

ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approved sub. to conditions</i>	<i>8-30-79</i>
B.C.C./B. CO. C. <i>Approved as recommended</i>	<i>9-26-79</i>

closed

CU-224 - Ritchie Paving, Inc. request Conditional Use to permit a Sand and Gravel Extraction Operation on property proposed for the "E" Light Industrial District generally located at the southwest corner of Gilda and 25th St. North.

POSTED
9-10-79
[Signature]

ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approved sub to conditions</i>	<i>8-30-79</i>
B.C.C./B. CO. C. <i>Approved as Recommended</i>	<i>9-26-79</i>

Closed

CU-224 - Ritchie Paying, Inc. re-
quest Conditional Use to permit a
Sand and Gravel Extraction Opera-
tion on property proposed for
the "E" Light Industrial District
generally located at the southwest
corner of Gilda and 25th St. North.

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

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 224
Filed 8-8-79

- APPLICATION DATA: From _____ to _____
1. Applicant: Ritchie Paving, Inc.
Address P.O. BOX 4048, Wichita 67204 Phone 838-9301
 2. Agent: Professional Engineering Consultants, P.A. (Gary Wiley)
Address 1440 E. English, 67211 Phone 262-2691
 3. General Location: at the southwest corner of Gilda and 25th St. North.
Address _____
 4. Proposed Use: Sand & Gravel Extraction Operation on property zoned
"R-1" Suburban Residential District.

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E "R-1" S "R-1" & "E" W "E" N "R-1" & "E"
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted. _____

PROCEDURE DATA:

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

Date	Action
<u>8-30-79</u>	<u>Approved sub to condition</u>

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

Date	Action	Resolution
<u>9-26-79</u>	<u>Approved as recommended</u>	<u>Oct. 10, 1979</u>

NOTES:

HASTINGS, MN. LOS ANGELES
LODAN, OH. AMERSON, TX U.S.A.

Speed
No. 2153C

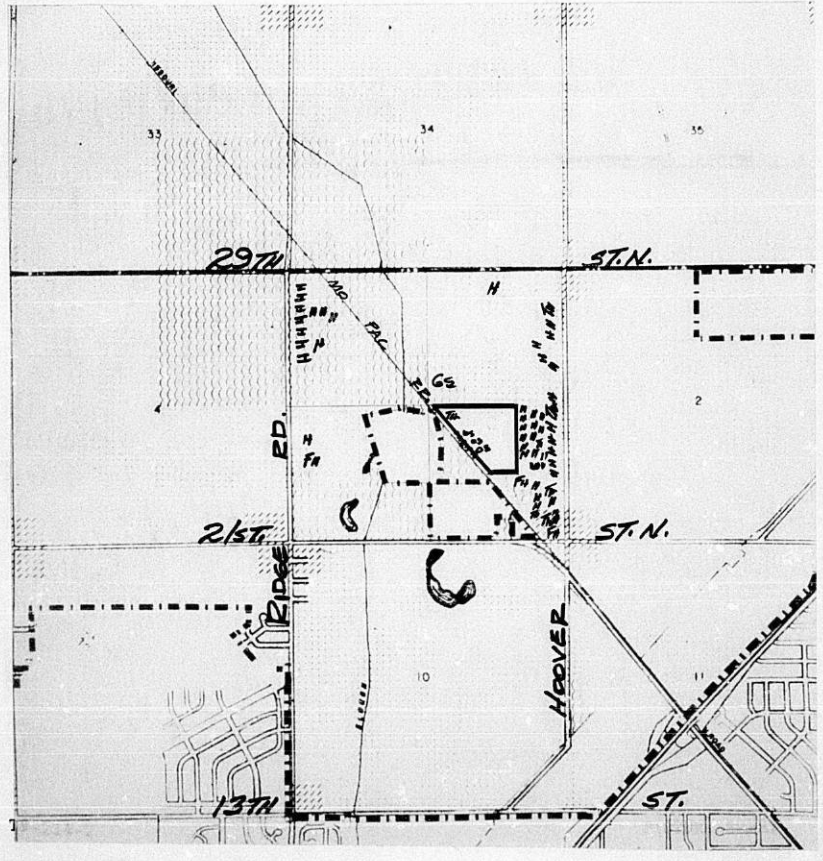
Map No. 5050
 Sec. 3
 Twp. 27
 Range 1W

DATA SHEET
 (ZONING & CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- 224
 Filed 8-8-79

- APPLICATION DATA: From _____ to _____
- Applicant: Ritchie Paving, Inc. Phone 838-9301
 - Address: P.O. BOX 4048, Wichita 67204
 - Agent: Professional Engineering Consultants, P.A. (Gary Wiley) Phone 262-2691
 - Address: 1440 E. English, 67211
 - General Location: at the southwest corner of 29th and 25th St. North.
 - Proposed Use: Sand & Gravel Extraction Operation on property zoned "R-1" Suburban Residential District.
- AREA DATA:
- Acres: 30 (1315 ^{Irregular} Ft. by 1500 ft.)
 - Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
 - Land Use: East SAND PIT South SAND PIT
 West SAND PIT North SAND PIT
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: OIL STORAGE
 - Area (is) (is not) platted. _____

PHOTO DATA:
 Taken by _____ Date _____ Time _____



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

DATA SHEET
 (ZONING & CONDITIONAL USE)

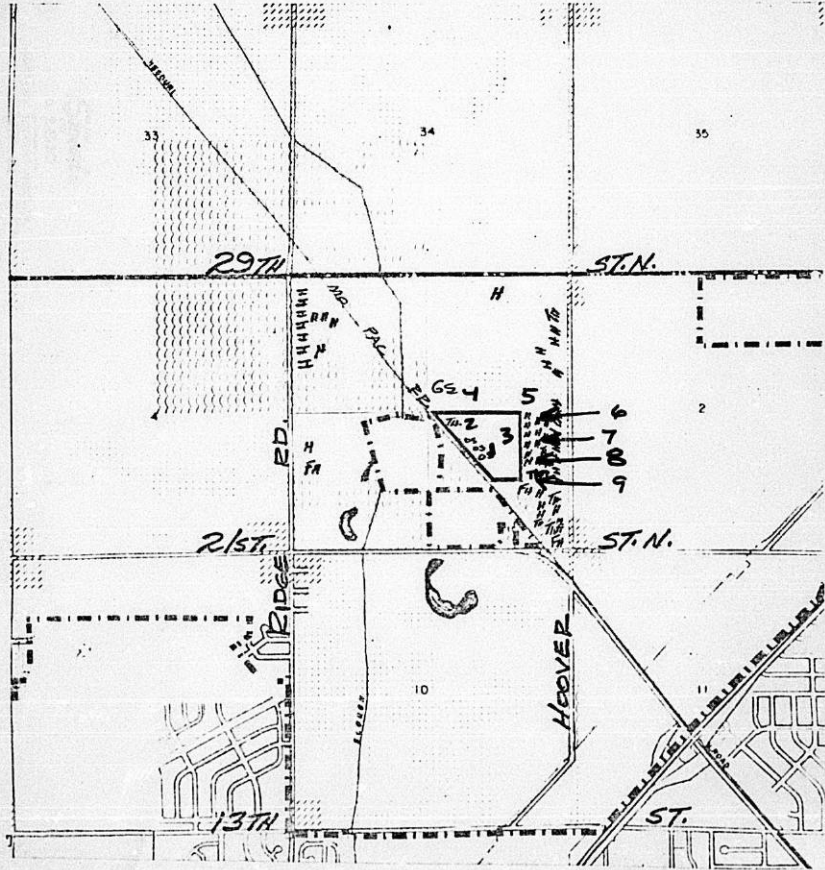
Z-
 SCZ-
 CU- 224
 Filed 8-8-79

APPLICATION DATA: From _____ to _____
 1. Applicant: Ritchie Paving, Inc.
 Address P.O. BOX 4048, Wichita 67204 Phone 838-9301
 2. Agent: Professional Engineering Consultants, P.A. (Gary Wiley)
 Address 7440 S. English, 67211 Phone 262-2691
 3. General Location: at the southwest corner of Adams and 25th St. North.

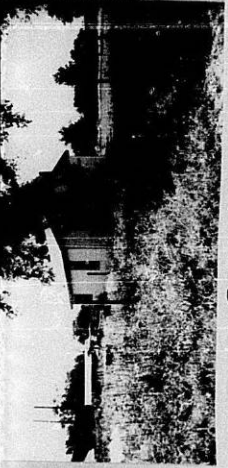
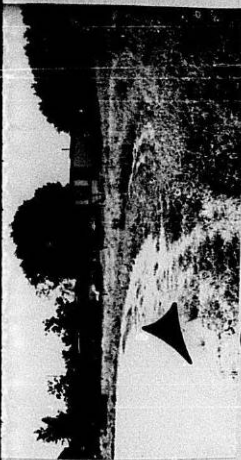
4. Proposed Use: Sand & Gravel Extraction Operation on property zoned "R-1" Suburban Residential District.

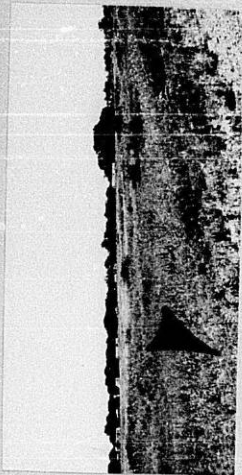
AREA DATA:
 1. Acres: 36 (1715 ^{irregular} ft. by 1500 ft.)
 2. Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
 3. Land Use: East SAND PIT South SAND PIT
 West SAND PIT North SAND PIT
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: OIL STORAGE
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____

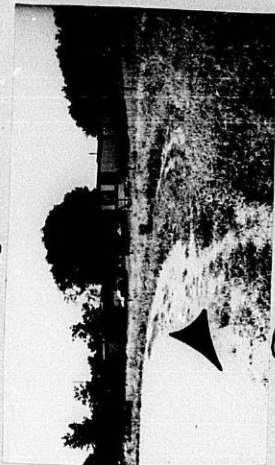
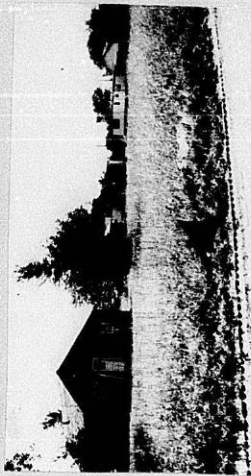


CU 224 Picture Sheet

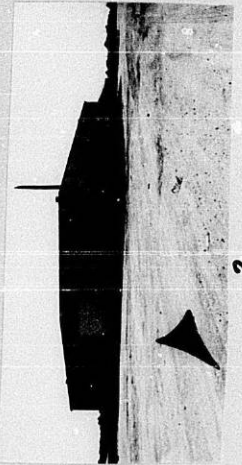




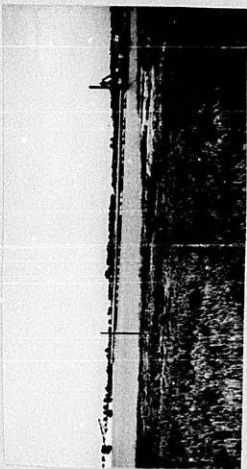
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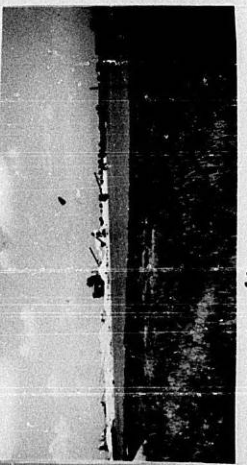
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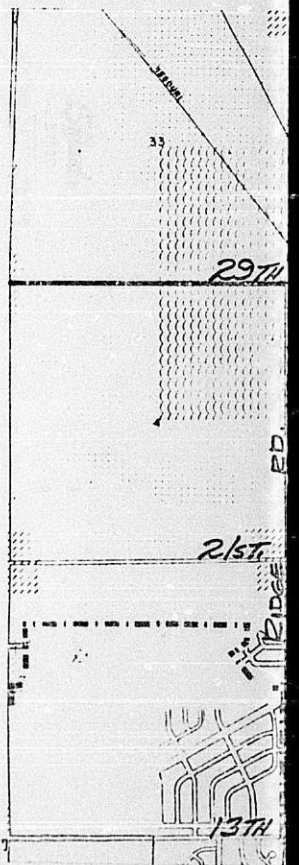
Map No. 5050
 Sec. 3
 Twp. 27
 Range 1W

(20

APPLICATION DATA: From
 1. Applicant: Ritchie
 Address P.O. BOX 404
 2. Agent: Professional
 Address 1440 E. Exp
 3. General Location: at
 4. Proposed Use: Sand &
 "R-1"

AREA DATA:
 1. Acres: 36
 2. Adjoining Zoning: E
 3. Land Use: East 5211
 West 5211
 4. Sketch Plan Land Use is
 5. Present Land Use is for
 6. Area (is) (is not) plat

PHOTO DATA:
 Taken by



R # 230 - 1979

(None given) Published in The Wichita Beacon on Oct. 10, 1979

R E S O L U T I O N

CASE NO. CU-224

A RESOLUTION PERMITTING A SAND AND GRAVEL EXTRACTION OPERATION 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 3.A.8.f AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

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

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 3.A.8.f and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a sand and gravel extraction operation in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, RLW of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; thence south parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet; thence west, parallel to the north line of said 1/4 section, 540 feet more or less to the easterly right-of-way line of the Missouri Pacific Railroad; thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; thence east, along the north line of said 1/4 section, to the point of beginning. Generally located at the southwest corner of Gilda and 27th Street North.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.


- E. The sand plant operator shall be responsible for:
1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached 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 26 day of September, 1977.


Tom Scott, Chairman


Donald Gragg, Commissioner


Everett Patrick, Commissioner



Dorothy K. White
Dorothy K. White, County Clerk

Approved as to form by County Counselor

for *James W. Patterson*
Theodore H. Hill, County Counselor

A. TOTAL AREA 8,895,200 SQFT.
B. APPLICATION AREA 1,365,760 "
C. STREET R/W 413,350 "
D. NET AREA 7,116,090 "
E. 20% OF NET AREA 1,423,218 "
F. NET PROTEST AREA 394,625 "
G. TOTAL % PROTESTING 5.54 %

CU-224



RECEIVED

SFP 6 1979

METROPOLITAN PLANNING

ROUTE

Shirley File

September 5, 1979

Mr. Jack H. Galbraith
Chief Planner
Metropolitan Area Planning
Commission
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Re: CU-224 Conditional Use Permit
southwest corner of Gilda and
25th St. North

Dear Mr. Galbraith:

Enclosed please find an executed Restrictive Covenant which you requested in your letter dated August 31, 1979.

If I may be of further assistance in this matter, please feel free to get in touch with me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'E. D. Ritchie'.

E. D. Ritchie

EDR:lb
Enclosure (1)

RESTRICTIVE COVENANTS

RITCHIE PAVING, INC., does hereby make the following declaration as to restrictions, limitations and use of the following described real estate:

Beginning at a point on the North line of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the 6th P.M., said point being 900 feet west of the North-east corner of said quarter section, thence south parallel to and 900 feet west of the East line of said quarter section 1,315.82 feet, thence west parallel to the North line of said section 540 feet, plus or minus, to the Easterly right of way line of the Missouri Pacific Railroad, thence northwesterly along the Easterly right of way line of the Missouri Pacific Railroad to the North line of said quarter section, thence east along the North line of said quarter section to the point of beginning.

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

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

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

IN WITNESS WHEREOF, this Restriction has been executed on this 5th day of September, 1979.

RITCHIE PAVING, INC.

By H. T. Ritchie
President

STATE OF KANSAS)
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 5th day of September, 1979, by Hale Thompson Ritchie, II, President of Ritchie Paving, Inc.

Ada L. Banks
Notary Public

My Commission Expires:

May 25, 1983



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-224, zone change from R-1 to C4 (for establishment of a SAND PIT in R-1 zoning).



SECTION II - Protestor(s)

	Name	Property Owned
	Lot(s)	Block(s) Addition
a)	<u>James R Taylor</u> Signature	
	<u>James R Taylor</u> Typed or Printed Name	
b)	_____ Signature	
	_____ Typed or Printed Name	

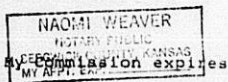
North 337 Feet of the South 677 Feet of the Southeast Quarter East of Railroad Right-of-Way, Section 3, Township 27, Range 1 West.

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 10th day of Sept, 1979, before me, a notary public in and for said County and State, came James R Taylor to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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



Naomi Weaver
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-224, zone change from R-1 to CU (for establishment of a SAND PIT in R-1 zoning).



SECTION II - Protestor(s)

Name	Property Owned	
Lot(s)	Block(s)	Addition
a) <u>Clifton Mills</u> Signature <u>Clifton Mills</u> Typed or Printed Name	Beginning 1081 Feet North of the Southeast Corner of the Southeast Quarter, West 330 Feet, North 69 Feet, More or Less to a Point 170 Feet South of the North Line of the South Half of the Southeast Quarter, East 330 Feet South to Beginning.	
b) _____ Signature _____ Typed or Printed Name	Beginning 1011 Feet North of Southeast Corner of the Southeast Quarter, West 330 Feet, North 70 Feet, East 330 Feet, South 70 Feet to Beginning, Section 3, Township 27, Range 1 West beginning 941 Feet North of the Southeast Corner of the Southeast Quarter, Section 3, West 330 Feet, North 70 Feet, East 330 Feet South to Beginning, Section 3, Township 27, Range 1 West.	

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 10 day of September, 19 79, before me, a notary public in and for said County and State, came Clifton Mills to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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

ANNETTA BROWN
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY COM. EXPIRES June 30, 1982

Annetta Brown
Notary Public

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C4-224, zone change from R-1 to C4 (for establishment of a SAND PIT in R-1 zoning).



SECTION II - Protestor(s)

<u>Name</u>	<u>Property Owned</u>
<u>Lot(s)</u> <u>Block(s)</u> <u>Addition</u>	
a) <u>Loyal Baum</u> Signature <u>Loyal Baum</u> Typed or Printed Name	Beginning 480 Feet West and 340 Feet South of the Northeast Corner of Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West
b) _____ Signature _____ Typed or Printed Name	

ACKNOWLEDGMENT

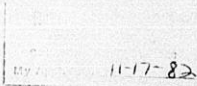
State of Kansas)
County of Sedgwick) ss

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

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

Betsy M. Peak
Notary Public

My Commission expires 11-17-82



ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-224, zone change from R-1 to C-1 (for establishment of a vacant lot in R-1 zoning).



SECTION II - Protestor(s)

<u>Name</u>	<u>Property Owned</u>	
<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a) <u>Donald R Bucy</u> Signature	TRACT II: Beginning 675.0 Feet West and 240.0 Feet South of the Northeast Corner of the Southeast Quarter of Section 2, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas; thence West parallel with the North line of said Southeast Quarter, a distance of 195.0 Feet; thence South parallel with East line of said Southeast Quarter, 100.0 Feet; thence East parallel with the North line of Southeast Quarter 195.0 Feet; thence North 100.0 Feet to Beginning.	
<u>Donald R Bucy</u> Typed or Printed Name		
b) <u>Mable L Bucy</u> Signature		
<u>Mable L Bucy</u> Typed or Printed Name		

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 7th day of September, 1977, before me, a notary public in and for, said County and State, came Donald R. + Mable L. Bucy to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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

BETSY M. PEAK
Notary Public
11-17-82

Betsy M. Peak
Notary Public

My Commission expires 11-17-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-224, zone change from 1-1 to C-1 (for establishment of a Sand and Gravel Extraction Operation in P-1 zoning).



SECTION II - Protestor(s)

	<u>Property Owned</u>		
<u>Name</u>	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a) <u>Jesse Cornejo</u> Signature	Lot 1	Block 1	Superior Addition
<u>Jesse Cornejo</u> Typed or Printed Name	Lot 1, Block 1		SUPERIOR ADDITION
b) <u>Josephine Cornejo</u> Signature			
<u>Josephine Cornejo</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 6th day of September, 1979, before me, a notary public in and for said County and State, came Jesse & Josephine Cornejo to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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

Donald J. Cornejo
Notary Public

My Commission expires 9-29-81



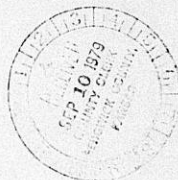
ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 61224, zone change from R-1 to C-4 (for establishment of a Community Center) in R-1 zoning).



SECTION II - Protestor(s)

	<u>Property Owned</u>
<u>Name</u>	<u>Lot(s) Block(s) Addition</u>
a) <u>Walter Henning</u> Signature	Beginning 330 Feet, North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, Section 3, West 225 Feet, North 100 Feet, East 225 Feet, South to Beginning, Section 3, Township 27, Range 1 West
<u>WALTER HENNING</u> Typed or Printed Name	
b) <u>Delphine Henning</u> Signature	V
<u>DELPHINE HENNING</u> Typed or Printed Name	

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 10 day of September, 1977, before me, a notary public in and for said County and State, came Walter Henning to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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



Linda P. Hansen
Notary Public

My Commission expires 11-28-84

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 34, zone change from R-1 to C4 (for establishment of a wood pit) in R-1 zoning).



SECTION II - Protestor(s)

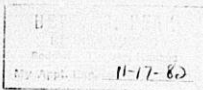
Name	Property Owned
	Lot(s) Block(s) Addition
a) <u>Donald R Bucy</u> Signature	TRACT I: Beginning 675.0 Feet West and 40.0 Feet South of the Northeast Corner of the Northeast Corner of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, thence West 195.0 Feet, thence North 200.0 Feet to Beginning. ✓
<u>Donald R Bucy</u> Typed or Printed Name	
b) <u>Malik L Bucy</u> Signature	✓
<u>Malik L Bucy</u> Typed or Printed Name	

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 7th day of September, 1979, before me, a notary public in and for said County and State, came Donald R. + Malik L. Bucy to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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



Stacy M. Beck
Notary Public

My Commission expires 11-17-82

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

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



SECTION II - Protestor(s)

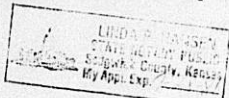
<u>Name</u>	<u>Property Owned</u>
<u>Lot(s)</u> <u>Block(s)</u>	<u>Addition</u>
a) <u>Walter Henning</u> Signature	Beginning 700 Feet South and 225 Feet West of the Northeast Corner of the Southeast Quarter South 100 Feet, West 195 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West
<u>WALTER HENNING</u> Typed or Printed Name	
b) <u>Delphine Henning</u> Signature	
<u>DELPHINE HENNING</u> Typed or Printed Name	

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

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

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



Linda A. Hansen
Notary Public

My Commission expires

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 224, zone change from R-1 to CU (for establishment of a Community Center) in R-1 zoning).



SECTION II - Protestor(s)

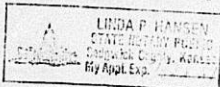
	<u>Name</u>	<u>Property Owned</u>	
	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a)	<u>Walter Henning</u> Signature		
	<u>WALTER HENNING</u> Typed or Printed Name	Beginning 225 Feet West and 800 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet North 100 Feet to Beginning, Section 3, Township 27, Range 1 West.	
b)	<u>Delphine Henning</u> Signature		
	<u>DELPHINE HENNING</u> Typed or Printed Name		

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 28 day of September, 1979, before me, a notary public in and for said County and State, came Walter Henning and Delphine Henning to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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



Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

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

RECEIVED

SEP 13 1979

METROPOLITAN PLANNING
ROUTE

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-224

CONSIDERED BY MAPC: 8-30-79

REQUEST FOR: Conditional Use Permit for Extraction
of Sand and Gravel.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

None stated.

GENERAL LOCATION: Southwest corner of Gilda and 25th Street North.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
August 30, 1979)

APPLICANT: Ritchie Paving, Inc., P. O. Box 4048, Wichita, KS

AGENT FOR APPLICANT: Dave Ritchie, Ritchie Paving, Inc., P.O. Box 4048.

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing, Undeveloped; North, Sand Pits; East, Single Family
and Undeveloped; South and West, Railroad.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to conditions as recommended by
staff eliminating item M, and as outlined in the excerpt from Planning
Commission minutes of August 30, 1979. Bayouth moved, Savina seconded
and it carried unanimously. Greider, Barrier and Taylor were absent.

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

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission, approve the application subject to recommended con-
ditions, adopt a resolution effectuating the Conditional Use; or
2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF AUGUST 30, 1979:

18. Case No. CU-224 - Ritchie Paving, Inc. request Conditional Use to permit establishment of a sand and gravel extraction operation beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, RLW of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; thence south parallel to and 900 feet west of the east line of said 1/4 section, 135.82 feet; thence west, parallel to the north line of said 1/4 section, 540 feet more or less to the easterly right-of-way line of the Missouri Pacific Railroad; thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; thence east, along the north line of said 1/4 section, to the point of beginning. Generally located at the southwest corner of Gilda and 25th St. North.

GALBRAITH pointed out adjacent 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:

On February 28, 1979, the Board of County Commissioners denied CU-212, Conditional Use Permit for sand and gravel extraction on the subject property. The County Zoning Resolution provides that the Zoning Committee of the Planning Commission may permit refiling a case after six months from the original hearing date when significant physical, economic, or land use changes have taken place. On July 9, 1979, the applicant was advised that his request for refiling a case had been approved by the Zoning Committee of the Planning Commission, based on the applicant having made physical changes in the original development plan for the property in that the existing access from the property to 25th Street and out to Hoover would be closed to eliminate noise and dust from trucks in the residential area to the east.

The applicant is requesting the Conditional Use Permit to allow expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in 1958, Case no. CU-5.

The applicant has submitted an operation plan indicating a private road to the north of 25th Street extending east to Hoover and the limits of the area to be excavated; and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the north, south and west sides of the lake area leading to the excavation operation adjacent to the north proposed for future multi-family development.

2. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:
 - A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
 - B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.

- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
 - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
 - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
 - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.
- M. Although the proposed operational plan does not indicate the closing of access to Hoover, the Planning Commission may want to consider requiring complete access control except for emergencies from their entire operation to Hoover south of 29th Street.

GALBRAITH stated that the reason the Zoning Committee of the Planning Commission approved the applicant's request to resubmit this application was that a number of people who protested before were now in support of the request, and the applicant had stated that they would permit those people to utilize the lake once its completed for part of their recreational needs, and they would not have any truck activity or access from the site going out to Hoover Road.

GALBRAITH submitted material to the Commission that the applicant had provided showing a number of signatures that were agreeable to their request. He pointed out that the applicant had stated that within three weeks from approval of this conditional use by the County they will stop using the access on Hoover Road. GALBRAITH mentioned that although the proposed operational plan does not indicate the closing of access to Hoover, the Planning Commission may want to consider the applicants' suggestion that they would close the access to Hoover, and GALBRAITH suggested that the Planning Commission may want the applicant to dedicate by separate instrument complete access control to Hoover at this time until someday they replat the land for another use.

DAVE RITCHIE, one of the applicants, stated that they have talked to most of the people in the area, and also sent a letter to all of the people in the area, and had a meeting to explain what they would be willing to do or could do if they were willing to go along with the Conditional Use request. RITCHIE submitted a drawing explaining what they were trying to do. He said that when the sand operation was completed, the sand pump would be moved and they hoped someday to put apartments on the peninsula. He said that they had drawn up an agreement with the people in the neighborhood that they would close the road within three weeks if they got final approval from the County, until the sand area was pumped out. They also agreed that when they have finished pumping the lake, the neighbors could use it for 15 years. The only stipulations for safety was no swimming and no speedboats. To pump the sand out would probably take four years, and in the meantime while the area residents were waiting for the proposed lake, they could use the other lake to the north.

BAYOUTH commented that the applicants had done more than what was required in this case, and wanted to commend them.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; and after considering the adjacent land uses and the proposed site plan and suggested conditions of approval; I move that we recommend to the Governing Body that the application be approved subject to the following conditions as recommended by staff eliminating item M:

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.

- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
 - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
 - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
 - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

Bayouth moved, Savina seconded and it carried unanimously. Greider, Barrier and Taylor were absent.

() Published in The Wichita Beacon on _____, 1979

R E S O L U T I O N

CASE NO. CU-224

A RESOLUTION PERMITTING A SAND AND GRAVEL EXTRACTION OPERATION 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 3.A.8.f AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

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

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 3.A.8.f and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a sand and gravel extraction operation in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 5th P.M., 900 feet west of the northeast corner of said 1/4 section; thence south parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet; thence west, parallel to the north line of said 1/4 section, 540 feet more or less to the easterly right-of-way line of the Missouri Pacific Railroad; thence north-westerly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; thence east, along the north line of said 1/4 section, to the point of beginning. Generally located at the southwest corner of Gilda and 27th Street North.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.

- E. The sand plant operator shall be responsible for:
1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial growth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached 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
Tom Scott

_____, Commissioner
Donald Gragg

_____, Commissioner
Everett Patrick

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

August 31, 1979

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

Re: CU-224 Conditional Use Permit
southwest corner of Gilda and
25th St. North

Dear Mr. Ritchie:

At its regular meeting on August 30, 1979, the Metropolitan Area Planning Commission considered the above-captioned request for a Conditional Use Permit for the extraction of sand and gravel. The action of the Planning Commission was to recommend that this request be approved subject to conditions "A" through "L" in the staff report, copy enclosed.

Regarding condition "F", it is necessary that we receive an executed covenant by September 14, 1979 in order for this matter to be considered by the Board of County Commissioners at their regular meeting on Wednesday, September 26, 1979, beginning at 9:00 a.m., in Room 320, Sedgwick County Courthouse. A sample covenant is enclosed.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc
Enclosures

cc: Gary Wiley, Professional Eng. Consultants,
1440 E. English 67211
Syd Werbin, County Zoning Officer



RECEIVED

AUG 27 1979

METROPOLITAN PLANNING
INC ROUTE

August 24, 1979

Mr. Jack Galbraith
Metropolitan Area Planning Department
City Hall - Tenth Floor
455 North Main St.
Wichita, Kansas 67202

Dear Mr. Galbraith:

Enclosed find a copy of the agreement between Ritchie Paving, Inc. and property owners adjacent to our requested Conditional Use Zoning.

I just wanted you and the members of the Metropolitan Planning Board to know that we have tried every way possible to satisfy the objections of the original protest petition.

I may be able to get more signers at a later date, but thought I would send this along now.

Sincerely,

RITCHIE PAVING, INC.

Proctor Ritchie

Proctor Ritchie

PR:jd
Encl.

AGREEMENT

THIS AGREEMENT, made and entered into this ____ day
of _____, 1979,

BY AND BETWEEN

RITCHIE PAVING, INC.,
hereinafter referred to as

"RITCHIE"

AND

The undersigned homeowners,
hereinafter referred to as

"HOMEOWNERS"

W I T N E S S E T H: That,

WHEREAS, Ritchie has filed an application before the Board of County Commissioners of Sedgwick County, Kansas, for a Conditional Use Permit, being Case No. CU-212, relating to certain real property legally described as:

Beginning at a point on the north line of the Southeast Quarter (SE/4) of Section Three (3), Township Twenty-Seven (27) South, Range One (1) West of the Sixth P.M., 900 feet west of the northeast corner of said quarter section;

Thence south, parallel to and 900 feet west of the east line of said quarter section, 1315.82 feet;

Thence west, parallel to the north line of said quarter section, 540 feet plus or minus to the easterly right-of-way line of the Missouri Pacific Railroad;

Thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said quarter section;

Thence east, along the north line of said quarter section, to the point of beginning; and

WHEREAS, certain homeowners located in an area bounded by 21st Street on the south, 25th Street on the north, Hoover Road on the East and Gilda Street on the west, have expressed concern in regard to the proposed expansion of the sand and gravel extraction operations to be carried out upon said property; and

WHEREAS, in order to arrive at a mutually fair and reasonable agreement concerning the future development and use of said real property, the parties hereto have reached certain understandings and wish to reduce the same to writing.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Homeowners agree, in consideration of the promises of Ritchie hereinafter described, that they will not directly or indirectly oppose Ritchie's application for the Conditional Use Permit described above before either the Wichita-Sedgwick County Metropolitan Area Planning Commission or the Board of County Commissioners.

2. In the event that none of the undersigned Homeowners oppose such application, and in the event that said application is granted by the Board of County Commissioners and Ritchie is in fact permitted to extend its sand and gravel extraction operations into said real property, Ritchie agrees to do the following:

(a) Within three (3) weeks after obtaining the final Conditional Use Permit approval, Ritchie will close the entrance to their operations on Hoover Street and all of the traffic to the sand plant will be required to use the 21st Street entrance until such time as the sand and gravel extraction operations on the hereinabove described property shall be completed; provided, however, that should for any reason the 21st Street entrance be closed for reasons beyond the control of Ritchie, such as resurfacing of roadways, et cetera, the Hoover Street entrance could be reopened and utilized until such time as the 21st Street entrance was reopened.

(b) At such time as the sand and gravel extraction operations have been completed on the hereinabove described real property (a period estimated, but not warranted, to take from three and one-half to four years) Ritchie agrees to permit all Homeowners and all tenants of property lying within the hereinabove described boundaries to form a homeowners or recreational association to utilize the lake created by the extraction of the sand and gravel from the above described real property for fishing, boating or picnicking for a period of fifteen years after extraction operations

cease. Access would be limited to an area on the west side of Gilda Street between 24rd Street and 25th Street, and Ritchie would place one drive-in gate and one walk-in gate at that location so that members of the association could utilize their own key for use of the lake. It would be the duty and obligation of the association to keep the property properly locked up when not in use, maintain it in a neat and clean condition, to enforce the restrictions placed thereon and to hold Ritchie harmless from any and all liability for accidents occurring on said property. Said lake shall not be utilized for swimming and no power boats shall be allowed. That portion of the shoreline to be utilized will be fenced off at the expense of Ritchie.

(c) Prior to the completion of sand and gravel extraction operations on the hereinabove described land, Ritchie agrees to permit members of the homeowners or recreational association to utilize a portion of the shoreline of the large lake to the north in an area to be designated and fenced off by Ritchie. Said right shall extend only to the use of the shoreline for picnicing and fishing purposes and for no other purpose, including, but not limited to, no boating or swimming. At such time as the lake shall become available on the hereinabove described property said association members shall have no further right to use of the shoreline described in this paragraph.

3. It is understood and agreed that the undersigned shall constitute the charter members of the association to be formed and they shall have the right to determine future members of the association (it being understood that in no event shall anyone living outside the area defined above be entitled to membership) and to promulgate such additional rules and regulations relating to said association as they deem proper. Said association shall be responsible for all maintenance, upkeep and enforcement of the rules and regulations of the association as well as seeing that all members abide by the restrictions on use contained herein. In the event of violation of any one or more of the restrictions or covenants imposed upon said homeowners association, Ritchie shall have the right to give notice to the association of such violation and in the event that the same should continue, then, and in that event, this Agreement shall, without further action being required by Ritchie, cease and terminate and all rights of the association hereunder shall cease and terminate, and Ritchie shall be entitled to the immediate complete and peaceable possession of said real property.

4. It is further understood and agreed that Ritchie is granting the association hereunder a nonexclusive license to utilize the property as aforesaid and that the safety of all persons utilizing said property pursuant to this

Agreement shall be the responsibility of the association and its members and Ritchie is in no way assuming any obligation therefor.

IN WITNESS WHEREOF, this Agreement has been executed on the date first above written.

RITCHIE PAVING, INC.

By J.P. Ritchie
"RITCHIE"

John S. M. M. M. 5633 W. 251

Anna M. M. M. 5633 W. 251 St. N.

M. J. Dalderton 2557 Sunny Ln

Harelda Dalderton 2537 Sunny Lane

Randy Williams 2528 Gilda

Anna Williams 2528 N. Gilda

Ben M. Shepherd 2363
7th Ave

Deborah T. Shepherd 2363 N.
Hoover

James E. Burns 2559 N.
Hoover

Mary A. Burns Hoover
2559 N.

Th. L. Hood 2422 N. Hoover

"HOMEOWNERS"

Page 2
CU-224
MAPC AGENDA
3-30-70

The applicant has submitted an operation plan indicating a private road to the north of 25th Street extending east to Hoover and the limits of the area to be excavated; and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the north, south and west sides of the lake area leading to the excavation operation adjacent to the north proposed for future multi-family development.

2. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:
 - A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
 - B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
 - C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
 - D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
 - E. The sand plant operator shall be responsible for:
 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
 3. Maintaining all operational roads in a graveled condition.
 - F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no

foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.

- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.
- M. Although the proposed operational plan does not indicate the closing of access to Hoover, the Planning Commission may want to consider requiring complete access control except for emergencies from their entire operation to Hoover south of 29th Street.

CU-224 - 42 "Notice to Adjoining Property Owners" mailed 8-16-79 for the
MAPC meeting for 8-30-79

1 to Grover C. McLure, Jr., Director of County Department of
Public Works

—
43 TOTAL

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

NOTICE TO ADJOINING PROPERTY OWNERS:

August 16, 1979

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 Aug. 30, 1979, 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-224

Conditional Use Request to Permit Establishment of
A Sand and Gravel Extraction Operation on Property
Zoned "R-1" Suburban Residential District

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; Thence south parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet; Thence west, parallel to the north line of said 1/4 section, 540 feet more or less to the easterly right-of-way line of the Missouri Pacific Railroad; Thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; Thence east, along the north line of said 1/4 section, to the point of beginning. Generally located at the southwest corner of Gilda and 25th St. 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

T9-216

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.

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

SEC 3, 27, 1W

5050

N-2-1/2
E-2-1
S-2-1/2

This is an application for a Conditional Use Permit. TheW-E
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-224

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, Wichita, Ks. 67204 PHONE 838-9301

AGENT Professional Engineering Consultants, P. A. (Gary Wiley)

ADDRESS 1440 E. English 67211 PHONE 262-2691

B. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

(Use separate sheet if necessary for names of additional appli-
cants).

II. The applicant proposes to establish a _____

Sand and Gravel Extraction _____ (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).

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S,
R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section;

Thence south, parallel to and 900 feet west of the east line of said 1/4 section,
1315.82 feet;

Thence west, parallel to the north line of said 1/4 section, 540 feet to the
easterly right-of-way line of the Missouri Pacific Railroad;

Thence northwesterly, along the easterly right-of-way line of the Missouri
Pacific Railroad, to the north line of said 1/4 section;

Thence east, along the north line of said 1/4 section, to the point of beginning.

use
for
legal

I I. THIS PROPERTY IS LOCATED AT (ADDRESS) _____

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Southwest CORNER OF Gilda AND
25th Street North, OR

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:

To expand our existing sand and gravel operations in this area.
(C.U. -5 and C.U. -43)

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRU-
TION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION.
I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS
IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR
CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPAN-
IED 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 COMMISSION-
ERS 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 C. L. Ritchie Secretary 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 2:15 PM
(AM, PM) on Aug 8, 1979 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 70.00.

Paul L. Hendry Name
J. Planner Title

(PR-3) Note: see ownership list in assoc zone case 5CZ-0435 (OK, not associated)

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, docs hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 1000 Feet of That part of the Northwest Quarter of the Southeast Quarter lying East of the Missouri Pacific Railroad Right-of-Way and the Northeast Quarter of the Southeast Quarter EXCEPT the East 900 Feet thereof in Section 3, Township 27, Range 1 West.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

TRACTS

OWNERS AND ADDRESSES

The Caption Property.

D D Ritchie Paving, Inc. and
 Commercial Asphalt, Inc.
 P. O. Box 4048
 Wichita, Kansas 67204

That part of the North 693.73 Feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Three (3), Township Twenty-Seven (27) South Range One (1) West, lying West of the Westerly Right-of-Way of the Missouri Pacific Railroad.

✓ Ritchie Construction Co.,
 Inc.
 P. O. Box 4048
 Wichita, Kansas 67204

That Part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) lying West of the MOPAC Right-of-Way; EXCEPT the North 693.73 Feet and EXCEPT that part in City of Wichita.

D D Commercial Asphalt, Inc. &
 Ritchie Paving, Inc.
 P. O. Box 4048
 Wichita, Kansas 67204

LOTS

ADDITION

Lots 1, 2, 3,
 Block 1; Lots 1,
 2, 3, Block 2; Lot
 1, Block 3

NORTH LAKES

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

Fidelity  Title
 COMPANY, INC.

Northeast Quarter of the Southwest Quarter
EXCEPT that part platted as NORTH LAKES
ADDITION, Section 3, Township 27, Range 1
West. ✓ DD Ritchie Construction Co.,
Inc.
P. O. Box 4048
Wichita, Kansas 67204

Northeast Quarter of the Southeast Quarter
of the Southwest Quarter, Section 3, Town-
ship 27, Range 1 West ✓ Kessler Brothers, Inc.
1905 Southwest Boulevard
Wichita, Kansas 67213

Southwest Quarter of the Northwest Quarter
and the South Half of the Northeast Quarter
in Section 3, Township 27, Range 1 West ✓ DD Ritchie Construction Co.
Inc.
P. O. Box 4048
Wichita, Kansas 67204

TRACT I: Beginning 675.0 Feet West and 40.0
Feet South of the Northeast Corner of the
Northeast Corner of the Southeast Quarter of
Section 3, Township 27 South, Range 1 West
of the Sixth Principal Meridian, Sedgwick
County, Kansas, thence West 195.0 Feet, thence
North 200.0 Feet to Beginning. ✓ Donald R. & Mable L. Bucy
845 N. Gow
Wichita, Kansas 67203

TRACT II: Beginning 675.0 Feet West and 240.0
Feet South of the Northeast Corner of the
Southeast Quarter of Section 3, Township 27
South, Range 1 West of the Sixth Principal
Meridian, Sedgwick County, Kansas; thence West
parallel with the North line of said South-
east Quarter, a distance of 195.0 Feet; thence
South parallel with East line of said South-
east Quarter, 100.0 Feet; thence East parallel
with the North line of Southeast Quarter 195.0
Feet; thence North 100.0 Feet to Beginning.

Beginning 675 Feet West and 340 Feet South of
the Northeast Corner of the Southeast Quarter,
West 195 Feet, South 100 Feet, East 195 Feet
North, 100 Feet to Beginning, Section 3,
Township 27, Range 1 West. ✓ Randy & Theresa Williams
2528 N. Gilda
Wichita, Kansas 67205

Beginning 675 Feet West and 540 Feet South
of the Northeast Corner of the Southeast
Quarter of Section 3, Township 27, Range 1
West, Sedgwick County, Kansas, West 195
Feet, south 100 Feet, East 195 Feet, North
100 Feet to beginning, COMMONLY known as
2502 North Gilda, Wichita, Kansas. ✓ Laura Faulkner
RR #1
Valley Center, Kansas
67147

Beginning 675 Feet West and 440 Feet South of
the Northeast Corner of the Southeast Quarter
of Section 3, Township 27, Range 1 West,
Sedgwick County, Kansas, West 195 Feet, South,
100 Feet, East 195 Feet, North 100 Feet to
Beginning. COMMONLY known as 2520 N Gilda,
Wichita, Kansas

Beginning 700 Feet South and 675 Feet West of
the Northeast Corner of the Southeast Quarter
West 195 Feet, South 114 Feet, East 195 Feet,
North 114 Feet to Beginning, Section 3,
Township 27, Range 1 West ✓ Martha J. Snider
5733 W. 24th Street
Wichita, Kansas 67205



Beginning 40 Feet South and 480 Feet West of the Northeast Corner of Southeast Quarter, of Section 3, West 195 Feet, South 100 Feet, East 195 Feet, North to the Beginning, Section 3, Township 27, Range 1 West ✓ Harold L. Fowl
Michael H. Goldston
2557 Sunn Lane
Wichita, Kansas 67205

Beginning 480 Feet West and 140 Feet South of the Northeast Corner of the Southeast Quarter, thence West 195 Feet, thence South 100 Feet, thence East 195 Feet, thence North 100 Feet to Beginning, Section 3, Township 27, Range 1 West ✓ Orville L. & Fayette Krai
2451 Sunny Lane
Wichita, Kansas 67205

Beginning 480 Feet West & 240 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, range 1 West.

Beginning 480 Feet West and 340 Feet South of the Northeast Corner of Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West ✓ Loyal Paul & Ruth V. Beum
2517 Sunny Lane
Wichita, Kansas 67205

Beginning 480 Feet West 540 Feet, South of the Northeast Corner of the Southeast Quarter Section 3, West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to the Beginning, Section 3, Township 27, Range 1 West. ✓ Walter Montroy & June
Inkelaar
P. O. Box 112
Peck, Kansas 67120

Beginning 700 Feet South and 480 Feet West of the Northeast Corner of the Southeast Quarter Section 3, Township 27, Range 1 West, thence West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West. ✓ Wichita Investment, Inc.
P.O Box 17192
Wichita, Kansas 67217

Beginning 225 Feet West and 40 Feet South of the Northeast Corner of the Southeast Quarter Section 3, South 100 Feet, West 225 Feet, North 100 Feet, East to Beginning, Section 3, Township 27, Range 1 West. ✓ John M. & Anna M. McNew
5633 W. 25th Street N.
Wichita, Kansas 67205

Beginning 225 Feet West and 140 Feet South of the Northeast corner of the Southeast Quarter, Section 3, Township 27, Range 1 West, thence West 195 Feet, South 200 Feet East, 195 Feet, North 200 Feet to Beginning.

Beginning 340 Feet South of the Northeast Corner of the Southeast Quarter, Section 3, South 100 Feet, West 420 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West ✓ Judy Nida & Lila Habaugh
1906 S. Braodway
Wichita, Kansas 67211

Beginning 225 Feet West and 440 Feet South of the Northeast Corner of the Southeast Quarter Section 3, thence West 195 Feet south 100 Feet, East 190 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West, ✓ Jacob Gillespie
3025 N. Hoover
Wichita, Kansas 67205

Beginning 225 Feet West and 540 Feet South of the Northeast Corner of the Southeast Quarter Section 3, West 225 Feet, South 100 Feet, East 225 Feet, North to Beginning, Section 3, Township 27, Range 1 West. ✓ David L. & Nancy L.
Williams
5634 W. 24th Street
Wichita, Kansas 67205



Fidelity Title
COMPANY, INC.

Beginning 700 Feet South and 225 Feet West of the Northeast Corner of the Southeast Quarter South 100 Feet, West 195 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West ✓ Walter N. & Delphine A. Henning 2437 N. Hoover Wichita, Kansas 67205

Beginning 225 Feet West and 800 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet North 100 Feet to Beginning, Section 3, Township 27, Range 1 West.

Beginning 40 Feet South of the Northeast Corner of the Southeast Quarter, Section 3 South 100 Feet, West 225 Feet, North 100 Feet, East to Beginning, Section 3, Township 27, Range 1 West. ✓ James E. & Mary A. Burns 2559 N. Hoover Wichita, Kansas 67205

Beginning 140 Feet South of the Northeast Corner of the Southeast Quarter, Section 3, South 200 Feet, West 225 Feet, North 200 Feet, East to Beginning of Section 3, Township 27, Range 1 West.

Beginning 440 Feet South of the Northeast Corner of the southeast Quarter of Section 3, South 100 Feet, West 225 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West. ✓ Mary Inez Williams 1641 S. St. Francis Wichita, Kansas 67211



Beginning 640 Feet South of the Northeast Corner of the Southeast Quarter, Section 3 West 225 Feet, North 100 Feet, East 225 Feet, South to Beginning, Section 3, Township 27, Range 1 West ✓ Eldon D. & Carolyn S. Blackwell Address Unknown 24501 N. Hoover 67205

Beginning 700 Feet South and 30 Feet West of the Northeast Corner of the Southeast Quarter, West 195 Feet, South 180 Feet, East 195 Feet North 180 Feet to Beginning, Section 3, Township 27, Range 1 West ✓ Donald D. & Mary L. Caffre 2447 N. Hoover Wichita, Kansas 67205

Beginning 330 Feet, North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, Section 3, West 225 Feet, North 100 Feet, East 225 Feet, South to Beginning, Section 3, Township 27, Range 1 West ✓ Walter N. & Delphine Ann Henning 2437 N. Hoover Wichita, Kansas 67205

Beginning 230 Feet North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, Section 3, West 225 Feet, North 100 Feet, East 225 Feet, South to the Beginning, Section 3, Township 27, Range 1 West ✓ Marlin Lee & Sharon K. Evans Address Unknown *Returned to Duffalo Pockets Kemerer 2605 S Broadway St. 67216*

Beginning at a point 30 Feet North and Six Hundred Twenty-Three Feet West of the Southeast Corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Three (3) Township Twenty-Seven South (27S), Range One (1) West of the Sixth P.M.; thence West parallel with the South line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) 277 Feet; thence North 471.82 Feet parallel with the East line of said Southeast Quarter (SE $\frac{1}{4}$); thence East 225 Feet; thence North 14 Feet; thence East 52 Feet; thence South 485.82 Feet to the point ✓ Ritchie Paving Inc. P. O. Box 4048. Wichita, Kansas 67204

Fidelity Title COMPANY, INC.

of beginning; Sedgwick County, Kansas.

Beginning 30 Feet North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, North 200 Feet, West 225 Feet, North 184.56 Feet, West 225 Feet, North 100 Feet, West 173 Feet, South 485.82 Feet, East 623 Feet to Beginning. ✓ Larry Fouts
1715 N. Mt. Carmel
Wichita, Kansas 67203

Beginning 30 Feet South of the Northeast Corner of the Southeast Half of the Southeast Quarter, Section 3, West 330 Feet, South 70 Feet, East 330 Feet, North to Beginning Section 3, Township 27, Range 1 West. ✓ Richard L. & R. Wynone
Hill
2365 N. Hoover
Wichita, Kansas 67205

Beginning 100 Feet South of the Northeast Corner of the South Half of the Southeast Quarter, 330 Feet South, 70 Feet East, 330 Feet North to Beginning, Section 3, Township 27, Range 1 West. ✓ Bruce M & Deborah K
Shepherd
2363 N. Hoover
Wichita, Kansas 67205

Beginning 1081 Feet North of the Southeast Corner of the Southeast Quarter, West 330 Feet, North 69 Feet, More or Less to a point 170 Feet South of the North Line of the South Half of the Southeast Quarter, East 330 Feet South to Beginning. ✓ Clifton & Dorothy E Mills
2333 N. Hoover
Wichita, Kansas 67205



Beginning 1011 Feet North of Southeast Corner of the Southeast Quarter, West 330 Feet, North 70 Feet, East 330 Feet, South 70 Feet to Beginning, Section 3, Township 27, Range 1 West
Beginning 941 Feet North of the Southeast Corner of the Southeast Quarter, Section 3, West 330 Feet, North 70 Feet, East 330 Feet South to Beginning, Section 3, Township 27, Range 1 West.


Beginning 677 Feet North of the Southeast Corner of the Southeast Quarter, Section 3, West 20 Rods North 16 Rods East 20 Rods South to Beginning, Section 3, Township 27, Range 1 West. ✓ Pete & Ava Louis Clupny
10826 W. 53rd North
Wichita, Kansas 67205

North 337 Feet of the South 677 Feet of the Southeast Quarter East of Railroad Right-of-Way, Section 3, Township 27, Range 1 West. ✓ James Roscoe & Cecelia M
Taylor
2241 N. Hoover
Wichita, Kansas 67205

South 677 Feet of the Southeast Quarter East of the Railroad Right-of-Way, EXCEPT the North 337 Feet, Section 3, Township 27, Range 1 West ✓ J.A. & Hattie M. Taylor
2203 N. Hoover
Wichita, Kansas 67205

Beginning 677 Feet North & 524.82 Feet West of the Southeast Corner 3 Northwesterly 832.85 Feet West 342.5 Feet Southeasterly 832.85 Feet East to the Beginning, Section 3, Township 27 Range 1 West ✓ William G. & Jennie F.
Schraft
805 S. Main
Wichita, Kansas 67213

Beginning 30 Feet East of the Southwest Corner of the East Half of the Southeast Quarter North 350 Feet East 100 Feet South 350 Feet West to Beginning; EXCEPT that part taken for Street AND Imogene Ross
5926 W. 21st Street
Wichita, Kansas 67212

Fidelity  Title
COMPANY, INC.

(Continued)

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Beginning 130 Feet East Southwest corner of the East Half of the Southeast Quarter North 350 Feet East 100 Feet South 350 Feet West to Beginning; EXCEPT that part taken for Street

Beginning 230 Feet East Southwest Corner of the East Half of the Southeast Quarter North 450 Feet East 100 Feet South 450 Feet West to Beginning; EXCEPT the South 80 Feet for 21st Street. ✓ Ernest E & Ruth Ann Cox
5920 W. 21st Street
Wichita, Kansas 67212

Beginning Thirty(30) Feet East and Three Hundred Fifty(350) Feet North of the Southwest Corner of the East Half(E½) of the Southeast Quarter (SE¼) of Section Three(3) Township Twenty-Seven(27), Range One(1), West of the sixth P.M.; thence North One Hundred(100) Feet; thence East Two Hundred(200) Feet; thence South One Hundred(100) Feet; thence West to point of beginning, Sedgwick County, Kansas.

Lot 1, Block 1 SUPERIOR ADDITION ✓ Jesse & Josephine Cornejo
1141 Denker
Wichita, Kansas 67216

Lots 2 and 3 SUPERIOR ADDITION ✓ Ritchie Construction Co.,
Inc.
P. O. Box 4048
Wichita, Kansas 67204



Southwest Quarter of the Northwest Quarter of section 2, Township 27, Range 1 West, EXCEPT Beginning 1568 Feet South of the Northwest Corner South 531.9 Feet East, 245.7 Feet North, 531.9 Feet West to beginning. ✓ E. C. Carp, Charles N. Carp & Wallace F. Carp
2700 N. Hoover
Wichita, Kansas 67205

North 445 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27 Range 1 West ✓ Teall Construction Co.,
Inc.
709 N. St. Francis
Wichita, Kansas 67214

North 225 Feet of the North 450 Feet of the South 870 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West ✓ Richard D & Peggy L Cook
2452 N. Hoover
Wichita, Kansas 67205

South 225 Feet of the North 450 Feet of the South 870 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West. ✓ Lawrence R & Sherry E
Fast
2446 N. Hoover
Wichita, Kansas 67205

North 105 Feet of the South 420 Feet of the West 210 Feet of the Northwest Quarter of the South Quarter, Section 2, Township 27, Range 1 West ✓ Duane C & Irene V Dennett
2422 N. Hoover
Wichita, Kansas 67205

South 105 Feet of the North 210 Feet of the South 420 Feet of the West 210 Feet of the Northwest Quarter of the Southwest Quarter, EXCEPT 520 Feet for Street, Section 2, Township 27, Range 1 West. ✓ Monte Ray & Mary S English
2402 N. Hoover
Wichita, Kansas 67205

Fidelity  Title
COMPANY, INC.

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West 210 Feet of the South 210 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West, EXCEPT that part taken for Street ✓ Frank & Pansy Edison
2111 W. 24th Street
Wichita, Kansas 67204

West 10 Acres of the Southwest Quarter of the Southwest Quarter in Section 2, Township 27, Range 1 West ✓ Elgin M & Odessa M Gupton
2815 George Washington Bl
Wichita, Kansas 67210

(7)
Dated at Wichita, Kansas this 8th day of January, 1979,
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *C. E. Bud Ruddy*
Vice-President

No. 45972

Updated at Wichita, Kansas this 28th day of June, 1979,
at 7:00 A.M.



FIDELITY TITLE COMPANY, INC.

No. 45972

BY

C. E. Bud Ruddy
Vice-President

Fidelity  Title
COMPANY, INC.

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

NOTICE TO ADJOINING PROPERTY OWNERS:

August 16, 1979

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 ~~Aug. 20, 1979~~ ^{Aug. 20, 1979}, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

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A Sand and Gravel Extraction Operation on Property
Zoned "R-1" Suburban Residential District

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R11W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; Thence south parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet; Thence west, parallel to the north line of said 1/4 section, 540 feet more or less to the easterly right-of-way line of the Missouri Pacific Railroad; Thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; Thence east, along the north line of said 1/4 section, to the point of beginning. Generally located at the southwest corner of Gilda and 25th St. 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

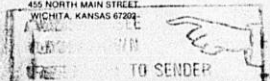
T9-216

CU-224
Edel
WICHITA - SEDGWICK COUNTY

W S C

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202



Important! Notice of Meeting Enclosed

Edel
RETURNED TO SENDER
ADDRESSEE UNKNOWN

SHARON K. EVANS &
MARLIN LEE EVANS
% RICKETTS GENERATOR & STARTER REBUILDERS
2863 S. BROADWAY STREET
WICHITA, KS. 67216



Not at this address
no other address



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.
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Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
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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.

CU-224

WICHITA - SEDGWICK COUNTY
W S C
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RETURNED TO SENDER
ADDRESSEE UNKNOWN

SHARON K. EVANS &
MARLIN LEE EVANS
% RICKETTS GENERATOR & STARTER REBUILDERS
2863 S. BROADWAY STREET
WICHITA, KS. 67216

not at this address

no other address

U.S. POSTAGE
15c

1373
ADDRESSEE UNKNOWN

Important Notice of Meeting Enclosed

FORM 29-

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	AMOUNT
47 Canteen Conditional Use Application	

NAME *Richardson Tom Chandler*

ADDRESS *124 S. 1st St*

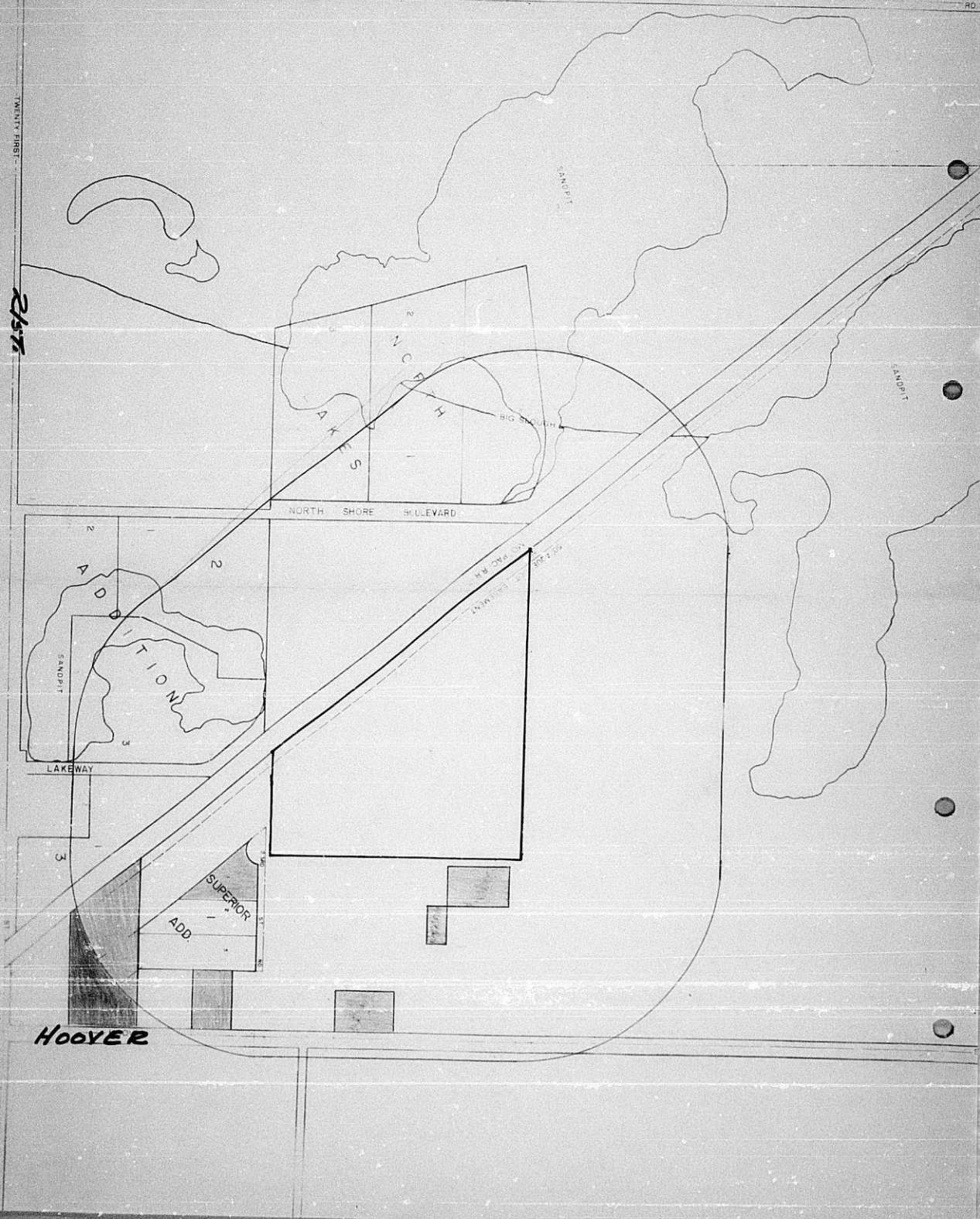
FUND *700-00-000-1001* DUE DATE *12-31-1957*

COMMENTS

DATE *1/1/58* BY *Tom Chandler*

RIDGE RD.

2457



HOOPER

*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

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