dir*
 Wichita, Kansas 67218 *400 W. Central*
 67203

Important! Notice of Meeting Enclosed

CU 217

WICHITA - SEDGWICK COUNTY
W.S.C.
 METROPOLITAN AREA PLANNING DEPARTMENT
 CITY HALL - TENTH FLOOR
 405 NORTH MAIN STREET
 WICHITA, KANSAS 67202

ADDRESS UNKNOWN
 RETURN TO SENDER

WICHITA, KS
 APR 17 1979
 P.M.

U.S. POSTAGE
 15c

Resent East

Reinier & Maria Knetsch
 1414 West 61st St. South
 Wichita, Kansas 67217
 67216

Important! Notice of Meeting Enclosed

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

March 15, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, March 22, 1979 at 8:00 p.m., the HAYSVILLE CITY PLANNING COMMISSION, City Hall, Haysville, Kansas, will consider the following item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners:

CASE NO. CU-217

Conditional Use Request to Permit Establishment of
a Sand Extraction Operation
in the "R" Rural Residential District
and the "R-1" Suburban Residential District

The South Half of the Southeast Quarter of Section 28,
Township 28 South, Range 1 East of the 6th P.M.,
Sedgwick County, Kansas. Generally located on the
north side of 63rd St. South, between Hydraulic and
the Kansas Turnpike.

This matter will also appear on the agenda for the regular meeting of the DERBY CITY PLANNING COMMISSION at 7:00 p.m., Thursday, April 5, 1979, Derby City Hall, Derby, Kansas, for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings before either the Haysville City Planning Commission or the Derby City Planning Commission, then as provided in the County Zoning Resolution, Section 14 - Administration sub-paragraph C, this item will be discussed and considered by the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION at their regular meeting beginning at 1:30 p.m., Thursday, April 12, 1979, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas. All persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed Conditional Use will be considered as by law provided.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

CU-217

WICHITA - SEDGWICK COUNTY

W S C

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

NOT DELIVERABLE AS ADDRESSED
PLEASE FORWARDING ORDER ON FILE
FOR FORWARDING TO CENTER
VALLEY CENTER



Myers
John & Eldis Myers
7201 N. Meridian
Valley Center, Kansas 67147

*no other
address
found*

Important! Notice of Meeting Enclosed

FORM 29

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
-------------	--------

NAME

ADDRESS

FUND	DUE DATE
------	----------

COMMENTS

DATE	BY
------	----

FROM SEA DATE 8-6-86

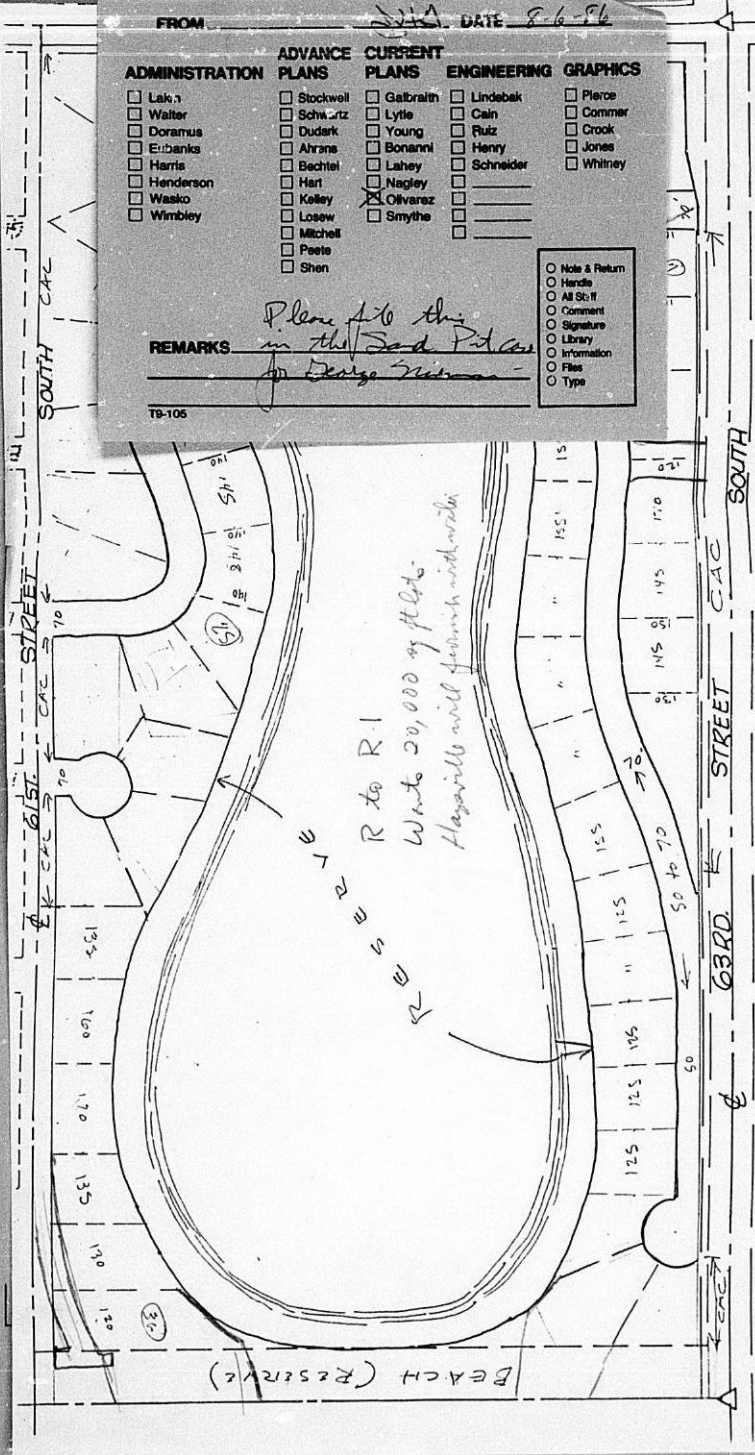
ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	ENGINEERING	GRAPHICS
<input type="checkbox"/> Lalo	<input type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Lindebak	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Schartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Cain	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Dudark	<input type="checkbox"/> Young	<input type="checkbox"/> Ruiz	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Ahrens	<input type="checkbox"/> Bonanni	<input type="checkbox"/> Henry	<input type="checkbox"/> Jones
<input type="checkbox"/> Harris	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Lahey	<input type="checkbox"/> Schneider	<input type="checkbox"/> Whitney
<input type="checkbox"/> Henderson	<input type="checkbox"/> Hart	<input type="checkbox"/> Nagley		
<input type="checkbox"/> Wasco	<input type="checkbox"/> Kelley	<input checked="" type="checkbox"/> Olvarez		
<input type="checkbox"/> Wimbley	<input type="checkbox"/> Loew	<input type="checkbox"/> Smythe		
	<input type="checkbox"/> Mitchell			
	<input type="checkbox"/> Peete			
	<input type="checkbox"/> Shen			

- Note & Return
- Handle
- All Staff
- Comment
- Signature
- Library
- Information
- File
- Type

REMARKS

Please file this in the Sand Pit case for George Wilson

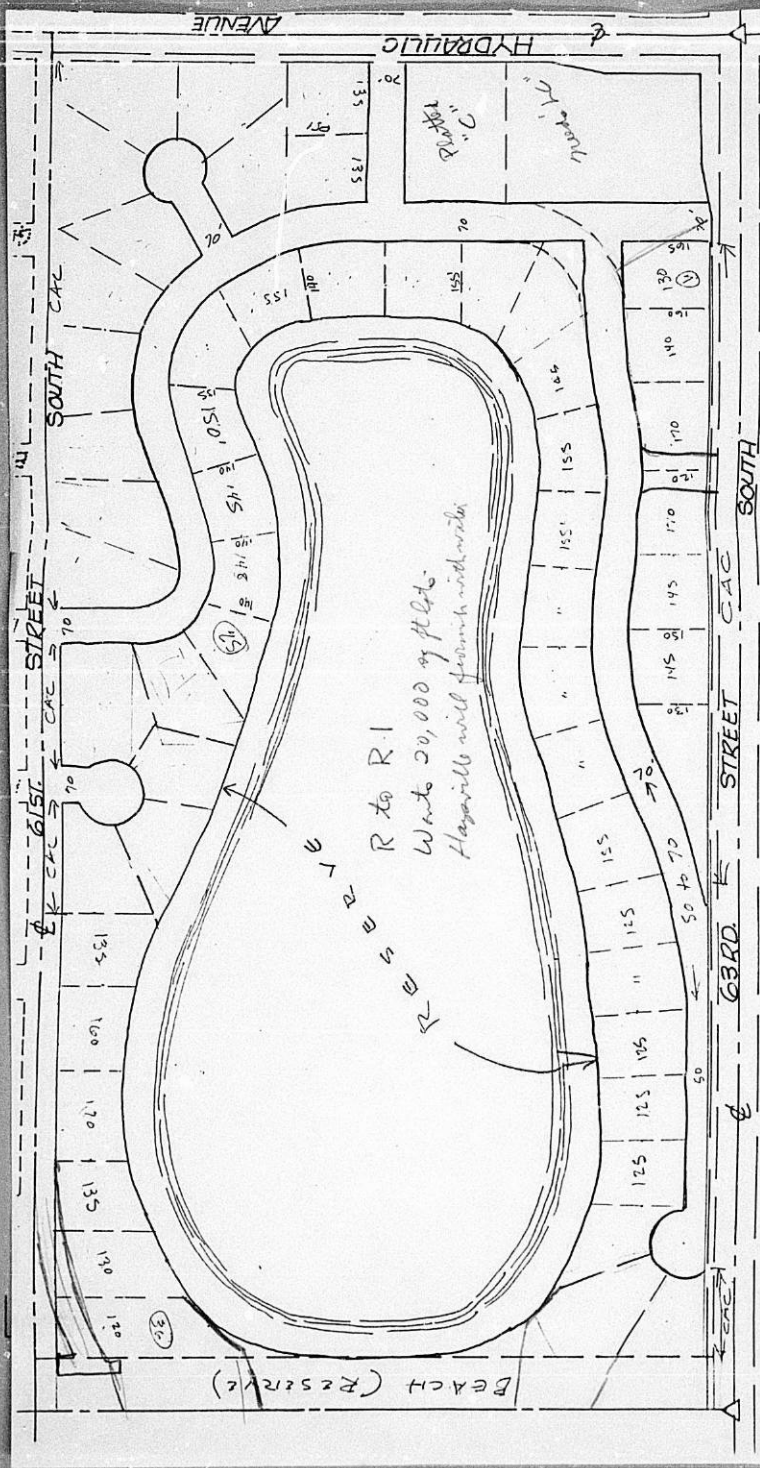
TR-105



SE Cor. SE⁴
Sec. 28, 28S, 1E

*George Wilson Friend and
D.H. dismissed the platting
and zoning of this property on
8-6-86*

SW Cor. SE⁴
Sec. 28, 28S, 1E

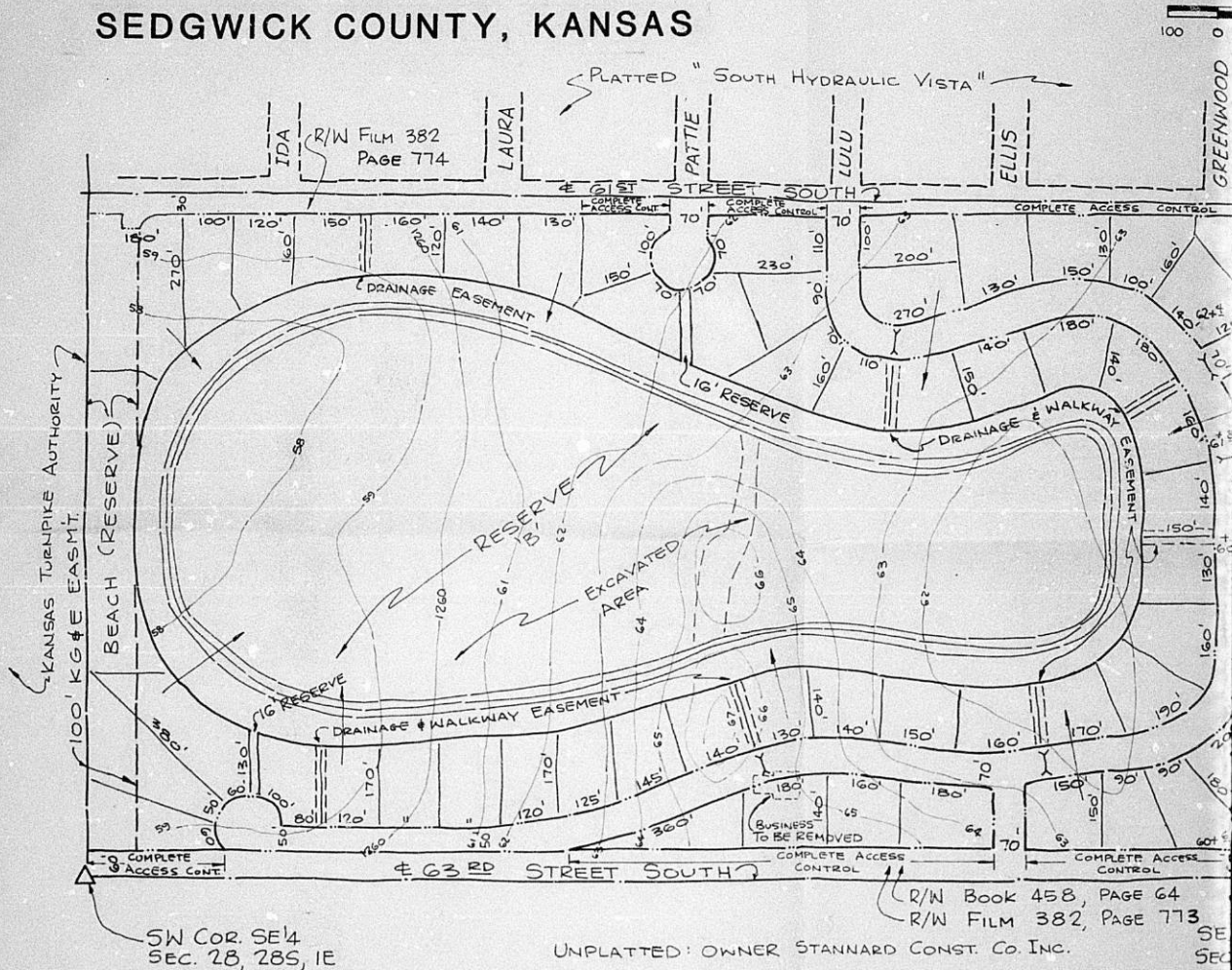


SW Cor. SE 4
Sec. 28, 28S, 1E

George, Wilson Friend and
D.H. Johnson the platting
and zoning of this project on
8-6-86
SE Cor. SE 4
Sec. 28, 28S, 1E

SKETCH PLAT OF

LAKE GEORGE SEDGWICK COUNTY, KANSAS



NOTES:

LOTS: TOTAL 60 SINGLE FAMILY, TYPICAL LOT AREA 20,000 SQ. FT.
DIMENSIONS: APPROXIMATE AS SHOWN.
WATER: TO BE PROVIDED BY CITY OF HAYSVILLE.
SANITARY SEWER: LATERAL FIELD AND SEPTIC TANK, AS APPROVED BY WICHITA/
 SEDGWICK COUNTY HEALTH DEPARTMENT
STREETS: GRADED, SUBURBAN SECTION
DRAINAGE: SURFACE DRAINAGE ALL TO LAKE (RESERVE)

UTILITIES: UNDERGROUND
CONTOURS: PRIOR TO LAKE EXCAVATION
DEVELOPMENT PLAN: ASSOCIATED WITH CU 217
DESCRIPTION: SOUTH HALF, SOUTHEAST QUARTER,
 EXCEPT ORCHARD VIEW 3RD ADDITION
OWNER/DEVELOPER: GEORGE W. NICHOLSON, TRF
 GEORGE W. NICHOLSON, TRUST
 NOVEMBER 21, 1980

*

This CU file

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

*