

DP-26 - QUEEN'S LAKE CUP - on the
east side of Ridge Road in an area
north of Central

ACTION

DATE

COMMITTEE

M.A.P.C. Approve subject... 6-28-67
to conditions

~~B.C.C.~~ Approved 7-11-67
subject to conditions

Closed 7-12-67

Map No. 5048
Sec. 15
Twp. 27S
Range 1W

DATA SHEET
COMMUNITY UNIT PLAN

DP-26
S/D 66-70
Filed 5-24-67

APPLICATION REQUEST: Approval of proposed planned Residential development.

1. Applicant Hershel B. Cook & Myrnon C. Wilbur, 943 Wilbur Lane 67212
Address 1501 Woodrow Avenue 67203 Phone AM 2-0507
2. Agent Oblinger & Smith, Landscape Architects
Address 625 First National Bank Bldg. 67202 Phone AM 2-0453
3. General Location On the east side of Ridge Road in an area north of Central Address _____
4. Proposed Use Single-Family, Two-Family, Townhouse & Garden Apartments

AREA DATA

1. Acres 74.6 (_____ ft. by _____ ft.)
2. Existing Zoning "AA" Proposed Zoning "AA"
3. Area ~~XXX~~ (is not) platted. (Proposed) Queen's Lake Addition Addition
4. Existing R/W 30' half ft. 30' half ft. _____ ft.
Ridge Road St. Central St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
Ridge Road St. Central St. _____ St.

HISTORY

Baughman Company, Surveyor
2522 East Kellogg 67211

PROCEDURE DATA

1. MAPC Meeting:
Date 6-22-67 Action Approve subject to conditions
2. Governing Body
Date 7-11-67 Action Approved subject to conditions

NOTES:

HOME OWNERS ASSOCIATION AGREEMENT
(as required by Paragraph 17 - General Provisions
Queen's Lake Addition Community Unit Plan)

*Revised Filed
Bcc - 3/24/68*

THIS DECLARATION, made this 25th day of March, 1968, by
Hershel B. Cook and Vera Arlene Cook, his wife, hereinafter called "Developer."

WITNESSETH:

WHEREAS, Developer proposes to acquire and develop all of the real prop-
erty legally described as:

The West half of the Southwest Quarter of Section 15, Township 27 South,
Range 1 West, except a tract described as follows: Beginning at the
Southwest corner of Section 15; thence North along the section line 1030
feet; thence East 580.8 feet; thence South 300 feet; thence East 19.2 feet;
thence South 730 feet, more or less, to the South line of Section 15;
thence West to point of beginning; and except a tract beginning at a point
on the South line of Section 15, 1276.6 feet East of the Southwest corner
of said section; thence North 440 feet; thence East to the East line of
the West half of the said Southwest Quarter; thence South 440 feet to the
South line of said Section 15; thence West to beginning;
AND All that part of the East half of the Southwest Quarter of Section 15,
Township 27 South, Range 1 West, lying West of the center line of the Big
Slough, except that portion thereof that lies within a tract described as
follows: Beginning at a point located 1276.6 feet East and 40 feet North
of the Southwest corner of Section 15; thence East 217.8 feet; thence
Northeasterly along the North line of Central Avenue as established in
right of way agreement recorded in Miscellaneous Book 317 at page 315, a
distance of 224.15 feet; thence Northwesterly 396.84 feet to a point 400
feet North and 367.8 feet East of the point of beginning; thence West 367.8
feet; thence South 400 feet to point of beginning;

AND further excepting from the two tracts above described that certain
tract described as: Beginning at a point 600 feet East of the S. W.
Corner of the SW1/4 of Section 15, Township 27 South, Range 1 West;
thence East along the South line of said SW1/4, 676.6 feet; thence North at
right angles to the South line of said SW1/4, 440 feet; thence West par-
allel with the South line of said SW1/4, 679.67 feet more or less to a
point 600 feet East of the West line of said SW1/4; thence South 440
feet to beginning;

under and in accordance with the map, plans, drawings and provisions of Queen's
Lake Addition Community Unit Plan, approved by the Board of City Commissioners on
July 11, 1967; and

WHEREAS, the Developer shall be responsible for the construction of all
lakes, dikes, parking areas, and other items enumerated and required under the above-
mentioned Community Unit Plan; and

WHEREAS, the Developer desires to provide for the maintenance of Non-Public
Common Areas, parking areas, community facilities, lakes, dike, drainage areas, etc.
contained in the above described property, all as set out in Paragraph 17 under
General Provisions of said Community Unit Plan for Queen's Lake Addition; and

WHEREAS, the Developer deems it desirable, in order to provide for the orderly maintenance and preservation of the values of said property, to create a "Home Owners Association" which would be delegated and assigned the power of maintaining and providing for the maintenance of the areas above referred to and for enforcing the agreements, covenants and restrictions hereinafter set forth and for collecting and disbursing the assessments and charges hereinafter provided for;

NOW THEREFORE, the Developer declares that the property hereinbefore described shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, charges, and liens hereinafter set forth:

MEMBERSHIP.

Every person or entity who is a record owner of the fee or of an undivided fee interest in any lot or parcel contained within the above description shall be a member of said association. All members shall be entitled to one vote for each potential dwelling unit in which they hold the ownership, based upon a potential total of 365 dwelling units.

The Developer shall serve as the sole Director of said association, having all powers, duties, and responsibilities of the Board of Directors as subsequently provided for, until such time as there are a minimum of ninety-five (95) individual or entity property owners owning potential dwelling units, parcels, or interest in parcels located within the above described real property boundaries. The Developer, however, may waive this right, in which event a Board of Directors as subsequently provided for shall be formed.

BOARD OF DIRECTORS.

This association shall be governed by a Board of Directors consisting of three (3) members who are elected by those members entitled to vote as hereinbefore set forth, subject to the limitation set out in the preceding paragraph. The Board of Directors shall elect from among its members one person who shall serve as Chairman of the Board of Directors and who shall preside at all meetings at which he is present and shall fulfill all duties of the Chairman. The Chairman is responsible for the calling of such meetings of the membership and of the Board of Directors as is herein provided.

The membership shall hold an annual meeting for the purpose of electing the Board of Directors, which annual meeting shall be held on the second Tuesday of

May in each year. Mailed notice shall be sent to all members or owners under the provisions of this agreement not less than thirty (30) days, nor more than sixty (60) days, in advance of the meeting.

The membership, upon a majority vote of the members present and voting at any annual meeting, may authorize and direct the incorporation of the association as a non-profit corporation under the laws of the State of Kansas.

POWERS OF BOARD OF DIRECTORS.

The Board of Directors shall provide for the maintenance of non-public common areas, parking areas, community facilities, lakes, dike, drainage areas, etc. contained in the above described property as outlined in Paragraph 17, under "General Provisions" for the Community Unit Plan on file with the City of Wichita. The power of the Board of Directors is limited to requiring and compelling compliance with Paragraph 17 under "General Provisions" of the Community Unit Plan but shall include the power to promulgate rules and regulations as to the use of all non-public common areas, lakes and facilities. All assessments shall be levied as soon as practicable after the completion of the work or construction required of the Developer described and set out on the Community Unit Plan and the assessments for maintenance spread in an equitable manner on a prorated basis in accordance with the maximum number of dwelling units proposed on the above described property.

The Board of Directors may call such special meetings as from time to time shall be in the best interest of the association, and written notice of said special meetings shall be mailed, stating the date, time, and place at least seven (7) days before said meeting. A quorum required for an action authorized hereunder shall be the Developer, or if there are at least three (3) members of the Board of Directors, a quorum shall consist of a majority of the Board of Directors.

MAINTENANCE ASSESSMENTS.

The Developer and such owner of any interest in and to any parcel contained within the above described real property, upon acceptance of a deed therefor, whether or not said deed shall so express, shall be deemed to covenant and agree to pay to the association, such annual assessments or charges and such special assessments or charges as shall be fixed, established and levied for the property maintenance as determined by the Board of Directors and as the said Board of Directors shall, from time to time, provide for. Such annual and special assessments, together with interest thereon at the rate of ten (10) per cent per annum, beginning thirty (30)

days after the mailed written notification of said assessment shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with any interest thereon, shall also be the personal obligation of the persons who are the owners of such property at the time the assessment became due.

The assessments levied by the association shall be used exclusively for the purpose of proper maintenance of the said property and facilities above set forth. Said assessment shall be only that necessary for one year's maintenance. The maximum annual maintenance assessment for each dwelling unit owner shall not exceed 1/365th of the total annual maintenance costs. This annual maintenance assessment cost is based on the Community Unit Plan proposal for a maximum of three hundred sixty-five (365) dwelling units.

GENERAL PROVISIONS.

Subject to all rules and regulations promulgated by the Board of Directors concerning the use of the non-public common properties, every member shall have a right and easement of enjoyment in and to the non-public common properties and such easement shall be appurtenant to and shall pass with the title to every lot or Living Unit.

The Developer may retain the legal title to any portion of the non-public common properties until such time as he has completed improvements thereon and until such time as, in the opinion of the Developer, the association is able to maintain the same; but, notwithstanding any provision herein, the Developer covenants for himself, his heirs and assigns, that he will convey the common properties to the association not later than December 1, 1976, unless excused from so doing by the association.

The covenants and restrictions of this agreement shall run with and be binding on the land, and shall inure to the benefit of and be enforceable by the association, or the owner of any land subject to this declaration, or their respective legal representatives, or successors, and assigns, or any public body responsible for the enforcement of the Community Unit Plan provisions.

Enforcement of these covenants and restrictions and agreements shall be by any proceeding at law or in equity against any person or persons or entity

violating or attempting to violate any covenant, agreement, or restriction, either to restrain violation, or to recover damages, and against the land to enforce any lien created by these covenants; and the failure by the association or any owner to enforce any covenant or agreement or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

The invalidity of any one of the covenants, agreements, or restrictions contained herein, by judgment or court order shall in no wise affect any other provision which shall remain in full force and effect.


Hershel B. Cook

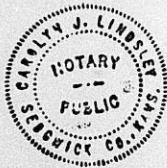

Vera Arlene Cook

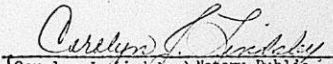
DEVELOPER

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this 25th day of March, 1968, personally appeared Hershel B. Cook and Vera Arlene Cook, his wife, to me personally known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.




(Carolyn J. Lindsley) Notary Public

My Commission Expires: October 20, 1968

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION, made this ____ day of October, A.D. 1967, by Hershel B. Cook and Vera Arlene Cook, his wife, hereinafter called "Developer."

WITNESSETH:

WHEREAS, Developer is the owner of the real property described in Article II of this declaration and desires to create thereon a residential community with permanent parks, playgrounds, open spaces, and other common facilities for the benefit of the said community; and

2 WHEREAS, Developer desires to provide for the preservation of the values and amenities in said community and for the maintenance of said parks, playgrounds, open spaces and other common facilities; and, to this end, desires to subject the real property described in Article II together with such additions as may hereafter be made thereto (as provided in Article II) to the covenants, restrictions, easements, charges and liens, hereinafter set forth, each and all of which is and are for the benefit of said property and each owner thereof; and

WHEREAS, Developer has deemed it desirable, for the efficient preservation of the values and amenities in said community, to create an agency to which should be delegated and assigned the powers of maintaining and administering the community properties and facilities and administering and enforcing the covenants and restrictions and collecting and disbursing the assessments and charges hereinafter created; and

WHEREAS, Developer has incorporated under the laws of the State of Kansas, as a non-profit corporation, THE QUEEN'S LAKE HOME OWNERS ASSOCIATION, INC., for the purpose of exercising the functions aforesaid;

NOW THEREFORE, the Developer declares that the real property described in Article II, and such additions thereto as may hereafter be made pursuant to Article II hereof, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens (sometimes referred to as "covenants and restrictions") hereinafter set forth.

ARTICLE I

DEFINITIONS

Section 1. The following words when used in this Declaration or any Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

(a) "Association" shall mean and refer to The Queen's Lake Home Owners Association, Inc.

(b) "The Properties" shall mean and refer to all such existing properties, and additions thereto, as are subject to this Declaration or any Supplemental Declaration under the provisions of Article II, hereof.

3 (c) "Common Properties" shall mean and refer to those areas of land shown on any recorded subdivision plat of The Properties and intended to be devoted to the common use and enjoyment of the owners of The Properties.

4 (d) "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of The Properties with the exception of Common Properties as heretofore defined.

(e) "Living Unit" shall mean and refer to any portion of a building situated upon The Properties designed and intended for use and occupancy as a residence by a single family.

(f) "Multifamily Structure" shall mean and refer to any building containing two or more Living Units under one roof except when each such living unit is situated upon its own individual lot.

(g) "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot or Living Unit situated upon The Properties but, notwithstanding any applicable theory of the mortgage, shall not mean or refer to the mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.

(h) "Member" shall mean and refer to all those Owners who are members of the Association as provided in Article III, Section 1, hereof.

ARTICLE II

PROPERTY SUBJECT TO THIS DECLARATION: ADDITIONS THERETO

5 Section 1. Existing Property. The real property which is, and shall be, held, transferred, sold, conveyed, and occupied subject to this Declaration is located in Sedgwick County, Kansas, and is more particularly described as follows:

*Exclude
all of Residential CYP
land -*

all of which real property shall hereinafter be referred to as "Existing Property."

Section 2. Additions to Existing Property. Additional lands may become subject to this Declaration in the following manner:

(a) Additions in Accordance with a General Plan of Development. The Developer, its heirs and assigns, shall have the right to bring within the scheme of this Declaration additional properties in future stages of the development, provided that such additions are in accord with a General Plan of Development prepared prior to the sale of any Lot and made known to every purchaser (which may be done by brochure delivered to each purchaser) prior to such sale.

? Such General Plan of Development shall show the proposed additions to the Existing Property and shall contain: (1) a general indication of size and location of additional development stages and proposed land uses in each; (2) the approximate size and location of common properties proposed for each stage; (3) the general nature of proposed common facilities and improvements; (4) a statement that the proposed additions, if made, will become subject to assessment for their just share of Association expenses; and (5) a schedule for termination of the Developer's right under the provisions of this subsection to bring additional development stages within the scheme. Unless otherwise stated therein, such General Plan shall not bind the Developer, its heirs and assigns, to make the proposed additions or to adhere to the Plan in any subsequent development of the land shown thereon and the General Plan shall contain a conspicuous statement to this effect. ?

The additions authorized under this and the succeeding subsection, shall be made by filing of record a Supplementary Declaration of Covenants and Restrictions with respect to the additional property which shall extend the scheme of the covenants and restrictions of this Declaration to such property.

Such Supplementary Declaration may contain such complementary additions and modifications of the covenants and restrictions contained in this Declaration as may be necessary to reflect the different character, if any, of the added properties and as are not inconsistent with the scheme of this Declaration. In no event, however, shall such Supplementary Declaration revoke, modify or add to the covenants established by this Declaration within the Existing Property.

(b) Other Additions. Upon approval in writing of the Association pursuant to a vote of its members as provided in its Articles of Incorporation, the owner of any property who desires to add it to the scheme of this Declaration and to subject it to the jurisdiction of the Association, may file of record a Supplementary Declaration of Covenants and Restrictions, as described in subsection (a) hereof.

ARTICLE III

MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION

Section 1. Membership. Every person or entity who is a record owner of a fee or undivided fee, interest in any Lot or Living Unit which is subject by covenants of record to assessment by the Association shall be a member of the Association, provided that any such person or entity who holds such interest merely as a security for the performance of an obligation shall not be a member.

Section 2. Voting Rights. The Association shall have two classes of voting membership:

7
Class A. Class A members shall be all those owners as defined in Section 1 with the exception of the Developer. Class A members shall be entitled to one vote for each Lot or Living Unit in which they hold the interests required for membership by Section 1. When more than one person holds such interest or interests in any Lot or Living Unit all such persons shall be members, and the vote for such Lot or Living Unit shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such Lot or Living Unit.

Class B. Class B members shall be the Developer. The Class B member shall be entitled to three votes for each Lot in which it holds the interest required for membership by Section 1 and for every Living Unit in any Multifamily Structure owned by it until such Unit is first sold or leased, provided that the Class B membership shall cease and become converted to Class A Membership on the happening of any of the following events, whichever occurs earlier:

*until
50% of
lots are
sold*

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or
- (b) on _____, 19__.

From and after the happening of these events, whichever occurs earlier, the Class B member shall be deemed to be a Class A member entitled to one vote for each Lot or Living Unit in which it holds the interests required for membership under Section 1.

For purposes of determining the votes allowed under this Section, when Living Units are counted, the Lot or Lots upon which such Living Units are situated shall not be counted.

ARTICLE IV

PROPERTY RIGHTS IN THE COMMON PROPERTIES

Section 1. Members' Easements of Enjoyment. Subject to the provisions of Section 3, every Member shall have a right and easement of enjoyment in and to the Common Properties and such easement shall be appurtenant to and shall pass with the title to every Lot or Living Unit.

Section 2. Title to Common Properties. The Developer may retain the legal title to the Common Properties until such time as it has completed improvements thereon and until such time as, in the opinion of the Developer, the Association is able to maintain the same but, notwithstanding any provision herein, the Developer hereby covenants, for itself, its heirs and assigns, that it shall convey the Common Properties to the Association not later than _____, 19____.

Section 3. Extent of Members' Easements. The rights and easements of enjoyment created hereby shall be subject to the following:

(a) the right of the Developer and of the Association, in accordance with its Articles and Bylaws, to borrow money for the purpose of improving the Common Properties and in aid thereof to mortgage said properties. In the event of a default upon any such mortgage the lender shall have a right, after taking possession of such properties, to charge admission and other fees as a condition to continued enjoyment by the members and, if necessary, to open the enjoyment of such properties to a wider public until the mortgage debt is satisfied whereupon the possession of such properties shall be returned to the Association and all rights of the Members hereunder shall be fully restored; and

(b) the right of the Association to take such steps as are reasonably necessary to protect the above-described properties against foreclosure; and

(c) the right of the Association, as provided in its Articles and Bylaws, to suspend the enjoyment rights of any Member for any period during which any assessment remains unpaid, and for any period not to exceed thirty (30) days for any infraction of its published rules and regulations; and

(d) the right of the Association to charge reasonable admission and other fees for the use of the Common Properties; and

(e) the right of individual Members to the exclusive use of parking spaces as provided in Section 4 hereof; and

(f) the right of the Association to dedicate or transfer all or any part of the Common Properties to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Members, provided that no such dedication or transfer, determination as to the purposes or as to the conditions thereof, shall be effective unless an instrument signed by Members entitled to cast two-thirds (2/3) of the votes of each class of membership has been recorded, agreeing to such dedication, transfer, purpose or conditions, and unless written notice of the proposed agreement and action thereunder is sent to every Member at least ninety (90) days in advance of any action taken.

Section 4. Parking Rights. The Association shall maintain upon the Common Properties at least one parking space for each Living Unit. Subject to reasonable rules and conditions, the Association shall designate at least one parking space conveniently located with respect to each Living Unit for the exclusive use of the Members residing therein, their families and guests. The use of such space by any other Member or person may be enjoined by the Association or the Members entitled thereto. The right to the exclusive use of such parking space and to its maintenance and designation by the Association shall be appurtenant to and shall pass with the title to each Living Unit.

ARTICLE V

COVENANT FOR MAINTENANCE ASSESSMENTS

Section 1. Creation of the Lien and Personal Obligation of Assessments. The Developer for each Lot and Living Unit owned by him within The Properties hereby covenants

and each Owner of any Lot or Living Unit by acceptance of a deed therefor, whether or not it shall be so expressed in any such deed or other conveyance, be deemed to covenant and agree to pay to the Association: (1) annual assessments or charges; (2) special assessments for capital improvements, such assessments to be fixed, established, and collected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with such interest thereon and cost of collection thereof as hereinafter provided, shall also be the personal obligation of the person who was the Owner of such property at the time when the assessment fell due.

*Property Lien
Personal Lien*

Section 2. Purpose of Assessments. The assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the residents in The Properties and in particular for the improvement and maintenance of properties, services, and facilities devoted to this purpose and related to the use and enjoyment of the Common Properties and of the homes situated upon The Properties, including, but not limited to, the payment of taxes and insurance thereon and repair, replacement, and additions thereto, and for the cost of labor, equipment, materials, management, and supervision thereof.

*Is Tax?
to pay for?
multi-unit?
= rules?
10*

Section 3. Basis and Maximum of Annual Assessments. Until the year beginning January 1, 1970, the annual assessment shall be 4 mills per square foot of each Lot and \$32.00 for each Living Unit. From and after January 1, 1970, the annual assessment may be increased by vote of the Members, as hereinafter provided, for the next succeeding three years and at the end of each such period of three years for each succeeding period of three years.

maint/ capital exp

The Board of Directors of the Association may, after consideration of current maintenance costs and future needs of the Association, fix the actual assessment for any year at a lesser amount.

one living unit?

Section 4. Special Assessments for Capital Improvements. In addition to the annual assessments authorized by Section 3 hereof, the Association may levy in any assessment year a special assessment, applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a described capital improvement upon the Common Properties, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of two-thirds of the votes of each class of Members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all Members at least thirty (30) days in advance and shall set forth the purpose of the meeting.

Pl. money - funds for exp. vll 1/2

Section 5. Change in Basis and Maximum of Annual Assessments. Subject to the limitations of Section 3 hereof, and for the periods therein specified, the Association may change the maximum and basis of the assessments fixed by Section 3 hereof prospectively for any such period provided that any such change shall have the assent of two-thirds of the votes of each class of Members who are voting in person or by proxy, at a meeting duly called for this purpose, written notice of which shall be sent to all Members at least thirty (30) days in advance and shall set forth the purpose of the meeting.

Section 6. Quorum for Any Action Authorized Under Sections 4 and 5. The quorum required for any action authorized by Sections 4 and 5 hereof shall be as follows:

At the first meeting called, as provided in Sections 4 and 5 hereof, the presence at the meeting of Members, or of proxies, entitled to cast sixty (60) per cent of all the votes of each class of membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirements set forth in Sections 4 and 5, and the required quorum at any such subsequent meeting shall be one-half of the required quorum at the preceding meeting, provided that no such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

Section 7. Date of Commencement of Annual Assessments: Due Dates. The annual assessments provided for herein shall commence on the date (which shall be the first day of a month) fixed by the Board of Directors of the Association to be the date of commencement.

The first annual assessments shall be made for the balance of the calendar year and shall become due and payable on the day fixed for commencement. The assessments for any year, after the first year, shall become due and payable on the first day of March of said year.

The amount of the annual assessment which may be levied for the balance remaining in the first year of assessment shall be an amount which bears the same relationship to the annual assessment provided for in Section 3 hereof as the remaining number of months in that year bear to twelve. The same reduction in the amount of the assessment shall apply to the first assessment levied against any property which is hereafter added to the properties now subject to assessment at a time other than the beginning of any assessment period.

The due date of any special assessment under Section 4 hereof shall be fixed in the resolution authorizing such assessment.

Section 8. Duties of the Board of Directors. The Board of Directors of the Association shall fix the date of commencement and the amount of the assessment against each lot or living unit for each assessment period of at least thirty (30) days in advance of such date or period and shall, at that time, prepare a roster of the properties and assessments applicable thereto which shall be kept in the office of the Association and shall be open to inspection by any Owner.

Written notice of the assessment shall thereupon be sent to every Owner subject thereto.

The Association shall upon demand at any time furnish to any Owner liable for said assessment a certificate in writing signed by an officer of the Association, setting forth whether said assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 9. Effect of Non-Payment of Assessment: The Personal Obligation of the Owner; The Lien; Remedies of Association. If the assessments are not paid on the date when due (being the dates specified in Section 7 hereof), then such assessment shall become delinquent and shall, together with such interest thereon and cost of collection thereof as hereinafter provided, thereupon become a continuing lien on the property which shall bind such property in the hands of the then Owner, his heirs, devisees, personal representatives and assigns. The personal obligation of the then Owner to pay such assessment, however, shall remain his personal obligation for the statutory period and shall not pass to his successors in title unless expressly assumed by them.

If the assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at the rate of 6 per cent per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or to foreclose the lien against the property, and there shall be added to the amount of such assessment the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided and a reasonable attorney's fee to be fixed by the court together with the costs of the action.

Section 10. Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any mortgage or mortgages now or hereafter placed upon the properties subject to assessment; provided, however, that such subordination shall apply only to the assessments which have become due and payable prior to a sale or transfer of such property pursuant to a decree of foreclosure, or any other proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such property from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

part?
over the City or County in foreclosure
arrow to act

no - has to be a property lien

act
has to be

*for street
purposes
utility
assessment
on each lot*

12

Section 11. Exempt Property. The following property subject to this Declaration shall be exempted from the assessments, charge and lien created herein: (a) all properties to the extent of any easement or other interest therein dedicated and accepted by the local public authority and devoted to public use; (b) all Common Properties as defined in Article I, Section 1 hereof; (c) ^{church, etc.} all properties exempted from taxation by the laws of the State of Kansas, upon the terms and to the extent of such legal exemption.

Notwithstanding any provisions herein, no land or improvements devoted to dwelling use shall be exempt from said assessments, charges or liens.

ARTICLE VI
ARCHITECTURAL CONTROL COMMITTEE
AND
PROTECTIVE COVENANTS

Section 1. Review by Committee. No building, fence, wall or other structure shall be commenced, erected or maintained upon The Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board. In the event said board, or its designated committee, fail to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the addition, alteration or change has been commenced prior to the completion thereof, approval will not be required and this Article will be deemed to have been fully complied with.

Section 2. No retail, wholesale, manufacturing or repair business nor so-called "home occupation" shall be permitted on any Lot or in any Living Unit. No activity which may be or become a nuisance to the neighborhood shall be carried on upon any Lot or in any Living Unit.

Section 3. No basement, tent, shack, garage, barn or other outbuilding other than guest houses or servants quarters erected on a Lot covered by these covenants shall at any time be used for human habitation temporarily or permanently, nor shall any structure of a temporary character be used for human habitation.

Section 4. No used, secondhand or previously erected house or building of any kind shall be moved or placed, either in sections or as a whole, upon said land, nor shall any trailer be moved, placed or permitted to remain upon a Lot subjected to these covenants.

Section 5. No animals or poultry of any kind, other than house pets belonging to the household of the premises, shall be kept or maintained on any part of the real property subject to these covenants.

*signage provided
by order*

Section 6. No signs, advertisements, billboards or advertising structures of any kind may be erected or maintained on any of the Lots herein restricted without the consent in writing of the Developer, provided, however, that permission is hereby granted for the erection and maintenance of not more than one signboard on each Lot as sold and conveyed, which signboard shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease, the Lot upon which it is erected and improvements thereon, if any.

Section 7. Oil drilling, oil development operations, refining, mining operations of any kind or quarrying shall not be permitted upon or in any of the Lots subject to these covenants, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any of the Lots covered by these covenants. Fuel oil storage tanks as a part of the heating equipment of a detached single-family dwelling shall be permitted only if located underground.

Section 8. Anyone acquiring a vacant Lot in The Properties by conveyance or otherwise shall within one year after such acquisition commence the construction of an approved type structure thereon, which structure shall be completed with due diligence. Upon failure of the purchaser to commence construction or complete construction as herein provided, the Developer shall have the option of requiring the purchaser to reconvey the property to the Developer upon tendering to the Purchaser the original purchase price less ten per cent.

ARTICLE VII

GENERAL PROVISIONS

shall remain in effect as long as C&D is in effect

Section 1. Duration. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by The Association, or the Owner of any land subject to this Declaration, their respective legal representatives, heirs, successors, and assigns, for a term of ___ years from the date this Declaration is recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by the then-Owners of two-thirds of the Lots or Living Units has been recorded, agreeing to change said covenants and restrictions in whole or in part. For purposes of meeting the two-thirds requirement, when Living Units are counted, the Lot or Lots upon which such Living Units are situated shall not be counted.

Section 2. Notices. Any notice required to be sent to any Member or Owner under the provisions of this Declaration shall be deemed to have been properly sent when mailed, postpaid, to the last known address of the person who appears as Member or Owner on the records of the Association at the time of such mailing.

+ C&D
Section 3. Enforcement. Enforcement of these covenants and restrictions shall be by any proceeding at law or in equity against any person or persons violating or attempting to violate any covenant or restriction, either to restrain violation or to recover damages, and against the land to enforce any lien created by these covenants and failure by the Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 4. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF we have executed this instrument this ___ day of October, 1967.

Developer

(
(
(_____
Hershel B. Cook
(
(_____
Vera Arlene Cook
(

STATE OF KANSAS, SEDGWICK COUNTY, SS:

Before me, the undersigned, a Notary Public, within and for said County and State, on this ___ day of October, 1967, personally appeared Hershel B. Cook and Vera Arlene Cook, his wife, to me personally known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Notary Public
My Commission Expires: _____

February 20, 1968

Mr. Dennis Evans
Assistant Division Manager
Kansas Gas & Electric Company
120 East First
Wichita, Kansas

Re: Queens Lake Addition, KG&E Right-Of-Way for 69KV
Lying in Section 22, T27S, R1W

Dear Mr. Evans:

Reference is made to our conference on February 5 in which we discussed the merits of your company's granting a flood control easement to the City over all, or the major portion of, your 150 foot right-of-way through the southeast quarter of subject section.

As outlined, at that meeting, by discussion and reference to Mr. Herschel Cook's letter of January 19 and its attachments, the Flood Control Office would draw the plan for and supervise the construction of a levee along the right bank of the relocated Big Slough through subject quarter section. The Flood Control Office would also be responsible for staking the location of and supervising the relocation of the Big Slough from its existing alignment to the one shown on the attachment to Mr. Cook's letter; the location generally being along and parallel to the west line of your 150 foot easement. The channel that the Flood Control Office would stake would feature a nominal 10 foot bottom with 2:1 side slopes to a maximum depth of approximately 5 feet below ground. The top of the west (right) bank of this channel would be 15 feet east of and parallel to your west line except at the south end of the quarter section where it would swing easterly, crossing your line, and enter the existing bridge in a general north-south alignment. Since it is necessary for the developer of subject addition to obtain more earth fill material from the relocation of the Big Slough than the nominal 10 foot bottom channel described above will produce, we propose to widen that channel to a maximum width of 80 feet at locations between your double pole structures. The widened channel would be excavated



Mr. Dennis Evans

-2-

February 20, 1968

to a depth no lower than the existing flow line of the Slough and would be sloped to drain westward to the Slough. The exact length of the widened area can not be determined except during construction of the levee and filling of the existing Slough. You are advised that use of material from your right-of-way would be confined to these two purposes and the area will not be used as a general borrow pit.

We also discussed the need for protection, by rip-rapping or other appropriate means, of the natural ground left as a berm for the double pole structures and I agreed that such protection should be the responsibility of the maintaining agency. Early in our discussions with Mr. Cook, he proposed that a Homes Association, or similar non-profit organization, would assume the maintenance of the levee and channel described above. While your company did not oppose such an arrangement, you did insist that the Flood Control Office must have final responsibility for the maintenance of any portion of the system which is built on your right-of-way. I have discussed this arrangement with my superiors and have received authorization to advise you that the City-County Flood Control Office will assume the responsibility for maintenance of the levee and channel. Mr. Cook has been advised that we still expect his organization to provide those normal maintenance services, such as mowing and brush control, which can best be performed by persons living on the site.

We assume that Mr. Cook will accept the responsibility described and that the instruments he proposes to offer the City for flood control easement and flowage easement will be in a form satisfactory to the City and that all of the arrangements for construction of the channel and levee as discussed over the past six months will be accomplished as soon as possible after approval of the final plat. As you know, approval now rests on receipt of permission from your company to make joint use of your right-of-way. I trust the information contained herein is sufficient for you to grant such approval; however, if more details are required, please advise.

Yours truly,

M. S. Mitchell
Asst. Supt. of
Public Works Maint.

MSM:esvh

cc: G. H. Wilton, Supt. of Public Works Maint.
Jack Galbraith, Senior Planner-M.A.P.C.
Herschel Cook
Queens Lake Plat File
Big Slough File

July 12, 1967

Glen E. Lytle, Superintendent of Central Inspection
Jack H. Galbraith, Senior Planner

Case No. DP-26 - Residential Community Unit Plan for
Queen's Lake on the east side of Ridge Road in an area
north of Central

At its regular meeting on July 11, 1967, the Board of City
Commissioners considered the above-captioned development
plan. The action of the City Commission was to approve
the plan subject to:

1. The applicant preparing a Homes Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat.
2. The applicant platting prior to the issuance of any building permits, and the area designated as "Floodway" on the Plan being included and designated as such on the first final plat of the area.
3. The development of this property proceeding in accordance with the Development Plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the Plan as determined by the Superintendent of Central Inspection and the Director of Planning constituting a violation of the building permit authorizing construction of the proposed development.
4. Any major changes in this Development Plan being resubmitted to the Planning Commission and to the City Commission for reconsideration.

A copy of the Final Development Plan as approved by the Planning Commission and City Commission is attached for your information and files.

JHG:bgs
Attachment

Report from the MAPC to the Board of City Commissioners

Case No. DP-26

Considered by M.A.P.C. 6-22-67

Request for: **Approval of Residential Development Plan**

Reason for request (as provided by petitioner):

For development of a Residential Community Unit Plan

Location of property: **Generally located on the east side of Ridge Road in an area north of Central**

Legal description of property:

See attached sheet

Petitioner: **Hershel B. and Vera Arlene Cook**

Address: **1501 Woodrow Avenue**

Counsel for petitioner: **Not Applicable**

Protesters (list counsel, if any): **None**

Surrounding zoning: **To the north, east and west is "AA"; south is "AA" and "LC"**

Land use: **Subject property and that to the north and east is vacant; south is a nursery and vacant; west is single-family and vacant.**

Planning Commission recommendation:

KRATZER moved and BLASER seconded that the Planning Commission recommend to the Board of City Commissioners that this application be approved, subject to the following:

(See excerpt from Minutes attached for conditions to approval.)

Vote of Planning Commission **Unanimous**

- ACTION:**
- 1. Approve the recommendation of the Metropolitan Area Planning Commission; or**
 - 2. Return the application to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:**

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 22, 1967:

- "17. Case No. DP-26 - Hershel B. and Vera Arlene Cook request approval of a Residential Development Plan for area zoned "AA" and legally described as follows: That part of the SW $\frac{1}{4}$ of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the southwest corner thereof; thence north 2,642.2 feet, more or less, to the northwest corner of said SW $\frac{1}{4}$; thence east along the north line of said SW $\frac{1}{4}$, 1,537.6 feet; thence with an angle to the right of 85°00'30", a distance of 1,800 feet; thence southeasterly 862 feet, more or less, to a point on the south line of said SW $\frac{1}{4}$, 1,856.43 feet east of beginning; thence west 1,856.43 feet to beginning, EXCEPT beginning at the southwest corner of said SW $\frac{1}{4}$; thence north along the west line of said SW $\frac{1}{4}$, 1,030 feet; thence east at right angles, 580.8 feet; thence south at right angles, 300 feet; thence east at right angles, 19.2 feet; thence south at right angles, 733.68 feet, more or less, to the south line of said SW $\frac{1}{4}$; thence west 600 feet to beginning; AND EXCEPT beginning 600 feet east of the southwest corner of said SW $\frac{1}{4}$; thence east along the south line of said SW $\frac{1}{4}$, 1,134.46 feet; thence with an angle to the left of 101°34'45", a distance of 449.1 feet, more or less, to a point 440 feet north of the south line of said SW $\frac{1}{4}$; thence west parallel with the south line of said SW $\frac{1}{4}$, 1,047 feet, more or less, to a point 600 feet east of the west line of said SW $\frac{1}{4}$; thence south 440 feet to the point of beginning. Generally located on the east side of Ridge Road in an area north of Central.

GALBRAITH pointed out the area on the map and reviewed the following staff report:

Comments

1. As permitted under the Residential CUP regulations of the Zoning Ordinance, the applicant has submitted a preliminary residential development plan to the Planning Commission for its review and recommendation to the City Commission. In order for the Planning Commission to recommend approval of the residential CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 1. That the values of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 2. That such plan is consistent with the intent and purpose of this Chapter to promote public health, safety, morals and general welfare.
 3. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 4. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.

2. It is the opinion of the Planning Department that the proposed development will not adversely affect the adjacent property inasmuch as the project has been designed in such a manner so as to provide adequate open space and recreation areas. It is also the opinion of the Planning Department that the plan is consistent with the purpose and intent of the ordinance inasmuch as adequate open space, recreation areas, off-street parking and street rights-of-way have been indicated and that the plan proposes only residential uses with the density not exceeding that of the "AA" Single-family district.
3. The plan proposes a combination of various types of residential development, including single-family dwellings, two-family dwellings, townhouse apartment units and garden apartment units, the number of which will not exceed 6.03 dwelling units per acre, or 365 dwelling units for the entire development. The Plan indicates building locations, vehicular circulation, off-street parking and recreational facilities as well as information pertaining to floor area ratio, maximum building heights, signs or monuments, useable open space and setbacks.

The applicant is proposing a cluster subdivision for the single-family portion of the development, which is a new concept in this area. The lots in the cluster subdivision will be somewhat smaller than the normal lots in a conventional subdivision; however, the density will not be increased over that which would be permitted in the "AA" district and the difference in lot area will be included as common open space for the benefit of all the property owners in the subdivision.

4. It should be pointed out that the applicant has also proposed a somewhat different method of providing sidewalks. The Plan indicates sidewalks on one side of the street and proposes an interior sidewalk circulation through the open areas. It is the opinion of the Planning Department that the proposal designated on the plan does satisfactorily meet the requirements of providing adequate pedestrian circulation.
5. One other significant item that should be pointed out is that the applicant has proposed a new type of parking arrangement in the center of the cul-de-sac. A plan of this parking arrangement is located on the lower center section of the Plan. Additional on-street parking has proven to be a problem on cul-de-sacs inasmuch as the lots are extremely narrow at the street line and there is not sufficient room to provide any parking spaces after driveways are installed. The solution provided by the applicant would permit additional parking in the street without interfering with the traffic circulation.
6. General Provision #7 states that all utilities serving interior lots shall be installed underground; however, lots on the north and west may partially be served by aerial lines. It is our understanding after discussing this matter with the applicant, that because of the existing drainage ditch along the north property line, underground installation of utilities would require a line to be installed on each side of the ditch and would be considerably more expensive than the aerial installation. It was also pointed out by the applicant that aerial lines exist on Ridge Road and that it would be preferable to service those lots abutting Ridge Road from the existing line rather than to install lines underground at this time. However, the applicant did point out that he desires to have all the lines underground at some point in the future if it is possible.

7. The Homes Association Agreement which will guarantee the maintenance of the common area is the key to the success of a development such as this. Therefore, it is the recommendation of the Planning Department that approval of the plan is based on future approval of the Homes Association Agreement by the Planning Commission.
8. The area included in the Development Plan is a portion of a larger tract which extends east to the Wichita-Valley Center Floodway, commonly known as the "Big Ditch". That portion of the tract located between the Big Slough and the Big Ditch is unsuitable for conventional development due to drainage problems and, therefore, has been indicated as a "floodway" on the plan. It is the position of the Planning Department that the only type of development that could occur on the floodway area would be in the nature of a park, agriculture or other similar open space use. The "Floodway" should be platted and designated as such with the first final plat of the area.
9. The Flood Control Division of the Department of Public Works has reviewed the plan and recommended the following changes:
 - a. The parking lot on the east side of Parcel #4 encroaches on the dike and it will be necessary to delete that portion.
 - b. General Provision #10 shall be reworded as follows: "The existing soil between the land side toe (heel) of the (levee) dikes and the lake excavation shall not be removed and replaced with more pervious material."
10. There are several minor technical problems which should be corrected on the Plan and they are as follows:
 - a. Under General Provision #1, the total acreage of the development should be included.
 - b. General Provision #15 states that "Fencing will not be required to enclose lake and separate it from the remaining open space." It is the opinion of the Planning Department that inasmuch as fencing around lakes where development is taking place is subject to some controversy, the condition would be better if it read as follows: "Fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits."
 - c. Under General Provision #19, parcel description, the statement at the bottom relating to rear setbacks should be expanded in order to be perfectly clear for future interpretation. Therefore, it is recommended that the statement read as follows: "Rear setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots." Also for clarification in General Provision #19, ~~per acre~~ should be added after the density statements in each of the parcel descriptions.
 - d. A sequence of tract development is a normal requirement of the Community Unit Plan; however, it has been omitted in this case and it is recommended that the applicant provide a sequence of tract development as General Provision #20 on the Plan.

Recommendation

It is the opinion of the Planning Department that the proposed development plan does meet all the four necessary conditions outlined in Section 28.04.190 of the Zoning Ordinance and it is, therefore, recommended that the Residential Community Unit Plan be approved, subject to the following conditions:

1. A statement as to total acreage of the development plan shall be included in General Provision #1.
2. General Provision #15 being changed to read as follows: "Fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits."
3. Under General Provision #19, Parcel description, "per acre" shall be added after the density statement.
4. The applicant shall develop a sequence of tract development and indicate it on the plan as General Provision #20.
5. That portion of the parking lot located on the dike adjacent to the east side of Parcel #4 shall be deleted from the plan.
6. General Provision #10 shall be reworded as follows: "The existing soil between the land side toe (heel) of the dike (levee) and the lake excavation shall not be removed and replaced with more pervious material."
7. The applicant shall prepare a Homes Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat.
8. The applicant shall plat prior to the issuance of any building permits and the area designated as "Floodway" on the plan shall be included and designated as such on the first final plat of the area.
9. The statement under General Provision #19 relating to rear yard setbacks and indicated by one asterisk being expanded as follows: "Rear yard setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots."
10. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
11. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its reconsideration.

HERSHEL COOK and WARREN OBLINGER appeared in support of this request and raised a question with respect to condition #2 as suggested by the staff. GALBRAITH said that the staff is merely suggesting that the ordinance regarding fencing of borrow pits be complied with. HILL, too, indicated that compliance with the fencing ordinance was proper. It was determined that no mention be made of fencing requirements as that after development occurs, the area will be developed around a lake instead of a borrow pit.

No one appeared in opposition.

MOTION: KRATZER moved, BLASER seconded and it carried unanimously that the Planning Commission recommend to the Board of City Commissioners that this application be approved, subject to the following:

1. A statement as to total acreage of the Development Plan being included in General Provision #1.
 2. Strike out the General Provision #15 pertaining to fencing.
 3. Under General Provision #19, Parcel Description, "per acre" being added after the density statement.
 4. The applicant developing a sequence of tract development and indicating it on the plan as General Provision #20.
 5. That portion of the parking lot located on the dike adjacent to the east side of Parcel #4 being deleted from the Plan.
 6. General Provision #10 being reworded as follows: "The existing soil between the land side toe (heel) of the dike (levee) and the lake excavation shall not be removed and replaced with more pervious material".
 7. The applicant preparing a Homes Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat.
 8. The applicant platting prior to the issuance of any building permits, and the area designated as "Floodway" on the Plan being included and designated as such on the first final plat of the area.
 9. The statement under General Provision #19 relating to rear yard setbacks and indicated by one asterisk being expanded as follows: "Rear yard setbacks are 20 feet where lots abut public or commercial property, 5-foot rear yard setbacks shall be required for all other lots".
 10. The development of this property proceeding in accordance with the Development Plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the Plan as determined by the Superintendent of Central Inspection and the Director of Planning constituting a violation of the building permit authorizing construction of the proposed development.
 11. Any major changes in this Development Plan being resubmitted to the Planning Commission and to the City Commission for reconsideration.
-

June 23, 1967

Mr. Warren Oblinger
Oblinger & Smith
625 First National Bank Bldg.
Wichita, Kansas 67202

Subject: DP-26 - Queen's Lake Community Unit
Plan on the east side of Ridge Road in an
area north of Central

Dear Mr. Oblinger:

At its regular meeting on June 22, 1967, the Metropolitan Area Planning Commission considered the above-captioned Community Unit Plan. The action of the Planning Commission was to recommend that this Development Plan be approved subject to:

- ok* 1. A statement as to total acreage of the Development Plan being included in General Provision #1.
 - ok* 2. Strike out the General Provision #15 pertaining to fencing.
 - ok* 3. Under General Provision #19, Parcel Description, "per acre" being added after the density statement.
- shown as #15 ok.*
- ok* 5. The applicant developing a sequence of tract development and indicating it on the plan as General Provision #20.
 - ok* 5. That portion of the parking lot located on the dike adjacent to the east side of Parcel #4 being deleted from the Plan.

June 23, 1967

- ok* 6. General Provision #10 being reworded as follows: "The existing soil between the land side toe (heel) of the dike (levee) and the lake excavation shall not be removed and replaced with more pervious material".
7. The applicant preparing a Homes Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat.
8. The applicant platting prior to the issuance of any building permits, and the area designated as "Floodway" on the Plan being included and designated as such on the first final plat of the area.
- ok* 9. The statement under General Provision #19 relating to rear yard setbacks and indicated by one asterisk being expanded as follows: "Rear yard setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots".
10. The development of this property proceeding in accordance with the Development Plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the Plan as determined by the Superintendent of Central Inspection and the Director of Planning constituting a violation of the building permit authorizing construction of the proposed development.
11. Any major changes in this Development Plan being resubmitted to the Planning Commission and to the City Commission for reconsideration.

It will now be necessary that the Development Plan be revised reflecting the changes required by the conditions of approval and ten corrected copies of the Plan be submitted to our office by 5:00 p.m., Wednesday, July 5, 1967, so that this matter may be scheduled for consideration by the Board of City Commissioners at its meeting at 9:00 a.m., Tuesday, July 11, 1967, in Room 201, City Building, 204 South Main.

June 23, 1967

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

Enclosure

cc: Hershel B. Cook
1501 Woodrow Avenue
Wichita, Kansas 67203

Myrnon C. Wilbur
943 Wilbur Lane
Wichita, Kansas 67212

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

DATE: June 22, 1967

Case No. DP-26	Request: Approval of a Residential Development Plan for property zoned "AA"
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Location: East side of Ridge Road in an area north of Central

Acres: 74.6

	Land Use	Zoning
Existing	Vacant	"AA"
North	Vacant	"AA"
East	Vacant	"AA"
South	Nursery and vacant	"AA" & "LC"
West	Single-family and vacant	"AA"

Unplatted X

Existing R/W - Ridge Road - half 30 ft

Proposed R/W - Ridge Road - half 50 ft

History: N/A

Comments

- As permitted under the Residential CUP regulations of the Zoning Ordinance, the applicant has submitted a preliminary residential development plan to the Planning Commission for its review and recommendation to the City Commission. In order for the Planning Commission to recommend approval of the residential CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - That the values of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - That such plan is consistent with the intent and purpose of this Chapter to promote public health, safety, morals and general welfare.
 - That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.

2. It is the opinion of the Planning Department that the proposed development will not adversely affect the adjacent property inasmuch as the project has been designed in such a manner so as to provide adequate open space and recreation areas. It is also the opinion of the Planning Department that the plan is consistent with the purpose and intent of the ordinance inasmuch as adequate open space, recreation areas, off-street parking and street rights-of-way have been indicated and that the plan proposes only residential uses with the density not exceeding that of the "AA" single-family district.
3. The plan proposes a combination of various types of residential development, including single-family dwellings, two-family dwellings, townhouse apartment units and garden apartment units, the number of which will not exceed 6.03 dwelling units per acre, or 365 dwelling units for the entire development. The Plan indicates building locations, vehicular circulation, off-street parking and recreational facilities as well as information pertaining to floor area ratio, maximum building heights, signs or monuments, useable open space and setbacks.

The applicant is proposing a cluster subdivision for the single-family portion of the development, which is a new concept in this area. The lots in the cluster subdivision will be somewhat smaller than the normal lots in a conventional subdivision; however, the density will not be increased over that which would be permitted in the "AA" district and the difference in lot area will be included as common open space for the benefit of all the property owners in the subdivision.

4. It should be pointed out that the applicant has also proposed a somewhat different method of providing sidewalks. The Plan indicates sidewalks on one side of the street and proposes an interior sidewalk circulation through the open areas. It is the opinion of the Planning Department that the proposal designated on the plan does satisfactorily meet the requirements of providing adequate pedestrian circulation.
5. One other significant item that should be pointed out is that the applicant has proposed a new type of parking arrangement in the center of the cul-de-sac. A plan of this parking arrangement is located on the lower center section of the Plan. Additional on-street parking has proven to be a problem on cul-de-sacs inasmuch as the lots are extremely narrow at the street line and there is not sufficient room to provide any parking spaces after driveways are installed. The solution provided by the applicant would permit additional parking in the street without interfering with the traffic circulation.

6. General Provision #7 states that all utilities serving interior lots shall be installed underground; however, lots on the north and west may partially be served by aerial lines. It is our understanding after discussing this matter with the applicant, that because of the existing drainage ditch along the north property line, underground installation of utilities would require a line to be installed on each side of the ditch and would be considerably more expensive than the aerial installation. It was also pointed out by the applicant that aerial lines exist on Ridge Road and that it would be preferable to service those lots abutting Ridge Road from the existing line rather than to install lines underground at this time. However, the applicant did point out that he desires to have all the lines underground at some point in the future if it is possible.
7. The Homes Association Agreement which will guarantee the maintenance of the common areas is the key to the success of a development such as this. Therefore, it is the recommendation of the Planning Department that approval of the plan be based on future approval of the Homes Association Agreement by the Planning Commission.
8. The area included in the Development Plan is a portion of a larger tract which extends east to the Wichita-Valley Center Floodway, commonly known as the "Big Ditch." That portion of the tract located between the Big Slough and the Big Ditch is unsuitable for conventional development due to drainage problems and, therefore, has been indicated as a "floodway" on the plan. It is the position of the Planning Department that the only type of development that could occur on the floodway area would be in the nature of a park, agriculture or other similar open space use. The "floodway" should be platted and designated as such with the first final plat of the area.
9. The Flood Control Division of the Department of Public Works has reviewed the plan and recommended the following changes:
 - a. The parking lot on the east side of Parcel #4 encroaches on the dike and it will be necessary to delete that portion.
 - b. General Provision #10 shall be reworded as follows: "The existing soil between the land side toe (heel) of the (levee) dike and the late excavation shall not be removed and replaced with more pervious material."
10. There are several minor technical problems which should be corrected on the Plan and they are as follows:

- a. Under General Provision #1, the total acreage of the development should be included.
- b. General Provision #15 states that "Fencing will not be required to enclose lake and separate it from the remaining open space." It is the opinion of the Planning Department that inasmuch as fencing around lakes where development is taking place is subject to some controversy, the condition would be better if it read as follows: "Fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits."
- c. Under General Provision #19, parcel description, the statement at the bottom relating to rear setbacks should be expanded in order to be perfectly clear for future interpretation. Therefore, it is recommended that the statement read as follows: "Rear setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots." Also for clarification in General Provision #19, per acre should be added after the density statements in each of the parcel descriptions.
- d. A sequence of tract development is a normal requirement of the Community Unit Plan; however, it has been omitted in this case and it is recommended that the applicant provide a sequence of tract development as General Provision #20 on the plan.

Recommendation

It is the opinion of the Planning Department that the proposed development plan does meet all the four necessary conditions outlined in Section 28.04.190 of the Zoning Ordinance and it is, therefore, recommended that the Residential Community Unit Plan be approved, subject to the following conditions:

1. A statement as to total acreage of the development plan shall be included in General Provision #1.
2. General Provision #15 being changed to read as follows: "Fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits."

3. Under General Provision #19, Parcel description. "per acre" shall be added after the density statement.
4. The applicant shall develop a sequence of tract development and indicate it on the plan as General Provision #20.
5. That portion of the parking lot located on the dike adjacent to the east side of Parcel #4 shall be deleted from the plan.
6. General Provision #10 shall be reworded as follows: "The existing soil between the land side toe (heel) of the dike (levee) and the lake excavation shall not be removed and replaced with more pervious material."
7. The applicant shall prepare a Home Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat.
8. The applicant shall plat prior to the issuance of any building permits and the area designated as "Floodway" on the plan shall be included and designated as such on the first final plat of the area.
9. The statement under General Provision #19 relating to rear yard setbacks and indicated by one asterisk being expanded as follows: "Rear yard setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots."
10. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
11. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its reconsideration.

**MICHIGAN-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION**

DATE: June 22, 1967

Case No. DP-26

Request: Approval of a Residential Development Plan for property zoned "AA"

Location: East side of Ridge Road in an area north of Central

Acres: 74.6

	Land Use	Zoning
Existing	Vacant	"AA"
North	Vacant	"AA"
East	Vacant	"AA"
South	Nursery and vacant	"AA" & "LC"
West	Single-family and vacant	"AA"

Unplatted X

Existing R/W - Ridge Road - half 30 ft.

Proposed R/W - Ridge Road - half 50 ft.

History: N/A

Comments

1. As permitted under the Residential CUP regulations of the Zoning Ordinance, the applicant has submitted a preliminary residential development plan to the Planning Commission for its review and recommendation to the City Commission. In order for the Planning Commission to recommend approval of the residential CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 1. That the values of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 2. That such plan is consistent with the intent and purpose of this Chapter to promote public health, safety, morals and general welfare.
 3. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 4. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.

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June 22, 1967 POLITAN AREA PLANNING COMMISSION

2. It is the opinion of the Planning Department that the proposed development will not adversely affect the adjacent property inasmuch as the project has been designed in such a manner so as to provide adequate open space and recreation areas. It is also the opinion of the Planning Department that the plan is consistent with the purpose and intent of the ordinance inasmuch as adequate open space, recreation areas, off-street parking and street rights-of-way have been indicated and that the plan proposes only residential uses with the density not exceeding that of the "AA" Single-family district.
3. The plan proposes a combination of various types of residential development, including single-family dwellings, two-family dwellings, townhouse apartment units and garden apartment units, the number of which will not exceed 6.03 dwelling units per acre, or 365 dwelling units for the entire development. The plan indicates building locations, vehicular circulation, off-street parking and recreational facilities as well as information pertaining to floor area ratio, maximum building heights, signs or monuments, useable open space and setbacks.

Comments

- The applicant is proposing a cluster subdivision for the single-family portion of the development, which is a new concept in this area. The lots in the cluster subdivision will be somewhat smaller than the normal lots in a conventional subdivision; however, the density will not be increased over that which would be permitted in the "AA" district and the difference in lot area will be included as common open space for the benefit of all the property owners in the subdivision. The following conditions:
- It should be pointed out that the applicant has also proposed a somewhat different method of providing sidewalks. The Plan indicates sidewalks on one side of the street and proposes an interior sidewalk circulation through the open areas. It is the opinion of the Planning Department that the proposal designated on the plan does satisfactorily meet the requirements of providing adequate pedestrian circulation, morals and general welfare.
 - One other significant item that should be pointed out is that the applicant has proposed a new type of parking arrangement in the center of the cul-de-sac. A plan of this parking arrangement is located on the lower center section of the Plan. Additional on-street parking has proven to be a problem on cul-de-sacs inasmuch as the lots are extremely narrow at the street line and there is not sufficient room to provide any parking spaces after driveways are installed. The solution provided by the applicant would permit additional parking in the street without interfering with the traffic circulation family required by the district in which the development is located.

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June 22, 1967

2. It is the opinion of the Planning Department that the proposed
6. **General Provision #7** states that all utilities serving interior lots shall be installed underground; however, lots on the north and west may partially be served by aerial lines. It is our understanding after discussing this matter with the applicant, that because of the existing drainage ditch along the north property line, underground installation of utilities would require a line to be installed on each side of the ditch and that would be considerably more expensive than the aerial installation. It was also pointed out by the applicant that aerial lines exist on Ridge Road and that it would be preferable to service those lots abutting Ridge Road from the existing line rather than to install lines underground at this time. However, the applicant did point out that he desires to have all the lines underground at some point in the future if it is possible, per acre, or 365 dwelling units for the entire development.
7. The Homes Association Agreement which will guarantee the maintenance of the common areas is the key to the success of a development such as this. Therefore, it is the recommendation of the Planning Department that approval of the plan be based on future approval of the Homes Association Agreement by the Planning Commission proposing a cluster subdivision for the single-family portion of the development, which is a new concept in
8. The area included in the Development Plan is a portion of a larger tract which extends east to the Wichita Valley Center. Floodway, commonly known as the "Big Ditch." That portion of the tract located between the Big Slough and the Big Ditch is unsuitable for conventional development due to drainage problems and, therefore, has been indicated as a "floodway" on the plan. It is the position of the Planning Department that the only type of development that could occur on the floodway area would be in the nature of a park, agriculture or other similar open space use. The "Floodway" should be platted and designated as such with the first final plat of the area open areas. It is the opinion of the Planning Department that the proposal
9. The Flood Control Division of the Department of Public Works has reviewed the plan and recommended the following changes:
5. The parking lot on the east side of Parcel #4 encroaches the on the dike and it will be necessary to delete that portion in the center of the cul-de-sac. A plan of this parking arrangement **General Provision #10** shall be reworded as follows: "The existing soil between the landside toe (heel) of the landside levee dike and the lake excavation shall not be removed and be replaced with more pervious material." Parking spaces after driveways are installed. The solution provided by the applicant
10. There are several minor technical problems which should be corrected on the plan and they are as follows:

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- a. Under General Provision #1, the total acreage of the development should be included. Utilities serving interior lots shall be installed underground; however, lots on the north side of the street shall be required to enclose lake and separate it from the remaining open space. It is the opinion of the Planning Department that inasmuch as fencing around lakes where development is taking place is subject to some controversy, the condition would be better if it read as follows: "Fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits," abutting Ridge Road from the existing line rather than to install lines underground at this time. However, under General Provision #19, parcel description, the line statement at the bottom relating to rear setbacks should be expanded in order to be perfectly clear for future interpretation. Therefore, it is recommended that the statement read as follows: "Rear setbacks are 20 feet where lots abut public or commercial property; 5 feet of the rear yard setbacks shall be required for all other lots." Also, for clarification in General Provision #19, per screening should be added after the density statements in each of the parcel descriptions.
8. The area included in the Development Plan is a portion of a large sequence of tract development which is a normal requirement of the Community Unit Plan; however, it has been omitted in this case and it is recommended that the applicant provide an area sequence of tract development as General Provision #20 does and, on the plan, has been indicated as a "floodway" on the plan. It is the position of the Planning Department that the only development that could occur on the floodway area would be in the nature of a park, agriculture or other similar open space. It is the opinion of the Planning Department that the proposed development plan does meet all the four necessary conditions outlined in Section 28.04.190 of the Zoning Ordinance and it is, therefore, recommended that the Residential Community Unit Plan be approved, subject to the following conditions: the following changes:
1. A statement as to total acreage of the development plan shall be included in General Provision #1, delete that portion.
 2. General Provision #15 being changed to read as follows: "The fencing shall be provided as required by Ordinance No. 28-743 relating to fencing of borrow pits, sand pits and gravel pits." with more parvious material."
10. There are several minor technical problems which should be corrected on the Plan and they are as follows:

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- a. Under General Provision #1, the total acreage of the
 3. Under General Provision #19, Parcel Description, "per acre" shall be added after the density statement.
 - b. General Provision #15 states that "Fencing will not be
 4. The applicant shall develop a sequence of tract development and indicate it on the plan as General Provision #20, in Department that inasmuch as fencing around lakes where
 5. That portion of the parking lots located on the dike adjacent to the east side of Parcel #4 shall be deleted from the plan. "Fencing shall be provided as required by Ordinance No.
 6. General Provision #10 shall be reworded as follows: "The existing soil between the land side toe (heel) of the dike (levee) and the lake excavation shall not be removed and replaced with more pervious material." description, the statement at the bottom relating to rear setbacks should
 7. The applicant shall prepare a Home Association Agreement which shall be approved by the Planning Commission prior to the recording of the plat: "Rear setbacks are 20 feet where lots abut public or commercial property; 5-foot
 8. The applicant shall plat prior to the issuance of any building permits and the area designated as "Floodway" on the plan shall be included and designated as such on the first final plat of the areas.
 9. The statement under General Provision #19 relating to rear yard setbacks and indicated by one asterisk being expanded as follows: "Rear yard setbacks are 20 feet where lots abut public or commercial property; 5-foot rear yard setbacks shall be required for all other lots."
10. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and develop any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of herefore, shall constitute a violation of the building permit provided, authorizing construction of the proposed development.
11. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its reconsideration.
 2. General Provision #15 being changed to read as follows: "Fencing shall be provided as required by Ordinance No. 2B-743 relating to fencing of borrow pits, sand pits and gravel pits."

JUNE 22, 1967

1. Under General Provision 419, the applicant shall prepare a site plan for the proposed development, showing the location of the proposed building, parking area, and other features, and indicate it on the plan as required by Section 419.
2. The applicant shall provide a parking lot located on the east side of the lot, and shall be related to the lot as shown on the plan.
3. General provisions 419 shall be amended as follows: The condition shall between the lot side the front of the lot (front) and the lot excavation shall not be more than 10 feet deep with some suitable material.
4. The applicant shall prepare a Home Association Agreement which shall be approved by the Planning Commission prior to the recording of the plan.
5. The applicant shall prior to the recording of the plan provide for the area between the lot and the lot, and shall be provided and maintained as such.

CASE NO. DP-26 - 163 NOTICES MAILED 6-8-67 FOR 6-22-67 MAPC

6. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.
7. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.
8. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.
9. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.
10. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.
11. The applicant shall provide a provision for parking to be provided on the lot, and shall be provided as such.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas

NOTICE TO ADJOINING PROPERTY OWNERS

JUN 8 - 1967

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 2:00 p.m. on JUN 22 1967, at which time you may appear either in person or by agent or attorney, if you so desire.

C. Bickley Foster, Secretary

CASE NO. DP-26

PLANNED RESIDENTIAL DEVELOPMENT FOR QUEEN'S LAKE CUP
(SEE ATTACHED SHEET FOR LEGAL DESCRIPTION)

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

This Residential Community Unit Plan on file proposes a 74.6 acre single-family, two-family, townhouse apartment, and garden apartment development, the density of which will not exceed 6.03 dwelling units per acre, or a total of 365 dwelling units for the entire development. In addition to indicating the lots for single-family and two-family residences and the proposed building locations for garden apartments and townhouses, the Development Plan indicates information on maximum building coverage, maximum building heights, setbacks for structures, proposed usable open space, lake areas, means of ingress and egress in and through the area, interior circulation, and proposed parking ratio.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" - One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" - Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" - Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "B" - Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" - Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; motels under certain conditions; and all residential uses.
- "IC" - Light Commercial District
Permits all purely retail business conducted within an enclosed building; service stations; all residential and office uses.
- "C" - Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" - Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" - Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" - Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" - Mobile Home District
Permits mobile home parks and associated uses.

DP-26 - That part of the SW $\frac{1}{4}$ of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the southwest corner thereof; thence north 2,642.4 feet, more or less, to the northwest corner of said SW $\frac{1}{4}$; thence east along the north line of said SW $\frac{1}{4}$, 1,537.6 feet; thence sith an angle to the right of 85°00'30", a distance of 1,800 feet; thence southeasterly 862 feet, more or less, to a point on the south line of said SW $\frac{1}{4}$, 1,856.43 feet east of beginning; thence west 1,856.43 feet to beginning, EXCEPT beginning at the southwest corner of said SW $\frac{1}{4}$; thence north along the west line of said SW $\frac{1}{4}$, 1,030 feet; thence east at right angles, 580.8 feet; thence south at right angles, 300 feet; thence east at right angles, 19.2 feet; thence south at right angles, 733.68 feet, more or less, to the south line of said SW $\frac{1}{4}$; thence west 600 feet to beginning; AND EXCEPT beginning 600 feet east of the southwest corner of said SW $\frac{1}{4}$; thence east along the south line of said SW $\frac{1}{4}$, 1,134.46 feet; thence with an angle to the left of 101°34'45", a distance of 449.1 feet, more or less, to a point 440 feet north of the south line of said SW $\frac{1}{4}$; thence west parallel with the south line of said SW $\frac{1}{4}$, 1,047 feet, more or less, to a point 600 feet east of the west line of said SW $\frac{1}{4}$; thence south 440 feet to the point of beginning. Generally located on the east side of Ridge Road in an area north of Central.

() (Published in The Wichita Beacon on May 31, 1967)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, June 22, 1967, at 2:00 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED RESIDENTIAL DEVELOPMENT for property legally described as follows:

DP-26 - That part of the SW $\frac{1}{4}$ of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the southwest corner thereof; thence north 2,642.4 feet, more or less, to the northwest corner of said SW $\frac{1}{4}$; thence east along the north line of said SW $\frac{1}{4}$, 1,537.6 feet; thence with an angle to the right of 85°00'30", a distance of 1,800 feet; thence southeasterly 862 feet, more or less, to a point on the south line of said SW $\frac{1}{4}$, 1,856.43 feet east of beginning; thence west 1,856.43 feet to beginning, EXCEPT beginning at the southwest corner of said SW $\frac{1}{4}$; thence north along the west line of said SW $\frac{1}{4}$, 1,030 feet; thence east at right angles, 580.8 feet; thence south at right angles, 300 feet; thence east at right angles, 19.2 feet; thence south at right angles, 733.68 feet, more or less, to the south line of said SW $\frac{1}{4}$; thence west 600 feet to beginning; AND EXCEPT beginning 600 feet east of the southwest corner of said SW $\frac{1}{4}$; thence east along the south line of said SW $\frac{1}{4}$, 1,134.46 feet; thence with an angle to the left of 101°34'45" a distance of 449.1 feet, more or less, to a point 440 feet north of the south line of said SW $\frac{1}{4}$; thence west parallel with the south line of said SW $\frac{1}{4}$, 1,047 feet, more or less, to a point 600 feet east of the west line of said SW $\frac{1}{4}$; thence south 440 feet to the point of beginning. Generally located on the east side of Ridge Road in an area north of Central.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

This Residential Community Unit Plan on file proposes a 74.6-acre single-family, two-family, townhouse apartments, and garden apartments development, the density of which will not exceed 6.03 dwelling units per acre, or a total of 365 dwelling units for the entire development. In addition to indicating the lots for single-family and two-family residences and the proposed building locations for garden apartments and townhouses, the Development Plan indicates information on maximum building coverage, maximum building heights, setbacks for structures, proposed usable open space, lake areas, means of ingress and egress in and through the area, interior circulation, and proposed parking ratio.

The hearing of this Development Plan, as provided in Section 28.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 25th day of May,
1967.

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commis-
sion

(SEAL)

February 7, 1967

Mr. Warren Oblinger
Oblinger & Smith
625 1st National Bank Bldg.
Wichita, Kansas 67202

Subject: QUEEN'S LAKE ADDITION

Dear Mr. Oblinger:

As a result of our discussion on Thursday, February 2, 1967, the following are our comments for you to consider in redesigning and preparing the residential Development Plan for formal submission. The following items should be taken into account in submitting the preliminary development plan:

1. Parcelization. The development plan proposed single-family, two-family, townhouse and garden apartment uses. The plan should indicate separate parcels for the different uses and specific information should be indicated for each parcel.

EXAMPLE:
Parcel #1

1. Proposed use -----.
2. Net area -----sq. ft. or ----- acres
(net area does not include street
right-of-way).
3. Maximum building coverage -----%.
4. Floor area ratio -----.
5. Maximum building height -----ft.
6. Setbacks, front -----, rear-----, and
side -----.
7. Density -----.
8. Parking ratio -----.

Mr. Warren Oblinger
February 7, 1967
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- ok
2. We have recommended that the "LC" light commercial not be increased in depth, and all property north of the "LC" district be included in the residential development plan.
 3. A statement indicating the total acreage of the plan should be shown in the General Provisions Section.
 4. The private cul-de-sac along the east property line is extremely long and consideration should be given to redesigning the area.
 5. The plan indicates townhouses on the south side of Denmark adjacent to the commercial area and garden apartments on the north side of Denmark. It is the opinion of the staff that a more compatible development would be achieved if the location of the uses would be reversed; townhouses to the north, garden apartments to the south.
 6. There has been discussion as to whether it is necessary for Denmark Street to remain, and it is the opinion of the staff that Denmark Street is necessary to provide adequate interior circulation.
 7. The street which connects Central and Ridge Road actually will serve as a collector street for this area and should be indicated as 70 feet of right-of-way to be paved at a width of 38 feet.
 8. The setback provision is not clear and it is recommended that all front yard setbacks be indicated on the plan and that rear yard setbacks be indicated on the plan where noted in red on the accompanying copy.

Mr. Warren Oblinger
February 7, 1967
Page -3-

9. The information concerning the percentage and acreage of open space needs to be completed in General Provision No. 9.
10. In the early discussion of the proposed development, it was pointed out that if a satisfactory interior sidewalk plan was submitted, the requirement of sidewalks on both sides of the street might be adjusted. The plan, however, does not indicate an alternative sidewalk plan, but simply reduces the normal required sidewalks. Therefore, it is recommended that no sidewalks be shown on the plan and General Provision No. 16 be deleted. Sidewalks will be required on both sides of every street and on cul-de-sacs as per City Commission policy.
11. It will be necessary to obtain an interpretation of the fencing ordinance as it relates to the development of the lake on this property from the Superintendent of Central Inspection. We suggest that you contact his office for a determination prior to the formal submission of the plan.
12. The development of the open space and community facilities shall take place concurrently with the development of the area, and statement of this nature should be included under general provisions. We suggest the following be added under General Provisions:

"The open space and community facilities shall be developed concurrently as sites are developed, however, said facilities shall be completed prior to 75% of the area being developed".

Mr. Warren Oblinger
February 7, 1967
Page -4-

13. It is our understanding that the applicant will not plat or develop the entire plan at one time and, therefore, it will be necessary to provide a sequence of tract or parcel development on the plan.
14. The following conditions should be added under the General Provisions of the plan:
 - (a) A homes association agreement providing for the maintenance of non-public common areas, parking areas, community facilities, lake dike, etc. shall be filed with the first plat of the area and shall provide for the automatic inclusion of all subsequent plats which may be a part of the CUP.
 - (b) Approval of this development plan shall expire at the end of ten years unless 50 % of the area has been developed.
15. General Provision No. 15 should read as follows:

"15. Signs or monuments designating the name of the development shall be permitted if they follow the provision of Section 28.04.070.A.12 of the Code of the City of Wichita, and shall be approved by the Director of Planning prior to the construction."
16. The zoning ordinance requires only one off-street parking space per residential dwelling unit and experience has indicated that this is insufficient. The Planning Commission has, in the past, required that a minimum of 1.5 off-street parking spaces

Mr. Warren Oblinger
February 7, 1967
Page -5-

per dwelling unit in multiple-family areas be indicated on the plan and it is recommended that the same be done on this development plan.

17. The proposed parking in the cul-de-sacs has raised some questions and it is recommended that this be worked out with the Traffic Engineer prior to the submission of the plan.
18. As a result of the parcelization as outlined in comment No. 1 and the other preceding comments, conditions No. 3, 4, 6, 7, 8 and 16 under General Provisions on the plan shall be deleted.

I inquired as to the status of the annexation of this property and Mr. Lakin advises that he is waiting for Mr. Cook to determine what area he desires to have annexed.

These are most of the areas of question that we foresee at this time and we recommend that the plan be reworked with these suggestions in mind. Enclosed is a "marked copy" of the plan for your information and files.

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

Very truly yours,

Jack H. Galbraith
Senior Planner

JHG:RAW:sa
Enclosure

cc: Mr. Hershel B. Cook
1501 Woodrow Avenue
Wichita, Kansas

Mr. Myron C. Wilbur
943 Wilbur Lane
Wichita, Kansas

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

TO The Files DATE November 9, 1966
FROM Jack H. Galbraith, Senior Planner
SUBJECT S/D 66-70 - Sketch Plat of Pebble Beach Lake Addition

On November 8, 1966, the Board of City Commissioners considered a request from Leo R. Watta, representing the applicant, Herschel Cook and Associates, as to the developer being required to install facilities. It was the action of the Board of City Commissioners not to require the installation of facilities on subject plat as the developer had been working with the Planning Staff for nearly a year prior to the City Commission decision of September 6, requiring developers to install facilities.

JHG:bgg

September 22, 1966

Mr. Marshal B. Cook
1501 Woodrow Avenue
Wichita, Kansas

Subject: S/D 66-70 - Sketch Plat of Pebble
Beach Lake Addition

Dear Mr. Cook:

We have reviewed the Sketch Plat of Pebble Beach Lake Addition with divisions of the Department of Public Works and find the redesign generally acceptable. However, comments were made concerning the following:

Design

The plat proposes additional commercial zoning facing into proposed duplexes and in our opinion there is already an adequate amount of "LC" zoned land in the area to satisfy the commercial needs for the neighborhood. It is recommended that the area proposed for commercial expansion be utilized for residential purposes facing north to the duplexes.

The duplex lots which are adjacent to the south boundary of the 70-foot collector street appear to be completely divorced from the cluster subdivision. It is the opinion of the staff that these lots should have access to the open space as has been provided to other lots which are separated from the open space by streets. We would also recommend that you redesign the duplex lots to provide for a minimum lot area of 10,000 square feet as suggested in the proposed Prototype Zoning Ordinance.

Information has not been indicated concerning proposed building setbacks or minimum and maximum lot areas. Some of these lots appear to be only 65 feet to 70 feet in depth and with the standard 25-foot front yard setback, and a 20-foot rear yard setback, it is difficult to determine how the lots can be developed. It is, therefore, recommended that minimum lot area and setback information be submitted when the development plan is submitted.

September 22, 1966

Flood Control

The Sketch Plat indicates that a dike will be constructed along the north and east property lines. The plat should indicate a minimum elevation of 1317.2 mean sea level for the top of the dike on the north property line and a minimum elevation of 1316.1 mean sea level for the top of the dike at its most southerly extension. It will also be necessary to indicate a minimum pad elevation for each dwelling of 1314.2 mean sea level along the north property line and 1313.1 mean sea level along the south property line. The property to the east of this proposed subdivision is under the same ownership as is subject area and as has been discussed previously, it is recommended that the preliminary plat include the area to the east and indicate it as a floodway so that no structures or changes in grading will create problems with the natural drainage flow in the area.

Cul-de-sacs

The indicated cul-de-sacs have a diameter of 130 feet which is rather large. The applicant should furnish details how he desires these to be paved and if islands or reserves are to remain in the centers, then the maintenance will have to be included in the home association agreement.

Lake

As pointed out in the previous letter dated June 20, 1966, the lake proposes several problems. Due to the recent adoption of the Ordinance concerning the fencing of borrow pits, sand pits or lake areas resulting from excavation, it will be necessary to indicate how the fencing will be achieved around the lake as well as to submit a cross-section of the lake showing side slope ratios, maximum depth, finish grades and beach lines.

Procedure

There are several procedural and administrative problems in order to develop this land as proposed. Since City facilities are desired and a development plan will have to be filed under the Community Unit Plan provisions of the City Zoning Ordinance, it will be necessary for the applicant to request annexation. We suggest that you contact us regarding the submission of a letter to the Manager's Office requesting annexation of all the property included in the plan, plus that area to the east which is to be designated as a floodway.

September 22, 1966

After annexation has been accomplished, the next step is to file a residential development plan under the Community Unit Plan provisions of the City Zoning Ordinance. The development plan will basically be the same as is shown on this Sketch Plat; however, additional detailed information will be needed. Information will need to be indicated pertaining to proposed setbacks, minimum lot area, building locations for the apartment complexes, proposed land uses, density, maximum building heights, lake fencing and lake specifications as to bank slopes and depth. It may not be necessary to change the zoning classification for the apartment areas. This, however, will have to be determined when the net area (excluding street right-of-way) is computed for the total residential plan. A quick analysis of the site indicates, however, that "AA" zoning will be sufficient for both the apartment and cluster development. We have several examples of residential development plans in our office and would appreciate meeting with you and covering the requirements in detail prior to the submission of the development plan. It should be noted that if no additional "LC" zoning is requested, it will not be necessary to submit a commercial development plan inasmuch as the commercial area will be less than six acres.

Upon approval of the development plan by the Metropolitan Area Planning Commission and Board of City Commissioners, it will be necessary to proceed with platting. It is recommended that a preliminary plat be submitted on all the property included in the development plan plus the approximately 80 acres to the east which is under the same ownership. It should be pointed out that the Board of City Commissioners recently required the enforcement of Section XV of the Subdivision Rules and Regulations pertaining to developer installed facilities. We are enclosing a copy of the Subdivision Rules and Regulations for your information and files, and a copy of a letter sent to firms engaged in platting regarding supporting information to be submitted with preliminary plats.

Enclosed is a marked copy of the Sketch Plat for your information and files.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:sgs
Enclosure
cc: Warren Oblinger
Oblinger & Smith
625 1st National Bank Bldg.

Mr. Myron C. Wilbur
943 Wilbur Lane
Wichita, Kansas

June 20, 1966

Mr. Harshel B. Cook
1501 Woodrow Avenue
Wichita, Kansas

Subject: S/D 66-70 - Sketch Plat of Pebble Beach
Lake Addition

Dear Mr. Cook:

The Planning Staff has reviewed the Sketch Plat of Pebble Beach Lake Addition and has pointed out many problems associated with a development of this nature.

Design

In reviewing the proposed cluster subdivision, questions were raised as to the value of the open space designated adjacent to Ridge Road and the 10-30 feet at the north, east and south property lines. These areas are extremely narrow and without the benefit of a plan showing how you intend to utilize these areas, it is felt that these areas are of little benefit to the overall development and will probably result in being unkept. It is recommended that either the entire plat be redesigned to enlarge the lots on the perimeter of the site to incorporate these small areas, or that you furnish evidence in a detailed plan showing exactly how these areas will benefit the total development.

Several of the open spaces, which are intended to serve as pedestrian-ways to the central large open space area, are not in line on both sides of the loop street. If these areas are to serve primarily as pedestrian-ways, then they should be designed in such a manner to quickly assist pedestrians across the street.

The applicant has stated that he intends to develop the areas adjacent to the south and to the north of the existing light commercial on Central for apartments. As we have discussed before, the staff feels this entire area should be designed

June 20, 1966

together, providing for a street south to Central. If the proposed apartment area has access only to the loop street, then it will be necessary to increase the right-of-way of the loop street to 70 feet and paving will have to be installed to a width of 38 feet. The best solution would be to design and dedicate a 70-foot street from the loop street south to Central.

The proposed development is unique for the Wichita area as it is proposing to provide common open space by reducing lot size. It should be emphasized that, in order for the open space to be functional and an asset to the development, it must be designed with care. Therefore, it will be necessary to submit a plan showing proposed recreational facilities and the proposed landscape treatment in detail of the open space. This plan should include the location, size, and shape of the lake; the beach line, interior sidewalk proposals, and a detailed planting plan.

Several of the staff members expressed concern with the proposed lots on the east side of the lake. It is generally felt that lots on the east side of lake developments are usually the last to be sold and developed. This is specifically due to the tremendous glare and reflection from the lake in the afternoons. We would suggest that north-south circulation be provided on the west side of the lake.

The lake proposes other problems due to the recent action of the Board of City Commissioners in requiring fencing of borrow pits or lake areas resulting from excavation. A detailed plan showing location and type of fencing shall be submitted. It will also be necessary to submit a cross-section of the lake, showing side slope ratios, maximum depth, finish grades, and beach lines.

Community Unit Plan

It is assumed that the developer will request water and sewer facilities from the City and agree to annexation. Since this property is presently in the County, and since the County Zoning Resolution does not provide for residential community unit plans, or the mechanics for approving a development of this type where lot areas are being proposed less than that required by the Zoning Resolution, it will be necessary for you to submit a development plan under the Community Unit Plan provisions of the City Zoning Ordinance, to be reviewed by the Subdivision Committee and the Planning Commission, and later by the Board of City Commissioners upon annexation. Conditions pertaining to maximum building heights, density, minimum building setbacks, proposed housing type, floor area ratios, off-street parking

June 20, 1966

space, and other similar information, is all a part of the community unit plan. It should be pointed out that utilities will be required to be installed underground. We are also interested in reviewing your proposed homes association, which is required to guarantee the maintenance and improvement of open space areas.

Sidewalks

Sidewalks will be required on both sides of the loop street, except for the east side of the north-south street to the east of the site. Depending on circulation provided in the open space areas, sidewalks may not necessarily be required on all the cul-de-sacs.

Flood Control

Although not indicated on the plan, the applicant has discussed constructing a dike to surround the development. If a dike is proposed, it shall be indicated on the community unit plan and be at 1,317.2 mean sea level on the north property line and 1,316.1 mean sea level on the south property line. The pad elevations for each dwelling will then have to be a minimum of the high flood of record which is 1,314.2 mean sea level along the north property line and 1,313.1 mean sea level along the south property line.

If a dike is not constructed, a minimum pad elevation of 1,317.2 mean sea level shall be maintained adjacent to the north property line, and a minimum pad elevation of 1,316.1 mean sea level shall be maintained adjacent to the south property line.

There is presently 25 feet of right-of-way dedicated from this property for drainage adjacent to the north property line and an additional 40 feet is needed to construct an adequate channel.

Cul-de-sacs

The cul-de-sacs in the proposed subdivision are double cul-de-sacs, or what is known as "hammerhead cul-de-sacs". It has been mentioned that islands will possibly be created in the cul-de-sacs to provide for additional off-street parking and if this is proposed, a detailed plan must be submitted showing the design of the parking. Maintenance of the reserves or islands will also have to be solved.

The right-of-way for the cul-de-sacs is designated as 50 feet in width. This will work only if the utilities are constructed

June 20, 1966

as in a conventional subdivision. If it is intended to serve all the lots with utilities from the front, it will then be necessary to provide a minimum of 60 feet of right-of-way. Normally, only gas and water lines are installed in the street right-of-way, and if sewers, electric and telephone lines are also placed in the street right-of-way, the 60-foot right-of-way will be required.

Procedure

Since several serious questions have been raised with the design, we suggest that you redesign the plat and prepare a residential development plan to be considered first by the Subdivision Committee and then by the Planning Commission. This plan should take into consideration the preceding comments regarding open space, incorporating the area to the south, and the possible elimination of the north-south street on the east side of the lake. It will also be necessary to submit an open space, landscape and facilities plan, the lake fencing plan, and the cross-section of the lake as a part of the development plan. In our opinion, it will be necessary to have the approval of the development plan prior to the submission of a preliminary plat.

We have not gone into detail on all the necessary information required for a development plan. Assuming that you would like to discuss the entire proposal again prior to the preparation of the plan, I would recommend that at your convenience you contact our office for an appointment so that we may allow ample time to discuss the problems which have been raised. Enclosed is a "marked" copy of the Sketch Plat for your information and files.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs
Enclosure

cc: Mr. Myrnon C. Wilbur
943 Wilbur Lane
Wichita, Kansas

Baughman Company
2522 East Kellogg
Wichita, Kansas

Point out our concern over the design.
narrow space adjacent to Ridge Road
Cul-de-sac not in line
Pedestrian ways not in line
Reserve area not designed or
shown how it will be used.
Definite street should tie into Central.

Community Unit Plan should be
submitted first.
Tie with C.U.P. - home association
landscape plan
If less than 6000 sq ft lots
are proposed they should be
approved on the C.U.P.
Reduction of setbacks would be on
C.U.P.

fidewalls would probably be required
on both sides of every street except
of the east side of the street east of
the lake.

If street ties into Central watch
how it ties into plot to the
south of Central.

If street doesn't go to Central then
a 38' street will be necessary, and
70' of ROW to Ridge Road.

? Dilse - Where does it go
? land area east of east road.

possible registered letter to property
owner to the east

With the Subdivision

want 60' cul-de-sac.

design solutions for cul.

how islands will be bounded in cul.

Fencing Plan for Lake.

general specs on lake - Topo on
lake, depth of lake.

Under ground utilities

Pad elevations.

APPLICATION FOR COMMUNITY UNIT PLAN
(PLANNED RESIDENTIAL OR COMMERCIAL DEVELOPMENT)
FOR PROPERTY LOCATED WITHIN THE LIMITS OF THE
CITY OF WICHITA, KANSAS

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, 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.

- a. Applicant Hershel B. Cook and Vera Arlene Cook
Address 1501 Woodrow Ave. 67203 Phone AM2-0507
Agent NA
Address NA Phone NA
- b. Applicant Myrnon C. Wilbur and Sylvia B. Wilbur
Address 943 Wilbur Ln. 67213 Phone PA2-3039
Agent NA
Address NA Phone NA
- c. Applicant NA
Address NA Phone NA
Agent NA
Address NA Phone NA

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned AA and legally described as Lot(s) NA, Block(s) NA, NA Addition.

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

II.B There are 74.6 acres (round to nearest tenth) in the above described property.

JOHN T. (JACK) REEVES

OFFICE OF
BAUGHMAN CO.
Surveyors

FRED J. DOANE

2222 EAST KELLOGG
WICHITA, KANSAS 67211
MURRAY 3-7431

Part of the SW $\frac{1}{4}$ of Sec. 15, Twp. 27-S, R-1-W, described as beginning at the S. W. Corner thereof: thence north 2642.4 feet more or less to the N. W. Corner of said SW $\frac{1}{4}$; thence east along the north line of said SW $\frac{1}{4}$, 1537.6 feet; thence with an angle to the right of 85° 00' 30" a distance of 1800 feet; thence southeasterly 862 feet more or less to a point on the south line of said SW $\frac{1}{4}$, 1856.43 feet east of beginning; thence west 1856.43 feet to beginning, except beginning at the S. W. Corner of said SW $\frac{1}{4}$; thence north along the west line of said SW $\frac{1}{4}$, 1030 feet; thence east at right angle 580.8 feet; thence south at right angles 300 feet; thence east at right angles 19.2 feet; thence south at right angle 799.68 feet more or less to the south line of said SW $\frac{1}{4}$; thence west 600 feet to beginning, and except beginning

~~XXXXXX~~

600 feet east of the S. W. Corner of said SW $\frac{1}{4}$; thence east along the south line of said SW $\frac{1}{4}$, 1134.48 feet; thence with an angle to the left of 101° 34' 45" a distance of 449.1 feet more or less to a point 44.0 feet north of the south line of said SW $\frac{1}{4}$; thence west parallel with the south line of said SW $\frac{1}{4}$, 104.7 feet more or less to a point 600 feet east of the west line of said SW $\frac{1}{4}$; thence south 44.0 feet to beginning.

cup exc. Com.

III. This property is located at (address) NA.

The general location is (use appropriate section)
North of Central and East of Ridge Road

a. ~~XXXX~~ NA corner of NA

and NA; or

b. on the NA side of NA (Ave.,

Street) between NA (Ave., Street) and

NA (Ave., Street).

IV. (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

Frank E. Smith
Oblinger & Smith

By Land Planners
Authorized Agent (if any)

Jack J. Doane
Baughman Co.

By Land Surveyor
Authorized Agent (if any)

NA NA
By NA NA
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at

3:00 (AM, PM) on 5-24-67 (Day, Month,

Year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of

\$ 400⁰⁰.

Jack S. Brantley Name
Senior Planner Title

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
)
 Sedgwick County,)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does 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:

Property lying within a radius of 1,000 ft of:

A part of the SW $\frac{1}{4}$ Sec 15, Twp 27, R 1 West desc as fol: Beg at SW cor th N 2642.4 ft M/L to NW cor sd SW $\frac{1}{4}$; th E along N line sd SW $\frac{1}{4}$ 1537.6 ft; th with an angle to the rt of 85° 00' 30" a distance of 1800 ft; th SEly 862 ft M/L to a pt on S line sd SW $\frac{1}{4}$ 1856.43 ft E of beg; th W 1856.43 ft to beg., exc beg at SW cor sd SW $\frac{1}{4}$; th N along W line sd SW $\frac{1}{4}$ 1030 ft; th E at rt angle 580.8 ft; th S at rt angles 300 ft; th E at rt angles 19.2 ft; th S at rt angles 733.68 ft M/L to S line sd SW $\frac{1}{4}$; th W 600 ft to beg., & exc beg 600 ft E of SW cor sd SW $\frac{1}{4}$; th E along S line of sd SW $\frac{1}{4}$ 1134.46 ft; th with an angle to the left of 101° 34' 45" a distance of 449.1 ft M/L to a pt 440 ft N of S line sd SW $\frac{1}{4}$; th W par1 with S line sd SW $\frac{1}{4}$ 1047 ft M/L to a pt 600 ft E of W line sd SW $\frac{1}{4}$; th S 440 ft to beg.


Fidelity
Title
Company
inc.

And from such examination find that the owners there-
 of are as set opposite the description of the property below, viz:

LOT	BLK	ADDITION	OWNER
		COUNTRY ACRES 4th.	
1	A		✓ Mark A. & Merle L. Wood, ux 1624 Gold 67213
2	A		✓ Hallmark Construction Inc. 2436 W. Douglas 67203
3, 4, 5, 6,	B		✓ Wisconsin Evangelical Lutheran Synod. No Address Available % 842 71, Tyler Rd, 67212
7, 8,	B		✓ Marcus D. & Mary Louise Gow, ux 6601 W. 13th St. 67212
9	B		✓ Merle D. & Cleeta E. Stevens, ux 340 S. Illinois 67213
10	B		X Mark A. & Merle L. Wood, ux 1624 Gold
11 & 12,	B		X Marcus D. & Mary Louise Gow, ux 6601 W. 13th St.



LOT	BLK.	ADDITION	OWNER
7, 8, 9, 10, 11,	J	COUNTRY ACRES 4th B	X Wisconsin Evangelical Lutheran Synod No Address Available
12, 13, 14,	J		X Hallmark Construction Inc. 2436 W. Douglas
15	J		X Marcus D. & Mary Louise Gow, ux 6601 W. 13th St.
16, 17, 18,	J		✓ Vernon Lieurance 757 Marcilene 67218
19,	J		X Marcus D. & Mary Louise Gow, ux 6601 W. 13th St.
20,	J		X Hallmark Construction Inc. 2436 W. Douglas
21, 22, 23,	J		X Hershel E. & Arlene Cook, ux 1501 Woodrow Ave.
24, 25, 26, 27,	J		X Wisconsin Evangelical Lutheran Synod
6, 7, 8, 9, 10, 11, K 12, 13, 14, 15, 16, 17 & 18,			X Hershel E. & Vera Arlene Cook, ux 1501 Woodrow Ave.
19,	K		X Mark A. & Merle L. Wood 1624 Gold
20, 21, 22, 23, 24, K 25, 26, 27,			X Hershel E. & Vera Arlene Cook, ux 1501 Woodrow Ave.
2, 3, 4, 5, 6, 7, 8, L 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,			X Hershel E. & Vera Arlene Cook, ux 1501 Woodrow Ave.
NW½ Sec 15, Twp 27, R 1 W., exc Fldwy & Country Acres 4th B Addition & Country Acres 4th B Addition.			✓ Marcus D. & Mary Louise Gow, ux 6601 W. 13th St.
Lot 3,	Blk 2,	Country Acres 2nd,	✓ Robert C. & Alice Sims, ux R # 1, Augusta, Ms. 67010
Lot 4,	Blk 2,		X Master Builders Inc. No Address Available <i>no address found</i>
Lot 5,	Blk 2,		✓ Rock Island Lumber Co. Beacon Bldg. 67202
Lot 6,	Blk 2,		✓ H. D. & Margaret Andrews, ux 601 Tippecanoe 67209
Lot 7,	Blk 2,		✓ Richard S. & Wanda R. Stephenson, 1062 Acadia 67212 ux
Lot 8,	Blk 2,		✓ Richard E. & JoAnn Banister, ux 1054 Acadia 67212
Lot 9,	Blk 2,		X Rock Island Lumber Co. Beacon Bldg.
Lot 10,	Blk 2,		✓ William J. & Marlene E. Larkin, 1034 Acadia 67212 ux
Lot 11,	Blk 2,		✓ Virgle A. & Maxine Casey, ux 1028 Acadia 67212
Lot 1,	Blk 3,		✓ Claude O. Geiger, sgle. 1014 Acadia 67212

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
2	3		✓ Melford S. L. & Wanda L. Blegstad, ux 1006 Acadia 67212
3	3		✓ Clayton L. & Esther L. Masters, ux 1753 S. Grove 67211
4	3		✓ Otis K. & Verlie I. Knitig, ux 994 Acadia 67212
5	3		✓ Earl E. & Elizabeth M. Mason, ux 720 Dayton 67213
6	3		✓ D. Keith & Joy Johnson, ux 980 Acadia 67212
7	3		✓ Charles D. & Jane Knorp, ux 974 Acadia 67212
8	3		✓ Dan E. & Theresa M. Bartholomew, ux 968 Acadia 67212
9	3		✓ Edith B. Jacka, sgle. 712 S. Belmont 67218
10	3		✓ George E. & Sydney S. Axline, ux 956 Acadia 67212
11	3		✓ Joyce M. & Darrell E. Knapp, vir 948 Acadia 67212
12	3		✓ Robert M. & Zelva E. McGinnis, ux No Address Available <i>10411 East Maple 67209</i>
13	3		✓ Paul E. & Delores A. Huffman, ux 654 N. Richmond 67203
14	3		X Robert M. & Zelva E. McGinnis, ux No Address Available
15	3		✓ John R. & Linda M. Nighswonger, ux 902 Wilbur Lane 67212
1	4		✓ Sec. Housing & Urban Development, Washington, D. C.
2	4		✓ Franklin L. & Phoebe Myers, ux 912 Acadia 67212
3	4		✓ Stanley F. & Judy M. Grace, ux 906 Acadia 67212
4	4		✓ Ralph D. & Joan D. Thrash, ux 900 Acadia 67212
5, 6, 7, 8,	4		✓ Clewal Construction Co. 420 Acadia 67212
9	4		X The City of Wichita, Kansas
10	4	<i>ret. & vacant 6-19-67</i>	Willard L. Brashier 124 Grover 67217 <i>10401, Orchard 67052</i>
11	4		X Holding Company Inc. No Address Available <i>no address found</i>
12	4		✓ Tom Harley, Jr. Bitting Bldg. 67202

LOT	BLK	ADDITION	OWNER
<u>COUNTRY ACRES 2nd.</u>			
13	4		X William Orvel & Mary E. Powell, ux No Address Available <i>no address found</i>
14	4		X J. D. & Margaret Andrews, ux 601 Tippecanoe 67209
15	4		✓ William F. & Betty P. Hurst, ux 409 N. Seneca 67203
16	4		✓ Richard K. & Eleonore T. Reese, ux 830 Denmark 67212
17	4		✓ Westlink Realty Associates No. 10 No Address Available 8732 Maple James T. Jones 67209
18	4		✓ James T. Jones 24 N. Estelle 67214
19 & 20,	4		✓ Viking Sales, Inc. 1028 Acadia 67262
1	5		X Ronald V. & Dorothy J. Nutt, ux No Address Available <i>no address found</i>
2	5		✓ George W. & Mary F. Burns, ux 7411 Hale 67212
3	5		✓ Mary Ellen Orlakis, sgle. 7421 Hale 67212
S 175 ft of E 150 ft of Lot 4, Blk 5,			✓ The American Oil Company 810 W. Douglas 67203
Beg 150 ft W of NE cor Lot 4, Blk 5; W 234.45 ft; S 286.8 ft; E 234.5 ft; N 286.8 ft to beg.			✓ Ridge Road Building, Inc. Res. Agt: Jack H. Greene, 206 Central Bldg. 67202
Beg at a pt on the W line of Lot 4, sd pt being the S cor of Lot 3, Blk 5; th Sly 334.08 ft; th E at rt angle 200 ft; th NELY to a pt on N line Lot 4, sd pt being 444.45 ft W of NE cor sd Lot 4, measured on N line sd Lot 4; th NWly 247.72 ft to the E cor of Lot 1, Blk 5, th SWly on SE lines of Lots 1, 2, 3, Blk 5, 240 ft to pt of beg.			X City of Wichita
Lot 1,		<u>WILDCREST</u>	X Myron C. & Sylvia B. Wilbur, ux 943 Wilbur Lane
Lots 1 & 2,	Blk 1,	<u>GENTRY 4th.</u>	✓ Country Acres, Inc. M. K. Gentry, Pres. 221 N. Market 67202
Prt of Lot 3, Blk 1, desc as fol: Lot 3, exc beg at NE cor ; th S 190 ft; W 25 ft; S 125 ft; W 125 ft; N 317.27 ft to SW cor Lot 1, Gentry 4th Add; th E along S line Lot 1, 150 ft to pt of beg.			X Fred C. Bramlage No Address Available <i>no address found</i>
Lot 3, Blk 1, Gentry 4th Add., exc above described tract.			✓ Ford Madison 4601 E. Douglas 67218

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
2	6		X Lawrence Jay & Dolly L. McMurtrey, ux No Address Available <i>no address found</i>
3 & Lot 4, exc SE $\frac{1}{2}$	6		✓ Edmund G. & Margarethe Van Zandt, ux 909 Emerson 67212
SE $\frac{1}{2}$ Lot 4, All Lot 5,	6		✓ Harold Gene & Dolores J. Payne, ux 847 Emerson 67212
6	6		✓ Edwin L. & Rossland Gail Anderson, ux 841 Emerson 67212
7	6		✓ Homer E., Jr. & Joanne M. Phelps, ux 835 Emerson 67212
8	6		X Master Builders, Inc. No Address Available
9	6		✓ Floyd D. DeWitt 3325 S. Oak 67217
10	6		✓ First Federal S & L Assoc., Wichita 123 S. Market 67202
11	6		X Clewal Construction, Inc. 420 Acadia
12	6		✓ Gilbert J. & Margaret E. Parker, ux 853 Acadia 67212
13	6		X Clewal Construction, Inc. 420 Acadia
14 & 15.	6		X Floyd D. DeWitt 3325 S. Oak
16 & 17, exc W 8 ft.	6		X Clewal Construction, Inc. 420 Acadia
W 8 ft Lot 16 & all Lot 17,	6		✓ Joseph M. & Gladys L. Lane, ux 533 Rutland 67206
18	6		X Clewal Construction, Inc. 420 Acadia
19	6		✓ Nels David & Billie Jo Johnson, ux 850 Denmark 67212
20	6		✓ Fredric Kurt & Evelyn Aigner, ux 858 Denmark 67212
21	6		✓ Philip C. & Christine M. Stathis, ux 862 Denmark 67212
22	6		✓ Wendell A. & June Marie Timken, ux 868 Denmark 67212
1	7		✓ F. O. & Violet Burr, ux 7411 Quail 67212
2	7		X Tom M. King No Address Available <i>no address found</i>
3	7		✓ John Rowland & Nancy Lue Cox, ux 741 S. Green 67211
4	7		✓ John T. & Maxine H. Ryan, ux 923 Wilbur Lane 67212

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
5	7		✓ Alex H. & Gloria A. Bonnet, ux 919 Wilbur Lane 67212
6	7		✓ Larry L. & Barbara Ann Selby, ux 913 Wilbur Lane 67212
7 & 8,	7		✓ Cleta M. Suter 420 Acadia 67212
9	7		✓ Ray F. & Norma B. Aringdale, ux 909 Acadia 67212
10	7		✓ Grace E. Troy & Ronnie Troy, jt. No Address Available (401 Cheryl) 67209
11	7		✓ Bob W. & Terry Brown, ux 114 Joann 67203
12	7		✓ David A. & Carolyn Lucille Roth, ux 824 Emerson 67212
13	7		✓ Murray E. & Zelma L. Smelley, ux 832 Emerson 67212
14	7		✓ Marshall D. & Judith Ann Wolfe, ux 840 Emerson 67212
15	7		✓ Francis A. & Mary E. Grillot, ux 342 S. Edwards 67217
		Prt of Lot 16 & 17, Blk 7, desc as: that prt of Lot 16 lying NWly of a line drawn 10 ft SEly from & parl to line between Lots 16 & 17 & prt of Lot 17, lying SEly of a line drawn 70 ft NWly from & parl to line between Lots 16 & 17.	✓ Billie M. & L. Florene Wray, ux 912 Emerson 67212
		Lots 16 & 17, exc above description.	✓ Gentry Homes, Inc. 2321 S. Seneca 67213
18	7		✓ Dale D. & Oletha L. DeGross, ux 7417 Quail 67212
1	8		✓ Kenneth Wayne & Patricia A. Nichols, ux 937 Acadia 67212
2	8		✓ Vern L. & Loretta J. Varvel, ux 3140 Maple 67213
3	8		✓ Edward F. & Marjorie J. Schober, ux 5809 Hanover 67220
4	8		X Cleta M. Suter 420 Acadia
5	8		✓ Jimmie E. & L. Arlene Grey, ux 914 Wilbur Lane 67212
6	8		✓ Charles L. & Dene M. Myers, ux 924 Wilbur Lane 67212
7	8		✓ Val A. & Berniece C. Lindquist, ux 932 Wilbur Lane 67212
8	8		✓ Administrator of Veter Affairs, 5500 E. Kellogg 67218
9	8		✓ Wild W. & Eugenia M. Edmisten, ux 7333 Quail 67212

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
10	8	✓ Mildred I. Gearhart 7512 Galloway 67212	
11	8	✓ Alvin & Vivian M. Kerst, ux 7315 Quail 67212	
6	9	✓ Oliver C. & Wynema Van Hoesen, ux 7429 Galloway 67212	
7	9	✓ Betty Jo Munson & E. S. Covault, jt 9420 Maple 67269	
8 & 9,	9	✓ Merrill F. & Mary Margaret Suter, ux 9100 W. Central 67212	
10	9	✓ Ted & Irene Batt, ux 7401 Galloway 67212	
11	9	✓ Rodney Duane & H. LaVerne Jessup, ux 7331 Galloway 67212	
12	9	✓ Robbin C. & Suzette A. Dunnell, ux 7323 Galloway 67212	
13	9	X Rock Island Lumber Co. Beacon Bldg.	
14	9	X Master Builders, Inc.	
15	9	✓ Robert L. & Harriett A. Hall, ux 955 Acadia 67212	
16	9	✓ James Robert & Connie K. Bowmen, ux 949 Acadia 67212	
17	9	✓ Noble O. & Gwendolyn Lovgren, ux 7328 Warren 67212	
18	9	✓ L. E. & Marcy Isadora Carter, ux 7322 Quail 67212	
19	9	✓ Donald L. & Carol J. Habermehl, ux 2653 Wedgewood Dr. 67204	
20	9	✓ William E. & Jean M. Ronen, ux 1002 S. Minnesota 67211	
21	9	X Holding Company, Inc.	
22	9	X The Kansas Congregational & Christian No Address Available Conference <i>no address found</i>	
23	9, <i>ul. & resert 67967</i>	✓ James H. & Doloris Winter, ux 7400 Galloway 67212 <i>950 Wilbur Lane 67212</i>	
24	9	✓ John R. & Isadora McAdam, ux 954 Wilbur Lane 67212	
25	9	✓ Edward L., Jr. & Olive C. Cooper, ux 960 Wilbur Lane 67212	
1	10	✓ Charles Vincent & Roselyn Ann Miller, ux 989 Acadia 67212	
2	10	✓ Earl E. & Elizabeth M. Mason, ux 720 Dayton 67213	

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
3	10	X Rock Island Lumber Company Beacon Bldg.	
4	10	✓ Everett I. Imogene Hoyle, ux 7316 Galloway 67212	
5	10	✓ Hilburn T. & Arlene M. Adams, ux 7324 Galloway 67212	
6	10	✓ Raymond L. & Nellie F. Bauer, ux 406 N. Vine 67203	
7	10	X Rachel Henson, sgls. No Address Available <i>no address found</i>	
8	10	✓ William F. & Betty J. Ottman, ux 7412 Galloway 67212	
9	10	✓ Leonard E. & Margaret A. David, ux 7422 Galloway 67212	
10	10	✓ Herbert Eugene & Iona Louise Huston, ux 7430 Galloway 67212	
11	10	✓ Ronald L. & Barbara A. Jackson, ux 7415 Dorsey 67212	
12	10	✓ Leon & Elaine M. Schmittker, ux 7401 Dorsey 67212	
13 & 14,	10	✓ Westlink Realty, Inc. 8722 Maple 67209	
15	10	✓ Loyd Construction Co. 1935 N. Ridge Rd. 67212	
1	11	✓ Chandler L. & Susan Elwell, ux 1013 Acadia 67212	
2	11	✓ Harold A. & Betty Jean Brennan, ux 1005 Acadia 67212	
3	11	✓ Laurence A. & Grace F. Anderson, ux 1001 Acadia 67212	
4	11	✓ George Thomas, Jr. & Constance Joan No Address Available Davis, ux <i>4408 Westport 67212</i>	
5	11	✓ First Presbyterian Church of Wichita 525 N. Broadway 67214	
6 & 7,	11	X Westlink Realty, Inc. 8722 Maple	
8	11	X Administrator of Veterans Affairs 5500 E. Kellogg	
9	11	✓ Howard S. & Hazel M. Draper, ux 7416 Dorsey 67212	
10	11	✓ Erwin & Betty E. Duerksen, ux 7424 Dorsey 67212	
11	11	✓ Robin M. & Sandra A. Thorpe, ux 927 Coolidge 67203	
12	11	✓ Paul A. Lunsford, sgls. 1420 N. St. Paul 67203	

LOT	BLK	ADDITION	OWNER
15	11	<u>COUNTRY ACRES 2nd</u>	✓ Nick L. & Karen L. Easter, ux 3250 S. Gordon 67217
16	11		X Ernest A. & Doris M. Ramirez, ux No Address Available <i>no address found</i>
17	11		✓ Lester S. & Ramona Gail Smith, ux 7425 School St. 67212
18	11		X William Curtis & Ruth Ellen Burton, ux No Address Available <i>no address found</i>
19	11	<i>returned 6-19-67</i> ✓	Merlyn L. & Nina A. Key, ux 7411 School Street 67212 <i>no address found</i>
20	11		✓ Richard Carl & Alice E. Kaps, ux 7401 School St. 67212
21	11		X Lawrence Kent & Betty R. O'Brien, ux No Address Available <i>no address found</i>
22	11		X Administrator of Veterans Affairs 5500 E. Kellogg
23	11		X Viking Sales, Inc. 1028 Acadia 67212
6	12		✓ Albert D. & Virginia C. Graham, ux 983 Denmark 67212
7	12		✓ John H. & Wilma Bishop, ux 7325 Warren 67212
8	12		✓ American Savings Association, Wichita 201 N. Main 67202
9	12		✓ Albert E. & Genevieve H. Hauck, ux 7812 Cottontail Lane 67212
10	12		✓ Duane E. & Colleen Meehan, ux 7400 W. 10th St. 67212
11	12		✓ Mac E. & Barbara A. Whitsitt, ux 7412 W. 10th St. 67212
12	12		✓ Pedro Aurelio & Betty M. Padilla, ux 7420 W. 10th St. 67212
13	12		✓ Theodore E. & M. Darlene Sheahon, ux 7428 W. 10th St. 67212
11	13		✓ Richard D. & Helen M. Mickelsen, ux 1117 N. Brunswick 67212
12	13		✓ Virgil K. & Judy Ann Shrauner, ux 1111 N. Brunswick 67212
13	13		✓ Elmer L. & Barbara Jo Brewer, ux 1107 N. Brunswick 67212
14	13		✓ Robert L. & Dolores Kennard, ux 1101 N. Brunswick 67212
15	13		✓ M. Marie Adamson, sgle 1053 Acadia 67212
16	13		✓ Melvin E. & Eileen L. Ryberg, ux 1045 Acadia 67212
17	13		✓ John Charles & Emma Jean Newman, ux 1031 Acadia 67212

LOT	BLK	ADDITION	OWNER
		<u>COUNTRY ACRES 2nd.</u>	
18	13		✓ Richard A. & Ada E. Taylor, ux 1027 Acadia 67212
19	13		✓ Gary D. & Caroline D. Gordon, ux 1931 Denker 67216
20	13		✓ Roy E. & Marjorie M. Mitchell, ux 7312 Warren 67212
21	13		✓ Raymond M. & Bernadine Stobba, ux 7320 Warren 67212
22	13		X Noble O. & Gwendolyn M. Lovgren, ux 7328 Warren 67212
23	13		✓ Homer L. & Lee Ellon Fulkerson, ux 7402 Warren 67212
24	13		✓ Felix & Gladys Naomi Tos, ux 7412 Warren 67212
3	14		✓ Robert J. & Ann O'Eleness, ux 1123 Acadia 67212
4	14		✓ Dorris R. & Jewel E. Fields, ux 1100 N. Brunswick 67212
5	14		✓ Philbert L. & Wanda L. Herring, ux 1116 N. Brunswick 67212
10	23		X Myron C. & Sylvia B. Wilbur, ux 943 Wilbur Lane
6	26		✓ Donald E. & Authorine Eppler, ux 855 Denmark 67212
7	26		✓ Robert R. & Patricia A. Zrubek, ux 7400 Hale 67212
8	26		✓ John A. & Janet E. Parkins, ux 7412 Hale 67212
* 1	A	<u>COUNTRY ACRES 6th.</u>	✓ Carl D. & Norma N. Thomason, ux 426 Wetmor 67207
* 1-17, incl.	B		X Carl D. & Norma N. Thomason, ux
* 27-33, incl.	B		X Carl D. & Norma N. Thomason, ux
* 1-14, incl.	C		X National Homes Development Co., Inc. No Address Available <i>no address found</i>
* 15, 16 & Except.C			X Carl S. Thomason & Norma N. Thomason, ux
* NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 22-27-1W, exc beg at NW cor sd NW $\frac{1}{4}$; th E 147.58 ft; S 295.16 ft; W 147.58 ft; N 295.16 ft to beg & exc a tr beg 147.58 ft E & 40 ft S of NW cor Sec 22-27-1W; th E 1188.15 ft to E line of NW $\frac{1}{4}$ NW $\frac{1}{4}$; th S 462.32 ft; W 1334.48 ft to a pt on W line sd Sec 22, 501.63 ft S of NW cor sd Sec 22; th N along W line 206.47 ft; th E 147.58 ft; th N 255.16 ft to pt of beg.			X Carl S. Thomason & Norma N. Thomason, ux
* NW $\frac{1}{4}$ exc NW $\frac{1}{4}$ of NW $\frac{1}{4}$ & exc beg at SE cor NW $\frac{1}{4}$; th W 36 rds; N 107 rds; E 35 rds; N 53 rds; E lrd; S to beg, exc rd & Fldwy & exc prt platted as Country Acres 6th.			X National Homes Development Co., Inc.

Beg at SE cor NW $\frac{1}{4}$ Sec 22-27-1W; th W 36 rds; N 107 rds; E 35 rds; N 53 rds; E 1 rd; S 160 rds to pl of beg; exc beg at N $\frac{1}{4}$ cor sd Sec 22; th S 0°36' E 1318.5 ft; th S 0°31' E 685.49 ft; th along a 0°44.32' curve desc by the following chord bearings & distance: N 22 deg 38' W 400.53 ft; N 12 degrees 38' W 218.37 ft; th N 86 deg 32' E 342.62 ft; N 0 deg 36' W 874.50 ft; th N 89 deg 29' E 16.5 ft to beg.

✓ Sherwood Construction Co., Inc.
4421 W. Harry 67209

N 502.32 ft M/L of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 22-27-1W, exc W 147.5 ft of N 295.16 ft.

✓ Ritchie Bros. Construction Co.
Box 1026 N. Wichita P. O.
1820 N. Moody 67214

W 147.5 ft of N 295.16 ft of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 22-27-1W.

✓ Robert A. Carr, Justice
Delano Township
10304 W. Yawnee
Rt. 1
Goddard 67052

Beg 730 ft N of SW cor SW $\frac{1}{4}$ Sec 15-27-1W; th E 580.8 ft; N 150 ft; W 580.8 ft; S 150 ft to beg.

✓ Arthur W. & Agatha P. M. Borst
802 N. Ridge Rd. 67212 ux

E 217.8 ft of S 400 ft of W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 15-27-1W.

✓ Robert L. & Louise M. Hayes, ux
3820 N. Clarence 67204

Beg 526.38 ft W of SE cor SW $\frac{1}{4}$ Sec 15-27-1W; th W 238.4 ft; N 375 ft; E 224.8 ft; S 375 ft to beg., exc S 55 ft for St.

✓ L. G. Granfield
6608 W. Central 67212

Beg 50 ft E & 240 ft N of SW cor SW $\frac{1}{4}$ Sec 15, Twp 27-R 1 W; th N 153 ft; E 200 ft; S 153 ft; W to beg.

✓ Bottenberg Construction Co. Inc
1265 Cramer 67212

W 250 ft of S 240 ft of W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 15-27-1W.

✓ Apco Oil Corporation
Chia City, Chia.
7136 W. Central 67212

N 150 ft of S 1030 ft of W 580.8 ft of SW $\frac{1}{4}$ Sec 15-27-1W.

✓ Myron C. & Sylvia B. Wilbur, ux
943 Wilbur Lane

S 730 ft of W 600 ft of SW $\frac{1}{4}$ Sec 15-27-1W, exc S 240 ft of W 250 ft thereof and exc N 153 ft of S 393 ft of W 250 ft.

✓ Myron C. & Sylvia B. Wilbur, ux

S 440 ft of W 1276 ft of SW $\frac{1}{4}$ Sec 15-27-1W, exc W 600 ft thereof.

✓ Myron C. & Sylvia B. Wilbur, ux

Part of the SW $\frac{1}{4}$ Sec 15, 27-1W desc as: Beg at SW cor; th N 2642.4 ft M/L to the NW cor sd SW $\frac{1}{4}$; th E along N line sd SW $\frac{1}{4}$ 1537.6 ft; th with an angle to the rt of 85° 00' 30" a dist of 1800 ft; th SEly 862 ft M/L to a pt on the S line sd SW $\frac{1}{4}$, 1856.43 ft E of beg; th W 1856.43 ft to beg., exc beg at the SW cor sd SW $\frac{1}{4}$; th N along W line sd SW $\frac{1}{4}$. 1030 ft; th E at rt angle 580.8 ft; th S at rt angle 300 ft; th E at rt angle 19.2 ft; th S at rt angle 733.68 ft M/L to S line SW $\frac{1}{4}$; th W 600 ft to beg. and except: Beg 600 ft E of SW cor sd SW $\frac{1}{4}$; th E along S line sd SW $\frac{1}{4}$, 1124.46 ft; th with an angle to the left of 101° 34' 45" a distance of 449.1 ft M/L to a pt 440 ft N of S line sd SW $\frac{1}{4}$; th W par1 with S line sd SW $\frac{1}{4}$, 1047 ft M/L to a pt 600 ft E of the W line sd SW $\frac{1}{4}$; th S 440 ft to beg.

✓ Hershel B. & Vera Arlene Cook, ux
1501 Woodrow Ave.

-12-

Dated at Wichita, Kansas this 23rd day of May,
1967 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Elvie M. Farrell OEM
Sec.

Tracer # 81953

WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RETURN
TO
WRITER

Important! Notice of Hearing Enclosed



DP-26
151712
*Box 1
Hosford
67052*

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

Willard L. Brashier
124 Grover
Wichita, Kansas 67217



WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RETURN
TO
WRITER

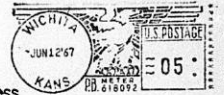
Important! Notice of Hearing Enclosed



DP-26
no address found

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

Merlyn L. & Nina R. Key
7411 School
Wichita, Kansas 67212



WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RETURN
TO
WRITER

Important! Notice of Hearing Enclosed



*950 Wilbur Lane
67212*

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

James H. & Deloris Winter
7400 Galloway
Wichita, Kansas 67212



DP-26

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>ADP Applications</i>	<i>400.00</i>
<i>(Residential)</i>	

Name *Wanda B. Cook*

Address *1701 W. Woodrow*

Type *L-7-C* Due Date *5-21-67*

Comments:

Date *5-21-67* By *B. Housers*

*

This DP File
Has a Large Drawing
On 35mm Microfilm.

Roll #1

*