

D-0707- Jean Garvey, et al Dedic-
ates Public Utility Easement -
south side of Douglas in an area
east of West Parkway

*check
to give
copy
to
M. A. P. C.
10/1/76*

ACTION

DATE 7-15-76
S/P COMMITTEE accept
M.A.P.C. Approved
B.C.C./B. CO. C. 7-22-76

*The Board
has
approved
for
file*

DEDICATION REPORT AND PROGRESS

MAP No. 6047
SEC. No. 20
TWP. No. 27S
RANGE 2E

CASE No. D - 0707

I. OFFER TO DEDICATE: Public Utility Easement
GENERALLY LOCATED: South side of Douglas in an area east of West Parkway

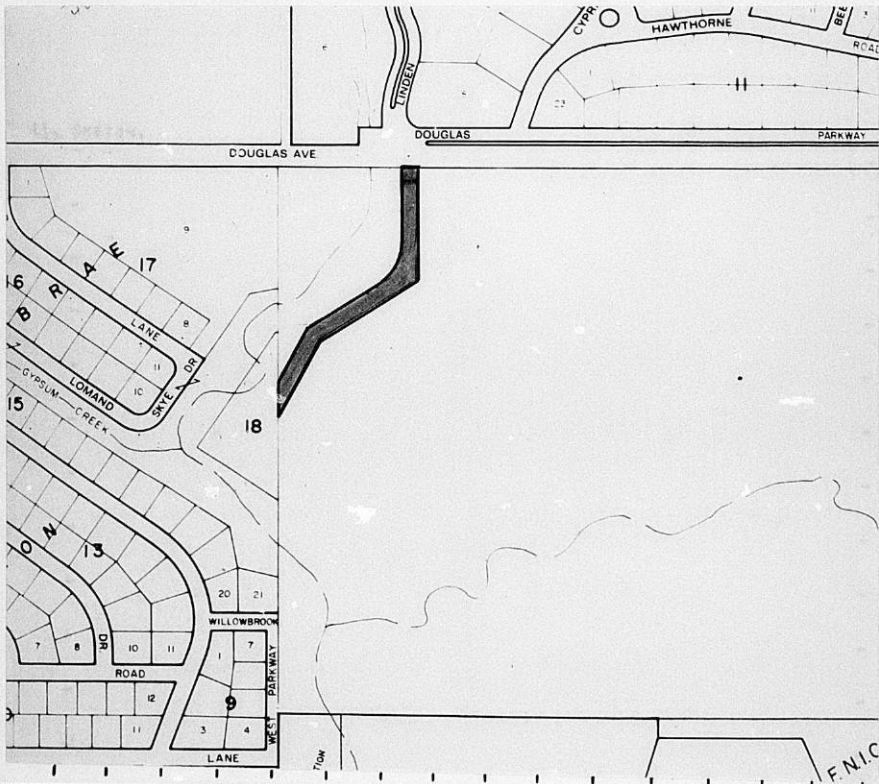
LEGALLY DESCRIBED AS:

DEDICATED BY: Jean Garvey & Willard Garvey, & Spines Real Estate Dev. Corp.

AGENT: _____ PHONE _____

ADDRESS: _____ PHONE _____

PURPOSE OF DEDICATION: _____



III. FILED 6-25-76
POSTED TO ATLAS
S/D COMM. ACTION 7-15-76 *accept*
M.A.P.C. ACTION 7-22-76 *approved*

B.C.C. ACTION 8-10-76
PLACED ON RECORD
CITY CLERKS No. _____

WICHITA-SEDGWICK COUNTY

DATE
June 5, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO D-0707
FROM Louise Olivarez, Senior Planner
SUBJECT Closing of File

D-0707 is associated with Z-1768 which was approved subject to dedication of the necessary access, firelane and utility easements to serve Block 18, Bonnie Brae Addition prior to publication of the zoning ordinance. However, the ordinance was published 3-5-76 (about 10 days after 1st reading). It was not until July, 1976 that an unsigned dedication (easement) was submitted. This unsigned document was processed through Subdivision and Metropolitan Area Planning Commission but not to Board of City Commissioners because signed document was never submitted. Note in file indicates signed copy would be submitted after real estate deal was closed in about a month.

No signed document was ever submitted.

Sewer books show sewer line in approximately this location, but show no easement. (Sewer book I-54). Jack Galbraith, called Willard Thompson, the attorney on this case, 3-25-81, to find out if the easement document had ever been signed. The document was signed in January, 1977, and was recorded. Because the easement had already been recorded, there will be no further action taken on this case. A copy of the easement and Exhibit "A" are being sent to Darrell Brewer, Superintendent of Sewer Maintenance for his files.

Louise Olivarez
Louise Olivarez
Senior Planner

LO:bh

June 5, 1981

Darrell Brewer, Superintendent of Sewer Maintenance
Louise Olivarez, Senior Planner

Utility easement south of Douglas, approximately 1/2 mile
east of Rock Road

In 1976, a zone change to R-5 was approved for Block 18, Bonnie Brae Addition and an irregular-shaped tract of ground connecting Block 18 with Douglas Avenue. One condition of zone change approval was that the owner grant a utility easement through the irregular-shaped tract to reach Block 18 where condominiums were proposed to be built. The zoning ordinance inadvertently got published prior to the easement being submitted.

In clearing out some old files recently, we came across this matter and got in touch with the property owner's attorney. He furnished us with a copy of the easement which was submitted directly to the Register of Deeds for recording in 1977 without first being accepted by the City Commission. Since there is a sewer line already in the ground in this general location (see sewer book I-54) but there is no indication of an easement referenced in the sewer book, I am forwarding to you a copy of this easement for your files.

Louise Olivarez
Senior Planner

LO:bh

Attachment

FLEESON, GOOING, COULSON & KITCH
LAWYERS

SIXTEENTH FLOOR - 125 NORTH MARKET
POST OFFICE BOX 997
WICHITA, KANSAS 67201
(316) 267-7301

HOWARD T. FLEESON
(1888-1957)
HOMER V. GOOING
RETIRED

WAYNE COULSON
PAUL R. KITCH
DALE H. STUDY
DONALD R. NEWKIRK
GERRIT H. WORMHOUT
ROBERT T. CORNWELL
WILLARD B. THOMPSON
RICHARD I. STEPHENSON
JOHN T. CONLEE
THOMAS D. KITCH
J. ERIC ENGSTROM
LARRY W. WALL
JOHN R. MORSE
REX G. BEASLEY
RON CAMPBELL
MARK E. SINGER
JAMES L. BURGESS
GREGORY J. STUCKY
EDWARD J. HEALY
WILLIAM R. TRETSBAR

March 26, 1981

RECEIVED

MAR 27 1981

METROPOLITAN PLANNING
ROUTE

OF COUNSEL
GEORGE J. LEIBOWITZ
WASHINGTON, D. C.

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

Re: The Cloister

Dear Jack:

Here is a copy of the original recorded Dedication and Easement.

I apologize if this has caused you and your staff any inconvenience.

Should you have any questions, please let me know.

Sincerely,

Willard B. Thompson

Willard B. Thompson
of FLEESON, GOOING, COULSON & KITCH

WBT:hb

DEDICATION AND EASEMENT

This Dedication and Easement, made on this 17th day of January, 1977, by and between JEAN GARVEY AND WILLARD GARVEY, wife and husband, and SPINES REAL ESTATE DEVELOPMENT CORPORATION, a Kansas corporation.

WITNESSTH, THAT:

Grantors do hereby grant and convey unto the public a perpetual right of way and easement for the purposes of constructing, maintaining, and repairing all public utilities over, along, and under the real estate situated in Sedgwick County, Kansas, and fully described and depicted on Exhibit "A" hereto attached and made a part hereof, and the authorized representatives of the City of Wichita and all public utility companies having or installing utility lines situated in said dedicated area as described and depicted in Exhibit "A", are hereby granted the right to enter upon said dedicated area at any time for the purpose of constructing, operating, maintaining, and repairing said public utilities.

Grantors do hereby further create, grant, confirm, and establish a private roadway easement along, over, and across the real property described and depicted in Exhibit "B" hereto attached and made a part hereof, for the purposes of providing ingress to and egress from real property described as: Block 18, Bonnie Brae Addition, Wichita, Sedgwick County, Kansas, and the real property described on Exhibit "D" hereof, in favor of the owner or owners of said benefitted real estate, and the agents, employees, lessees, guests, invitees, successors and assigns of said owner or owners. There is also hereby dedicated to the public an easement along, over and across the property described and depicted in Exhibit "B" for fire lane and for police protection purposes.

The foregoing grant of private roadway easement is in confirmation of any previous grant or reservation of same or of any part thereof by the Grantors or any of them.

The public utility easements, private roadway easement, fire-lane and police protection easements described and depicted separately on Exhibits "A" and "B" are depicted together on Exhibit "C" attached hereto.

IN WITNESS WHEREOF, the Grantors have executed this Dedication and Easement on the day and year first above written.

Original Compared With Record STATE OF KANSAS SEDGWICK COUNTY FILED FOR RECORD AT ... P.M.

JAN 26 1977 3 12975

NO. BETTE F. McCART REGISTER OF DEEDS

ATTEST:

Jack Spines Jr.
Jack Spines Jr. Secretary

Jean Garvey
Jean Garvey
Willard Garvey
Willard Garvey

SPINES REAL ESTATE DEVELOPMENT CORPORATION

By *C. T. Spines*
C. T. Spines President

"GRANTORS"

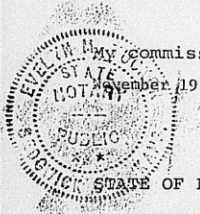
12.00

SEC

Roger

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this 17th day of January, 1977, by JEAN GARVEY and WILLARD GARVEY, wife and husband.



My commission expires: September 19, 1977

Evelyn M. Tucker
Notary Public
Evelyn M. Tucker

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this 17th day of January, 1977, by C. T. SPINES, president of SPINES REAL ESTATE DEVELOPMENT CORPORATION, on behalf of the corporation.

My commission expires:



Helen L. Binford
Notary Public
Helen L. Binford

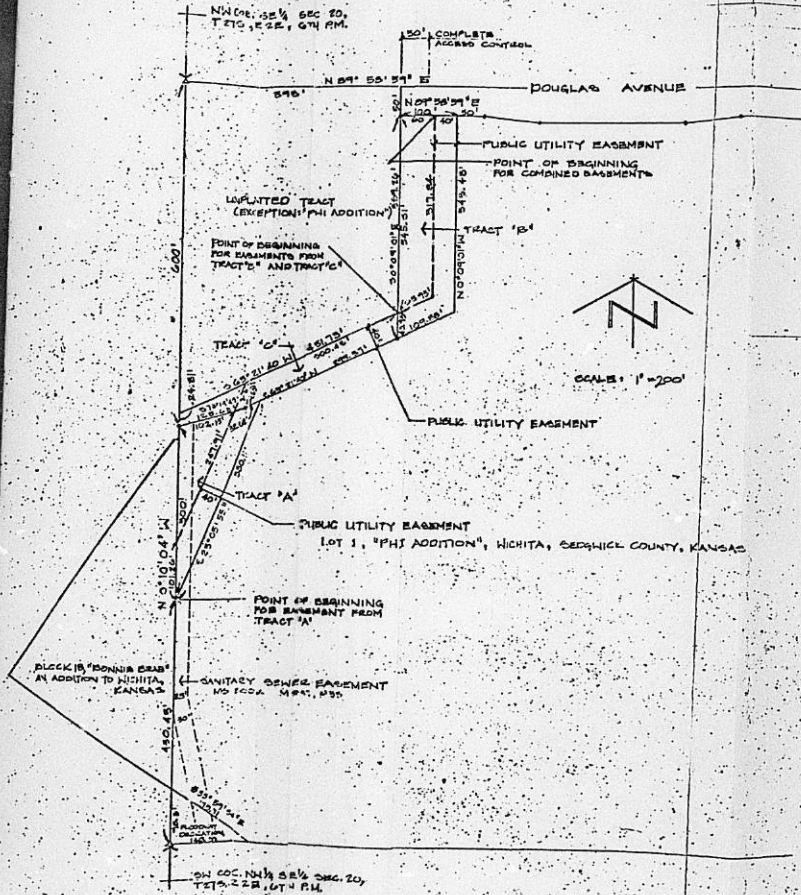


EXHIBIT 'A'

HEAL & ASSOCI
 LAND SURVEYORS

PROJECT	
LOCATION	
DRAWN BY	DATE
TLO	7-1978
CHECKED BY	DATE

LEGAL DESCRIPTIONS FOR PUBLIC UTILITY EASEMENTS

From Tract "B"

Part of Lot 1 "PHI ADDITION", Wichita, Sedgwick County, Kansas, more particularly described as follows:

From the Northwest Corner of said Lot 1 with an assumed bearing of $3^{\circ} 09' 01''$ E on the West line of said Lot 1 a distance of 345.31 feet to the POINT OF BEGINNING;

Thence continuing $3^{\circ} 09' 01''$ E on said West line a distance of 43.95 feet to a corner in said West line;

Thence $N 65^{\circ} 21' 40''$ E a distance of 109.88 feet;

Thence $N 0^{\circ} 09' 01''$ W a distance of 343.48 feet, more or less, to the North line of said Lot 1;

Thence $S 89^{\circ} 58' 59''$ W on said North line a distance of 40 feet;

Thence $S 0^{\circ} 09' 01''$ E a distance of 317.84 feet;

Thence $S 65^{\circ} 21' 40''$ W a distance of 65.93 feet, more or less, to the POINT OF BEGINNING.

From Tract "C"

A tract of land in the Northwest Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, more particularly described as follows:

From the Northwest corner of said Quarter Section, with an assumed bearing of $N 89^{\circ} 58' 59''$ E on the North line of said Quarter Section a distance of 393 feet to the West line of "PHI ADDITION", Wichita, Sedgwick County, Kansas;

Thence $S 0^{\circ} 09' 01''$ E on said West line a distance of 395.31 feet to a POINT OF BEGINNING;

Thence $S 65^{\circ} 21' 40''$ W a distance of 300.43 feet;

Thence $S 23^{\circ} 05' 55''$ W a distance of 54.63 feet, more or less, to an intersection with a course in the Westerly line of Lot 1 in said Addition;

Thence $N 73^{\circ} 19' 49''$ E on said Westerly line of Lot 1 a distance of 23.50 feet to a corner in said Westerly line;

Thence $N 65^{\circ} 21' 40''$ E on said Westerly line of Lot 1 a distance of 299.37 feet to a corner in said Westerly line;

Thence $N 0^{\circ} 09' 01''$ W on said Westerly line of Lot 1 a distance of 43.95 feet to the POINT OF BEGINNING.

From Tract "A"

Part of Lot 1 "PHI ADDITION", Wichita, Sedgwick County, Kansas, more particularly described as follows:

BEGINNING on the West line of said Lot 1 at a point 430.43 feet North from the Southwest corner of said Lot 1;

Thence $N 0^{\circ} 10' 03''$ W on said West line a distance of 101.26 feet;

Thence $N 23^{\circ} 05' 55''$ E a distance of 247.91 feet, more or less, to an intersection with a course in the Westerly line of said Lot 1;

Thence $N 73^{\circ} 19' 49''$ E on the Westerly line of said Lot 1, a distance of 23.50 feet to a corner in said Westerly line;

Thence $N 65^{\circ} 21' 40''$ E on the Westerly line of said Lot 1 a distance of 32.62 feet;

Thence $S 23^{\circ} 05' 55''$ W a distance of 380.11 feet, more or less, to the POINT OF BEGINNING.

The foregoing tracts are contiguous, and when combined are described as follows:

From the Northwest corner of Lot 1 of "PHI ADDITION", Wichita, Sedgwick County, Kansas with an assumed bearing of $N 89^{\circ} 58' 59''$ E on the North line of said Lot 1 a distance of 69 feet to the POINT OF BEGINNING;

Thence $S 0^{\circ} 09' 01''$ E a distance of 317.84 feet;

Thence $S 65^{\circ} 21' 40''$ W a distance of 366.36 feet;

Thence $S 23^{\circ} 05' 55''$ W a distance of 302.54 feet more or less, to the West line of said Quarter Section and the West line of said Lot 1;

Thence $S 0^{\circ} 10' 03''$ E on said West line a distance of 101.26 feet to a point 430.43 feet North from the Southwest corner of said Lot 1;

Thence $N 23^{\circ} 05' 55''$ E a distance of 380.11 feet to an intersection with a course in the Westerly line of said Lot 1;

Thence $N 65^{\circ} 21' 40''$ E on said Westerly line of Lot 1 (and said line prolonged) a distance of 376.63 feet;

Thence $N 0^{\circ} 09' 01''$ W a distance of 343.48 feet, more or less, to the North line of said Lot 1;

Thence $S 89^{\circ} 58' 59''$ W a distance of 40 feet to the POINT OF BEGINNING.

FILE 227 FALL 1016

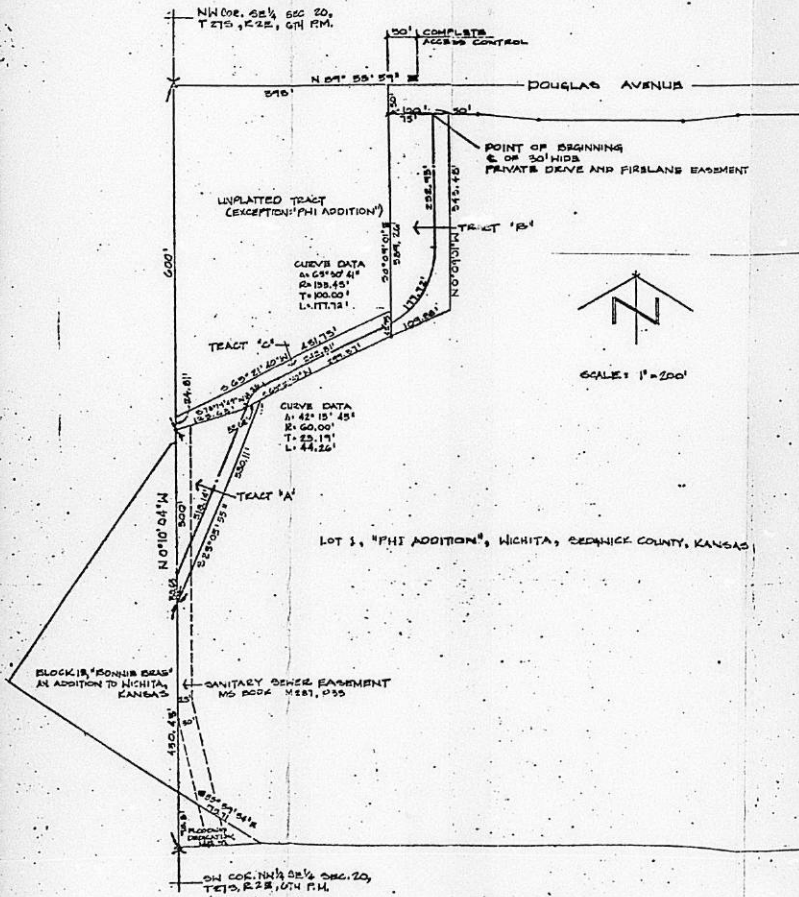


EXHIBIT 'B'

FILM 227 PAGE 1017

HEWALL & ASSOCIATES

LAND SURVEYORS

TELEPHONE 316-655-2304

7101 EAST KELLOGG SUITE 820 WICHITA KANSAS 67207

PRIVATE DRIVE, AND FIRELANE AND POLICE PROTECTION EASEMENT

A strip of land 30 feet in width lying 15 feet in either side of a centerline described as follows:

From the Northwest corner of Lot 3 of "PHE ADDITION", Wichita, Sedgewick County, Kansas with an assumed bearing of $N 89^{\circ} 58' 59'' E$ on the North line of said Lot 1 a distance of 75 feet to the POINT OF BEGINNING;

Thence $S 0^{\circ} 09' 01'' E$ a distance of 232.95 feet to the point of curvature of a curve to the right, said curve having a radius of 355.43 feet;

Thence on said curve to the right through a central angle of $65^{\circ} 30' 41''$ a distance of 177.72 feet to the point of tangency;

Thence $S 59^{\circ} 21' 40'' W$ on the tangent to said curve a distance of 240.81 feet to the point of curvature of a curve to the left, said curve having a radius of 60 feet;

Thence on said curve to the left through a central angle of $32^{\circ} 19' 45''$ a distance of 48.25 feet to the point of tangency;

Thence $S 23^{\circ} 05' 55'' W$ on the tangent to said curve a distance of 318.14 feet; more or less, to the intersection with the West line of said Lot 1 at a point 481.26 feet North from the Southwest corner of said Lot 1.

EXHIBIT "D"
to
DEDICATION AND EASEMENT DATED January 17, 1977

The following-described real property:

Part of Lot 1, PHI ADDITION, Wichita, Sedgwick County,
Kansas, more particularly described as follows:

Beginning on the West line of said Lot 1 at a point
430.43 feet North of the Southwest corner of said Lot;
thence North $0^{\circ} 10' 04''$ West on said West line a distance
of 300 feet to a corner in said West line; thence North
 $73^{\circ} 19' 49''$ East on the Westerly line of said Lot 1 a
distance of 125.63 feet to a corner in said westerly
line; thence North $65^{\circ} 21' 40''$ East on the Westerly
line of said Lot 1 a distance of 32.62 feet; thence
South $23^{\circ} 05' 55''$ West a distance of 380.11 feet to
the point of beginning.

Part of Lot 1, PHI ADDITION, Wichita, Sedgwick County,
Kansas, more particularly described as follows:

Beginning at the Northwest corner of said Lot 1;
thence South $0^{\circ} 09' 01''$ East on the West line of said
Lot 1 a distance of 389.26 feet to a corner in said
West line of said Lot; thence North $65^{\circ} 21' 40''$ East
a distance of 109.88 feet; thence North $0^{\circ} 09' 01''$
West a distance of 343.48 feet, more or less, to the
North line of said Lot 1; thence South $89^{\circ} 58' 59''$
West on said North line a distance of 100 feet to the
point of beginning.

Z-1768 in Salt mines

March '81

D-0707

Assoc. with Z-1768.

Z-1768 was approved subject to dedication of the necessary access, easements and utility easements to serve Block 18, Bonnie Brae Addition prior to publication of the zoning ordinance.

Homeowner ordinance was published 3-5-76 (about 10 days after 1st reading).

It was not until July 1976 that an unsigned dedication was submitted. This unsigned document was processed thru S/D & MAPC but not to RCC because signed document was never submitted.

Note in file indicates signed copy would be submitted after real estate deal was closed in about a month.

No signed document was ever submitted.

Sewer books show sewer line in approximately this location but show no easement. (sewer book I-54).

Called Willard Thompson, he on 3-25-81. He advised he would review and get back to me.
JTS
L.O.
3-20-81

8-11-76

Willard Thompson called
to say signed copy of agreement
will be submitted when real estate
deal is closed - about 1 month

Can

D-0707

June 25, 1976

Mr. Willard B. Thompson
Eleeson, Gooing, Coulson & Kitch
16th Floor - 125 W. Market
Wichita, Kansas 67201

Re: Z-1768 - "AA" to "R-5"
In an area south of Douglas
and west of Webb Road

Dear Mr. Thompson:

I am in receipt of your letter of June 24, 1976, accompanied by a dedication of easement associated with the above captioned zoning case. Inasmuch as the utility easement is to serve all public utilities, we are scheduling this dedication on the agenda of the Subdivision Committee and Utility Advisory Committees for their regular meeting of July 15, 1976, at 1:00 P.M., in the Public Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

FLEESON, GOOING, COULSON & KITCH
LAWYERS

SIXTEENTH FLOOR - 125 NORTH MARKET

POST OFFICE BOX 997

WICHITA, KANSAS 67201

(316) 267-7361

HOWARD T. FLEESON
1899-1957

HOMER V. GOOING
RETIRED

WAYNE COULSON
PAUL R. NITCH
DALE M. STUCKY
DONALD R. NEWKIRK
GERRIT H. WORNHOUST
ROBERT T. CORNWELL
WILLARD B. THOMPSON
GEORGE J. LEIBOWITZ
RICHARD I. STEPHENSON
JOHN T. CONLEE
JOHN E. MATSON
THOMAS D. NITCH
J. ERIC ENGSTROM
MICHAEL JENNINGS
LARRY W. WALL
JOHN R. MORSE
REX G. BEASLEY

June 24, 1976

Metropolitan Area Planning Department
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Attention: Mr. Jack H. Galbraith
Chief Planner

Re: Z-1768 - "AA" to "R-5"
In an area south of Douglas
and west of Webb Road

Gentlemen:

In relation to Mr. Galbraith's letter to me of February 10, 1976,
we are enclosing xerox copy of proposed Dedication and Easement
with Exhibits "A", "B", and "C" attached, for your review and
approval.

If this document is acceptable, we will appreciate your notifying
us of such fact and we will thereafter arrange to have it executed
and the executed document returned to you so that the pending
zoning matter may proceed.

Your cooperation is appreciated.

Very truly yours,

Willard B. Thompson

Willard B. Thompson
of FLEESON, GOOING, COULSON & KITCH

WBT:hb

cc: Mr. C. T. Spines



DEDICATION AND EASEMENT

This Dedication and Easement, made on this ____ day of _____, 1976, by and between JEAN GARVEY AND WILLARD GARVEY, wife and husband, and SPINES REAL ESTATE DEVELOPMENT CORPORATION, a Kansas corporation.

WITNESSTH, THAT:

Grantors do hereby grant and convey unto the public a perpetual right of way and easement for the purposes of constructing, maintaining, and repairing all public utilities over, along, and under the real estate situated in Sedgwick County, Kansas, and fully described and depicted on Exhibit "A" hereto attached and made a part hereof, and the authorized representatives of the City of Wichita and all public utility companies having or installing utility lines situated in said dedicated area as described and depicted in Exhibit "A", are hereby granted the right to enter upon said dedicated area at any time for the purpose of constructing, operating, maintaining, and repairing said public utilities.

Grantors do hereby further create, grant, confirm, and establish a private roadway easement along, over, and across the real property described and depicted in Exhibit "B" hereto attached and made a part hereof, for the purposes of providing ingress to and egress from real property described as: Block 18, Bonnie Brae Addition, Wichita, Sedgwick County, Kansas, in favor of the owner or owners of said benefitted real estate, and the agents, employees, lessees, guests, invitees, successors and assigns of said owner or owners. There is also hereby dedicated to the public an easement along, over and across the property described and depicted in Exhibit "B" for fire lane and for police protection purposes.

The foregoing grant of private roadway easement is in confirmation of any previous grant or reservation of same or of any part thereof by the Grantors or any of them.

The public utility easements, private roadway easement, fire-lane and police protection easements described and depicted separately on Exhibits "A" and "B" are depicted together on Exhibit "C" attached hereto.

IN WITNESS WHEREOF, the Grantors have executed this Dedication and Easement on the day and year first above written.

Jean Garvey

Willard Garvey

SPINES REAL ESTATE DEVELOPMENT
CORPORATION

By _____
President

ATTEST:

Secretary

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this
day of _____, 1976, by JEAN GARVEY and WILLARD GARVEY,
wife and husband.

My commission expires:

Notary Public

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this
day of _____, 1976, by _____,
president of SPINES REAL ESTATE DEVELOPMENT CORPORATION, on behalf
of the corporation.

My commission expires:

Notary Public

LEGAL DESCRIPTIONS FOR PUBLIC UTILITY EASEMENTS

From Tract "B"

Part of Lot 1 "PHI ADDITION", Wichita, Sedgewick County, Kansas, more particularly described as follows:
 From the Northwest Corner of said Lot 1 with an assumed bearing of $3^{\circ} 09' 01''$ E on the West line of said Lot 1 a distance of 345.31 feet to the POINT OF BEGINNING;
 Thence continuing $3^{\circ} 09' 01''$ E on said West line a distance of 43.95 feet to a corner in said West line;
 Thence N $65^{\circ} 21' 40''$ E a distance of 109.88 feet;
 Thence N $0^{\circ} 09' 01''$ W a distance of 343.48 feet, more or less, to the North line of said Lot 1;
 Thence S $89^{\circ} 58' 59''$ W on said North line a distance of 40 feet;
 Thence S $0^{\circ} 09' 01''$ E a distance of 317.84 feet;
 Thence S $65^{\circ} 21' 40''$ W a distance of 65.93 feet, more or less, to the POINT OF BEGINNING.

From Tract "C"

A tract of land in the Northwest Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgewick County, Kansas more particularly described as follows:
 From the Northwest corner of said Quarter Section, with an assumed bearing of N $89^{\circ} 58' 59''$ E on the North line of said Quarter Section a distance of 393 feet to the West line of "PHI ADDITION", Wichita, Sedgewick County, Kansas;
 Thence S $0^{\circ} 09' 01''$ E on said West line a distance of 395.31 feet to a POINT OF BEGINNING;
 Thence S $65^{\circ} 21' 40''$ W a distance of 300.43 feet;
 Thence S $23^{\circ} 05' 55''$ W a distance of 58.63 feet, more or less, to an intersection with a course in the Westerly line of Lot 1 in said Addition;
 Thence N $73^{\circ} 19' 49''$ E on said Westerly line of Lot 1 a distance of 23.50 feet to a corner in said Westerly line;
 Thence N $65^{\circ} 21' 40''$ E on said Westerly line of Lot 1 a distance of 299.37 feet to a corner in said Westerly line;
 Thence N $0^{\circ} 09' 01''$ W on said Westerly line of Lot 1 a distance of 43.95 feet to the POINT OF BEGINNING.

From Tract "A"

Part of Lot 1 "PHI ADDITION", Wichita, Sedgewick County, Kansas, more particularly described as follows:
 BEGINNING on the West line of said Lot 1 at a point 430.43 feet North from the Southwest corner of said Lot 1;
 Thence N $0^{\circ} 10' 04''$ W on said West line a distance of 301.26 feet;
 Thence N $73^{\circ} 19' 49''$ E a distance of 247.91 feet, more or less, to an intersection with a course in the Westerly line of said Lot 1;
 Thence N $73^{\circ} 19' 49''$ E on the Westerly line of said Lot 1, a distance of 23.50 feet to a corner in said Westerly line;
 Thence N $65^{\circ} 21' 40''$ E on the Westerly line of said Lot 1 a distance of 32.52 feet;
 Thence S $23^{\circ} 05' 55''$ W a distance of 380.11 feet, more or less, to the POINT OF BEGINNING.

The foregoing tracts are contiguous, and when combined are described as follows:

From the Northwest corner of Lot 1 of "PHI ADDITION", Wichita, Sedgewick County, Kansas with an assumed bearing of N $89^{\circ} 58' 59''$ E on the North line of said Lot 1 a distance of 60 feet to the POINT OF BEGINNING;
 Thence S $0^{\circ} 09' 01''$ E a distance of 317.84 feet;
 Thence S $65^{\circ} 21' 40''$ W a distance of 366.36 feet;
 Thence S $23^{\circ} 05' 55''$ W a distance of 302.54 feet more or less, to the West line of said Quarter Section and the West line of said Lot 1;
 Thence S $0^{\circ} 10' 04''$ E on said West line a distance of 101.26 feet to a point 430.43 feet North from the Southwest corner of said Lot 1;
 Thence N $23^{\circ} 05' 55''$ E a distance of 380.11 feet to an intersection with a course in the Westerly line of said Lot 1;
 Thence N $65^{\circ} 21' 40''$ E on said Westerly line of Lot 1 (and said line prolonged) a distance of 376.63 feet;
 Thence N $0^{\circ} 09' 01''$ W a distance of 343.48 feet, more or less, to the North line of said Lot 1;
 Thence S $89^{\circ} 58' 59''$ W a distance of 40 feet to the POINT OF BEGINNING.

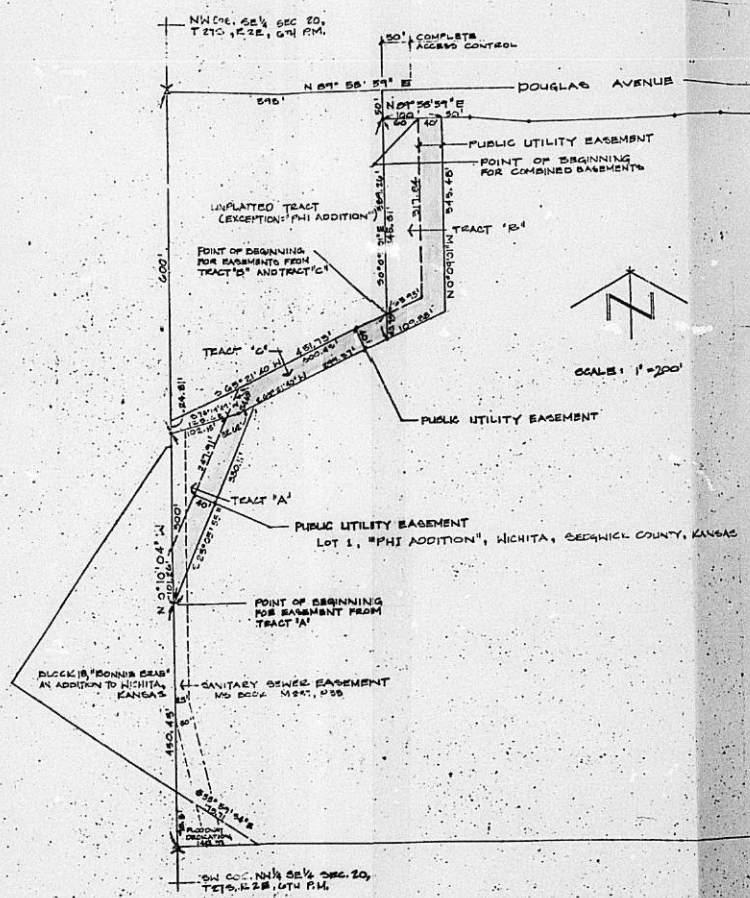


EXHIBIT 'A'

Wichita, Kansas

PRIVATE DRIVE, AND FIRELANE AND POLICE PROTECTION EASEMENT

A strip of land 30 feet in width lying 15 feet on either side of a centerline described as follows:

From the Northwest corner of Lot 1 of "PHI ADDITION", Wichita, Sedwick County, Kansas with an assumed bearing of $N 89^{\circ} 58' 59'' E$ on the North line of said Lot 1 a distance of 75 feet to the POINT OF BEGINNING;

Thence $S 0^{\circ} 09' 01'' E$ a distance of 232.95 feet to the point of curvature of a curve to the right, said curve having a radius of 155.43 feet;

Thence on said curve to the right through a central angle of $65^{\circ} 30' 41''$ a distance of 177.72 feet to the point of tangency;

Thence $S 65^{\circ} 21' 40'' W$ on the tangent to said curve a distance of 242.81 feet to the point of curvature of a curve to the left, said curve having a radius of 60 feet;

Thence on said curve to the left through a central angle of $42^{\circ} 15' 45''$ a distance of 44.26 feet to the point of tangency;

Thence $S 23^{\circ} 05' 55'' W$ on the tangent to said curve a distance of 318.14 feet; more or less, to the intersection with the West line of said Lot 1 at a point 181.26 feet North from the Southwest corner of said Lot 1.

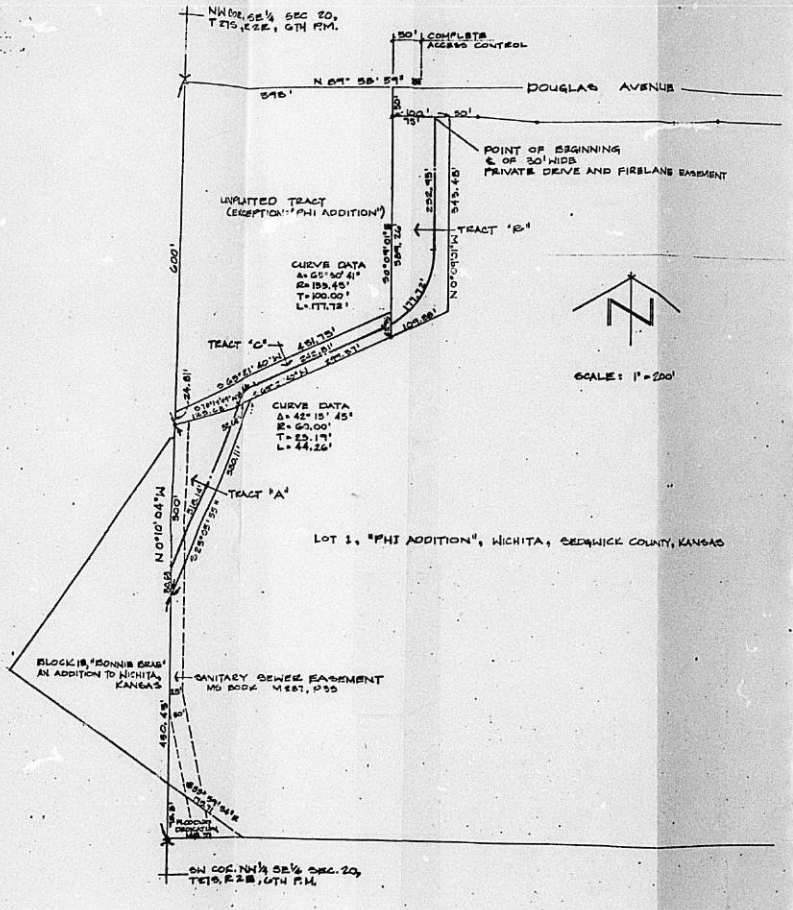


EXHIBIT 'B'

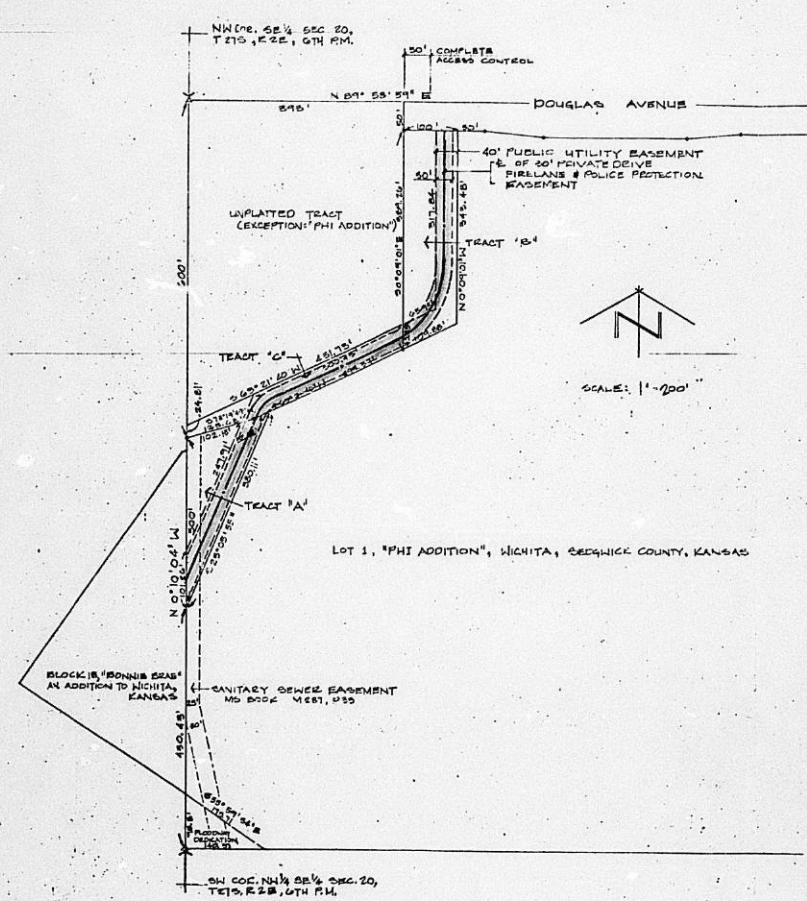


EXHIBIT "C"