

Case No. BZA 40-79 - Pearl A. Watkins requests exception to permit placement of a mobile home on a temp. basis on prop. zoned "AA" and generally located on the west side of Hydraulic in an area

POSTED
8-31-79

ACTION

BZA
40-79

COMMITTEE

App. - 9-25-79

M.A.P.C.

DATE

9-25-79

B.C.C./B. CO. C.

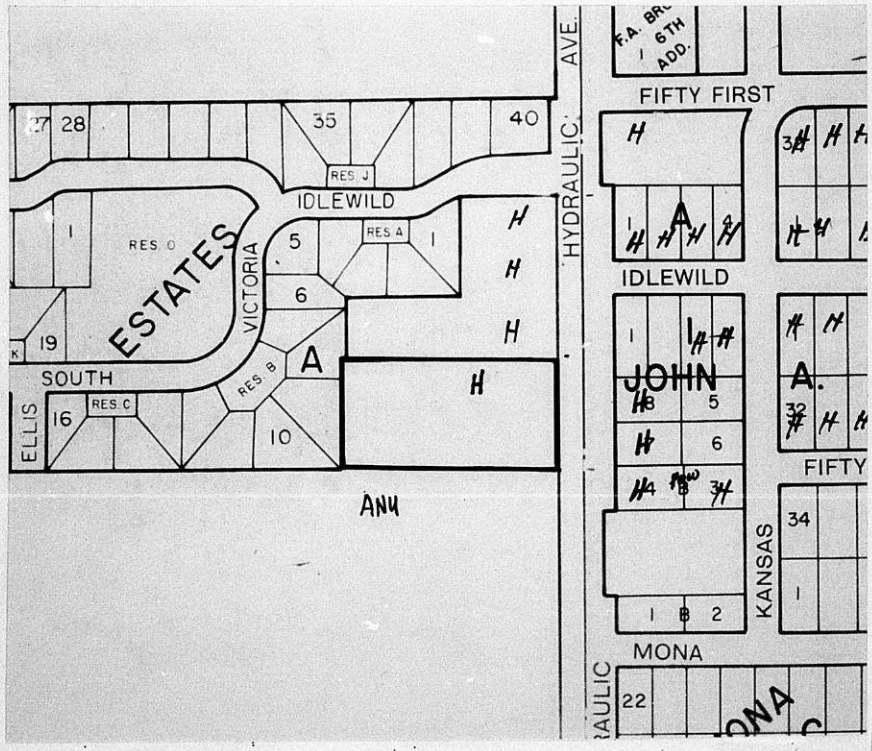
200' WARD
10-10-79
10-11-79

Map No. 5541
 Sec. 21
 Twp. 28
 Range 1E

BZA- 40-79
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 1.74 (205 ft. by 385 ft.)
 2. Adjoining Zoning: E AA S AA W G N AA
 3. Land Use: East _____ South _____
 West _____ North _____
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: _____
 5. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



No. 2-153C
 Sinead
 HASTINGS, MINN.-LOS ANGELES
 LOGAN OH - MEDICINER, TX U. S. A.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL—TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

October 10, 1979

Pearl A. Watkins
3201 E. MacArthur #104
Wichita, Kansas 67216

Re: Case No. BZA 40-79
Request for Exception

Dear Ms. Watkins:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 25, 1979, in connection with your request for an exception to permit the placement of a mobil home on a temporary basis on property zoned the "RA" Single Family Dwelling District and generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

This Resolution reflects the official action of the Board to approve this request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:bbc
Enclosure

CC: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

v X

RESOLUTION NO. BEA 40-79

WHEREAS, Pearl A. Watkins, 3201 E. MacArthur #104, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as follows:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of September 25, 1979, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved for the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant's mother. When the mother no longer occupies the mobile home, it shall be removed from the property.

Resolution No. BZA 40-79
Page 2

2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall conform to all height and setback requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. The applicant shall obtain the necessary permits for the placement of the mobile home on the property.
5. The mobile home shall be removed from subject property within 30 days of the termination of this exception, as determined in condition number 1 above.

ADOPTED AT WICHITA, KANSAS, this 25th day of September, 1979.

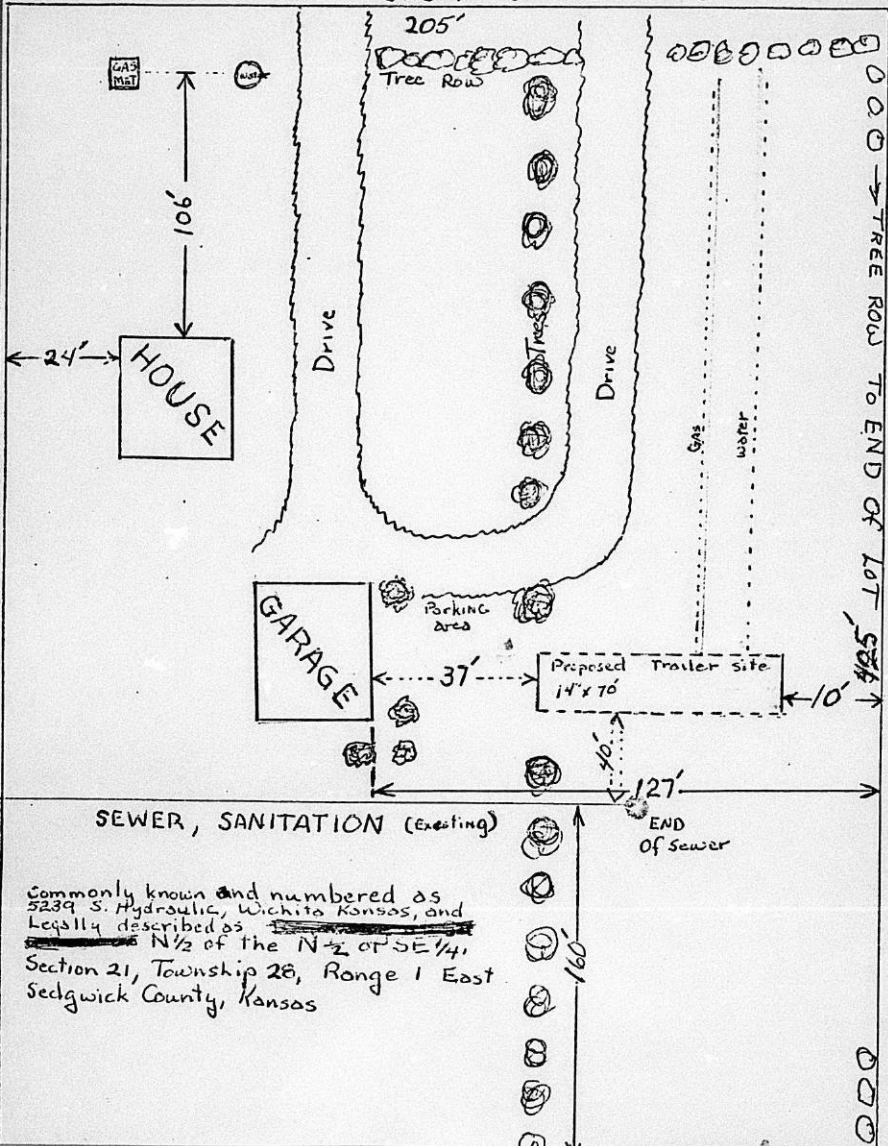
ATTEST:


Glen E. Lytle, Assistant Secretary


Mary L. Kopsitz, Chairman

N ←
HYDRAULIC AVE

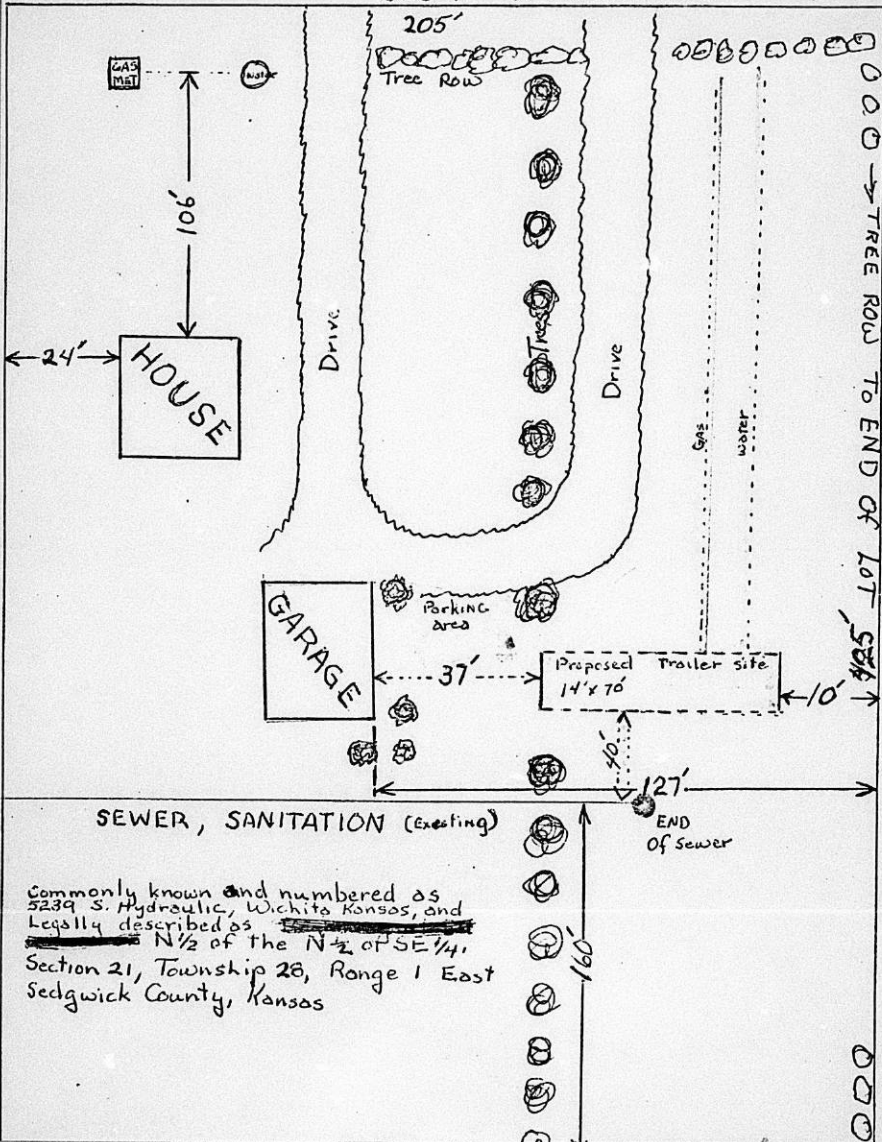
5239 S. HYDRAULIC



Commonly known and numbered as
5239 S. Hydraulic, Wichita Kansas, and
legally described as ~~SE 1/4~~
N 1/2 of the N 1/2 of SE 1/4
Section 21, Township 28, Range 1 East
Sedgwick County, Kansas

N
HYDRAULIC AVE

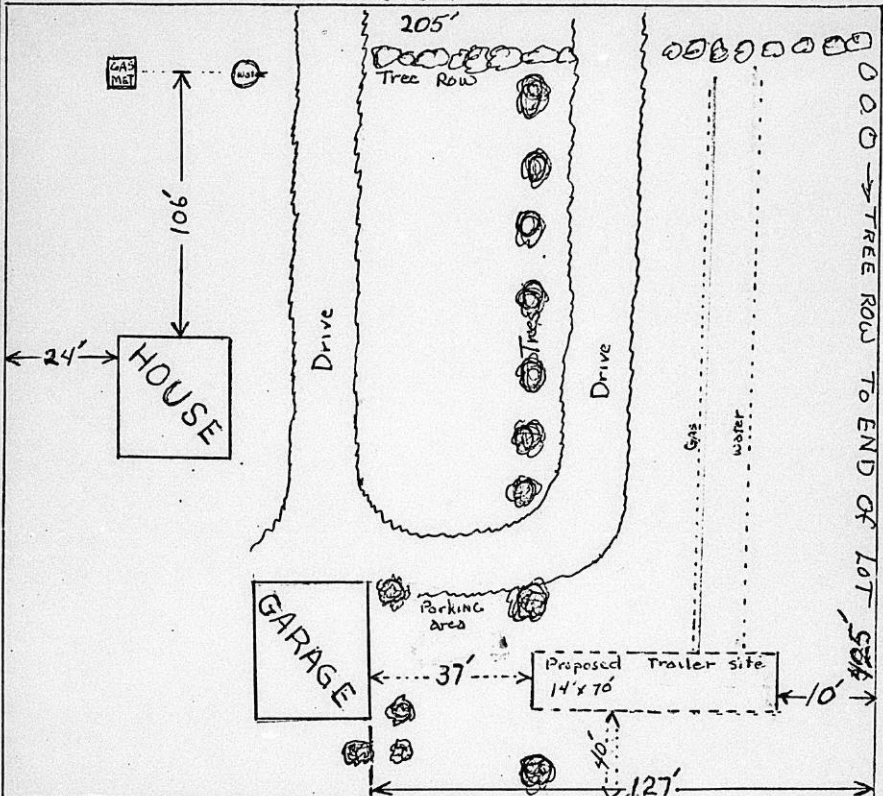
5239 S. HYDRAULIC



Commonly known and numbered as
5239 S. Hydraulic, Wichita Kansas, and
legally described as ~~SE 1/4 of the N 1/2 of the SE 1/4~~
N 1/2 of the N 1/2 of SE 1/4,
Section 21, Township 28, Range 1 East
Sedgwick County, Kansas

N
HYDRAULIC AVE

5239 S. HYDRAULIC



SEWER, SANITATION (Existing)

Commonly known and numbered as
5239 S. Hydraulic, Wichita Kansas, and
legally described as ~~Section 21, Township 28, Range 1 East~~
N 1/2 of the N 1/2 of SE 1/4,
Section 21, Township 28, Range 1 East
Sedgwick County, Kansas

160'

END
of Sewer

524'
524'



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

October 10, 1979

Pearl A. Watkins
3201 E. MacArthur #104
Wichita, Kansas 67216

Re: Case No. BZA 40-79
Request for Exception

Dear Ms. Watkins:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 25, 1979, in connection with your request for an exception to permit the placement of a mobil home on a temporary basis on property zoned the "AA" Single Family Dwelling District and generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

This Resolution reflects the official action of the Board to approve this request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:bbc
Enclosure

CC: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

RESOLUTION NO. BZA 40-79

WHEREAS, Pearl A. Watkins, 3201 E. MacArthur #104, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as follows:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of September 25, 1979, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved for the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).


subject to the following conditions:

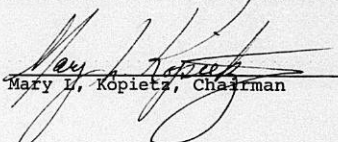
1. The mobile home may remain on the property as long as it is occupied by the applicant's mother. When the mother no longer occupies the mobile home, it shall be removed from the property.

2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall conform to all height and setback requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. The applicant shall obtain the necessary permits for the placement of the mobile home on the property.
5. The mobile home shall be removed from subject property within 30 days of the termination of this exception, as determined in condition number 1 above.

ADOPTED AT WICHITA, KANSAS, this 25th day of September, 1979.

ATTEST:


Glen E. Lytle, Assistant Secretary


Mary L. Koppitz, Chairman

September 26, 1979

Pearl A. Watkins
3201 E. MacArthur #104
Wichita, Kansas 67216

Re: Case No. BEA 40-79
Request for Exception

Dear Ms. Watkins:

At the regular meeting of the Board of Zoning Appeals on September 25, 1979, your request for an exception to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic) was considered.

It was the action of the Board to approve this request subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant's mother. When the mother no longer occupies the mobile home, it shall be removed from the property.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall conform to all height and setback requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. The applicant shall obtain the necessary permits for the placement of the mobile home on the property.

Page 2
September 26, 1979
BZA 40-79

5. The mobile home shall be removed from subject property within 30 days of the termination of this exception, as determined in condition number 1 above.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:bbs

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Steve Innes, Director Environmental Health

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE September 18, 1979

TO Jack Galbraith, Chief Planner

FROM Ginny Schrag, CPO Administrative Aide

SUBJECT BZA 40-79 (West side of Hydraulic
in an area south of Idlewild,
5239 South Hydraulic)

At its meeting of September 17, 1979, CPO Council "C" considered the captioned case. The Council voted unanimously, 4-0, to recommend approval of the exception to permit the placement of a mobile home on a temporary basis in the "AA", Single Family area.

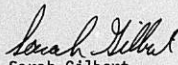
Please advise the Board of Zoning Appeals of the Council's recommendation when the case is considered at the September 25 meeting.



Ginny Schrag
CPO Administrative Aide

GS:lw

NOTED:



Sarah Gilbert
Assistant CP Coordinator

RECEIVED

SEP 21 1979

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT
CASE NO. BZA 40-70

APPLICANT: Pearl A. Watkins, 3201 E. MacArthur, #104,
Wichita, Kansas

AGENT: None

REQUEST: Exception pursuant to Section 2.12.500.C,
Code of the City of Wichita, to permit the
placement of a mobile home on a temporary
basis.

GENERAL LOCATION: West side of Hydraulic in an area south of
Idlewild (5239 S. Hydraulic).

ZONING: Subject property is zoned the "AA" Single
Family Dwelling District as are those prop-
erties to the north, south and east. West
is "G" Mobile Home zoning.

LAND USE: Subject property is occupied by a single
family dwelling as are those properties to the
north and east; west is a mobile home subdiv-
ision; south is a nursery.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.500.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 23.04.182.3 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the placement of a mobile home on her property which is zoned the "AA" Single Family Dwelling District.

The Board of Zoning Appeals has the authority to permit as an exception, the placement of a mobile home on any property in any district on a temporary basis, provided that the applicant can show due cause that a hardship exists and that this hardship cannot reasonably be alleviated without the granting of the permit.

The applicant states that her mother will reside in the mobile home and the purpose of her being that close is to help in the care of the applicant's daughter who is physically and visually handicapped. The applicant further states that the daughter takes so much care that it is just more than she can physically or mentally handle by herself. A site plan submitted with the application indicates that a mobile home can be located on the property in accordance with the setback requirements of the ordinance.

Page 2
EZA 40-70
EZA AGENDA
9-25-79

RECOMMENDATION:

If the Board determines that there is a hardship in this case and that the hardship cannot reasonably be alleviated without the granting of this exception, the following conditions are suggested as conditions of approval:

1. The mobile home may remain on the property as long as it is occupied by the applicant's mother. When the mother no longer occupies the mobile home, it shall be removed from the property.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall conform to all height and setback requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. The applicant shall obtain the necessary permits for the placement of the mobile home on the property.
5. The mobile home shall be removed from subject property within 30 days of the termination of this exception, as determined in condition number 1 above.

BZA CASE NO. BZA 40-79

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

22 NOTICES SENT TO ADJOINING PROPERTY OWNERS

35 TOTAL NOTICES SENT 9-5-79

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

September 5, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 40-79

An application has been filed by Pearl A. Watkins, 3201 E. MacArthur, #104, Wichita, Kansas, pursuant to Section 2.12.500.C, Code of the City of Wichita, requesting an exception to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as follows:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5230 S. Hydraulic).

This application has been assigned case No. BZA 40-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 25, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 263-4517.

Jack H. Galbraith
Secretary

5541

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 40-79
FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Pearl A. WATKINS ✓
Mailing Address 3201 E. MACARTHUR #104 Phone 522-4285
Name of Authorized Agent _____
Mailing Address _____ Phone _____
Relationship of applicant to property is that of owner
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section 2.12.590.C, Code of the City of Wichita, Kansas, to permit the ^{placement} establishment of a mobile home on a temporary basis West side of Hydraulic in an area south of Idlewild on property zoned AA, located 5239 So. Hydraulic

Use legal from ownership

and legally described as: South east corner of the north half of the north half of the South east Quarter, Section 21, thence West 425 ft. North 205 ft. East 425 ft., south to beginning Section 21, Township 28, Range E 1st, Sedgwick Co. in the City of Wichita.

- III. The applicant herein, or his authorized agent, acknowledges:
- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
 - b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
 - c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
 - d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant Pearl A. Watkins
Authorized Agent _____

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 10:15 (a.m.) - p.m.), August 24, 1979, together with appropriate fee of \$50.00

Signed G. Lynn Shirley

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

Lot	Addition	Property Owner
lot 1, Block A	Pinewood Estates	Richard E. Vernon Jr. and Linda Vernon 1611 Idlewild 67216
lots 2,4,6,7 Block A	Same	Tamarac Development Inc. 6136 East 9th St. 67208
lot 3, Block A	Same	Robert K. Jacobson and Darlene D. Jacobson 8325 Spicer Drive 67210
lot 5, Block A	Same	Bernard John Murphy III Susan L. Murphy 16171 West Kellogg Goddard, Kansas 67052
lot 8, Block A	Same	Steven G. Brannan 1001 East McArthur, Lot 142 67216
lot 9, Block A	Same	Walter Henry Hodge Jr. and Velma I. Hodge 2625 South West Street 67217
lot 10, Block A	Same	Glen U. Yost and Evangeline G. Yost 613 East Zimmerly 67211
lot 11, Block A	Same	Andrew J. Hausserman and Beverly A. Hausserman Address Unknown
Reserve B	Same	Pinewood Estates Homeowners Association, 6136 East 9th 67208
lot 1, Block A	Mona Kay Matlock Add.	Fred C. Caldwell & Nancy J. 5546 York 67215
lot 3, Block B	Same	Frank J. Krowl Jr. and Rosemarie Krowl 5301 South Kansas 67216
lot 4, Block B	Same	Jerry H. Farabough and Peggy A. Farabough 5300 S. Hydraulic 67216
lot 1, Block 1	John A. McMahan First	Harter Inc. 401 East Douglas, Suite 400 67202

*no
listing*

Lot	Addition	Property Owner
lot 2, Block 1	John A. McMahan First	Ronald F. Becker and Sharon K. Becker ✓ 1713 Idlewild 67216
lot 3, Block 1	Same	Martin Edward Greene and Martha June Greene ✓ 1719 Idlewild 67216
lot 5, Block 1	Same	Joyce E. Camfield ✓ 5239 South Kansas 67216
lot 6, Block 1	Same	F. Patrick Egan Jr. and E. Ann Egan ✓ 821 El Paso, Derby, Kansas 67037
lot 7, Block 1	Same	<i>no listing</i> Byron D. Beeler Address Unknown
lot 8, Block 1	Same	Richard L. Wilson and Karyl E. Wilson ✓ 5238 South Hydraulic 67216

The South half of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21-28-1E

✓ Martin M. Meyer
5335 South Hydraulic 67216

A tract of land described as beginning at a point 205 feet north of the SE corner of the north half of the north half of the SE $\frac{1}{4}$ of Section 21-28-1E, thence west parallel with the north line of said SE $\frac{1}{4}$ a distance of 417.4 feet; thence north parallel with the east line of said quarter section a distance of 104.4 feet; thence east parallel with the north line of said quarter section a distance of 417.4 feet to point in east line of said quarter section; thence south to the place of beginning

✓ Freddy R. Cathey and
Carol S. Cathey
5225 South Hydraulic 67216

Beginning at a point 309.4 feet north of the SE corner of the north half of the north half of the SE $\frac{1}{4}$ of Section 21-28-1E, thence west parallel with the north line said SE $\frac{1}{4}$, 208.7 feet, thence north parallel with the east line said quarter section, 104.4 feet, thence east 208.7 feet to a point in the east line said quarter section, thence south along the east line said quarter section, 104.4 feet to beg.

✓ Berry F. Campbell and
Rose Marie Campbell
6155 South Ida 67216

Tract

Beginning at the SE corner of the north half of the north half of the SE $\frac{1}{4}$ of Section 21-28-1E, thence west parallel with the north line said SE $\frac{1}{4}$, 425 feet, thence north parallel with the east line said SE $\frac{1}{4}$ 205 feet, thence east parallel with the north line said SE $\frac{1}{4}$ 425 feet to the east line said quarter section, thence south along the east line said quarter section, 205 feet to beg.

A tract beginning at the SW corner of Section 22-28-1E, thence north along the west line of said Section 22 a distance of 1755.82 feet to a point of beginning; thence to the right at an angle of 90°09' a distance of 290.06 feet; thence to the left at an angle of 90°09' a distance of 150 feet; thence left at an angle of 89°51' a distance of 291.35 feet; thence south along the west line of said Section 22 a distance of 150 feet to the point of beginning

Property Owner

✓ Fred Hagg & Virginia L. Hagg
5239 South Hydraulic
67216

✓ Guy D. Moody & Sophia M.
5316 South Hydraulic 67216

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

Use for legal

A 200 foot radius of: [A tract in the north half of the SE $\frac{1}{4}$ of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of said SE $\frac{1}{4}$; thence west parallel with the north line of said SE $\frac{1}{4}$, 425 feet; thence north parallel with the east line of said SE $\frac{1}{4}$, 205 feet; thence east parallel with the north line of said SE $\frac{1}{4}$ 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning]

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 21st day of August, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Hable
Vice President

Order No. 280275
wh

8-22-79

Dear Sirs:

I am going to make this as brief as possible. I want your approval to move a mobile home in on the property located at 5239 So. Hydraulic. My mother will reside there. Her purpose of being that close is to help me care for my handicapped daughter. The child is physically and visually handicapped. She takes so much care, that it is just more than I can physically or mentally handle by myself. It would be an advantage for me and my mother to be located as close as possible.

Thank you

Pearl A. Watkins

REAL ESTATE PURCHASE CONTRACT

This Agreement, Made and entered into this 15th day of August, 19 79
by and between Frederick A. Hagg and Virginia L. Hagg, husband and wife
party of the First Part, hereinafter referred to as "Seller," whether one or more, and Allen W. Watkins and
Pearl Watkins, husband and wife
party of the Second Part, hereinafter referred to as "Buyer," whether one or more.

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

1. The Seller does hereby agree to sell and convey to the Buyer by a good and sufficient warranty deed the following described real property, situated in Sedgwick County, Kansas, to-wit:
Commonly known and numbered as 5239 S. Hydraulic, Wichita, Kansas, and legally
described as Beginning at the Southeast corner of the North Half of the North Half of
the Southeast Quarter, Section 21, thence West 425 feet North 205 feet, East 425 feet,
South to beginning, Section 21, Township 28, Range 1 East, Sedgwick County, Kansas.

2. The Buyer hereby agrees to purchase, and pay to the Seller, as consideration for the conveyance to him of the above described real property, the sum of Forty Thousand Eight Hundred Fifty and No/100
(\$40,850.00) Dollars
in manner following, to-wit: \$100.00 earnest money, receipt of which is hereby acknowledged.
Balance in cash upon closing.

3. The Seller, at his option, agrees to furnish to the Buyer, either a complete abstract of title certified to date, or a title insurance company's commitment to insure, to the above described real property, showing a merchantable title vested in the seller, subject to: easements and restrictions of record, if any.

The Title Evidence shall be sent to title insurance
for examination by the Buyer as promptly and expeditiously as possible, and it is understood and agreed that the Seller shall have a reasonable time after said Title Evidence has been examined in which to correct any defects in title.

4. A duly executed copy of this Purchase Agreement shall be delivered to the parties hereto.

5. The Buyer agrees to and does hereby deposit with The Security Abstract & Title Co., Inc.
the sum of One Hundred and No/100 Dollars,
earnest money, as a guarantee that the terms and conditions of this contract shall be fulfilled by him, said deposit to be applied on the purchase price upon acceptance of title by the Buyer and delivery of deed by the Seller. In the event the Buyer shall fail to fulfill his obligation hereunder, the Seller may, at his option, cancel this agreement, and thereupon the aforementioned deposit shall become the property of the Seller and his Agent, not as a penalty but as liquidated damages. Provided, however, that in the event the Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer, and this Agreement shall be null and void and of no further force and effect.

6. It is further agreed by and between the parties hereto that all rentals, insurance (if policies acceptable to Buyer) and interest, if any shall be adjusted and prorated as of closing. Taxes shall be prorated for calendar year on the basis of taxes levied, or for prior year. Buyer is assuming all special assessments which begin in 1979 and proration to be based on specials levied for 1979 also.

7. The Seller further agrees to convey the above described premises with all the improvements located thereon and deliver possession of the same in the same condition as they now are, reasonable wear and tear excepted.

8. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before August 31, 1979

9. Possession to be given to Buyer on or before closing

10. In the event an Owners title insurance policy is furnished, the total cost of the commitment to insure and the title insurance policy will be paid 50% by seller and 50% by buyer.

11. Closing fee of \$100.00 to Security Abstract to be paid 50% by seller and 50% by buyer.
12. Electric refrigerator, range, deep freeze, 2 Vornado window air conditioners in house and
1 in garage, drapes, curtains, desk, riding mower, work bench to remain with property (over)

WITNESS OUR HANDS AND SEALS the day and year first above written.

Allen W. Watkins
Pearl A. Watkins
Buyer

Frederick A. Hagg
Virginia L. Hagg
Seller

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

September 5, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 40-79

An application has been filed by Pearl A. Watkins, 3201 E. MacArthur, #104, Wichita, Kansas, pursuant to Section 2.12.500.C, Code of the City of Wichita, requesting an exception to permit the placement of a mobile home on a temporary basis on property zoned the "AA" Single Family Dwelling District and legally described as follows:

A tract in the north half of the SE1/4 of Section 21-28-1E described as: Beginning at the SE corner of the north half of the north half of Said SE1/4; thence west parallel with the north line of said SE1/4; 425 feet; thence north parallel with the east line of said SE1/4, 205 feet; thence east parallel with the north line of said SE1/4, 425 feet to the east line of said quarter section; thence south along the east line of said quarter section 205 feet to the place of beginning. Generally located on the west side of Hydraulic in an area south of Idlewild (5239 S. Hydraulic).

This application has been assigned case No. BZA 40-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 25, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

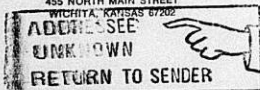
It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4517.

Jack H. Galbraith
Secretary

WICHITA - SEDGWICK COUNTY

W.S.C.

BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202



40-79

MOVED

Fred Hagg and Virginia L. Hagg
5239 S. Hydraulic
Wichita, Kansas 67216



**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-02

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Flbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	