

CU-231 - Ritchie Paving, Inc.
requests Conditional Use to
Permit an Earth Borrow Operation
for the excavation of silt on
property zoned "R-1" - Suburban

✓
POSTED
3-10-80
[Signature]

ACTION

DATE

COMMITTEE

3-27-80

M.A.P.C. *Approved subject*
condition

5-7-80

B.C.C./B.C.C. *Approved as*
recommended

closed

Map No. 5050
Sec. 3
Twp. 27
Range 1W

DATA SHEET
(~~XXXXXX~~ CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 231
Filed 2-29-80

APPLICATION DATA: From _____ to _____

1. Applicant: Ritchie Paving, Inc.
Address P.O. Box 4048, Wichita 67204 Phone 838-9301
2. Agent: I. P. Ritchie (ENGINEER: P.E.C. (Gary Wiley) 1440 E. English, 67211
Address Same Phone 262-2691
3. General Location: Northeast corner of 23rd St. North and Gilda, as
extended from the north. Address _____
4. Proposed Use: To permit an earth borrow operation for the excavation of
silt on property zoned "R-1" - Suburban Residential District.

AREA DATA:

1. Acres: 1.9 (277 ^(128'x414') ft. by 495 ft.)
2. Adjoining Zoning: E "R-1" S "E" W "R-1" N "R-1"
3. Land Use: East SINGLE FAM South CONTRACTORS STORAGE YARD
West UNDEVELOPED North MOBILE HOME & SINGLE FAM
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PROCEDURE DATA:

1. Zoning Committee _____ by _____, _____, _____
2. MAPC Meeting: _____

Date

Action

3-27-80

Approved sub to condition

3. Governing Body (~~Bd. City Commissioners~~ - Bd. County Commissioners)

Date

Action

Resolution

5-7-80

Approved as Recommended

May 16, 1980

NOTES:

MASTING & SON, LOS ANGELES
No. 2153C
LOAN CH. RECORDER, TX, U.S.A.

S
Smead & Co.

Map No. 5050
 Sec. 3
 Twp. 27
 Range 1W

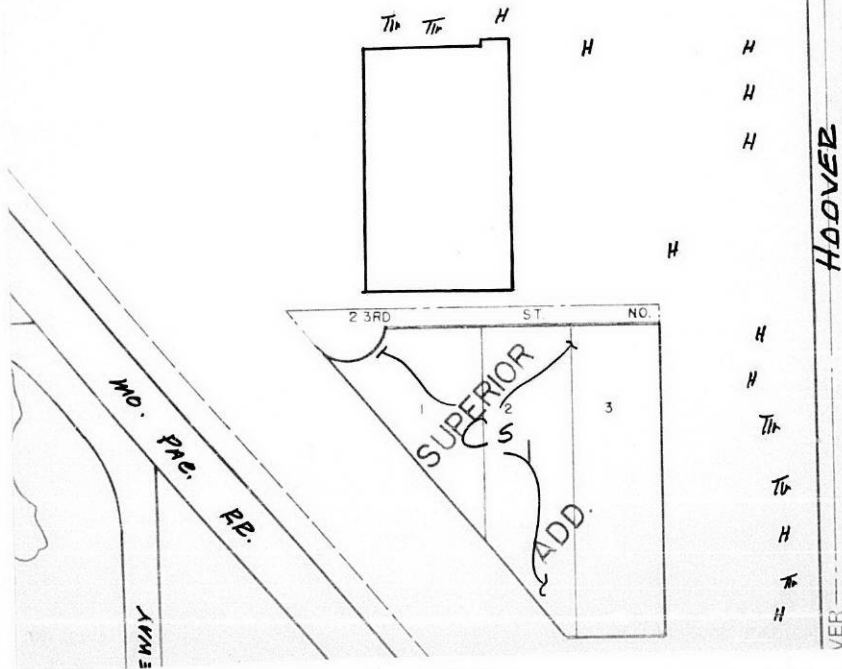
DATA SHEET
 (XXXXXX CONDITIONAL USE)

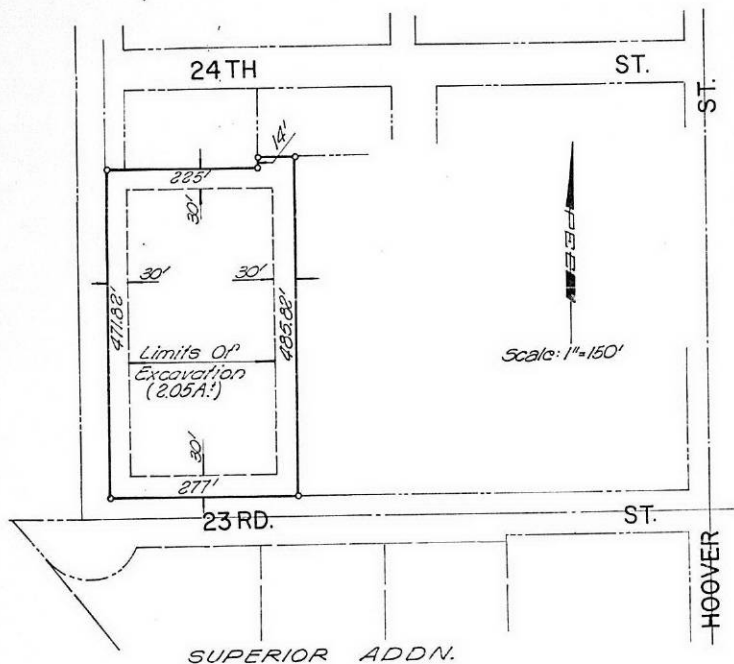
Z- _____
 SCZ- _____
 CU- _____
 Filed 231
 2-29-80

- APPLICATION DATA: From _____ to _____
- Applicant: Ritchie Paving, Inc. Phone 838-9301
 Address P.O. Box 4048, Wichita 67204
 - Agent: J. P. Ritchie (ENGINEER: P.E.C. (Gary M. Jay) 1440 E. English, 67211
 Address Same Phone 262-2691
 - General Location: Northeast corner of 23rd St. North and Gilda, as
extended from the north.
 - Proposed Use: To permit an earth borrow operation for the excavation of
silt on property zoned "R-1" - Suburban Residential District

- AREA DATA:
- Acres: 3.0 (277 ft. by 472 ft.)
 - Adjoining Zoning: E "R-1" S "E" W "R-1" N "R-1"
 - Land Use: East SINGLE FARM South ENTER TOP'S STORAGE YARD
 West UNDEVELOPED North MOBILE HOME & SINGLE FARM
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: UNDEVELOPED
 - Area (is) (is not) platted. _____

PHOTO DATA:
 Taken by _____ Date _____ Time _____





Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 20 feet of sand with 6" of loam and reseeded with grass.

Note: Work to be completed within 14 working days. (Trucking of excavated material to be through Ritchie Paving Property).

Map No. 5050
 Sec. 3
 Twp. 27
 Range 1W

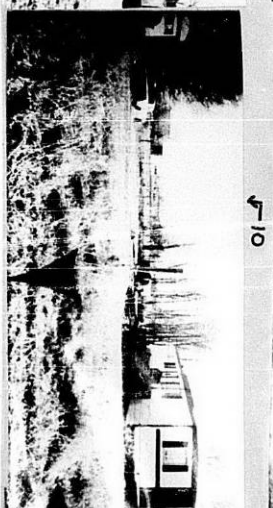
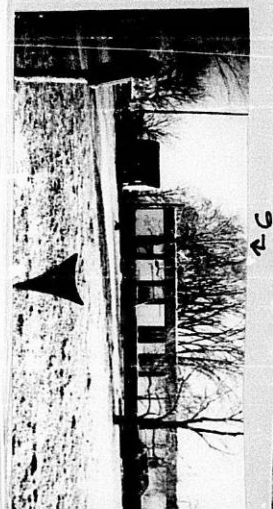
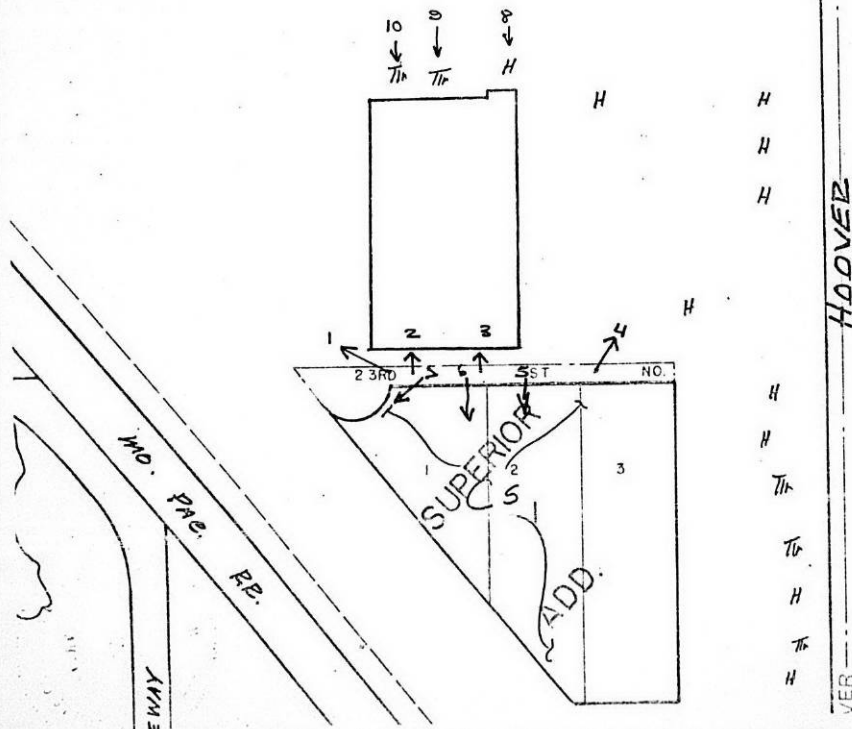
DATA SHEET
 (XXXXXXXX CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- _____
 Filed 231
 2-29-80

- APPLICATION DATA: From _____ to _____
- Applicant: Ritchie Paving, Inc.
 Address P.O. Box 4048, Wichita 67204 Phone 833-9301
 - Agent: J. P. Ritchie (ENGINEER: P.E.C. (Gary H. Day) 1440 E. English, 6262-26
 Address Same
 - General Location: Northeast corner of 23rd St. and Gilda, as extended from the north.
 - Proposed Use: To permit an earth borrow operation for the excavation of silt on property zoned "R-1" - Suburban Residential District

- AREA DATA:
- Acres: 3.0 (REGULATED) 277 ft. by 472 ft.)
 - Adjoining Zoning: E "R-1" S "E" W "R-1" N "R-1"
 - Land Use: East SINGLE FARM South COURT YARD
 West UNDEVELOPED North MOBILE HOME + SINGLE FM
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: UNDEVELOPED
 - Area (is) (is not) platted. _____

PHOTO DATA: Taken by [Signature] Date 3-14-80 Time 4PM



28

26

10

HOOVER

VER

R# 99-1980

(renewed) Published in The Wichita Beacon on May 16, 1980

RESOLUTION

CASE NO. CU-231

A RESOLUTION PERMITTING THE ESTABLISHMENT OF AN EARTH BORROW OPERATION FOR THE EXCAVATION OF SILT IN THE "R-1" SUBURBAN 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 4.A.10.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 4.A.10.f and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow an earth borrow operation for the excavation of silt in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

Beginning at a point 30 feet north and 623 feet west of the southeast corner of the Northeast Quarter of the Southeast Quarter of Section Three, Township Twenty Seven South, Range One West of the Sixth P.M., Sedgwick County, Kansas; thence west parallel with the south line of said Northeast Quarter of the Southeast Quarter 277 feet; thence north 471.82 feet parallel with the east line of said Southeast Quarter; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to the point of beginning. Generally located at the northeast corner of 23rd Street North and Gilda, as extended from the north.

SUBJECT TO THE FOLLOWING:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.


- e. The applicant shall contingently dedicate by separate instrument 35 feet of right-of-way for the north half of 23rd Street North adjacent to subject property contingent on the need for street improvements.
- f. The transportation of materials to and from subject area shall only occur on the applicant's property and shall not be onto or from adjacent streets.
- g. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the condition of approval shall declare the conditional use permit null and void.

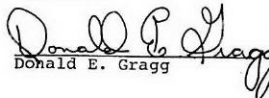
SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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

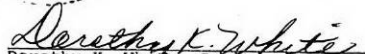
PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 7 day of May, 1980.


Everett Patrick, Chairman


Tom Scott, Commissioner

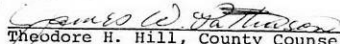

Donald E. Gragg, Commissioner




Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor


Theodore H. Hill, County Counselor

May 8, 1980

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

✓ CU-231 - Earth Borrow Operation - Northeast corner of
23rd Street and Gilda, as extended from the north.
D-0950

Attached are two Contingent Dedications for street right-of-way which were a condition of approval of the above captioned case, by the Board of County Commissioners at their meeting of May 7, 1980.

Please file with the Register of Deeds, with the cost being billed to the Planning Department.

Jack H. Galbraith
Chief Planner

JHG:GLS:el
Attachments

162-2671



RECEIVED

APR 4 1980

METROPOLITAN PLANNING

ROUTE

Shirley
handle

April 3, 1980

Mr. Jack Galbraith
Metropolitan Area Planning Commission
Tenth Floor - City Hall
455 N. Main
Wichita, Kansas 67202

RE: CU-231

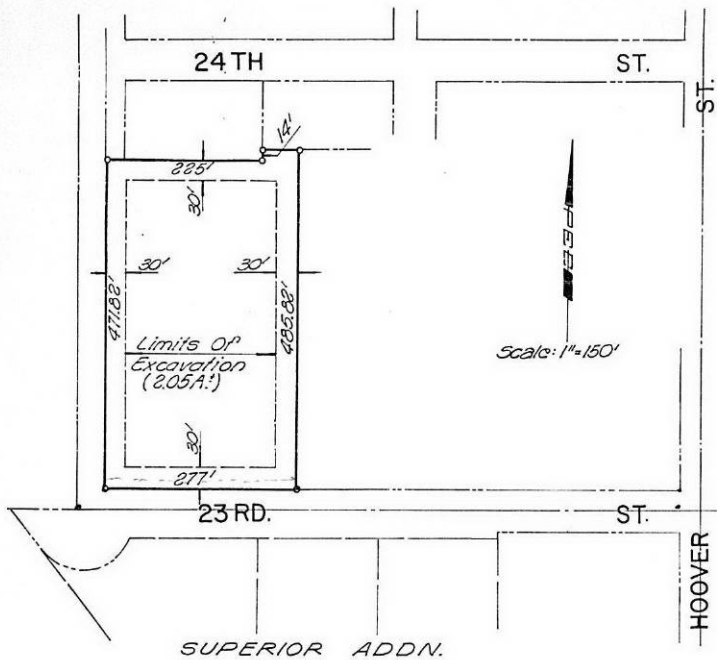
Dear Mr. Galbraith:

The Contingent Dedication for street right-of-way is enclosed in conformity with condition #e, your letter dated March 28, 1980.

Very truly yours,
RITCHIE PAVING, INC.

Dave Ritchie
Dave Ritchie

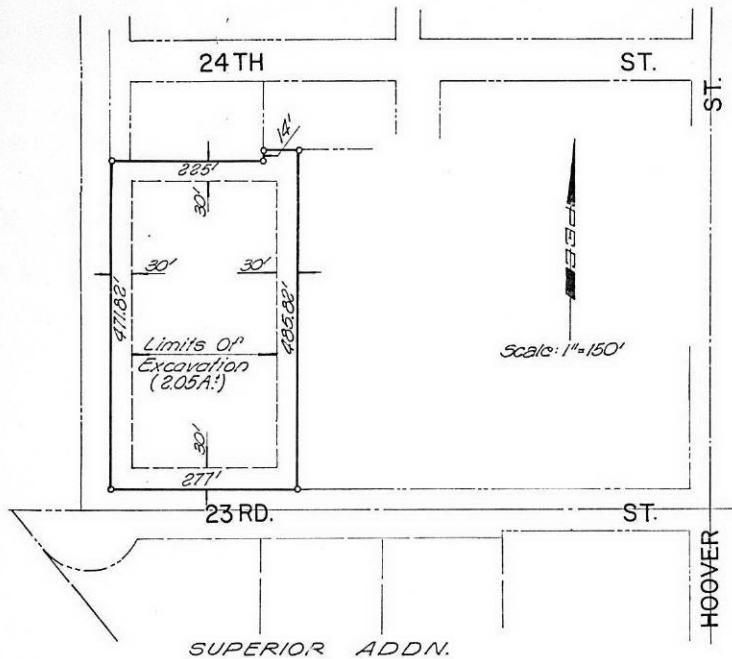
DR:jd
Encl.- 1



Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 2.0 feet of sand with 6" of loam and reseeded with grass.

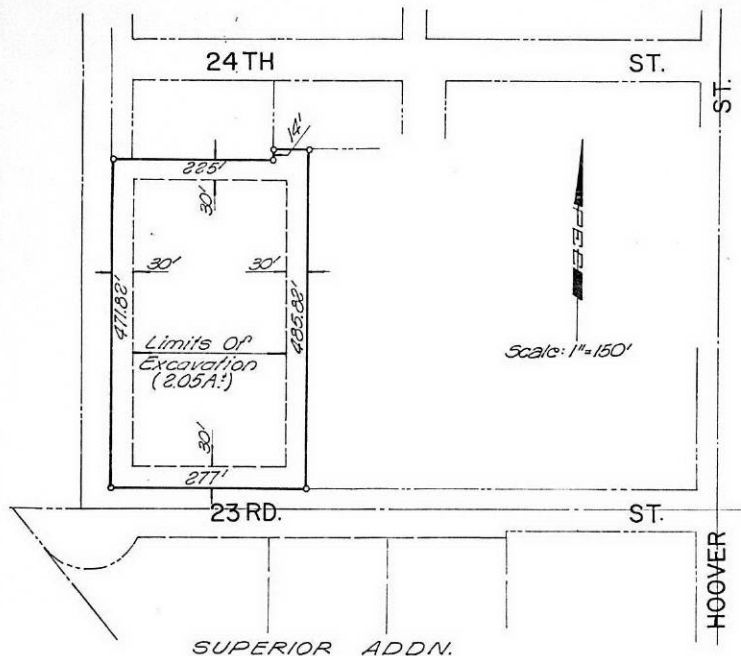
*Note: Work to be completed within 14 working days.
(Trucking of excavated material to be through Ritchie Paving Property).*



Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 2.0 feet of sand with 6" of loam and reseeded with grass.

Note: Work to be completed within 14 working days. (Trucking of excavated material to be through Ritchie Paving Property).



Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 20 feet of sand with 6" of loam and reseeded with grass.

Note: Work to be completed within 14 working days. (Trucking of excavated material to be through Ritchie Paving Property).

CONTINGENT DEDICATION

(Assoc. C.U. 231) ✓
D-0950

WHEREAS, Ritchie Paving, Inc, a Kansas Corporation, is the owner of real property described as follows, to-wit:

Beginning at a point 30 feet north and 623 feet west of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west parallel with the south line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, 277 feet; thence north 471.82 feet parallel with the east line of said SE $\frac{1}{4}$; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to point of beginning.

and

WHEREAS, said owner is in the process of requesting a conditional use permit for removal of silt on said property; and

WHEREAS, as a condition of issuance of said permit, the Metropolitan Area Planning Commission is requiring the dedication to the public of a portion of said property for street purposes, but said dedication not to occur until the land is needed for street purposes, including paving, excavation, fill, drainage, and other similar street purposes;

NOW, THEREFORE, the owner hereby dedicates to the public for street purposes, the following described property, to-wit:

The south 5 feet of the following described tract: Beginning at a point 30 feet north and 623 feet west of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west parallel with the south line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, 277 feet; thence north 471.82 feet parallel with the east line of said SE $\frac{1}{4}$; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to point of beginning.

but the right of the public to use said property shall not occur until road improvements are proposed to be made.

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

EXECUTED this 3rd day of April, 1980.

RITCHIE PAVING, INC.

By: HT Ritchie, President
H. T. Ritchie

STATE OF KANSAS
SEDGWICK COUNTY ss

BE IT REMEMBERED that on this 3rd day of April, 1980, before me, a Notary Public in and for the County and State aforesaid, came H. T. Ritchie, known personally to me 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 by official seal, the day and year last above written.



(SEAL)

My Appointment Expires 6-28-81

R. K. Eshelman
R. K. Eshelman, Notary Public

CONTINGENT DEDICATION

WHEREAS, Henry Koster, Jr. and Emma Koster, his wife, are the owners of real property described as follows, to-wit:

The South Thirty (30) feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the North Thirty (30) feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) except the West 275.68 feet thereof in Section 3, Township 27 South, Range 1 West of the Sixth P.M. in Sedgwick County, Kansas,

and

WHEREAS, Ritchie Paving, Inc. is in the process of requesting a conditional use permit for removal of silt on property adjacent thereto; and

WHEREAS, as a condition of issuance of said permit, the Metropolitan Area Planning Commission is requiring the dedication to the public of a portion of said property for street purposes, but said dedication not to occur until the land is needed for street purposes, including paving, excavation, fill, drainage, and other similar street purposes;

NOW, THEREFORE, the owners hereby dedicate to the public for street purposes, the following described property, to-wit:

The South Thirty (30) feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the North Thirty (30) feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) except the West 275.68 feet thereof in Section 3, Township 27 South, Range 1 West of the Sixth P.M. in Sedgwick County, Kansas,

but the right of the public to use said property shall not occur until road improvements are proposed to be made.

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

EXECUTED this 23RD day of APRIL, 1980.

Henry Koster, Jr.
Henry Koster, Jr.
Emma Koster
Emma Koster

STATE OF KANSAS 55
SEDGWICK COUNTY

BE IT REMEMBERED that on this 23RD day of APRIL, 1980, before me, a Notary Public in and for the County and State aforesaid, came Henry Koster, Jr. and Emma Koster, known personally to me to be the same persons 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.

(SEAL)

My Appointment Expires 1/6/88-82p



R. K. Eshelman
R. K. Eshelman, Notary Public

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-231

CONSIDERED BY MAPC: 3-27-80

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To permit an Earth Borrow Operation."

GENERAL LOCATION: Northeast corner of 23rd Street North and
Gilda, as extended from the north.

LEGAL DESCRIPTION:

(see attached excerpt of Planning Commission minutes
of March 27, 1980)

APPLICANT: Ritchie Paving, Inc., P. o. Box 4048.

COUNSEL FOR APPLICANT: Gary Wiley, Professional Engineering Consultants,
1440 E. English.

PROTESTORS (LIST COUNSEL) IF ANY: Walter Henning, 2437 N. Hoover.

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

LAND USE: Existing, Undeveloped; North, Mobile homes & single family
residences; East, Undeveloped & single family residences; South, Contractors
storage yard; West, Undeveloped approved sand pit operation.

PLANNING COMMISSION RECOMMENDATION:

That the Conditional Use Permit be approved subject to the recommended
conditions as shown in the attached excerpt from minutes of the Planning
Commission, March 27, 1980. Bayouth moved, Hennessy seconded and it
carried unanimously. Savina and Shook were absent. Cole resigned.

ACTION: 1. Accept the dedications, concur with the findings of fact of
the Metropolitan Area Planning Commission, approve the application
subject to the recommended conditions, adopt a resolution establishing
the Conditional Use; or
2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 27, 1980

10. Case No. CU-231 - Ritchie Paving, Inc. requests Conditional Use beginning at a point 30 feet north and 623 feet west of the southeast corner of the Northeast Quarter of the Southeast Quarter of Section Three, Township Twenty-Seven South, Range One West of the Sixth P.M., Sedgwick County, Kansas; thence west parallel with the south line of said Northeast Quarter of the Southeast Quarter 277 feet; thence north 471.82 feet parallel with the east line of said Southeast Quarter; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to the point of beginning. Generally located at the northeast corner of 23rd Street north and Gilda, as extended from the north.

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

COMMENTS:

1. The following items should be considered by the Planning Commission in making findings of fact:

The applicant is requesting a conditional use permit under Section 4,10(F) of the Sedgwick County Zoning Resolution in order to establish a borrow area (not a borrow pit).

Subject application differs from most extraction requests in that no pit or water retention area will be created and substantial site redevelopment would not be necessary once the conditional use ceases operation.

The applicant has submitted a site plan which reflects the limits of excavation, 2.05 acres to a depth of not more than 2.5 ft. and that the area will be refilled with 2 feet of sand and 6 inches of loam and reseeded with grass within 14 days after completion of the borrow operation. The entire operation is to be completed by December 31, 1980.

It should be pointed out that the applicant recently has had a conditional use request for a sand extraction operation approved immediately west of subject property (CU-224). There was much concern expressed by the neighboring residential properties over the dust and noise created by trucks hauling material from the area and the excavation operation itself.

Should the Planning Commission recommend the approval of this request, the following conditions are recommended for consideration:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.

- e. The applicant shall dedicate by separate instrument 35 ft. of right-of-way for the north half of 23rd St. North adjacent to subject property.
- f. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the conditions of approval shall declare the conditional use permit null and void.

GALBRAITH said that the staff recommended approval of the application.

DAVE RITCHIE, applicant, stated that silt was a product necessary, and one of the materials in asphalt production, and was hard to find. He said there was silt on this site, and the operation could be completed in two weeks. They will back fill it with dirt and sand, and plant the area in grass. RITCHIE said that they would truck the silt out over their own land, and would not have to use Hoover Road or go by the existing residents. He said that he would like to change the dedication on the right-of-way to a contingent dedication.

WALTER HENNING, 2437 North Hoover, speaking in opposition, asked how many feet east-west and north-south does this operation consist of.

GALBRAITH said that this site was on the east of the previous case that was approved for a sand pit. He gave the dimensions.

HENNING said that his opposition to the operation was the blowing sand.

GARDNER stated that with the agricultural activities in the immediate vicinity, it contributes to that situation as it presently is and the likelihood of it being significantly compounded is small.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into account the character of the neighborhood, the zoning and uses of properties nearby, and in consideration of recommendations of professional staff; I move that we recommend to the County Commission that the application be approved subject to the following conditions:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.
- e. The applicant shall contingently dedicate by separate instrument 35 feet of right-of-way for the north half of 23rd Street North adjacent to subject property contingent on the need for street improvements.

- f. The transportation of materials to and from subject area shall only occur on the applicant's property and shall not be onto or from adjacent streets.
- g. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the condition of approval shall declare the conditional use permit null and void.

Bayouth moved, Hennessy seconded and it carried unanimously. Savina and Shook were absent. Cole resigned.

() Published in The Wichita Beacon on _____, 1980

R E S O L U T I O N

CASE NO. CU-231

A RESOLUTION PERMITTING THE ESTABLISHMENT OF AN EARTH BORROW OPERATION FOR THE EXCAVATION OF SILT IN THE "R-1" SUBURBAN 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 4.A.10.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 4.A.10.f and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow an earth borrow operation for the excavation of silt in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

Beginning at a point 30 feet north and 623 feet west of the southeast corner of the Northeast Quarter of the Southeast Quarter of Section Three, Township Twenty Seven South, Range One West of the Sixth P.M., Sedgwick County, Kansas; thence west parallel with the south line of said Northeast Quarter of the Southeast Quarter 277 feet; thence north 471.82 feet parallel with the east line of said Southeast Quarter; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to the point of beginning. Generally located at the northeast corner of 23rd Street North and Gilda, as extended from the north.

SUBJECT TO THE FOLLOWING:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.

- e. The applicant shall contingently dedicate by separate instrument 35 feet of right-of-way for the north half of 23rd Street North adjacent to subject property contingent on the need for street improvements.
- f. The transportation of materials to and from subject area shall only occur on the applicant's property and shall not be onto or from adjacent streets.
- g. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the condition of approval shall declare the conditional use permit null and void.

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
Everett Patrick

_____, Commissioner
Tom Scott

_____, Commissioner
Donald E. Gragg

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

March 28, 1980

Dave Ritchie
Ritchie Paving, Inc.
P. O. Box 4048
Wichita, Kansas 67204

Re: CU-231

Dear Mr. Ritchie:

At its regular meeting of March 27, 1980, the Metropolitan Area Planning Commission considered the above-captioned case. The action of the Commission was to recommend the approval of the request subject to the following conditions:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.
- e. The applicant shall contingently dedicate by separate instrument 35' of right-of-way for the north half of 23rd Street North adjacent to subject property.
- f. The transportation of materials to and from subject area shall only occur on the applicant's property and shall not be onto or from adjacent streets.

- g. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the condition of approval shall declare the conditional use permit null and void.

Regarding the condition #e above, enclosed is a sample contingent dedication for your use in preparing the contingent dedication which should be executed and returned to our office by April 11th so that subject case can be scheduled for consideration by the Board of County Commissioners at their regular meeting on April 23, 1980. This meeting to be held in Room 320, Sedgwick County Courthouse at 9:00 a.m.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad
Encl:

cc: J. P. Ritchie, Ritchie Paving, Inc., P. O. Box 4048, Wichita 67204
Walter Henning, 2437 North Hoover, Wichita, Ks. 67205
Gary Wiley, Professional Engineering Consultants, P.A., 1440
East English, Wichita, 67211
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-27-80

Case No. CU-231 Request: Conditional Use to permit
an Earth Borrow Operation

Location: Northeast corner of 23rd Street North and Gilda, as
extended from the north.

Acres: 3.0 Size: 277' x 472'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Mobile homes & single- family residences	"R-1"
East	Undeveloped & single-family family residences	"R-1"
South	Contractors storage yard	"E"
West	Undeveloped approved sand pit operation	"R-1"

Existing R/W - 23rd Street, north half - 0 ft. Platted: No

Proposed R/W - 23rd Street, north half - 35 ft. History: None

COMMENTS:

1. The following items should be considered by the Planning Commission in making findings of fact:

The applicant is requesting a conditional use permit under Section 4,10(F) of the Sedgwick County Zoning Resolution in order to establish a borrow area (not a borrow pit).

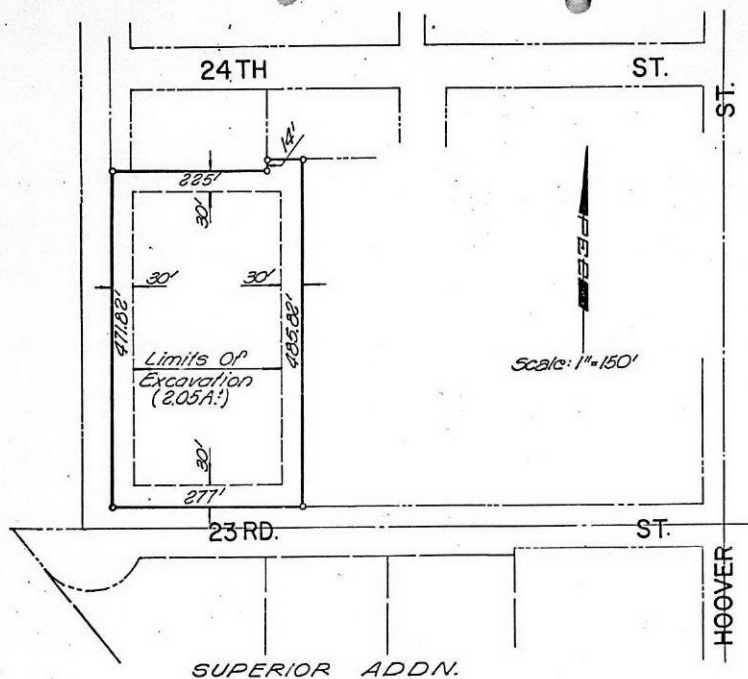
Subject application differs from most extraction requests in that no pit or water retention area will be created and substantial site redevelopment would not be necessary once the conditional use ceases operation.

The applicant has submitted a site plan which reflects the limits of excavation, 2.05 acres to a depth of not more than 2.5 ft. and that the area will be refilled with 2 feet of sand and 6 inches of loam and reseeded with grass within 14 days after completion of the borrow operation. The entire operation is to be completed by December 31, 1980.

It should be pointed out that the applicant recently has had a conditional use request for a sand extraction operation approved immediately west of subject property (CU-224). There was much concern expressed by the neighboring residential properties over the dust and noise created by trucks hauling material from the area and the excavation operation itself.

Should the Planning Commission recommend the approval of this request, the following conditions are recommended for consideration:

- a. The approval of the Conditional Use permit is for the removal of 2.5 feet of silt, and the removal, filling and seeding shall be completed within 14 working days from the date of commencing the operation.
- b. The final grade, once the borrow operation is completed, shall be in conformance with the requirement on the plan submitted with the application.
- c. Subject property shall be platted prior to the issuance of any building permits, except those necessary for the silt borrow operation.
- d. Once the borrow operation has ceased, final grading shall be completed and no foreign matter such as rubbish, construction debris, construction equipment, etc. shall remain on the property.
- e. The applicant shall dedicate by separate instrument 35 ft. of right-of-way for the north half of 23rd St. North adjacent to subject property.
- f. That the conditional use permit is authorized only until December 31, 1980, and that subject operation must be completed by that date; and any violation of the condition of approval shall declare the conditional use permit null and void.



Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 20 feet of sand with 6" of loam and reseeded with grass.

Note: Work to be completed within 14 working days. (Trucking of excavated material to be through Ritchie Paving Property).

CU-231 - 32 - "Notice to Adjoining Property Owners" mailed 3-13-80 for the
MAPC meeting for 3-27-80

1 to Joe Freeman, Acting Director of County Dept. of Pub. Works

33 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS:

March 13, 1980

This is a notice of a request for a zoning change in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request for a zoning change. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on March 27, 1980, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. CU-231

Conditional Use Request to Permit Establishment of
an Earth Borrow Operation for
the Excavation of Silt on Property
Zoned "R-1" Suburban Residential District

Beginning at a point 30 feet north and 623 feet west of the southeast corner of the Northeast Quarter of the Southeast Quarter of Section Three, Township Twenty Seven South, Range One West of the Sixth P.M., Sedgwick County, Kansas; thence west parallel with the south line of said Northeast Quarter of the Southeast Quarter 277 feet; thence north 471.82 feet parallel with the east line of said Southeast Quarter; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to the point of beginning. Generally located at the northeast corner of 23rd Street North and Gilda, as extended from the north.

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

Summary Description of County Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres.
- "R-1" - Suburban Residential District
Permits one single-family dwelling for each lot of 20,000 square feet of land area if served by a public water supply, or 40,000 square feet if served by a private domestic water supply source.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 6,500 square feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits one-family dwellings and any retail commercial uses conducted within an enclosed building.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C". Mobile home parks and trailer camps are not permitted.
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits. Mobile home parks and trailer camps are not permitted.
- "CU" - Conditional Use in any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.
- NOTE: - The above list is not intended to be all inclusive. For complete regulations see the Sedgwick County Zoning Resolution.

Map 5050
3
37
IW

FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

MAP # C-0-B

S-3, T27, A-1W

N-R
E-R
S-R
W-R

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.

CU-231

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 Ritchie Paving, Inc.

ADDRESS P.O. Box 4048 67204 PHONE 838-9301

AGENT J.P. Ritchie

ADDRESS Same PHONE

B. APPLICANT

ADDRESS PHONE

AGENT

ADDRESS PHONE

C. Engineer Professional Engineering Consultants, P.A. (Gary Wiley)

ADDRESS 1440 E. English 67211 PHONE 262-2691

AGENT

ADDRESS PHONE

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a borrow for the excavation of silt (use)

on property legally described as Lot(s)

, Block(s) of the

Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

ok
for legal

BEGINNING AT A POINT 30 FEET NORTH AND 623 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THREE, TOWNSHIP TWENTY SEVEN SOUTH, RANGE ONE WEST OF THE SIXTH P.M., SEDGWICK COUNTY, KANSAS; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER 277 FEET; THENCE NORTH 471.82 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE EAST 225 FEET; THENCE NORTH 14 FEET; THENCE EAST 52 FEET; THENCE SOUTH 485.82 FEET TO THE POINT OF BEGINNING.

I I I. THIS PROPERTY IS LOCATED AT (ADDRESS) N/A

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northeast CORNER OF 23rd Street North AND
Gilda (Extended) as extended from the north

B. ON THE _____ SIDE OF _____ (AVENUE)
STREET BETWEEN _____ (AVENUE) STREET AND
_____ (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED "R-1"
(ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
A borrow for the extraction of silt to a depth of 2½ feet below existing grade. The borrow to be filled with 2 feet of sand, 6 inches of loam and receded. All work to be completed by December 31, 1980.

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION 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 ABTRACTOR'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.

Ritchie Paving, Inc.

BY HR. Ritchie, Inc. BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY
This application was received at the Planning Department at 4:45 PM
(AM, PM) on Feb 29, 1980 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 70.

Carol L. Newby Name
J. H. Hines Title



Note: All work to be completed by 12-31-80

Note: Remove 2.5 feet of silt and replace with 2.0 feet of sand with 6" of loam and reseeded with grass.

Note: Work to be completed within 14 working days. (Trucking of excavated material to be through Ritchie Paving Property).

O W N E R S H I P L I S T

Tract	Property Owner
lot 1, Blk 3 North Lakes Addition	✓ Ritchie Paving Inc. 1900 N. Amidon 67203
lot 1 Superior Addition	✓ Jesse Cornejo & Josephine 750 E. Funston 67211
lot 2 Same	✓ Billy G. Brewer and Dale A. 3501 Pecos 67203
lot 3 Same	✓ Ritchie Construction Co., Inc. 1900 Amidon 67203

A tract in the south half of the SE $\frac{1}{4}$ of Section 3-27-1W, described as beginning at a point 677 feet north and 524.82 feet west of the SE corner of said SE $\frac{1}{4}$; thence NWly parallel with the easterly row line of MOPAC Railroad 824.42 feet to the north line of the south half of said SE $\frac{1}{4}$; thence west along the north line of the south half of said SE $\frac{1}{4}$, 342.5 feet to the easterly row line of said Railroad; thence SEly along said railroad to a point 677 feet north of the south line of said SE $\frac{1}{4}$; thence east parallel with the south line of said SE $\frac{1}{4}$ to the point of beginning

✓ William G. Schraft and
Jennie F. Schraft
8201 East Harry 67207

Beginning 677 feet north of the SE corner of the SE $\frac{1}{4}$ of Section 3-27-1W; thence west 20 rods; thence north 16 rods; thence east 20 rods; thence south 16 rods to the place of beginning

✓ Lucille Humphrey
833 North Gow 67203

Beginning 941 feet north of the SE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, west 330 feet, north 70 feet, east 330 feet, south 70 feet to beginning

✓ Clifton Mills & Dorothy E.
2333 N. Hoover 67205

Beginning 1081 feet north of the SE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 330 feet, thence north 69 feet more or less to a point 170 feet south of the north line of the south half of the SE $\frac{1}{4}$ of said Section 3, thence east 330 feet to a point on the east line of said SE $\frac{1}{4}$ of Section 3, 170 feet south of the NE corner of said south half of the SE $\frac{1}{4}$, thence south 69 feet more or less to the pob.

Same

Tract

Property Owner

Beginning at a point 1011 feet north of the SE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 330 feet; thence north 70 feet; thence east 330 feet; thence south 70 feet to the place of beginning

Clifton Mills & Dorothy E.
2333 N. Hoover 67205

Beginning 100 feet south of the NE corner of the south half of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 330 feet, thence south 70 feet, thence east 330 feet, thence north 70 feet to beginning

Bruce M. Shepherd and
Deborah K. Shepherd
2363 N. Hoover 67205

Beginning 30 feet south of the NE corner of the south half of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 330 feet, thence south 70 feet, thence east 330 feet, thence north 70 feet to beginning

Richard L. Hill and
R. Wyvone Hill
2365 Hoover Road 67205

Beginning at a point 30 feet north and 623 feet west of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west parallel with the south line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, 277 feet; thence north 471.82 feet parallel with the east line of said SE $\frac{1}{4}$; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to pob.

Ritchie Paving Inc.
1900 Amidon 67203

A tract beginning at a point 30 feet north of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence north on the section line 200 feet; thence west 225 feet; thence north 184.56 feet; thence west 225 feet; thence north 100 feet; thence west 225 feet; thence south 14 feet; thence west 225 feet; thence south 471.82 feet to point which is 30 feet north of the south line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ thence east 900 feet to the point of beg., except last above described deed

Lloyd B. Foults
705 Putnam, Apt. K-1
Fayetteville, Arkansas
72701

Beginning 225 feet west and 800 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 195 feet; thence south 100 feet; thence east 195 feet; thence north 100 feet to pob.

Walter N. Henning and
Delphine A. Henning
2437 N. Hoover
67205

A tract beginning 700 feet south and 225 feet west of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence south 100 feet; thence west 195 feet; thence north 100 feet; thence east 195 feet to pob.

Walter N. Henning and
Delphine A. Henning
2437 N. Hoover 67205

Tract

Property Owner

Beginning 700 feet south and 30 feet west of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet; thence south 180 feet; thence east 195 feet; thence north 180 feet to beginning

✓ Donald D. Caffrey and
Mary L. Caffrey
2447 N. Hoover 67205

Beginning 675 feet west and 340 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west parallel with the north line of said SE $\frac{1}{4}$ a distance of 195 feet; thence south parallel with the east line of said SE $\frac{1}{4}$, a distance of 100 feet; thence east parallel with the north line of said SE $\frac{1}{4}$, 195 feet; thence north 100 feet to beginning

✓ Randy Williams and Teresa
2501 N. Gilda 67205

Beginning 675.0 feet west and 40.0 feet south of the NE corner of the SE $\frac{1}{4}$ OF Section 3-27-1W thence west 195.0 feet, thence south 200.0 feet, thence east 195.0 feet, thence north 200.0 feet to beginning

✓ Donald R. Bucy & Mable L.
845 North Gow 67203

Beginning 675.0 feet west and 240.0 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west parallel with the north line of said SE $\frac{1}{4}$, a distance of 195.0 feet; thence south parallel with east line of said SE $\frac{1}{4}$, 100.0 feet; thence east parallel with the north line of SE $\frac{1}{4}$, 195.0 feet; thence north 100.0 feet to beginning

✓ Donald R. Bucy & Mable L.
845 North Gow 67203

Beginning 480 feet west and 240 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet; thence south 100 feet; thence east 195 feet; thence north 100 feet to beginning

✓ Orville L. Kraft & Fayette
2541 Sunny Lane 67205

Beginning 700 feet south and 675 feet west of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, thence south 114 feet, thence east 195 feet, thence north 114 feet to beginning

✓ Martha J. Snider
5733 West 24th St. North
67205

Beginning 230 feet north of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 225 feet; thence north 100 feet; thence east 225 feet; thence south to the place of beginning

✓ Marlin Lee Evans and
Sharon K. Evans
2427 N. Hoover 67205

Beginning 480 feet west and 440 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 195 feet, thence south 100 feet, thence east 195 feet, thence north 100 feet to beginning

✓ Loyal Beum & Ruth Beum
2517 Sunny Lane
67205

Tract

Property Owner

Beginning 340 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence south 100 feet, thence west 420 feet, thence north 100 feet, thence east 420 feet to the place of beginning, except the east 210 feet

✓ Judy Nida & Lila Hobaugh
1906 S. Broadway
67211

A tract beginning 640 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 225 feet; thence north 100 feet; thence east 225 feet; thence south 100 feet to pob, subject to road across the east 30 feet

✓ Eldon D. Blackwell and
Carolyn S. Blackwell
2501 North Hoover 67205

Beginning 440 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, south 100 feet, west 225 feet, north 100 feet, east to beginning

✓ Mary Inez Williams
1641 South St. Francis
67211

Beginning 340 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence south 100 feet, thence west 420 feet, thence north 100 feet, thence east 420 feet to beginning

Judy Nida & Lila Hobaugh
1906 S. Broadway
67211

Beginning 225 feet west and 440 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet; thence south 100 feet; thence east 195 feet; thence north 100 feet to the point of beginning

✓ Jacob Gillespie Jr.
3025 N. Hoover 67205

Beginning 225 feet west and 140 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, thence south 200 feet, thence east 195 feet, thence north 200 feet to beginning

✓ John D. McNew & Anna M.
5633 West 25th St. North
67205

A tract beginning 709 feet south and 480 feet west of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west 195 feet, thence south 100 feet, thence east 195 feet, thence north 100 feet to pob.

✓ Wichita Investment Inc.
5634 West 24th St. North
67205

Beginning 480 feet west and 540 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, thence south 100 feet, thence east 195 feet, thence north 100 feet to point of beginning

✓ Clarence Langley
2501 Sunny Lane 67205

Beginning 225 feet west and 540 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 225 feet, south 100 feet, east 225 feet, thence north to beginning

✓ David L. Williams and
Nancy L. Williams
5634 West 24th St. North
67205

Tract

Property Owner

The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W except the east 900 feet, together with right of ingress and egress over the north 40 feet of the east 870 feet, the south 30 feet of the east 870 feet and the west 30 feet of the east 900 feet, all in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 3

Beginning 675 feet west and 540 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, south 100 feet, east 195 feet, north 100 feet to beginning

Beginning 675 feet west and 440 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, south 100 feet, east 195 feet, north 100 feet to beginning

Beginning 480 feet west and 340 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, thence south 100 feet, thence east 195 feet, thence north 100 feet to point of beginning

Beginning 480 feet west and 140 feet south of the NE corner of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 195 feet, thence south 100 feet, thence east 195 feet, thence north 100 feet to beginning

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W lying east of Railroad row

A tract beginning 330 feet north of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W thence west 225 feet; thence north 100 feet; thence east 225 feet; thence south 100 feet to the place of beginning

Commercial Asphalt Inc.
now Ritchie Construction Co.
1900 Amidon 67203

Laura Faulkner c/o
Antoinette Faulkner
R.R. #1, Valley Center, Ks.
67147

Same

Loyal Paul Beum & Ruth V.
2517 Sunny Lane 67205

Orville L. Kraft and
Fayette Kraft
2541 Sunny Lane 67205

Commercial Asphalt Inc. now
Ritchie Construction Co. Inc
1900 Amidon 67203

Walter N. Henning and
Delphina Ann Henning
2437 North Hoover
67205

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 560 foot radius of: A tract beginning at a point 30 feet north and 623 feet west of the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3-27-1W, thence west parallel with the south line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ 277 feet; thence north 471.82 feet parallel with the east line of said SE $\frac{1}{4}$; thence east 225 feet; thence north 14 feet; thence east 52 feet; thence south 485.82 feet to the point of beginning, 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 11th day of February, 1980 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Hable

Vice President

Order No. 285353
wh

FORM 021

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