

DR 85-8 SPECIAL USE PERMIT to establish an underground vault for telephone switching equipment generally located on the north side of Clark St. in an area west of Greenwich St.

POSTED 3-20-85  
K6

District # 1

# ACTION

DATE

COMMITTEE

M.A.P.C.

~~P.C.C./B. CO. C.~~ approved as recommended

4-1-85

5-1-85

Map No. 6145 B  
 Sec. 33  
 Twp. 27  
 Range 2E

DATA SHEET  
 (ZONING & SPECIAL USE)

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 DR- 85-8  
 Filed 2-27-85

ASSOCIATED CASE: \_\_\_\_\_

APPLICATION DATA: Special Use Permit to Establish an Underground Vault for Telephone Switching Equipment on Property Zoned "R-1".

- Applicant: Chester W. and Joye R. Jones  
 Address 1942 Fabrique, Wichita, Kansas 67218 Phone 684-4779
- Agent: Southwestern Bell Telephone Company c/o Fred L. Neff  
 Address 154 North Broadway, Room 956, Wichita Kansas 67202 Phone 268-2800
- General Location: On the north side of Clark Street in an area west of Greenwich Road (11002 East Clark Street)
- Proposed Use: \_\_\_\_\_

AREA DATA:

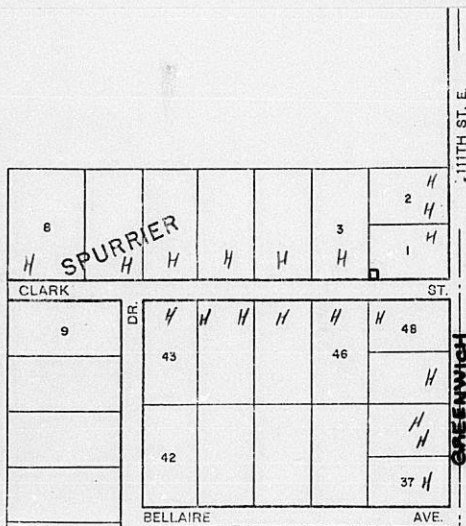
- Acres: 0.013 (20' ft. by 25' ft.)
- Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
- Land Use: East SINGLE FAMILY South SINGLE FAMILY  
 West SINGLE FAMILY North SINGLE FAMILY
- Sketch Plan Land Use is for: \_\_\_\_\_
- Present Land Use is for: \_\_\_\_\_
- Area (is) (is not) platted. \_\_\_\_\_

PROCEDURE DATA:

- Zoning Committee \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_
- MAPC Meeting: \_\_\_\_\_

Date	Action
<u>4-4-85</u>	<u>Approve</u>
<u>Blac 5-1-85</u>	<u>Approved as recommended</u>

PHOTO DATA: Taken by (R) Date 3-26-85 Time 10



T9-214-2

PICTURE SHEET

LOS ANGELES - CHICAGO - LOGAN, OH  
 MOORESBOROUGH, TN - LOCUST GROVE, GA  
 U.S.A.

Standard  
 No. 2153C

May 13, 1985

Mr. Fred L. Neff  
Southwestern Bell Telephone  
154 North Broadway, Room 956  
Wichita, Kansas 67202

RE: DR 85-8 - Underground Vault at Clark and Greenwich

Dear Fred:

Enclosed is a copy of the resolution adopted by the Board of County Commissioners authorizing a special use permit for an underground vault for telephone switching equipment on Clark Street just west of Greenwich Road. The permit was granted subject to maintaining a 10-foot setback from Clark Street and subject to not encroaching into the 8-foot utility easement on the west.

Ron Worley also has a copy of this resolution and should be able to issue you a building permit at any time. If you have any questions, please call.

Louise Olivarez  
Senior Planner

LO:blw

Enclosures

R#139-1985

RESOLUTION

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 13.F. OF THE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

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

SECTION 1. That having received a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held and under authority of and subject to the provisions of Section 13.F. of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to allow an underground vault for telephone switching equipment on property zoned "R-1" is hereby approved on land legally described below subject to the following conditions:

Case No. DR 85-8


The south 20 feet of the west 25 feet of the west half of Lot 1, Spurrier Gardens, Sedgwick County, Kansas. Generally located on the north side of Clark Street in an area west of Greenwich Road.


CONDITIONS OF APPROVAL:

1. The vault shall maintain a minimum ten-foot setback from Clark Street.
2. The vault shall not encroach into the eight-foot utility easement on the west.


SECTION 2. That this Resolution shall take effect and be in force from and after its adoption by the Board of County Commissioners.

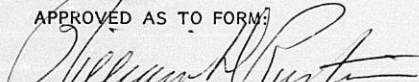
ADOPTED AT WICHITA, KANSAS, this 1<sup>st</sup> day of May, 1985.

  
Donald E. Gragg, Chairman

  
Tom Scott, Commissioner

  
Bernard A. Hentzen, Commissioner

ATTEST  
  
Donnell L. Wright, County Clerk  
(SEAL)

APPROVED AS TO FORM  
  
William D. Rustin, County Counselor

Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

DR 85-8 - SPECIAL PERMIT TO ACCOMMODATE AN UNDERGROUND  
VAULT TO HOUSE TELEPHONIC COMMUNICATION FACILITIES,  
GENERALLY LOCATED ON THE NORTH SIDE OF CLARK STREET IN  
AN AREA WEST OF GREENWICH ROAD.

The MAPC recommends that the application be approved.  
(see minutes for full motion)

Gardner moved, Hansen seconded and it carried unanimously.

ACTION:

1. Concur with the findings of fact of the Metropolitan Area Planning Commission and approve the special permit subject to the recommended conditions of approval; adopt the resolution; or
2. Take such action as the County Commission deems appropriate.

-----  
DATA AND MINUTES

MAPC Hearing Date: 4-04-85

BCoC Hearing Date: 5-01-85

AREA DATA:

Acres: .013

Size: 20' x 25'

Reason: To accommodate an underground vault to house telephonic communication facilities.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	One-family dwelling	"R-1"
East	One-family dwelling	"R-1"
South	One-family dwelling	"R-1"
West	One-family dwelling	"R-1"

History: None

Applicant: Chester W. & Joye R. Jones, 1942 Fabrique, Wichita 67218

Protestors: None.  
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EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 4, 1985

LEGAL:

4. Case No. DR 85-8 - Chester W. and Joye R. Jones request a Special Permit for the South 20 feet of the West 25 feet of the West Half of Lot 1, SPURRIER GARDENS, Sedgwick County, Kansas. Generally located on the north side of Clark Street in an area west of Greenwich Road.

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

COMMENTS:

1. As provided for in Section 13.9 F of the County Zoning Regulations, the applicant, on behalf of Southwestern Bell, is requesting a special permit to construct an underground vault for telephone switching equipment. The buried vault will be approximately 16 feet long, 6 feet wide, and 9 feet high; the exposed hatch is approximately 4.5 feet long, 2.5 feet wide, and 25 inches high. The land will be leased from the property owner.
2. The County Department of Public Works has stated that sufficient right-of-way (30 feet) exists for Clark Street. The west 8 feet of the application lies within an existing north-south utility easement.
3. Approval of this request should be for an underground vault only, and subject to it maintaining a 10' setback from Clark Street and subject to it not encroaching into the 8' utility easement on the west.

DISCUSSION:

GALBRAITH stated that staff recommended approval subject to the underground vault for telephone switching equipment not encroaching into the normal utility easement and subject to maintaining the appropriate setback from Clark Street.

FRED NEFF, Southwestern Bell Telephone Company, was present representing the applicants.

There was no discussion by the Commission.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of nearby properties; the suitability of subject property for the proposed use; the fact that the proposed structure will be mainly underground; and the recommendation of approval by staff; I move that we recommend to the governing body that this application be approved subject to the vault maintaining a 10-foot setback from Clark Street and subject to the vault not encroaching into the 8-foot utility easement on the west. Gardner moved, Hansen seconded and it carried unanimously.

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RESOLUTION

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

SECTION 1. That having received a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held and under authority of and subject to the provisions of Section 13.F. of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to allow an underground vault for telephone switching equipment on property zoned "R-1" is hereby approved on land legally described below subject to the following conditions:

Case No. DR 85-8

The south 20 feet of the west 25 feet of the west half of Lot 1, Spurrier Gardens, Sedgwick County, Kansas. Generally located on the north side of Clark Street in an area west of Greenwich Road.

CONDITIONS OF APPROVAL:

1. The vault shall maintain a minimum ten-foot setback from Clark Street.
2. The vault shall not encroach into the eight-foot utility easement on the west.

SECTION 2. That this Resolution shall take effect and be in force from and after its adoption by the Board of County Commissioners.

ADOPTED AT WICHITA, KANSAS, this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_, Chairman  
Donald E. Gragg

\_\_\_\_\_, Commissioner  
Tom Scott

\_\_\_\_\_, Commissioner  
Bernard A. Hentzen

ATTEST:

\_\_\_\_\_  
Donnell L. Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
William D. Rustin, County Counselor

April 5, 1985

Fred L. Neff  
Southwestern Bell Telephone Company  
154 North Broadway, Room 956  
Wichita, Ks. 67202

Re: DR 85-8 - Special Use Permit

Dear Mr. Neff:

At its regular meeting of April 4, 1985, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Commission was to recommend the approval of the Special Use Permit for an underground vault for telephone switching equipment subject to it maintaining a 10' setback from Clark Street and subject to it not encroaching into the 8' utility easement on the west.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, May 1, 1985 in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:sad

cc: Chester W. & Joye R. Jones, 1942 Fabrique, Wichita 67218  
Ron Worley, County Zoning Administrator

RE: AGENDA ITEM NO. 4

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DR 85-8 - Special Permit  
Generally located on the north side of Clark Street in an  
area west of Greenwich Road.

MAPC HEARING DATE: 4-04-85

Acres: .013

Size: 20' x 25'

Reason: To accommodate an underground vault to house telephonic  
communication facilities.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	One-family dwelling	"R-1"
East	One-family dwelling	"R-1"
South	One-family dwelling	"R-1"
West	One-family dwelling	"R-1"

History: None

Applicant: Chester W. & Joye R. Jones, 1942 Fabrique, Wichita 67218

-----  
COMMENTS:

1. As provided for in Section 13.9 F of the County Zoning Regulations, the applicant, on behalf of Southwestern Bell, is requesting a special permit to construct an underground vault for telephone switching equipment. The buried vault will be approximately 16 feet long, 6 feet wide, and 9 feet high; the exposed hatch is approximately 4.5 feet long, 2.5 feet wide, and 25 inches high. The land will be leased from the property owner.
  2. The County Department of Public Works has stated that sufficient right-of-way (30 feet) exists for Clark Street. The west 8 feet of the application lies within an existing north-south utility easement.
  3. Approval of this request should be for an underground vault only, and subject to it maintaining a 10' setback from Clark Street and subject to it not encroaching into the 8' utility easement on the west.
-

CASE NO. DR 85-8

5	"Notice to Adjoining Property Owners" mailed on 3-21-85 for MAPC meeting on 4-4-85.
2	One each to Applicant and Agent.
3	One each to Karen Crook, Ron Worley, and David Spears.
<hr/> 10	TOTAL

WICHITA-SEDGWICK COUNTY  
 METROPOLITAN AREA PLANNING COMMISSION  
 CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
 WICHITA, KANSAS 67202-1688

March 21, 1985

NOTICE OF PUBLIC HEARING

Case No.: DR 85-8

Location: On the north side of Clark Street in an area west of  
 Greenwich Road

Address: 11002 East Clark.

Request: Special Use Permit to Establish an Underground Vault for  
 Telephone Switching Equipment on Property Zoned "R-1".

A public hearing to consider the above noted request has been scheduled  
 before the Wichita-Sedgwick County Metropolitan Area Planning Commission  
 (MAPC) on

APRIL 4, 1985

The meeting will begin at 1:30 p.m. in the City of Wichita City Commission  
 Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

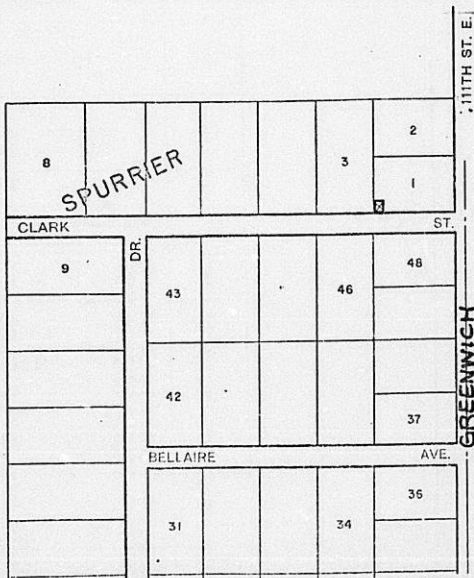
As an owner or occupant of property in the area, you have the right to  
 appear at the MAPC meeting, either in person or by agent or attorney, to  
 support or oppose this request. If you have no interest in or objection  
 to the request, you have no obligation to appear at the public hearing.

The Citizen Participation Organization (CPO) neighborhood council will  
 consider this case for the purpose of making a formal recommendation to  
 the MAPC and City Commission. If you have an interest in this case, you  
 are encouraged to express your opinions at your CPO Council meeting.  
 The date, time and location of the CPO meeting may be obtained by calling  
 268-4516.

If you have any questions or wish additional information, please call  
 268-4421.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

APPLICATION  
 AREA



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 85-8

Special Use Permit to Establish an Underground Vault  
for Telephone Switching Equipment on Property Zoned "R-1"

The South 20 feet of the West 25 feet of the West Half of Lot 1,  
SPURRIER GARDENS, Sedwick County, Kansas. Generally located  
on the north side of Clark Street in an area west of Greenwich  
Road.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

( \_\_\_\_ ) Published in the Eagle Beacon on March 14, 1985 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, April 4, 1985, at 1:30 p.m., in the City Commission Meeting Room First Floor, City Hall, 455 North Main, Wichita, Kansas, the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION will consider the following application for a special use permit on property legally described below:

CASE NO. DR 85-8

Special Use Permit to Establish an Underground Vault  
for Telephone Switching Equipment on Property Zoned "R-1"

The South 20 feet of the West 25 feet of the West Half of Lot 1,  
SPURRIER GARDENS, Sedgwick County, Kansas. Generally located  
on the north side of Clark Street in an area west of Greenwich  
Road.

As provided in the County Zoning Regulations, Section 17 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and 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 application will be considered as by law provided.

WITNESS MY HAND AND SEAL on this 13th day of March, 1985.

Robert A. Lakin, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning  
Commission

(SEAL)

2+ 5+3+1

*Special*  
APPLICATION FOR APPROVAL OF ~~CONDITIONAL USE PERMIT~~  
FOR PROPERTY LOCATED WITHIN THE JURISDICTION  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

DR 85-8

This is an application for a ~~Conditional Use~~ *Special* 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.

1. 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 Chester W. and Joye R. Jones ✓

ADDRESS 1942 Fabrique Wichita, Ks. PHONE 316-684-4779

AGENT Southwestern Bell Telephone Company C/O-Fred L. Neff ✓

ADDRESS 154 N. Broadway, Rm. 956 Wichita, Ks. PHONE 268-2800

B. APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

C. APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

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

2. a. The applicant proposes to establish a Underground Vault for Telephone Switching Equipment (use)

on property legally described as Lot(s) West Half of Lot 1

\_\_\_\_\_, Block(s) \_\_\_\_\_

of the Spurrier Gardens Addition.

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

*ok for legal* ✓  
The South 20 feet of the West 25 feet of the West Half of Lot 1  
Spurrier Gardens, Sedgwick County, Kansas.

2. b. There are 0.013 acres (round to nearest tenth) in the above described property.

T9-333-2

Revised 8/80

Map No. G145B N R-1 S R-1 E R-1 W R-1 MAPC A-4-85

3. THIS PROPERTY IS LOCATED AT (ADDRESS) 11002 East Clark.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northwest CORNER OF Greenwich Road AND  
East Clark Street, OR

B. ON THE North SIDE OF Clark (AVE.) STREET <sup>in an area west of</sup> ~~BETWEEN~~  
Greenwich (AVE.) STREET AND Lahoma (AVE.) STREET.

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

5. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:  
To provide accomodation for an underground vault to house telephonic  
communication facilities to serve the surrounding service.

6. 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  
AT 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.

*Charles J. Jones*  
BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY Fred L. Neff  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

7. OFFICE USE ONLY

This application was received at the Planning Department at 11:10

(AM) PM on 2-27-85 (day, month, year). It has been checked and  
found to be complete and accompanied by required documents and the appropriate  
fee of \$ 150<sup>00</sup>.

Louise Olivarez Name  
Senior Planner Title



DESCRIPTIONS

RECORD OWNERS

Lot 4, SPURRIER GARDENS,

? John E. & Judy C. Crider  
? ADDRESS UNKNOWN

Lot 45, SPURRIER GARDENS,

✓ Vernon L. & Lillian V. Ames  
✓ 11011 E. Clark  
Wichita, Kansas 67207

Lot 46, SPURRIER GARDENS,

✓ Ralph T. & Carma Rae Troy  
✓ 11021 E. Clark  
Wichita, Kansas 67207

Lot 48, SPURRIER GARDENS,

OK Ralph T. & Carma Rae Troy  
11021 E. Clark  
Wichita, Kansas 67207

Dated in Wichita, Kansas, this 30th day of January, 1985,  
at 7:00 A.M.

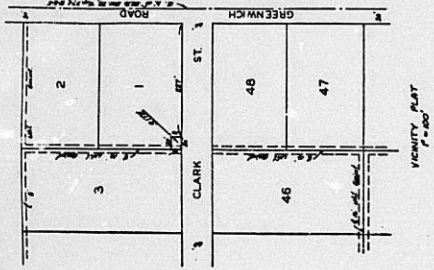
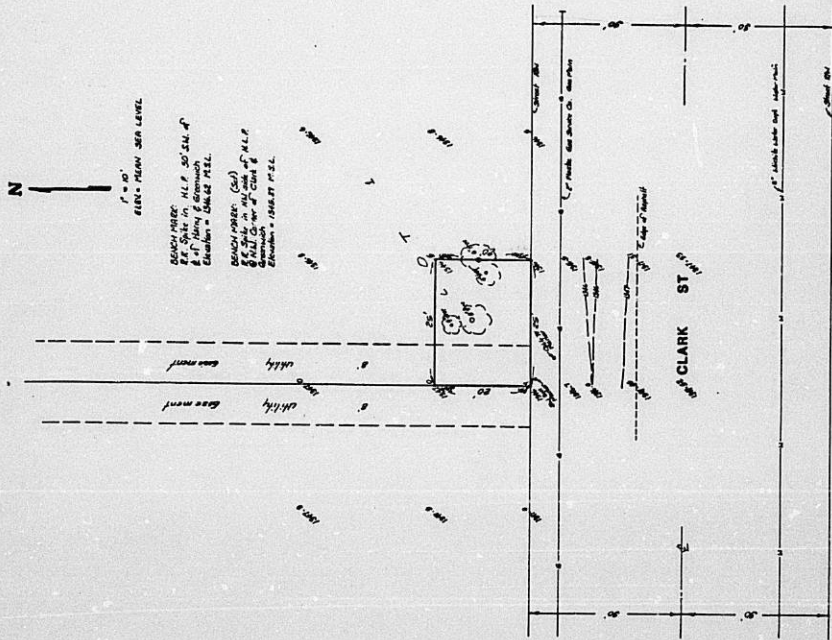
FIDELITY TITLE COMPANY, INC.

By *Medina L. Sutter*  
Assistant Secretary



Tracer No. 68303





Date of issue } 22  
 County of Berks }  
 City of Pottsville }  
 Baughman Company, P.A., Surveyors in  
 and for the County of Berks, Pennsylvania  
 do hereby certify that we did on  
 the 22nd day of February, 1935, at  
 Pottsville, Pennsylvania, make and  
 certify the above plat of Lot 1,  
 Block 1, Subdiv. 1, Berks County  
 Record.

There are no encroachments within any  
 estate boundary lines by buildings.  
 The true and correct copy of this plat is a true and cor-  
 rect exhibit of each survey.



W. L. ...  
 Surveyor

EASEMENT

In consideration of the sum of \$ 1.00, receipt of which is hereby acknowledged, and the payment before the construction is started of the additional sum of \$ 9,000.00, Chester W. Jones and Joye R. Jones their successors and assigns, hereby grant to Southwestern Bell Telephone Company its associated and allied companies, their respective successors, assigns, lessees, and agents a permanent right of way and easement upon the following described land situated in the County of Sedgwick, State of Kansas, owned by the Grantor to wit: The West Half (W $\frac{1}{2}$ ) of Lot 1, Spurrier Gardens

Said easement described as follows: The South Twenty (20) feet of the West Twenty five (25) feet of the above described.

with the right and privilege of constructing, excavating, reconstructing, operating, maintaining, adding to, and placing thereon and removing therefrom a communication system consisting of an underground vault with exposed hatch to house said communications system, together with initial and any additional underground cable or cables as Grantee may from time to time require, and other related fixtures with the right of ingress and egress for the purposes of maintaining said communication system: It is further agreed that Southwestern Bell will be permitted to utilize land immediately adjacent to easement site for heavy equipment during construction period.

Southwestern Bell Telephone Company hereby agrees to restore in a good and workmanlike manner all property damages by its construction or maintenance activities from the date of execution of this document, or else reimburse Grantor for said damages directly caused by Grantee's action.

The undersigned specifically agrees that, due to the exclusive nature of this grant, no other use shall be made by anyone, under, across, upon and/or over the easement herein described without obtaining the prior written permission of Southwestern Bell Telephone Company, its successors, or assigns. Grantor may make such use of the easement as will not interfere in any way with Southwestern Bell's use of the easement, however, any other use by Grantor shall be subject to the above requirement.

As further consideration, Southwestern Bell agrees to provide reasonable landscaping as directed by the Grantor.

Dated at \_\_\_\_\_, this 17 day of Jan, 1985

By: [Signature]  
Chester W. Jones  
[Signature]  
Joye R. Jones

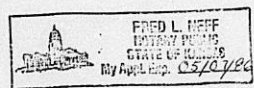
State of Kansas County of Sedgwick SS:

Be it remembered, that on this 17 day of January, 1985, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Chester W. Jones and Joye R. Jones husband and wife who personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal, the day and year last above written.

[Signature]  
Notary Public

Term Expires: 03/07, 1986



**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FORM 2<sup>o</sup> 021

PAYMENT NOTICE  
 City of Wichita

*DK 85-8*

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
<i>special permit fee</i>	<i>150.00</i>
<i>underground vault</i>	<i>172.00</i>
NAME	<i>Southwestern Bell</i>
ADDRESS	<i>154 N Broadway</i>
FUND	<i>765-4070-003</i>
COMMENTS	<i>2-27-85</i>
DATE	<i>2-27-85</i>
BY	<i>50</i>