

ACTION

POSTED
9-22-80

DATE 10-6-80

7300m. Valley Center P. COMMITTEE *Approved subject to*
off committee

M.A.P.C. *Approved subject to*
conditions as amended

B.C.C./B. CO. C. *Approved subject* 11-5-80
to the recommended conditions
except sign size was
increased to 20 sq ft.

closed

CU-241 - H. Bruce Vandegrift, Etux
requests Conditional Use Permit to
establish a Christmas tree farm,
greenhouse, and container
plants operation generally loca-

Map No. 5257D
Sec. 36
Twp. 26
Range 1E

DATA SHEET
(ZONING & CONDITIONAL USE)

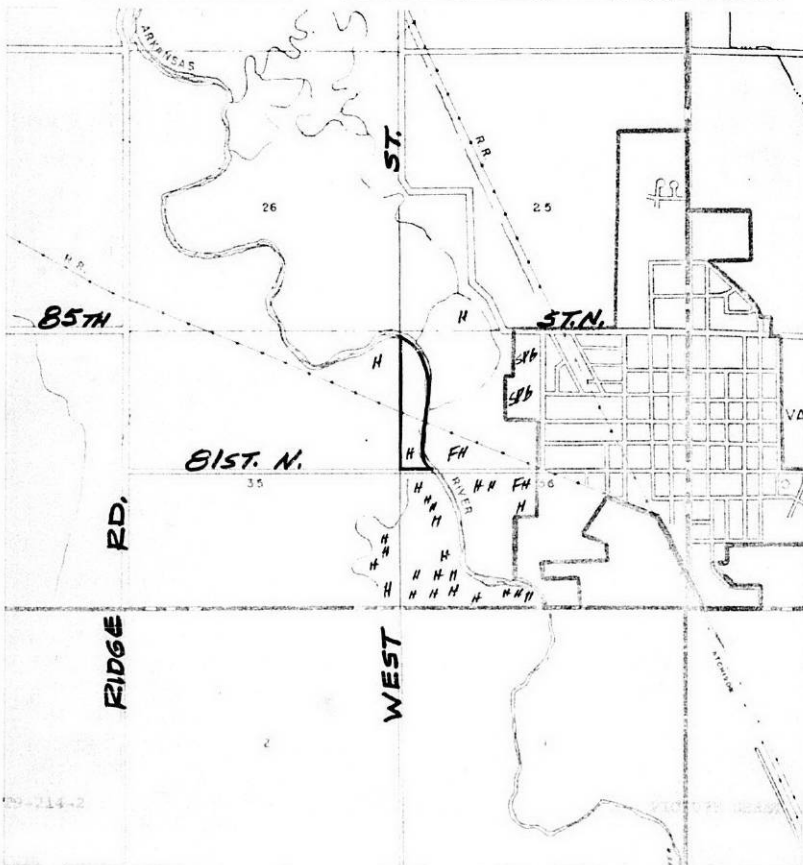
Z- _____
SCZ- _____
CU- 241
Filed 9-10-80

ASSOCIATED CASE: _____

- APPLICATION DATA: From _____ to _____
1. Applicant: H. Bruce Vandegrift, Etux
Address RR1 8200 N West St., Valley Center 67147 Phone 755-1390
 2. Agent: _____
Address _____ Phone _____
 3. General Location: Northeast corner of 81st St., North and West St.
Address _____
 4. Proposed Use: To establish a Christmas tree farm, greenhouse, and container plants operation.

- AREA DATA: (IRREGULAR)
1. Acres: 15 (_____ ft. by _____ ft.)
 2. Adjoining Zoning: E "R-1" S "R" W "R" N "R"
 3. Land Use: East UNDEVELOPED South UNDEVELOPED
West SINGLE FAM North UNDEVELOPED
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: UNDEVELOPED
 6. Area (is) (is not) platted. _____

PHOTO DATA:
Taken by _____ Date _____ Time _____



REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO VALLEY CENTER CITY PLANNING COMMISSION

CASE No. CU-241 TO BE HEARD BY THE M. A. P. C. ON 10-9-80

REQUEST FOR Conditional Use Permit for Nursery and Greenhouse Operation.

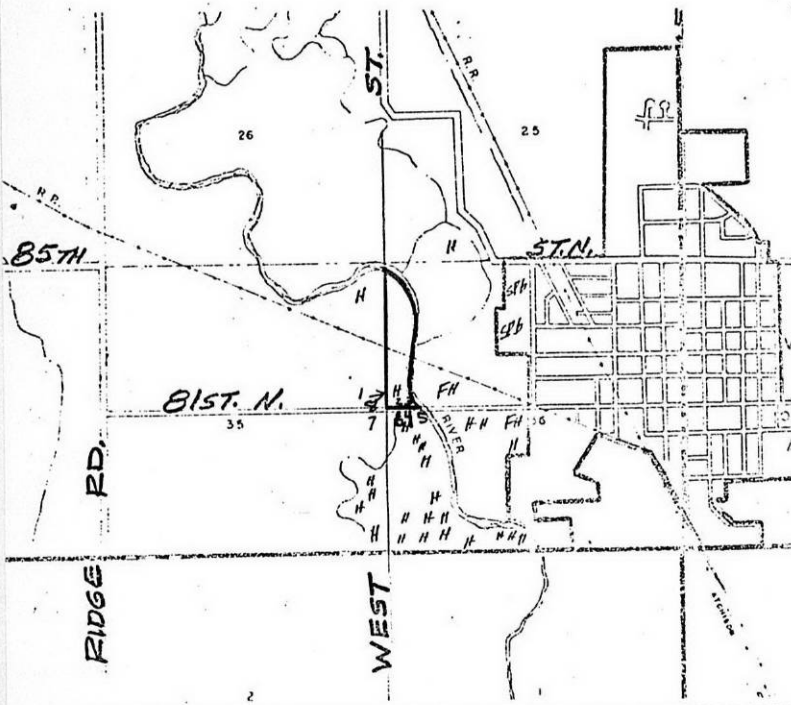
REASON FOR REQUEST (AS PROVIDED BY PETITIONER): To establish a Christmas tree farm, greenhouse and container plants operation.

LOCATION OF PROPERTY: Northeast corner of 81st Street North and West Street.

LEGAL DESCRIPTION OF PROPERTY: Beginning at the southwest corner of the North-west Quarter (NW $\frac{1}{4}$) of Section 36, Township 25, Range 1 West of the 6th P.M., Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW $\frac{1}{4}$; thence west along the south line of said Quarter to the point of beginning.

APPLICANT: H. Bruce & Joyce V. Vandegrift
Address: RR 1, 8200 N. West St., Valley Center, Ks. 67147

AGENT FOR APPLICANT: None
SURROUNDING LAND USE: North & East: River & Undeveloped; South: Single Family; West: Single Family & Undeveloped.



RECOMMENDATION OR COMMENTS BY V. C. P. C. :



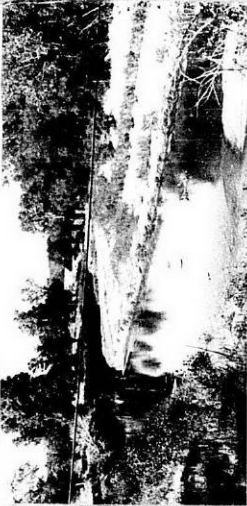
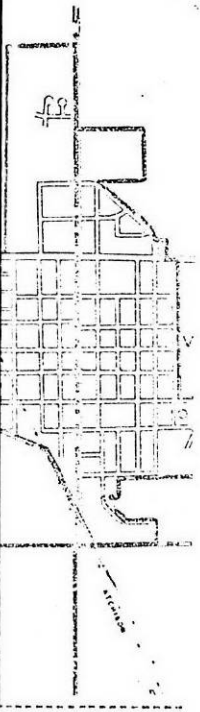
PLANNING COMMISSION

10-9-80

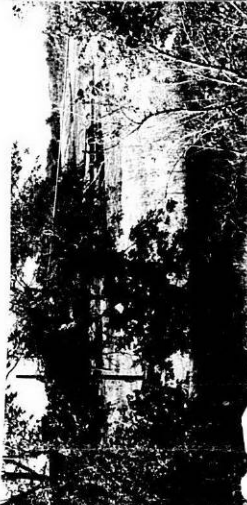
Greenhouse Operation.
Establish a Christmas

North and West Street.
East corner of the North
West of the 6th P.M.
the river bed of the
the middle of said
thence west along
r.

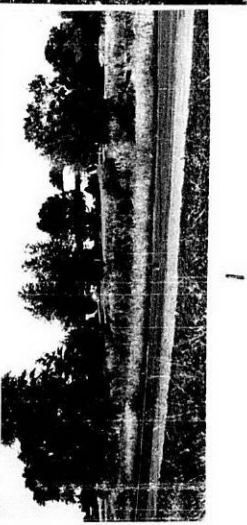
7147
; South: Single



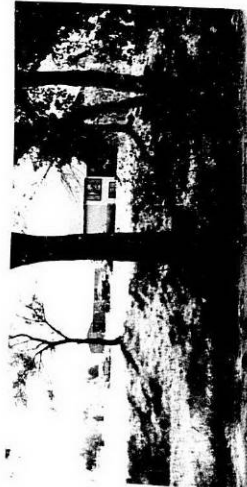
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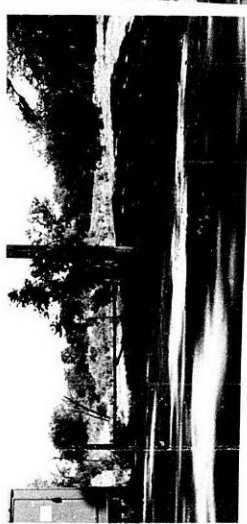
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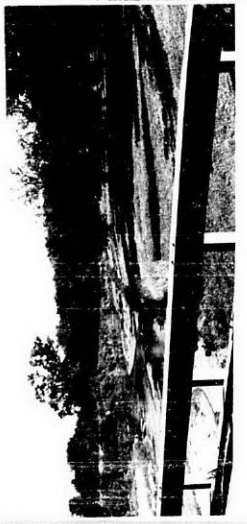
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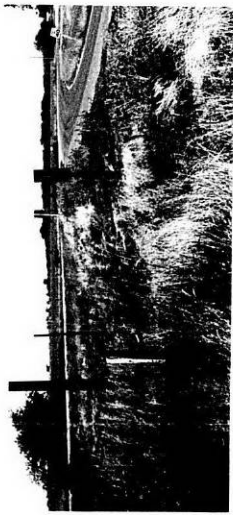
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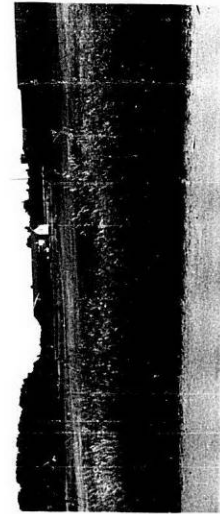
5



6



7



8

CV-241 Picture Sheet

R# 220-1980

(non qm.) Published in The Wichita Eagle-Beacon on Nov. 14, 1980

RESOLUTION

CASE NO. CU-241

A RESOLUTION PERMITTING A NURSERY AND GREENHOUSE OPERATION IN THE "R" RURAL 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.8.1 AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF 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.8.1, and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow a nursery and greenhouse operation in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

Beginning at the southwest corner of the Northwest Quarter (NW 1/4) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW 1/4; thence west along the south line of said Quarter to the point of beginning. Generally located at the northeast corner of 81st Street North and West Street.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
- B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
- C. The use of land shall be limited to residential, agricultural, nursery and greenhouse purposes.
- D. Sales shall include only plant material grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.

- E. Any outdoor storage of materials (other than plant materials) associated with the greenhouse operation shall be completely screened from public view.
- F. The following items shall not be displayed or sold on the premises:
 - a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
- G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted. The sign shall not exceed six (6) feet in height and shall not exceed twenty (20) square feet on one surface with a maximum of two surfaces, back to back, being permitted.
- H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.
- I. A minimum of fifteen (15) parking spaces shall be provided in close proximity to the greenhouse. The parking and loading area shall be paved or otherwise surfaced with an all weather surface treated to prevent dust.


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 5 day of November, 1980.


Everett Patrick, Chairman

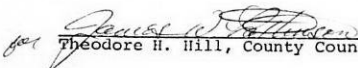

Tom Scott, Commissioner


Donald E. Gragg, Commissioner




Dorothy K. White, County Clerk
(SEAL) *by Dorothy K. White, Deputy*

Approved as to form by County Counselor


Theodore H. Hill, County Counselor

November 6, 1980

H. Bruce & Joyce V. Vandegrift
R.R. #1
3200 North West Street
Valley Center, Kansas 67147

Re: CU-241 - Conditional Use Permit for
Nursery & Greenhouse Operation -
Northeast corner of 81st St. North
and West Street.

Dear Mr. & Mrs. Vandegrift:

At its regular meeting of November 5, 1980, the Board of County Commissioners considered the above captioned request. The action of the Commission was to approve the request subject to the nine (9) conditions recommended by the Metropolitan Area Planning Commission with one exception. This one exception was to permit a sign not exceeding twenty (20) square feet as opposed to the sixteen (16) square feet recommended by the Planning Commission.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:GLS:el

cc: Syd Werbin, County Director, Bldg., Planning & Codes

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

*Received letter
requesting size of
sign to be 20'*

CASE NO. CU-241

CONSIDERED BY VCPC: 10-6-80

CONSIDERED BY MAPC: 10-9-80

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To establish a Christmas tree farm, greenhouse and
container plants operation."

GENERAL LOCATION: Northeast corner of 81st Street North and West Street.

LEGAL DESCRIPTION:

(see excerpt from Planning Commission minutes of
October 9, 1980)

APPLICANT: H. Bruce Vandegrift, Etux, RRI 8200 N. West, St., Valley
Center, KS

AGENT FOR APPLICANT: None

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing and West, Single-family & undeveloped; North and East,
River & undeveloped; South, Single-family.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown in
the excerpt from Planning Commission minutes of October 9, 1980. Bayouth
moved, Jones seconded and it carried unanimously. Goebel, Hennessy and
Savina were absent.

ACTION: 1. Accept the dedication, concur with the findings of fact of the
Metropolitan Area Planning Commission, approve the application subject to
the recommended conditions, adopt a resolution establishing the Conditional
Use and instruct the County Clerk to file the dedication with the Register
of Deeds; or

2. Take such action as the County Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 9, 1980

33. Case No. CU-241 - H. Bruce Vandegrift, Etux requests a Conditional Use Permit beginning at the southwest corner of the Northwest Quarter (NW 1/4) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW 1/4; thence west along the south line of said Quarter to the point of beginning. Generally located at the northeast corner of 81st St. North and West Street.

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

COMMENTS:

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

The applicant is requesting a Conditional Use permit to establish a nursery and greenhouse operation on a tract of land zoned "R" Rural Residential containing approximately 15 acres and occupied in part by the applicant's home.

Section 11.E.1 of the County Zoning Resolution provides that the Board of County Commissioners may by special permit and subject to such restrictions as it deems necessary, permit conditional uses as outlined in the various districts where such uses are deemed essential or desirable to the public convenience or welfare.

Subject property is located next to two F.A.S. Roads (81st Street North and West Street) and additional street right-of-way will be required to be dedicated.

2. Should the Planning Commission determine that this is a logical and proper use for subject property and recommend approval of the request, it should be approved subject to the following conditions:
- A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
 - B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
 - C. The use of land shall be limited to residential, agricultural, nursery and greenhouse purposes.
 - D. Sales shall include only plant materials grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.
 - E. Any outdoor storage of materials (other than plant materials) associated with the greenhouse operation shall be completely screened from public view.
 - F. The following items shall not be displayed or sold on the premises:

- a. Irrigation equipment designed to be used for agricultural or commercial purposes.
- b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
- G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted.
- H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.

GALBRAITH stated that Valley Center Planning Commission did recommend approval of this request subject to the conditions in the staff report. However, they added additional conditions and he advised of those changes.

There was no one present in opposition to the application, and the applicant was not present.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the area, the zoning and development of the general area, and the recommendation of staff and the Valley Center Planning Commission; I move that we recommend to the County Commission that this application be approved subject to the following conditions:

- A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
- B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
- C. The use of land shall be limited to residential, agricultural, nursery and greenhouse purposes.
- D. Sales shall include only plant material grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.
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- F. The following items shall not be displayed or sold on the premises:
 - a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
- G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted. The sign shall not exceed six (6) feet in height and shall

20

not exceed sixteen (16) square feet on one surface with a minimum of two surfaces, back to back, being permitted.

- H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.
- I. A minimum of fifteen (15) parking spaces shall be provided in close proximity to the greenhouse. The parking and loading area shall be paved or otherwise surfaced with an all weather surface treated to prevent dust.

Bayouth moved, Jones seconded and it carried unanimously. Goebel, Hennessy and Savina were absent.

DEDICATION

D-0978

KNOW ALL MEN BY THESE PRESENTS:

file ✓ (assoc. CO-241)

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, H. Bruce & Joyce V. Vandegrift

being the owner of the following described real estate in Sedgwick County, Kansas, to wit: Beginning at the Southwest Corner of the Northwest Quarter of Section 36, Township 25 South, Range 1 West; thence East 370 feet along the South line of said Northwest Quarter; thence North 60 feet parallel to the West line of said Northwest Quarter; thence West 71.15 feet along a line 60 feet North of and parallel to the South line of said Northwest Quarter to a point of curvature; thence on a curve to the right, having a delta angle of 90° 17' and a radius of 238.85 feet, a distance of 376.37 feet to a point of tangency; thence North parallel to the West line of said Northwest Quarter on tangent extended 140.82 feet to a point of curvature; thence Northerly on a curve to the left having a delta angle of 67° 55' and a radius of 878.51 feet, a distance of 338 feet plus or minus to its intersection with the West line of said Northwest Quarter; thence South along the West line of said Northwest Quarter to the point of beginning; Except for and subject to existing road easements of record.

do hereby dedicate the above described real estate to the public for

Street purposes.

Executed this 24th day of Oct 1980.

H. Bruce Vandegrift

Joyce V. Vandegrift

H. Bruce Vandegrift

Joyce V. Vandegrift

STATE OF KANSAS)
SEDGWICK COUNTY)^{SS}

BE IT REMEMBERED, that on this 24th day of Oct, 1980,

came H. Bruce Vandegrift & Joyce V. Vandegrift

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

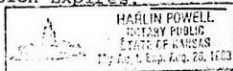
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

~~Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas.~~
this _____

City Clerk

Harlin Powell
Notary Public

My Commission Expires:



RECEIVED

OCT 28 1980

METROPOLITAN PLANNING

ROUTE

Dear Sirs,

I am in agreement to each condition for the zoning change except I would like to request that the size of the sign be changed from 4'x4' to 4'x5' or 20 square feet instead of 16 square feet.

A well proportioned sign should not be square for good design plus my company name, Four Season's Nursery, has two words which would be crowding the ends of the sign.

For these reasons I am requesting that size be changed. The size of the sign was designated to prevent traffic obstruction. I am placing the sign off the road to prevent any obstruction and would welcome your visiting the site to verify this fact.

Thank you for your consideration.

Bruce Vandegrift
RR 1
Valley Center Kansas
67147

Re: CU-241 Conditional Use Permit
for Nursery & Greenhouse Operation -
Northeast corner of 81st St North &
West St.

R E S O L U T I O N

CASE NO. CU-241

A RESOLUTION PERMITTING A NURSERY AND GREENHOUSE OPERATION IN THE "R" RURAL 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.i AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF 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.i, and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow a nursery and greenhouse operation in the "R" Rural Residential District is hereby approved on the lands legally described as follows:

Beginning at the southwest corner of the Northwest Quarter (NW 1/4) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW 1/4; thence west along the south line of said Quarter to the point of beginning. Generally located at the northeast corner of 81st Street North and West Street.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
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- H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.
- I. A minimum of fifteen (15) parking spaces shall be provided in close proximity to the greenhouse. The parking and loading area shall be paved or otherwise surfaced with an all weather surface treated to prevent dust.

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

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

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this ____ day of _____, 19____.

_____, Chairman
Everett Patrick

_____, Commissioner
Tom Scott

_____, Commissioner
Donald E. Gragg

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

Valley Center
VO 251
Carter

Sedgwick County, Kansas RIGHT OF WAY AGREEMENT

VO SP 67

WHEREAS, It becomes necessary in the reconstruction and maintenance of Highway 59A 22-25
for Sedgwick County, State of Kansas, Party of the First Part, to widen, improve and/or
change location of said highway in NW¹ Section 36, Twp. 25 S, Range 1 W,
and said widening, improving and/or change of location requires new and additional

right of way in the above section, township and range as follows: beg. at a point 30 ft. N. of SW cor. NW¹ Sec. 36, T. 25 S., R. 1 W. Thence E. parallel to 1/2-section line, a distance of 554 ft; Thence N. 20 ft; Thence W., parallel to 1/2-section line, a distance of 255.15 ft. to a point of curvature; Thence on a curve to the Right, having delta angle 90° 17' and Radius 248.85 ft, a distance of 390.28 ft to a point of tangency; Thence N., parallel to section line on tangent extended, a distance of 140.82 ft to a point of curvature; Thence N. on a curve to the left, having delta angle 67° 55' and Radius 268.51 ft. for a distance of 310 ft. N/L to intersect the W. line of NW¹ Sec 36 at a point 710 ft N. of beg; Thence S. on the section line, to beginning, containing 1.86 Acres.

AND WHEREAS, W.H. Adair

Party of the Second Part, is the rightful owner of, or legal agent for, the above property.

THE PARTIES HERETO AGREE as follows: That the party of the second part, for himself, his heirs, executors, administrators, and assigns for the consideration of Nine Hundred Dollars ^{930.00} ~~Thirty~~

44-50

No Cents, (\$ 930.00), and other valuable considerations as follows:

Rebuild fence on new property line, Sedgwick County to furnish 4 B/W and Creosote Cedar Post 16' centers to rebuild fence.

STATE OF KANSAS, 1895	1.86 Acre Land	930.00
SEDGWICK COUNTY	1.86 Acres Crop Damage	96.75
FILED FOR RECORD AT	Total	1026.75
9.15 A.M.		

DEC 3 1955

34171

NO.

RUFUS E. DEERING
REGISTER OF DEEDS

One dollar (\$1.00) of the above amount being in hand paid and receipt therefor being hereby acknowledged the remainder to be allowed at the next regular meeting of Board of County Commissioners when claim is presented as required by law in similar cases do hereby Grant, Sell and Convey to the party of the first part a permanent and perpetual right of way on and an easement to, in and on the real property above described for public road and highway purposes with right and privilege in the party of the first part to grade, excavate, fill, drain and/or improve as the party of the first part may order and direct.

THEREFORE, It is agreed and understood that the above amount of money together with the valuable concessions tendered by the party of the first part shall be in full compensation for actual land taken and all damage done to the property of the party of the second part.

IN WITNESS WHEREOF, the parties hereto have set their hand this 7th day of November, 1956.

WITNESS:

Richard C. Howell

NB Scott
Richard C. Howell
PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

KANSAS FORM OF ACKNOWLEDGMENT

STATE OF KANSAS } ss.
County of Sedgwick

BE IT REMEMBERED, That on this 7th day of November, in the year of our Lord one thousand nine hundred and fifty six, before me, a Notary Public, in and for said county and state, came W.H. Adair and to me personally known to be the identical person who executed the above and foregoing instrument, and who each duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my official signature and affixed my notarial seal the day and year first above written.

My commission expires Feb. 13 - 1960 Howard C. Lawrence Notary Public.

No. 34171
 Right of Way Agreement
 FROM
 W.H. Adair
 TO
 SEDGWICK COUNTY, KANSAS
 Date Nov 7 1956
 Section 36, Township 25S, Range 1E
 This instrument was filed for record on the _____ day of _____, 195____
 at _____ M., and duly recorded in
 Book _____ at Page _____
 Register of Deeds
 WEP-38817

VC - -00251-0002- 10/0 30 1 OF 1

ROGERS, C. W. ETUX
R.R. 1
VALLEY CENTER KS 67147 2505

REG. 34 COR NW 1/4 N TO CENTER OF
LITTLE ARK. RIV. SELY FOLLOWING
CENTER OF RIV. TO S 1/4 NW 1/4 N TO
REG. EXL. 1947 R-0-0 13 N 0/2
SEC 36-25-1W

Sedgwick County, Kansas

RIGHT OF WAY AGREEMENT

WHEREAS, It becomes necessary in the reconstruction and maintenance of Highway 599-24
_____ for Sedgwick County, State of Kansas, Party of the First Part, to widen, improve and/or
change location of said highway in NW $\frac{1}{4}$ Section 36, Twp. 25-S, Range 1-W,
of the 6th Principal Meridian, Sedgwick County, Kansas and said widening, improving and/or change
of location requires new and additional right of way in the above section, township and range as
follows:

A tract of land described as beginning at a point 370 feet East and 50 feet
North of the Southwest Corner of Said Northwest Quarter; thence East 184 feet
along a line parallel to the South line of said Northwest Quarter; thence South
at right angles 20 feet; thence East along a line 30 feet North of an parallel
to the South line of said Northwest Quarter to the centerline of the Little
Arkansas River; thence Northwesterly along said centerline of the Little Arkansas
River to a point 115 feet North of the South line of said Northwest Quarter;
thence West along a line parallel to the South line of said Northwest Quarter to
a point 370 feet East and 115 feet North of the Southwest Corner of said Northwest
Quarter; thence South to the point of beginning: Containing 0.345 acres

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
APR 21 1980
NO. 4 85867
BETTE F. McCART
REGISTER OF DEEDS
MICROFILMED
OF RECORD
*Pat Kettler
Deputy*

AND WHEREAS, H. Bruce & Joyce V. Vandegrift and Charles W. & Almena C. Rodgers
Party of the Second Part, is the rightful owner of, or legal agent for, the above property.
THE PARTIES HERETO AGREE as follows: That the party of the second part, for himself, his
heirs, executors, administrators, and assigns for the consideration of Fifteen Hundred Dollars
no Cents, (\$ 1,500.00), and other valuable considerations as follows:

One dollar (\$1.00) of the above amount being in hand paid and receipt therefor being hereby acknow-
ledged the remainder to be allowed at the next regular meeting of Board of County Commissioners when
claim is presented as required by law in similar cases do _____ hereby Grant, Sell and Convey to the
party of the first part a permanent and perpetual right of way on and an easement to, in and on the
real property above described for public road and highway purposes with right and privilege in the
party of the first part to grade, excavate, fill, drain and/or improve as the party of the first part may
order and direct.

THEREFORE, It is agreed and understood that the above amount of money together with the
valuable concessions tendered by the party of the first part shall be in full compensation for actual
land taken and all damage done to the property of the party of the second part.

DATED THIS 2nd DAY OF April, 19 80.

PARTY OF THE SECOND PART
Charles W. Rodgers
Charles W. Rodgers
Almena C. Rodgers
Almena C. Rodgers

*County Clerk -
Suzette Best*

Sedgwick County, Kansas

RIGHT OF WAY AGREEMENT

WHEREAS, It becomes necessary in the reconstruction and maintenance of Highway 599-24
_____ for Sedgwick County, State of Kansas, Party of the First Part, to widen, improve and/or
change location of said highway in NW $\frac{1}{4}$ Section 36, Twp. 25-S, Range 1-W,
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of location requires new and additional right of way in the above section, township and range as
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along a line parallel to the South line of said Northwest Quarter; thence South
at right angles 20 feet; thence East along a line 30 feet North of an parallel
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Arkansas River; thence Northwesterly along said centerline of the Little Arkansas
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thence West along a line parallel to the South line of said Northwest Quarter to
a point 370 feet East and 115 feet North of the Southwest Corner of said Northwest
Quarter; thence South to the point of beginning: Containing 0.345 acres

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
S. J. C. B. H. M.
APR 21 1980

NO. 4 85866
BETTE F. McCART
REGISTER OF DEEDS

MICROFILMED
OF RECORD

*Lat Kettler
Deputy*

AND WHEREAS, H. Bruce & Joyce V. Vandegrift and Charles W. & Almena C. Rodgers
Party of the Second Part, is the rightful owner of, or legal agent for, the above property.

THE PARTIES HERETO AGREE as follows: That the party of the second part, for himself, his
heirs, executors, administrators, and assigns for the consideration of Fifteen Hundred Dollars
no Cents, (\$ \$1,500.00), and other valuable considerations as follows:

One dollar (\$1.00) of the above amount being in hand paid and receipt therefor being hereby acknow-
ledged the remainder to be allowed at the next regular meeting of Board of County Commissioners when
claim is presented as required by law in similar cases do _____ hereby Grant, Sell and Convey to the
party of the first part a permanent and perpetual right of way on and an easement to, in and on the
real property above described for public road and highway purposes with right and privilege in the
party of the first part to grade, excavate, fill, drain and/or improve as the party of the first part may
order and direct.

THEREFORE, It is agreed and understood that the above amount of money together with the
valuable concessions tendered by the party of the first part shall be in full compensation for actual
land taken and all damage done to the property of the party of the second part.

DATED THIS 24th DAY OF March, 1980.

PARTY OF THE SECOND PART

H. Bruce Vandegrift
H. Bruce Vandegrift

County Clerk
Joyce V. Vandegrift

Joyce V. Vandegrift
Joyce V. Vandegrift



SEDGWICK COUNTY COURTHOUSE

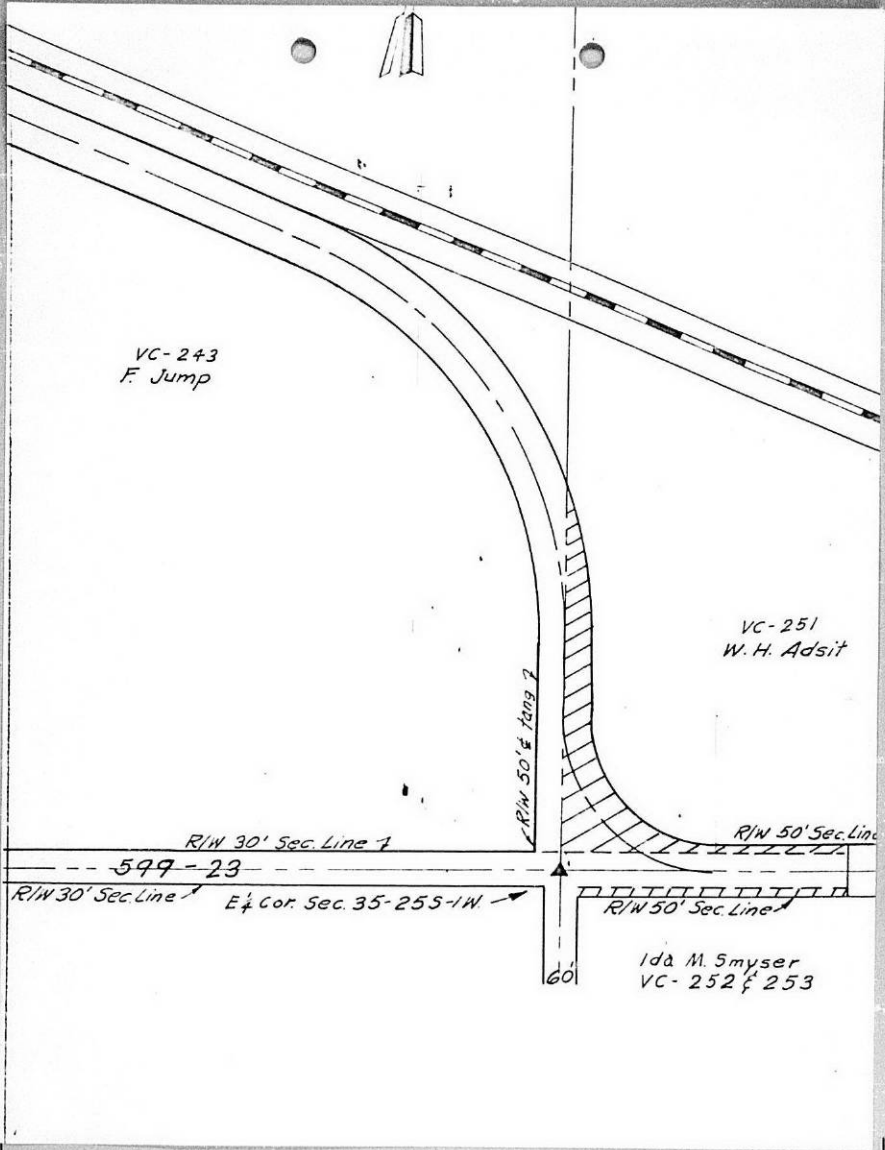
COUNTY OF SEDGWICK
DEPARTMENT OF PUBLIC WORKS

1250 S. SENECA
WICHITA, KANSAS 67213

PHONE 268-7901

DATE: October 8, 1980
TO: Jack Galbraith
FROM: Joe D. Freeman *JDF*
RE: CU-241 Conditional Use Permit
County F.A.S. Roads - 81st Street North and West Street

As per your request of October 2, 1980, find attached the appropriate legal description for the necessary rights of way to be dedicated by the applicant. Also, find attached maps and other information used in compiling said legal description.



VC-243
F. Jump

VC-251
W. H. Adsit

Ida M. Smyser
VC-252 & 253

R/W 30' Sec. Line 7

R/W 50' Sec. Line

--- 599-23

R/W 30' Sec. Line E 1/4 Cor. Sec. 35-255-1W

R/W 50' Sec. Line

60'

October 10, 1980

H. Bruce & Joyce V. Vandegrift
R.R. #1
8200 North West Street
Valley Center, Kansas 67147

Re: CU-241 - Conditional Use Permit
for Nursery & Greenhouse
Operation - Northeast corner of
81st Street North & West Street

Dear Mr. & Mrs. Vandegrift:

At its regular meeting of October 9, 1980, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Commission was to recommend the approval subject to the following conditions:

- A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
- B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
- C. The use of land shall be limited to residential, agricultural, nursery and greenhouse purposes.
- D. Sales shall include only plant materials grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.
- E. Any outdoor storage of materials (other than plant materials) associated with the greenhouse operation shall be completely screened from public view.

- F. The following items shall not be displayed or sold on the premises:
- a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
- G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted. The sign shall not exceed six (6) feet in height and shall not exceed sixteen (16) square feet on one surface with a maximum of two surfaces, back to back, being permitted.
- H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.
- I. A minimum of fifteen (15) parking spaces shall be provided in close proximity to the greenhouse. The parking and loading area shall be paved or otherwise surfaced with an all weather surface treated to prevent dust.

Enclosed is the necessary dedication of additional street right-of-way which should be executed and returned to our office by October 24, 1980 so that this case can be scheduled for consideration by the Board of County Commissioners at its regular meeting of November 5, 1980 at 9:00 a.m. in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad
cc: Syd Werbin, County Zoning Officer

Enclosure

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, H. Bruce & Joyce V. Vandegrift

being the owner of the following described real estate in Sedgwick County, Kansas, to wit: Beginning at the Southwest Corner of the Northwest Quarter of Section 36, Township 25 South, Range 1 West; thence East 370 feet along the South line of said Northwest Quarter; thence North 60 feet parallel to the West line of said Northwest Quarter; thence West 71.15 feet along a line 80 feet North of and parallel to the South line of said Northwest Quarter to a point of curvature; thence on a curve to the right, having a delta angle of 90° 17' and a radius of 238.85 feet, a distance of 376.37 feet to a point of tangency; thence North parallel to the West line of said Northwest Quarter on tangent extended 140.82 feet to a point of curvature; thence Northerly on a curve to the left having a delta angle of 67° 55' and a radius of 878.51 feet, a distance of 338 feet plus or minus to its intersection with the West line of said Northwest Quarter; thence South along the West line of said Northwest Quarter to the point of beginning; Except for and subject to existing road easements of record.

do hereby dedicate the above described real estate to the public for

Street purposes.

Executed this _____ day of _____ 19 ____.

H. Bruce Vandegrift

Joyce V. Vandegrift

STATE OF KANSAS)
SEDGWICK COUNTY) ss

BE IT REMEMBERED, that on this _____ day of _____,

came _____

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this _____,

City Clerk

Notary Public

My Commission Expires: _____

VC-251-2

H. Bruce Vandegrift
Joyce V. Vandegrift

NW $\frac{1}{4}$ Section 36, T-25-S, R-1-W

Beginning at the Southwest Corner of the Northwest Quarter of Section 36, Township 25 South, Range 1 West; thence East 370 feet along the South line of said Northwest Quarter; thence North 60 feet parallel to the West line of said Northwest Quarter; thence West 71.15 feet along a line 60 feet North of and parallel to the South line of said Northwest Quarter to a point of curvature; thence on a curve to the right, having a delta angle of $90^{\circ} 17'$ and a radius of 238.85 feet, a distance of 376.37 feet to a point of tangency; thence North parallel to the West line of said Northwest Quarter on tangent extended 140.82 feet to a point of curvature; thence Northerly on a curve to the left having a delta angle of $67^{\circ} 55'$ and a radius of 878.51 feet, a distance of 338 feet plus or minus to its intersection with the West line of said Northwest Quarter; thence South along the West line of said Northwest Quarter to the point of beginning; Except for and subject to existing road easements of record.

October 2, 1980

L. E. Mullins, County Director of Public Works

Jack H. Galbraith, Chief Planner

CU-241 - Conditional Use Permit to establish a Nursery and Greenhouse operation at the northeast corner of 81st Street North and West Street

The above captioned case, as you will note on the attached notice, is to be considered by the Metropolitan Area Planning Commission at their meeting on October 9, 1980.

One of the recommended conditions of approval by the Planning Department is the dedication of necessary street rights-of-way for 81st Street North and West Street (F.A.S. roads) as may be determined by the County Engineer. The Subdivision Rules and Regulations require 60 feet of half-street rights-of-way on all F.A.S. roads.

Inasmuch as these are County F.A.S. roads and of curvilinear nature, it would be of great help to us if one of your staff could prepare the appropriate legal descriptions for the necessary rights-of-way to be dedicated by the applicant. Attached is an aerial photograph of the application area outlined in red which may be of some help to you and your staff in preparing the legals.

If you have any questions concerning this matter, please call.

Jack H. Galbraith
Chief Planner

JHG:LS:bh
Attachment

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

VCPC HEARING DATE: 10-06-80
MAPC HEARING DATE: 10-09-80

Case No. CU-241

Request: Conditional Use Permit for
nursery & greenhouse operation

Location: Northeast corner of 81st Street North and West Street

Reason: To establish a christmas tree farm, greenhouse and
container plants operation

Acres: 15

Size: Irregular shape

	<u>Land Use</u>	<u>Zoning</u>
Existing	Single-family & undeveloped	"R"
North	River & undeveloped	"R"
East	River & undeveloped	"R-1"
South	Single-family	"R"
West	Single-family & undeveloped	"R"

Necessary street rights-of-way to be determined by County Engineer.

Platted: No

History: None

COMMENTS:

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

The applicant is requesting a Conditional Use permit to establish a nursery and greenhouse operation on a tract of land zoned "R" Rural Residential containing approximately 15 acres and occupied in part by the applicant's home.

Section 11.E.1 of the County Zoning Resolution provides that the Board of County Commissioners may by special permit and subject to such restrictions as it deems necessary, permit conditional uses as outlined in the various districts where such uses are deemed essential or desirable to the public convenience or welfare.

Subject property is located next to two F.A.S. Roads (81st Street North and West Street) and additional street right-of-way will be required to be dedicated.

Page 2
CU-241
MAPC AGENDA
10-9-80

2. Should the Planning Commission determine that this is a logical and proper use for subject property and recommend approval of the request, it should be approved subject to the following conditions:
 - A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
 - B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
 - C. The use of land shall be limited to residential, agricultural, nursery and greenhouse purposes.
 - D. Sales shall include only plant materials grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.
 - E. Any outdoor storage of materials (other than plant materials) associated with the greenhouse operation shall be completely screened from public view.
 - F. The following items shall not be displayed or sold on the premises:
 - a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
 - G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted.
 - H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.

CU-241 - 27 "Notice to Adjoining Property Owners" mailed 9-25-80 for
the Valley Center City Planning Commission meeting 10-6-80,
and the MAPC meeting 10-9-80.

THE FOLLOWING RECEIVED NOTICE, STAFF REPORT & REFERRAL SHEET: 7/30/80

11 Valley Center Commissioners (including City Clerk & Assistant
City Clerk)
1 to Applicant
1 to L.E. Mullins, County Director - Dept. Pub. Works

—
40

1 Including map only - to Karen Crook

—
41 TOTAL

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

September 25, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Monday, October 6, 1980 at 7:30 p.m., the VALLEY CENTER CITY PLANNING COMMISSION, City Hall, Valley Center, Kansas, will consider the following item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

CASE NO. CU-241

Conditional Use Permit to Establish a Christmas Tree Farm
Greenhouse, and Container Plants Operation
on Property Zoned "R" Rural Residential District

Beginning at the southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW $\frac{1}{4}$; thence west along the south line of said Quarter to the point of beginning. Generally located at the northeast corner of 81st St. North and West Street.

If this matter is not deferred for further hearings by the Valley Center City Planning Commission, it will appear on the agenda for the regular meeting of the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, which begins at 1:30 p.m., Thursday, October 9, 1980, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in the County Zoning Resolution, Section 14 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises and any protest against any of the provisions of the proposed change to the Conditional Use, will be considered as by law provided.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 263-4421.

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

VCPC HEARING DATE: 10-06-80
MAPC HEARING DATE: 10-09-80

Case No. CU-241 Request: Conditional Use Permit for
nursery & greenhouse operation

Location: Northeast corner of 81st Street North and West Street

Reason: To establish a christmas tree farm, greenhouse and
container plants operation

Acres: 15 Size: Irregular shape

	<u>Land Use</u>	<u>Zoning</u>
Existing	Single-family & undeveloped	"R"
North	River & undeveloped	"R"
East	River & undeveloped	"R-1"
South	Single-family	"R"
West	Single-family & undeveloped	"R"

Necessary street rights-of-way to be determined by County Engineer.

Platted: No History: None

COMMENTS:

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

The applicant is requesting a Conditional Use permit to establish a nursery and greenhouse operation on a tract of land zoned "R" Rural Residential containing approximately 15 acres and occupied in part by the applicant's home.

Section 11.E.1 of the County Zoning Resolution provides that the Board of County Commissioners may by special permit and subject to such restrictions as it deems necessary, permit conditional uses as outlined in the various districts where such uses are deemed essential or desirable to the public convenience or welfare.

Subject property is located next to two F.A.S. Roads (81st Street North and West Street) and additional street right-of-way will be required to be dedicated.

Page 2
CU-241
MAPC AGENDA
10-9-80

2. Should the Planning Commission determine that this is a logical and proper use for subject property and recommend approval of the request, it should be approved subject to the following conditions:
 - A. The applicant shall dedicate by separate instrument the necessary street right-of-way for 81st Street North and West Street as may be determined by the County Engineer.
 - B. No building shall be erected, enlarged, moved in or reconstructed to extend nearer than 100 feet from the center lines of 81st Street North and West Street.
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 - D. Sales shall include only plant materials grown on subject property and such sales may be either retail or wholesale in nature. Approval shall not be construed as permitting a garden center.
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 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
 - G. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted.
 - H. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.

5257 D
36-26-1E

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

Valley Center
October 6th
7:30 p.m.
MAPC
October 9th

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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 H. Bruce Vandegrift

ADDRESS RR1 8200 N. West St. PHONE 755-1890

AGENT Valley Center, Kansas 67147

ADDRESS _____ PHONE _____

B. APPLICANT Joyce V. Vandegrift

ADDRESS RR1 8200 N. West. St. Valley Center PHONE 755-1890

AGENT 67147

ADDRESS _____ PHONE _____

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

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

II. The applicant proposes to establish a Free Farm and

greenhouse operation (See attached) (use)

on property legally described as Lot(s) See attached

_____, Block(s) _____ of the _____

_____ Addition.

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

See attached
use legal from
ownership list

Form PR-3

N-"R"
S-"R"
E-"R-1"
W-"R"

THIS PROPERTY IS LOCATED AT (ADDRESS) 8200 N. West St.
Valley Center
THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE NE CORNER OF 81st North AND
West St., OR

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

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED Rural Residential
(ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:

See attached

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT SEEMS 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.

J. Bruce Vandegrift Joy V Vandegrift

BY _____ 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 2:40
(AM, PM) on September 10, 1980 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 400⁰⁰.

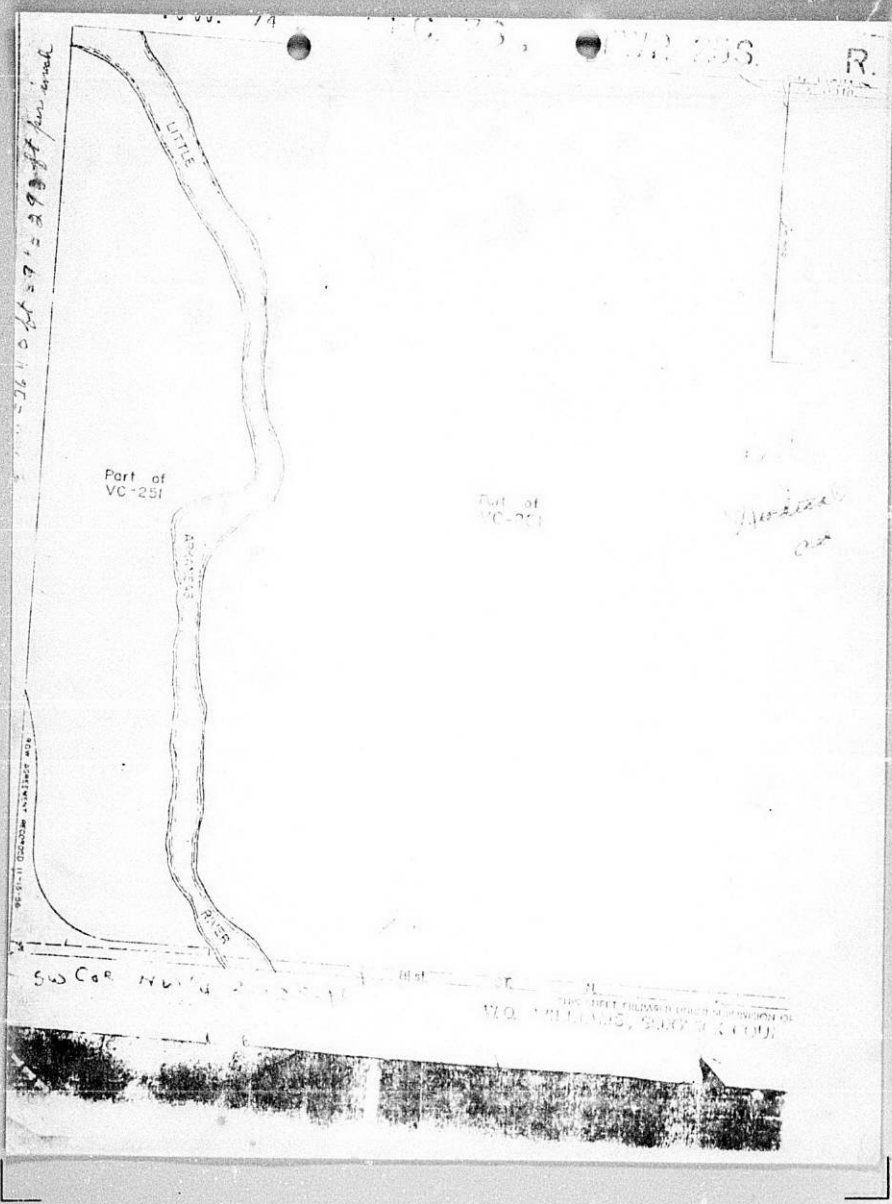
J. Lynn Shirley Name
Planner Title

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be the true and correct property owners as shown by the last deeds of record in the Office of the Register of Deeds, Sedwick County, Kansas, to-wit:

Beginning at the southwest corner of the Northwest Quarter (NW¹/₄) of Section 36, Township 25, Range 1 west of the 6th Principal Meridian, Sedwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW¹/₄; thence west along the south line of said Quarter to the point of beginning. Said tract contains 15 acres, more or less.

~~The purpose of establishing a Conditional Use Permit for fifteen (15) acres as described is to establish a Christmas tree farm, greenhouse, and container plants operation.~~ This material shall be provided for public sale. Sales shall include only agriculture material grown on said property. Sales shall be retail and wholesale in nature. Operations shall be conducted as a normal growing-sales operation as is common to wholesale-retail nursery business'.



26 ft 57' = 293 ft per acre

Part of VC-251

Part of VC-252

LITTLE

ANNECIS

RIVER

WESTERN OREGON AVALANCHES WORK

S.W. COR. NW 1/4, SECTION 24, T.11N. R.10E.

W.O. WILLIAMS, SURVEYOR

R.

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be the true and correct property owners as shown by the last deeds of record in the Office of the Register of Deeds, Sedgwick County, Kansas, to-wit:

Use for legal

Beginning at the southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence north to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW $\frac{1}{4}$; thence west along the south line of said Quarter to the point of beginning. ~~Said tract containing 15 acres more or less.~~

together with all real estate lying within a 1000 foot radius thereof.

<u>DESCRIPTION</u>	<u>OWNERS AND ADDRESSES</u>
<u>RANCHOS DEL RIO SECOND ADDITION</u>	
<u>BLOCK 1</u>	
Lot 1	✓ David D. Desbien Nancy E. Desbien 4010 Rio Grande Court Valley Center, Kansas 67147
Lot 2	✓ Michael V. Knoblauch Patricia Ann Knoblauch 1204 Mulberry Wichita, Kansas 67212
Lot 3	✓ B. E. Swingle Linda A. Swingle 4120 Rio Grande Valley Center, Kansas 67147
Lot 4	✓ John A. Oliver Rebecca J. Oliver 8146 Buena Vista Dr. Valley Center, Kansas 67147
Lot 5	✓ Thomas J. Williams Vee L. Williams 8124 Buena Vista Dr. Valley Center, Kansas 67147
<u>BLOCK 2</u>	
Lot 1	✓ A. C. Smith Dena K. Smith 4021 Rio Grande Valley Center, Kansas 67147
Lot 5	✓ Matt Eck, Inc. 5512 W. Central Wichita, Kansas 67212
Lot 6	✓ Donald L. Wille Sandra K. Wille 4215 Rio Grande Dr. Valley Center, Kansas 67147
<u>BLOCK 5</u>	
Lot 4	✓ Billy D. Breaker Martha J. Breaker 8041 Buena Vista Dr. Valley Center, Kansas 67147

DESCRIPTION	Page 2
RANCHOS DEL RIO, an Addition to Sedgwick County, Kansas BLOCK A	OWNERS AND ADDRESSES

Lot 1	Walter F. Southards, Jr. Janet J. Southards 3900 Rio Grande Circle Valley Center, Kansas 67147
Lot 2	Edmond J. Cody, Jr. Julia E. Cody 3810 Rio Grande Valley Center, Kansas 67147
Lot 3	Dillard D. Duerksen Roberta A. Duerksen 3830 Rio Grande Valley Center, Kansas 67147
Lot 4	Tom N. Tomlin Donna M. Tomlin 7956 N. West St. Valley Center, Kansas 67147
Lot 5	Peter Dodson Loretta M. Dodson 1504 Amarado Wichita, Kansas 67212
Lot 6	Gerald A. Rapp Donna Faye Rapp 3801 Rio Grande Circle Valley Center, Kansas 67147
The SW $\frac{1}{4}$ Sect. 36-25S-1W 6th P.M., Sedgwick County, Ks., exc. right-of- way of the Kans. Midland Railway Co. & exc. the Highway. Also exc. all that part of the SW $\frac{1}{4}$ lying south & west of Center line of Little Arkansas River.	Feland E. Adsit 3734 W. 81st No. Valley Center, Kansas 67147
A tract of land in the NW $\frac{1}{4}$ Sect. 36-25-1W of 6th P.M., SCK., desc. as follows: Beg. at a point on north line of sd NW $\frac{1}{4}$, 570ft west of NE/corner of sd NW $\frac{1}{4}$; south parallel to east line of sd NW $\frac{1}{4}$, 806.67ft; thence west parallel to north line of sd NW $\frac{1}{4}$, 126ft; thence south parallel to east line of sd NW $\frac{1}{4}$, 776ft; thence west parallel to north line of sd NW $\frac{1}{4}$, 675.68ft; thence north parallel to east line of sd NW $\frac{1}{4}$, 1582.67ft to north line of sd NW $\frac{1}{4}$; thence east 801.68 ft to point of beg. containing 26.88 acres more/less	Medicalodges, Inc. of Coffeyville, Kansas Box 574, Coffeyville, Ks. 67337
NW $\frac{1}{4}$ Sect. 36-25-1W, less railroad right of way.	William H. Adsit c/o Feland E. Adsit 3734 W. 81st No. Valley Center, Kansas 67147
SE $\frac{1}{4}$ Sect. 26-25S-1W	A.M. Updegraff Mary L. Updegraff Route 1, Valley Center, Ks. 67147

DESCRIPTION	OWNERS AND ADDRESSES
<u>RANCHOS DEL RIO an Addition to</u> <u>Sedgwick County, Kansas</u> <u>BLOCK A cont'd</u>	
Beg. at a point on the east line of the $W\frac{1}{2}SW\frac{1}{4}$ of Sect. 25-25-1W 6th P.M., SCK, 800ft south of NE/corner of sd $W\frac{1}{2}SW\frac{1}{4}$; thence south 289.57ft, thence west at right angles 385ft, thence south parallel to east line of sd $W\frac{1}{2}SW\frac{1}{4}$ to the south line of sd $W\frac{1}{2}SW\frac{1}{4}$, thence west along south line of sd $W\frac{1}{2}SW\frac{1}{4}$ to SW/corner of sd $W\frac{1}{2}SW\frac{1}{4}$, thence south on the west line of sd $W\frac{1}{2}SW\frac{1}{4}$ to a point 800ft south of NW/corner of $W\frac{1}{2}SW\frac{1}{4}$, thence east at right angles to point of beg.	✓ A. George Luther Ethel Luther 8835 N. Kessler Valley Center, Kansas 67147
Commencing at the NE/corner of $W\frac{1}{2}SW\frac{1}{4}$ of Sect. 25-25S-1W of 6th P.M., thence south on east line of sd $W\frac{1}{2}SW\frac{1}{4}$, 1089.57ft; thence west at right angles, 385ft to a point of beg; thence south parallel to sd east line of sd $W\frac{1}{2}SW\frac{1}{4}$, 1561.78ft to the south line of sd $W\frac{1}{2}SW\frac{1}{4}$; thence west on sd south line of sd $W\frac{1}{2}SW\frac{1}{4}$ 278.94ft; thence north parallel to sd east line of sd $W\frac{1}{2}SW\frac{1}{4}$, 1561.50ft; thence east at right angles, 278.94ft to point of beg.	X M.P. Moran <i>Returned</i> Alice Moran <i>Unknown</i> 8802 W. 89th St. No. Valley Center, Kansas 67147
A tract in the $W\frac{1}{2}SW\frac{1}{4}$ Sect. 25-25S-1W of 6th P.M., SCK, desc. as follows: Beg at a point on the east line of sd $W\frac{1}{2}SW\frac{1}{4}$, 1089.57ft south of NE/corner of sd $W\frac{1}{2}SW\frac{1}{4}$; thence south on sd east line of sd $W\frac{1}{2}SW\frac{1}{4}$, 522ft; thence west at right angles, 15ft; thence south at right angles, 638ft; thence west at right angles, 370ft; thence north at right angles, 1160ft; thence east at right angles, 385ft to point of beg., containing 10.03 acres m/l.	✓ Leo W. Anderson Nancy R. Anderson 8703 N. 39th West Valley Center, Kansas 67147
Beg. at a point on east line of $W\frac{1}{2}SW\frac{1}{4}$ of Sect. 25-25S-1W 6th P.M., SCK, 2249.57ft south of NE/corner of sd $W\frac{1}{2}SW\frac{1}{4}$; thence west at right angles, 385ft; thence south at right angles 401.78ft, m/l, to south line of sd $W\frac{1}{2}SW\frac{1}{4}$; thence east 285ft to the SE/corner of sd $W\frac{1}{2}SW\frac{1}{4}$ of sd Sect. 25; thence north 402.17ft to point of beg., containing 3.55 acres, m/l.	✓ Carl M. Russell Doria D. Russell 3624 W. 85th N. Valley Center, Kansas 67147
That part of $E\frac{1}{2}NE\frac{1}{4}$ Sect. 35-25S-1W of 6th P.M., SCK, lying north of St Louis & San Francisco RR. right-of-way, containing approx. 35 acres, m/l.	✓ Marilyn K. Moeder Route 1, Valley Center, Kansas 67147
That part of $E\frac{1}{2}NE\frac{1}{4}$ Sect. 35-25S-1W of 6th P.M., SCK, lying south of St. Louis & San Francisco RR right-of-way, Except for east 270ft.	✓ Valley Seeds, Inc. RR #1 Valley Center, Kansas 67147

DESCRIPTION

OWNERS AND ADDRESSES

RANCHOS DEL RIO, an Addition to
Sedgwick County, Kansas
BLOCK A

The east 270ft of E 1/4 NE 1/4 Sect. 35-
25S-1W 6th P.M., lying south of the
center line of the Country Road Right-
of-way south of St. Louis & San
Francisco RR right of way, SCK.

✓ Clair E. Evans
Eleanor L. Evans
RFD 1
Valley Center, Kansas 67147

Dated at Wichita, Kansas this
21st day of May, 1980, at
7:00 A.M.

REALTY TITLE CO., INC.

By Linda Ayala
Linda Ayala -
Vice President

R21580

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

September 25, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Monday, October 6, 1980 at 7:30 p.m., the VALLEY CENTER CITY PLANNING COMMISSION, City Hall, Valley Center, Kansas, will consider the following item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

CASE NO. CU-241

Conditional Use Permit to Establish a Christmas Tree Farm
Greenhouse, and Container Plants Operation
on Property Zoned "R" Rural Residential District

Beginning at the southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 36, Township 25, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, thence North to the center of the river bed of the Little Arkansas River; thence southeasterly following the middle of said Little Arkansas River bed to the south line of said NW $\frac{1}{4}$; thence west along the south line of said Quarter to the point of beginning. Generally located at the northeast corner of 81st St. North and West Street.

If this matter is not deferred for further hearings by the Valley Center City Planning Commission, it will appear on the agenda for the regular meeting of the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, which begins at 1:30 p.m., Thursday, October 9, 1980, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in the County Zoning Resolution, Section 14 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises and any protest against any of the provisions of the proposed change to the Conditional Use, will be considered as by law provided.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 263-4421.

Robert A. Lakin
Secretary

CU-241

WICHITA - SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
DEPARTMENT

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

Important!!
Notice of Hearing
Enclosed



M.P. & ALICE MOORE
-8802 W. 89TH ST.
VALLEY-CENTER, KS.

NOT DELIVERABLE AS ADDRESSED
NO RETURNING ORDER ON FILE
VALLEY CENTER, K.

unknown

FORM 29-221

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	