

ACTION

DATE

COMMITTEE

*Special Reg. 16
Conditions*

5-1-86

M.A.P.C.

*R.C.C./B.C.C. Approved by
Admission*

5-27-86

R.C.C./B.C.C.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: June 3, 1986

TO: Monty Robson, Superintendent of Central Inspection
FROM: Louise Olivarez, Senior Planner, Current Plans
SUBJECT: DP-67, Amendment #2

The Board of City Commissioners on May 27, 1986, considered the above-captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included in Parcels 4, 5 and 7 shall be platted within one year from the date of approval by the Board of City Commissioners or the application shall be considered denied and closed.

Attached for your information and files are two approved copies of the C.U.P. If you have any questions concerning this matter, please contact our office.

Louise Olivarez
Senior Planner

LO:blw
Attachments

Planning Agenda Item # _____

City of Wichita
City Commission Meeting
May 27, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: DP-67 - REQUEST FOR AMENDMENT TO PARCEL 4, 5, 6 AND 7
OF THE NORTHBOROUGH C.U.P., AND

Z-2754 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL
RESIDENCE DISTRICT TO "BB" OFFICE DISTRICT (PARCEL 4)
AND FROM "R-5" GENERAL RESIDENCE DISTRICT TO "LC" LIGHT
COMMERCIAL DISTRICT (PARCEL 5). GENERALLY LOCATED
SOUTH OF 21ST STREET NORTH AND EAST OF BRAMBLEWOOD.
(Theodore Leben, et al)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (8-0)

Staff Recommendation: Approve

Background: On May 1, 1986, the MAPC held a public hearing to consider a request for zone change from "R-5" to "BB" and from "R-5" to "LC", and an amendment to the Northborough C.U.P. This 108-acre commercial, office and residential C.U.P. was recently amended to permit a 180-bed nursing center on Parcel 6. The balance of the C.U.P. has not been amended since 1975. The owner now proposes to change the zoning on Parcel 4 to "BB" Office and to amend the proposed uses on that parcel from a maximum of 272 permitted garden apartment units to 231,350 square feet for professional offices including medical clinics. As an alternate, garden apartments are still a suggested use at 26 DU per acre for a total of 346 units.

Parcel 5 is now proposed to be rezoned from "R-5" to "LC". A total of 205 garden apartments are now permitted and it is proposed to amend the C.U.P. to permit a number of uses including retail sales and offices at a maximum of 160,500 square feet of floor area.

Parcel 6 is not proposed to be amended and still permits the 180 bed nursing center.

Parcel 7 now includes a portion of original parcel 6 and proposes either townhouses or garden apartments. There is an increase from the original 281 units to 580 units if developed with garden apartments.

As it is now proposed to increase the square footage of floor area for offices and commercial uses from an approximate 600,000 square feet to 1,000,000 square feet, a traffic study was required. The conclusions of the report as prepared by the traffic consultant state that further development of this C.U.P. will not reduce the

operating characteristics of the intersection at 21st and Woodlawn below acceptable levels. General Provision #8 sets out the requirements of the traffic consultants report. At the time of platting, the applicant shall guarantee the installation of accel/decel lanes along 21st Street and Woodlawn, including the decel lane south of Rockhill and signalization of the intersection of Rockhill and Woodlawn. The Traffic Commission, at their meeting of March 19, 1986 approved the traffic study.

A representative of Brittany Developments Company, owner of Parcels 2 and 3 of this C.U.P., spoke in opposition to the requested changes but has since submitted a letter withdrawing this opposition.

The MAPC voted 8-0 to recommend approval of the zone change requests and C.U.P. amendments subject to several minor revisions in the text of the C.U.P. (see minutes), and subject to replatting new Parcels 4, 5 and 7 within one year.

CPO Council "I" voted 5-0 to recommend approval of the request.

Analysis: Properties to the north across 21st Street are developed with single family homes which back into 21st Street. To the east, across a wide drainage easement and KG&E easement are offices, apartments and single family homes. Land to the south is undeveloped and a K G & E substation. To the west is the Synagogue, offices and shopping center.

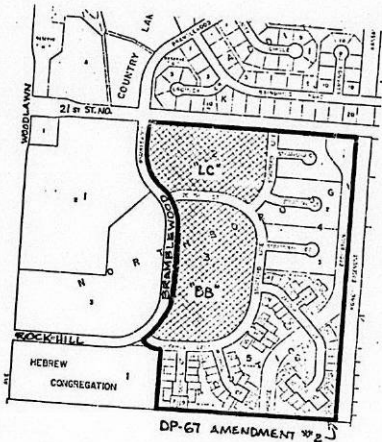
The main issue in permitting further commercial and office development in this area is the handling of traffic and whether or not such uses are compatible with existing single family homes. It appears that with the proposed traffic improvements, 21st Street and Woodlawn will still operate at acceptable levels.

Although the staff questions the appropriateness of extending more "LC" uses along 21st Street, the single family homes to the north back into the major street and are screened with a large evergreen hedgerow and a solid fence.

The Planning Commission found that the character of the neighborhood; the zoning and uses of properties nearby, especially those on the south side of 21st Street; the suitability of subject property for the uses proposed; and the recommendation of staff justified the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
5-01-86 MAPC Minutes
CPO Memorandum 4-25-86



DP-67 AMENDMENT #2 - REQUEST FOR AMENDMENT TO PARCELS 4, 5, 6 AND 7 OF THE NORTHBOROUGH C.U.P., AND

Z-2754 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL RESIDENCE DISTRICT TO "BB" OFFICE DISTRICT (PARCEL 4) AND FROM "R-5" GENERAL RESIDENCE DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT (PARCEL 5) GENERALLY LOCATED SOUTH OF 21ST STREET NORTH AND EAST OF BRAMBLEWOOD.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 1, 1986

LEGAL:

- 7a. Case No. Z-2754 - Theodore Leben, et al, request zone change from "R-5" to "BB" (Parcel No. 4) beginning at a point 1750.91 feet East and 560.00 feet South of the NW corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing S0°00'00"E on a line perpendicular to the North line of said Section 7, a distance of 695.16 feet to the P.C. of a curve to the right having a radius of 340.79 feet; thence along said curve through a central angle of 85°52' 00" an arc distance of 534.52 feet; thence bearing S89°52'00"W a distance of 264.14 feet to the P.C. of a curve to the right having a radius of 89.83 feet; thence along said curve through a central angle of 50°43'33" an arc distance of 79.53 feet; thence bearing N39°24'27"W a distance of 8.31 feet to a point on a curve; thence Northeasterly along said curve to the left with a chord of 293.34 feet bearing N22°39'32"E and a radius of 380.72 feet an arc distance of 301.13 feet; thence bearing N0°00'00"E a distance of 490.64 feet to the P.C. of a curve to the left having a radius of 330.00 feet; thence along said curve through a central angle of 36°59'58" an arc distance of 213.10 feet; thence bearing N53°00'02"E a distance of 62.16 feet; thence bearing N90°00' 00"E a distance of 582.83 feet to the point of beginning. AND,

"R-5" to "LC" (Parcel NO. 5)

Beginning at a point 920.91 feet East and 60.00 feet South of the N.W. corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing N90°00'00"E parallel to and 60.00 feet South of the North line of said Section 7 a distance of 830.00 feet; thence bearing S0°00'00"E a distance of 500.00 feet; thence bearing N90°00' 00"W a distance of 582.83 feet; thence bearing S53°00'02"W a distance of 62.16 feet to a point on a curve; thence northwesterly along a portion of said curve to the left with a chord of 42.34 feet bearing N40°29'W and a radius of 330.00 feet through a central angle of 7°21' 02" an arc distance of 42.34 feet; thence bearing N44°21'00"W a distance of 137.15 feet to the P.C. of a curve to the right having a radius of 260.00 feet; thence along said curve through a central angle of 44°21'00" an arc distance of 201.25 feet; thence bearing N0°00' 00"E a distance of 225.50 feet to the point of beginning. Generally located south of 21st Street North and east of Bramblewood.

- 7b. Case No. DP-67 - Theodore Leben, et al, request amendment to the Northborough Community Unit Plan for all lots within Blocks 2, 3, 4, 5, 6 of the Northborough Addition to Wichita, Sedgwick County, Kansas. Generally located south of 21st Street North and east of Bramblewood.

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

Background: This 108-acre commercial office and residential C.U.P. was recently amended to permit a 180 bed nursing center on Parcel 6. The balance of the C.U.P. has not been amended since 1975. The owner now proposes to

change the zoning on Parcel 4 to "BB" Office and to amend the proposed uses on that parcel from a maximum of 272 permitted garden apartment units to 231,350 square feet for professional offices including medical clinics. As an alternate, garden apartments are still a suggested use at 26 DU per acre for a total of 346 units. Since no proposed site plan is suggested for the garden apartments, it is recommended that the following be added after "Community Facilities" - "provided site plan is first approved by the Director of Planning."

Parcel 5 is now proposed to be rezoned from "R-5" to "LC". A total of 205 garden apartments are now permitted and it is proposed to amend the C.U.P. to permit a number of uses including retail sales and offices at a maximum of 160,500 square feet of floor area.

Parcel 6 is not proposed to be amended and still permits the 180 bed nursing center.

Parcel 7 now includes a portion of original parcel 6 and proposes either townhouses or garden apartments. There is an increase from the original 281 units to 580 units if developed with garden apartments.

A traffic study was not required when this C.U.P. was originally considered. As it is now proposed to increase the square footage of floor area for offices and commercial uses from an approximate 600,000 square feet to 1,000,000 square feet, a traffic study was required. The conclusions of the report as prepared by the traffic consultant state that further development of this C.U.P. will not reduce the operating characteristics of the intersection at 21st and Woodlawn below acceptable levels. General Provision #8 sets out the requirements of the traffic consultants report. At the time of platting, the applicant shall guarantee the installation of accel/decel lanes along 21st Street and Woodlawn, including the decel lane south of Rockhill and signalization of the intersection of Rockhill and Woodlawn. The Traffic Commission, at their meeting of March 19, 1986 approved the traffic study.

Analysis: Properties to the north across 21st Street are developed with single family homes which back into 21st Street. To the east, across a wide drainage easement on K G & E easement are offices, apartments and single family homes. Land to the south is undeveloped and a K G & E substation. To the west is the Synagogue, offices and shopping center.

The main issue in permitting further commercial and office development in this area is the handling of traffic and whether or not such uses are compatible with existing single family homes. It appears that with the proposed traffic improvements, 21st Street and Woodlawn will still operate at acceptable levels.

Although the staff questions the appropriateness of extending more "LC" uses along 21st Street, the single family homes to the north back into the major street and are screened with landscaping and a solid fence.

In order for the Planning Commission to recommend approval of this amendment to the residential portion of this C.U.P., it must find specific evidence and

facts showing that the proposed development plan meets the following conditions:

- a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
- b. That such plan is consistent with the intent and purpose of Chapter 28.04.190.A of the Wichita Zoning Ordinance to promote public health, safety, morals and general welfare.
- c. 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.

Should the Planning Commission determine that this C.U.P. amendment and zoning change are appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within Parcels 4, 5 and 7 of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
- e. Under Alternate Parcel Four, add the following after Community Facilities: "provided site plan is approved by the Director of Planning."
- f. Clarify in general provision #8 that the decel lane on 21st Street is to be in front of Parcel 5.

DISCUSSION:

OLIVAREZ stated that Parcel 4 used to permit 272 garden apartments, and they are now wanting approximately 231,000 square feet of offices including medical

type offices, but there is an alternate to that which would be that they would still be permitted to have garden apartments on Parcel 4, but there would now be a total of 346 units permitted. Parcel 5, for which they are requesting light commercial zoning, formerly had approval for 205 garden apartments because it was zoned "R-5". They are now wanting about 160,500 square feet of space for retail sales and offices. Parcel 6, which has been approved for a nursing home, has no additional changes with this amendment No. 2. The balance of the C.U.P., Parcel 7, originally was approved for 281 dwelling units. They are now requesting 580 dwelling units maximum in that parcel.

OLIVAREZ said that when this amendment first came in, staff noticed the increase in the amount of commercial square footage, as well as the increase in the density of residential development, and that the total square footage for this entire Northborough C.U.P. would be almost 1 million square feet as far as the commercial and office portion is concerned, this being approximately the size of Towne West. Staff advised the applicants that they needed to do a traffic study to determine if there were any affects on the existing road system, and what improvements, if any, would need to be made in order to keep the 21st and Woodlawn intersection functioning to an acceptable level of service. The applicants prepared a traffic study, and the conclusions indicated that there would not be a detrimental affect on the traffic at that intersection due to increased development as they were proposing. She pointed out that General Provision No. 8 on the C.U.P. sets out the requirements that the traffic consultant indicated would be necessary to provide for a level of improvement that would keep the traffic flowing properly, and those include the guarantee of an accel-decel lane long 21st east of Bramblewood, as well as along Woodlawn south of Rockhill. The one south of Rockhill would be off-site. It would be in front of the Jewish Synagogue and they would have to pay for improving a decel lane that is off-site, but it would be needed in order to get the traffic into Rockhill which would be one of the main streets through their development. She said that a signal at Rockhill and Woodlawn should be guaranteed at the time of platting, but would not be put in until such time as the traffic counts necessitated installation of that signal. OLIVAREZ said that the Traffic Commission, at their meeting in March, approved the traffic study and the recommended road improvements in this area.

OLIVAREZ stated that staff's main concern has always been that there be no stripping out of 21st Street, and they have always tried to hold the line at Bramblewood, which is the first street east of Woodlawn, for the commercial development. She mentioned that east of the site, with the nursing home, offices, apartments and the shopping centers at Rock Road and 21st, it has changed over the years from staff's original intent to keep most of 21st Street residential as there is on the north side of 21st. She said that the houses on the north side of 21st back into rather than front on 21st, and they have a solid fence and a nice hedgerow, and that helps in separating the types of land uses. She said that staff was reluctantly supporting the request because the traffic report has indicated that it would not be detrimental to the functioning of the street system there, but it was with a little reservation that commercial development continued to be added east of the street across from the residences.

PETERS was concerned about signalization. He said that he did not know why the City tries to strap a developer, who was going to spend a lot of money in the area, with a stop light in the future. He felt that if a stop light was not needed within a year then it should not be required.

MILES asked what a stop light would cost.

LINDEBAK said it depended on the situation; it might cost \$60,000.

MILES agreed with Peters that if signalization was not needed right away, then it should not be required in the future.

WILSON commented that the report says that the property was going to create a traffic problem. He said that the traffic lights were put in under the Capital Improvement Program, and what they would have to do was to increase the CIP by \$60,000 for the next five year period to cover a stop light. He further commented that the developer, if the zoning is changed, would probably gain 1 to 2 million dollars on the property. He will be able to develop the site in an entirely different fashion which would create the problem. He said that normally the developer does not object to signalization because if his proposal should develop and traffic increases, he would need a light.

ROBERT KAPLAN, attorney representing the applicants, stated that he and Wiley had apprised his clients of the traffic study and the recommendation for the signalization, and they have consented and concurred that they will guarantee and install the signalization when required.

FORREST ROUSEY, representing Brittany Developments Company, owners of approximately 40 acres west of the applicants' site, stated that he was not appearing to particularly oppose anything, but there were a few things he would like to point out. He said that what the applicants were asking for was to double the size of what Brittany Center is, which regardless of the traffic studies, will cause a traffic problem. He said that they felt that the roadway from Woodlawn to 21st Street (Rockhill/Bramblewood) would serve all of the property better if it was a parkway rather than just a normal street. They also felt that since they put a street in at their cost, that the applicants should enlarge it and then Brittany would participate with the Hebrew Congregation in bringing the street on out to Woodlawn.

ROUSEY said that they felt that "OC" would be a little bit in conformity and restrict the use across from the residential area. In this area, the Commission might consider relieving the height restriction to enable the developer to put up a 10-story highrise apartment, and with the way it is developing in the area, that might be a good use for the property.

ROUSEY added that on the subject of signalization, he wanted to point out that Brittany participated in the redesign of Woodlawn and 21st Street. They put decel lanes and turn lanes in.

ROUSEY continued that they have serious doubts whether this neighborhood, and the traffic the way it is, can support an additional retail office complex in that area. They feel that in all of the C.U.P. area that is residential, more units should be allowed.

WILSON asked if there were any restrictions on the light commercial area in the C.U.P. on 21st Street.

LINDEBAK said yes, there would be no drive-up windows, fast foods, etc.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby especially those on the south side of 21st Street; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that the zone change request and the C.U.P. be approved subject to the following:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within Parcels 4, 5 and 7 of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

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- e. Under Alternate Parcel Four, add the following after Community Facilities: "provided site plan is approved by the Director of Planning."
- f. Clarify in general provision #8 that the decel lane on 21st Street is to be in front of Parcel 5.

Bayouth moved, Gardner seconded and it carried unanimously. Moore was not present. Banzer was absent.

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE April 25, 1986

TO Jack Galbraith, Chief Planner, Current Plans

FROM Barry L. Carroll, Administrative Aide III

SUBJECT DP-67 Amendment #2 and Z-2754:
South of 21st Street North
and East of Bramblewood

On Tuesday, April 22 CPO Council Area "I" considered the above captioned case, a request for an amendment to Parcels 4, 5, 6, and 7 and a zone change from the "R-5" General Residence District to the "BB" Office District and the "LC" Light Commercial District. Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After extensive discussion, the Council voted 5-0 to recommend approval of the request.

The agent, Robert Kaplan, was present to describe the request and respond to questions from the Council; Gary Wiley, P.E.C. representative, was also present. Mr. Kaplan explained that the changes were needed because the parcels in question were not being successfully marketed. There were no area residents in attendance.

After reviewing the request and getting their questions answered, the Council supported the request.

Please provide the Council's recommendation to the MAPC and City Commission when case DP-67 and Z-2754 are considered.

Barry L. Carroll / SJS

Barry L. Carroll
Administrative Aide III

BLC:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RECEIVED

APR 28 1986

METROPOLITAN PLANNING

ROUTE

BRITTANY DEVELOPMENTS COMPANY, L.P.

500 FOURTH FINANCIAL CENTER
WICHITA, KANSAS 67202
316-267-0470

May 7, 1986

RECEIVED

MAY 08 1986

METROPOLITAN PLANNING

ROUTE

Mr. Michael E. Lindebak
Acting Director of Planning
City of Wichita - Sedgwick County
City Hall - Tenth Floor
455 N. Main
Wichita, KS 67202

Dear Mike:

We wish to withdraw our limited protest regarding the zoning changes and amendment relating to Parcels 4, 5, 6, & 7 of the Northborough C.U.P. At the hearing last Thursday afternoon, it was implied by one of the members of the commission that we were against the proposition since we were fearful a new development would "empty our buildings" or that we might suffer economic harm if the zoning were granted. Actually, the reverse is true, and if the zoning does go through as proposed, Brittany will stand to increase more in value than Parcels 4, 5, 6 & 7. However, because the implications which were made concern us, we wish to change our position from one of limited protest to one of full support for the proposed amendment and zoning changes.

Our only concern was, and still is, that although traffic is wonderful, unless it is properly channeled and controlled, a positive can become a negative. But, if you are not worried, we are not worried, and as always in the past, we will be supportive of whatever you deem is best for the community.

Very truly yours,
GALLIC CORPORATION,
General Partner

By: 
Forrest H. Rousey, Vice-President

cc: Jack H. Galbraith
Jerry L. Banzer
Mary Ellen Conlee
James Gardner II
William J. Goebel
James C. Wilson
David Bayouth
Sue L. Crockett
Harley Miles
John Terry Moore
Elmer S. Peters

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

May 2, 1986

Robert W. Kaplan
430 North Market
Wichita, Kansas 67202

Re: DP-67 AMENDMENT #2 - Request for amendment to Parcels 4, 5, 6
& 7 of the Northborough C.U.P., and
Z-2754 - "R-5" to "BB" and "R-5" to "LC South of 21st Street
North and east of Bramblewood

Dear Mr. Kaplan:

At its regular meeting on May 1, 1986, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that the zone change request and the C.U.P. be approved subject to the following:

- a. 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.
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Robert W. Kaplan
May 2, 1986
Page 2

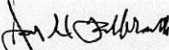
change shall not be published until the plat has been recorded with the Register of Deeds.

- e. Under Alternate Parcel Four, add the following after Community Facilities: "provided site plan is approved by the Director of Planning."
- f. Clarify in general provision #8 that the decel lane on 21st Street is to be in front of Parcel 5.

It is necessary that we receive ten (10) corrected copies of the C.U.P. by May 14, 1986 so that these cases can be scheduled for consideration by the Board of City Commissioners at their regular meeting on May 27, 1986. This meeting will be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely yours,



Jack H. Galbraith
Chief Planner

JHG/lw

cc: Theodore Leben, et. al., 105 South Broadway, Suite 640, Wichita, KS 67202
Forrest Rousey, Brittany Developments Company, 500 Fourth Financial Center, Wichita, KS 67202

5-6-86

Larry Wiley, P.E.C.

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE April 25, 1986

TO Jack Galbraith, Chief Planner, Current Plans

FROM Barry L. Carroll, Administrative Aide III

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and East of Bramblewood

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After reviewing the request and getting their questions answered, the Council supported the request.

Please provide the Council's recommendation to the MAPC and City Commission when case DP-67 and Z-2754 are considered.

Barry L. Carroll / SJS
Barry L. Carroll
Administrative Aide III

BLC:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RECEIVED

APR 28 1986

METROPOLITAN PLANNING
ROUTE _____

Darrel M. Myers
6510 Farmview Lane
Wichita, KS 67206



*Metropolitan Area Planning Council
Planning Department Office
South Floor - City Hall
455 North Main
Wichita, Kansas 67202*

RECEIVED

APR 28 1986

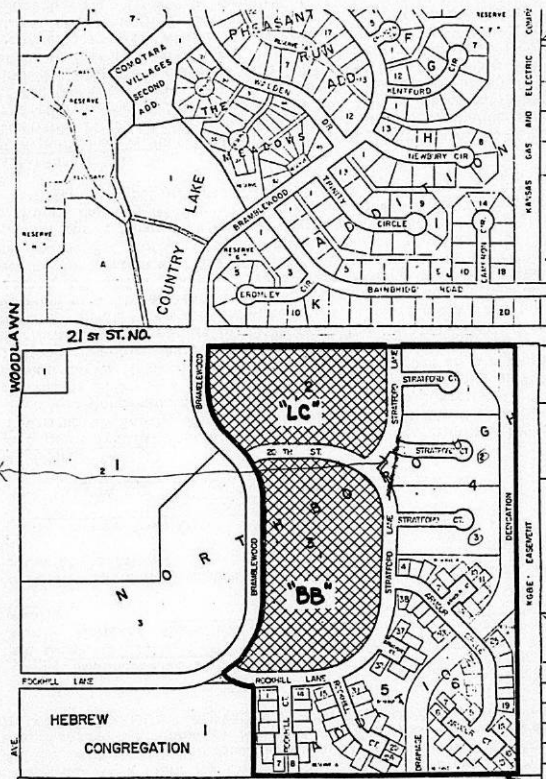
METROPOLITAN PLANNING
ROUTE _____

The hearing of the proposed amendment to this Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

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

Additional information concerning this proposed amendment and rezoning request may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

APPLICATION
AREA



*Straiten out
Stratford Lane at
Stratford Ct. from
2 to 3, to
funnel traffic
to 21st Street*

DP-67 AMENDMENT #2

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

April 17, 1986

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, May 1, 1986, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to Parcels 4, 5, 6 and 7 of the NORTHBOROUGH COMMUNITY UNIT PLAN for property legally described as follows:

CASE NO. DP-67, AMENDMENT #2

All lots within Blocks 2, 3, 4, 5 & 6 of the Northborough Addition to Wichita, Sedgwick County, Kansas. Generally located south of 21st Street North and east of Bramblewood.

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CASE NO. Z-2754

Zone Change from the "R-5" General Residence District
to the "BB" Office District
and the "LC" Light Commercial District

"R-5 to "BB" (Parcel NO. 4)

Beginning at a point 1750.91 feet East and 560.00 feet South of the NW corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing S0°00'00"E on a line perpendicular to the North line of said Section 7, a distance of 695.16 feet to the P.C. of a curve to the right having a radius of 340.79 feet; thence along said curve through a central angle of 85°52'00" an arc distance of 534.52 feet; thence bearing S89°52'00"W a distance of 264.14 feet to the P.C. of a curve to the right having a radius of 89.83 feet; thence along said curve through a central angle of 50°43'33" an arc distance of 79.53 feet; thence bearing N39°-24'27"W a distance of 8.31 feet to a point on a curve; thence Northeasterly along said curve to the left with a chord of 293.34 feet bearing N22°39'32"E and a radius of 380.72 feet an arc distance of 301.13 feet; thence bearing N0°00'00"E a distance of 490.64 feet to the P.C. of a curve to the left having a radius of 330.00 feet; thence along said curve through a central angle of 36°59'58" an arc distance of 213.10 feet; thence bearing N53°00'02"E a distance of 62.16 feet; thence bearing N90°00'00"E a distance of 582.83 feet to the point of beginning.

"R-5" to "LC" (Parcel NO. 5)

Beginning at a point 920.91 feet East and 60.00 feet South of the N.W. corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing N90°00'00"E parallel to and 60.00 feet South of the North line of said Section 7 a distance of 830.00 feet; thence bearing S0°00'00"E a distance of 500.00 feet; thence bearing N90°00'00"W a distance of 582.83 feet; thence bearing S53°00'02"W a distance of 62.16 feet to a point on a curve; thence northwesterly along a portion of said curve to the left with a chord of 42.34 feet bearing N40°29'W and a radius of 330.00 feet through a central angle of 7°21'02" an arc distance of 42.34 feet; thence bearing N44°21'00"W a distance of 137.15 feet to the P.C. of a curve to the right having a radius of 260.00 feet; thence along said curve through a central angle of 44°21'00" an arc distance of 201.25 feet; thence bearing N0°00'00"E a distance of 225.50 feet to the point of beginning.

Generally located south of 21st Street North and east of Bramblewood.

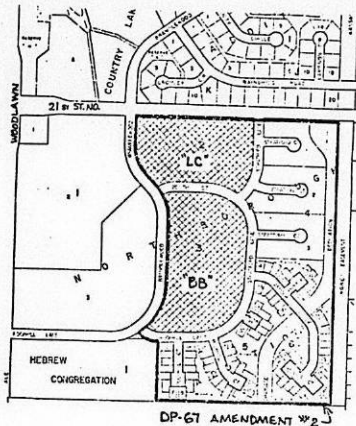
The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The Development Plan now on file proposes to introduce office and light commercial uses into the central portion of this development, between Bramblewood and Stratford Lane, subject to approval of the associated zone change requests. Thirty-three acres south of Rockhill and east of Stratford are proposed for garden apartments or townhouses with 580 dwelling units maximum. Additional information regarding setbacks, parking and landscaping is shown on the plan.

SEE REVERSE SIDE

MAY 1, 1986

STAFF REPORT



DP-67 AMENDMENT #2 - REQUEST FOR AMENDMENT TO PARCELS 4, 5, 6 AND 7 OF THE NORTHBOROUGH C.U.P., AND

Z-2754 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL RESIDENCE DISTRICT TO "BB" OFFICE DISTRICT (PARCEL 4) AND FROM "R-5" GENERAL RESIDENCE DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT (PARCEL 5) GENERALLY LOCATED SOUTH OF 21ST STREET NORTH AND EAST OF BRAMBLEWOOD.

Applicant: Theodore Leben, et. al., 105 South Broadway, Suite 640, Wichita, KS 67202.

Size: 13.3 acres ("R-5" to "BB")
9.2 acres ("R-5" to "LC") 61.0 acres (C.U.P.)

	Land Use	Zoning
Application Area	Undeveloped	"R-5" w/CUP
North	Single-family houses	"AA" w/CUP
South	K G & E substation & undeveloped	"AA"
East	Office, apartments & single-family	"BB" & "R-5" w/CUP
West	Synagogue, shopping center & offices	"BB" & "LC"

History:	DP-67 & Z-1666	2/13/75	MAPC approved
	("AA" & "LC" to "LC", "BB" & "R-5")	3/11/75	BCC approved
	DP-67 (Amendment #1) & Z-2740	3/6/86	MAPC approved
	("R-5" to "B")	4/1/86	BCC approved

Background: This 108-acre commercial office and residential C.U.P. was recently amended to permit a 180 bed nursing center on Parcel 6. The balance of the C.U.P. has not been amended since 1975. The owner now proposes to change the zoning on Parcel 4 to "BB" Office and to amend the proposed uses on that parcel from a maximum of 272 permitted garden apartment units to 231,350 square feet for professional offices including medical clinics. As an alternate, garden apartments are still a suggested use at 26 DU per acre for a total of 346 units. Since no proposed site plan is suggested for the garden apartments, it is recommended that the following be added after "Community Facilities" - "provided site plan is first approved by the Director of Planning."

Z-2754 & DP-67 SR

Parcel 5 is now proposed to be rezoned from "R-5" to "LC". A total of 205 garden apartments are now permitted and it is proposed to amend the C.U.P. to permit a number of uses including retail sales and offices at a maximum of 160,500 square feet of floor area.

Parcel 6 is not proposed to be amended and still permits the 180 bed nursing center.

Parcel 7 now includes a portion of original parcel 6 and proposes either townhouses or garden apartments. There is an increase from the original 281 units to 580 units if developed with garden apartments.

A traffic study was not required when this C.U.P. was originally considered. As it is now proposed to increase the square footage of floor area for offices and commercial uses from an approximate 600,000 square feet to 1,000,000 square feet, a traffic study was required. The conclusions of the report as prepared by the traffic consultant state that further development of this C.U.P. will not reduce the operating characteristics of the intersection at 21st and Woodlawn below acceptable levels. General Provision #8 sets out the requirements of the traffic consultants report. At the time of platting, the applicant shall guarantee the installation of accel/decel lanes along 21st Street and Woodlawn, including the decel lane south of Rockhill and signalization of the intersection of Rockhill and Woodlawn. The Traffic Commission, at their meeting of March 19, 1986 approved the traffic study.

Analysis: Properties to the north across 21st Street are developed with single family homes which back into 21st Street. To the east, across a wide drainage easement on K G & E easement are offices, apartments and single family homes. Land to the south is undeveloped and a K G & E substation. To the west is the Synagogue, offices and shopping center.

The main issue in permitting further commercial and office development in this area is the handling of traffic and whether or not such uses are compatible with existing single family homes. It appears that with the proposed traffic improvements, 21st Street and Woodlawn will still operate at acceptable levels.

Although the staff questions the appropriateness of extending more "LC" uses along 21st Street, the single family homes to the north back into the major street and are screened with landscaping and a solid fence.

In order for the Planning Commission to recommend approval of this amendment to the residential portion of this C.U.P., it must find specific evidence and facts to showing that the proposed development plan meets the following conditions:

- a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
- b. That such plan is consistent with the intent and purpose of Chapter 28.04.190.A of the Wichita Zoning Ordinance to promote public health, safety, morals and general welfare.
- c. 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.

Should the Planning Commission determine that this C.U.P. amendment and zoning change are appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial

development and be binding upon the present owners, their successors and assigns, unless amended.

- d. The property included within Parcels 4, 5 and 7 of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
- e. Under Alternate Parcel Four, add the following after Community Facilities: "provided site plan is approved by the Director of Planning."
- f. Clarify in general provision #8 that the decel lane on 21st Street is to be in front of Parcel 5.

CASE NO. DP-67, Amendment #2
(Associated Case Z-2754)

377	"Notices to adjoining property owners mailed on 4-17-86 for MAPC meeting on 5-1-86.
3	One each to Applicant and Agents(2).
3	One each to CPO, Carl Gipson and Karen Crook.
2	One each to Louise and Glen.
<hr/>	
385	TOTAL

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

April 17, 1986

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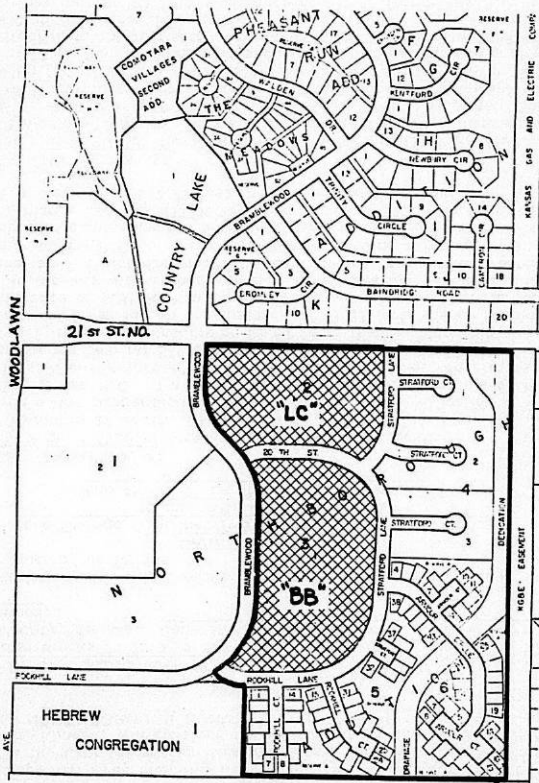
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APPLICATION
AREA



NORTH



DP-67 AMENDMENT #2

() Published in the Daily Record on April 8, 1986 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

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The hearing of the proposed amendment to this Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 7th day of April, 1986.

Michael E. Lindebak, Secretary
Wichita-Sedgwick County Metropolitan Area
Planning Commission

(SEAL)

CASE NO. DP-67, AMENDMENT #2

ALL LOTS WITHIN Blocks 2, 3, 4, 5 & 6 of the Northborough Addition
to Wichita, Sedgwick County, Kansas. Generally located south of 21st
Street North and east of Bramblewood.

Amend #2

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, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.

- A. APPLICANT Theodore I. Leben, Etal
 ADDRESS 105 S. Broadway, Suite 640 Zip Code 67202 PHONE 264-2375
~~640 Broadway Plaza Building~~
 AGENT Robert W. Kaplan, attorney
 ADDRESS 430 North Market Zip Code 67202 PHONE 262-5175
- B. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____
- C. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 ENGINEER P.E.C., P.A., Attn: Gary Wiley
 ADDRESS 1440 East English Zip Code 67211 PHONE 262-2691

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

2. A. The applicant hereby requests approval amendment (circle appropriate word) of a Community Unit Plan on property zoned LC-BB-B-R5 and legally described as Lot(s) ALL LOTS WITHIN Block(s) 2, 3, 4, 5, & 6 of the _____ Northborough _____ Addition.

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

- B. There are 61.0 NET acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 5949D Zoning (N) AA (S) AA (E) R-51 (W) LC MAPC 5-1-86
 T9-330-3 w/cup BB BB w/cup Revised 9/85
w/cup

3. The general location is (USE APPROPRIATE SECTION):

A. At the Southeast corner of Bramblewood and
21st Street, OR

B. On the _____ side of _____ (Ave.) Street between
_____ (Ave.) Street and _____ (Ave.) Street.

4. WE 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; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

Theodore I. Leben, Etal
APPLICANT'S SIGNATURE _____

BY Robert W. Kaplan
AUTHORIZED AGENT (IF ANY)
Robert W. Kaplan

APPLICANT'S SIGNATURE _____

BY _____
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE _____

BY _____
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 11 (AM)
PM) on 4-1-86 (day, month, year). It has been checked and
found to be complete and accompanied by required documents and the appropri-
ate fee of \$ 500⁰⁰.

(check for 662⁰⁰ for Z & DP:

Levise Olvinsky Name
Sr. Planner Title

12⁰⁰ 4 signs
650⁰⁰ balance of fees (500 DP 600 Z). 450⁰⁰ credit from Z-2740 and
DP-67 amendment #1

April 2, 1986

Mr. Don Miller, Director
Access & Regulations
Continental Pipe Line Company
P. O. Drawer 1267
Ponca City, Oklahoma 74603

Dear Mr. Miller:

Enclosed is the latest proposal for amending the Northborough C.U.P. located east of Woodlawn and south of 21st Street North in Wichita, Kansas. The amendments affect only Parcels 4, 5, 6 and 7. I believe the pipeline easement labels have been corrected and the planting strip at the south end of Parcel 4 has been moved north of the easement.

If you have any additional comments, please let me know. This request for C.U.P. amendment is scheduled for Planning Commission review on May 1, 1986.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw
Enclosure

DIRECTORS

C. O. KNOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTNER, P.E.
R. D. PLETCHER, P.E.
F. D. MIDDLETON, JR., P.E.
D. E. MALTBY, P.E.
M. D. SCHOMAKER, P.E.
G. D. SCHOCK, P.E.
J. H. BAILEY, P.E., PH.D.



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
PROFESSIONAL ASSOCIATION

NORTHBOROUGH TRAFFIC STUDY

36-82493-1-552

MARCH, 1986

**1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691**

SCOPE:

This study is intended to assess the traffic impact on 21st Street North and Woodlawn adjacent to the proposed Northborough C.U.P. due to further development of this site. This report contains trip generation computations based upon the size and type of development. Also included is a trip distribution analysis based upon existing traffic desire lines. Capacity analysis and determination of Level of Service are presented for the public street intersections.

TRIP GENERATION:

The Northborough Community Unit Plan encompasses an area which is currently developed or under development. Of this area (Parcels 1, 2 and 3) only Parcel 3 is shown to have any additional capacity to generate or attract trips. Parcels 1 and 2 are developed far below the stipulated maximum density, but due to parking restrictions, single story development, and the existing building layouts, it is not likely that any further development will occur on these parcels.

The assumptions stated above are reflected in the trip generation table. The amount of additional development on Parcel No. 3 is shown to be 100,000 g.s.f. This includes the present building under construction. The trip generation rates used are from the Institute of Transportation Engineers publication "Trip Generation".

TRIP DISTRIBUTION:

Figure 1 shows the existing street layout with the existing volumes at each public street intersection. Figure 2 shows the proposed street layout with the predicted volumes at each public street intersection. The volumes

predicted for the entrances are shown in Table 2 - "Trip Distribution Analysis." Although additional entrances will be constructed, the ones shown, accurately depict the generated volumes and overall distribution.

CAPACITY ANALYSIS:

The capacity analysis shows the changes to the level of service which are expected during the P.M. peak due to the full development of the site. The analysis assumes no changes to the geometric layout at the intersection of 21st and Woodlawn, at Woodlawn and Rockhill, or at 21st and Bramblewood.

A summary of intersection levels-of-service is enclosed which depicts the comparison of existing to future conditions.

CONCLUSIONS:

The further development of the Northborough area will not reduce the operating characteristics of the intersection at at 21st and Woodlawn below acceptable levels.

The intersection of Woodlawn and Rockhill may require signalization if the area is developed to the maximum allowable density shown on the C.U.P. for Parcels 4 through 7. In addition, a right turn deceleration lane (150' in length with a 100' taper) should be constructed south of Rockhill. This improvement will have little affect on the turning movement levels of service, but will reduce conflicts with the through movements on Woodlawn.

A continuous right turn acceleration/deceleration lane should be constructed on 21st Street along the frontage to Parcel 5. This lane will have a positive affect at Bramblewood as well as reduce conjection at the proposed entrances into Parcel 5.

TABLE I

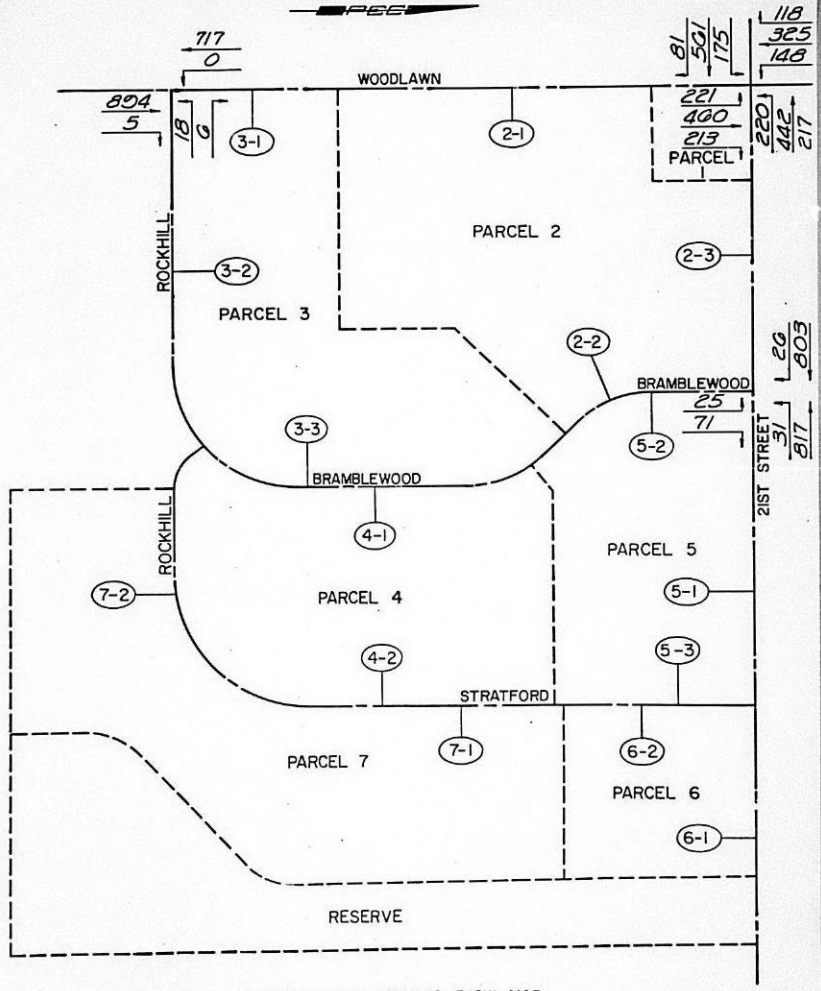
P.M. PEAK HOUR
TRIP GENERATION ANALYSIS - NORTHBOROUGH C. U. P.

PARCEL	LAND USE	SIZE	AVE. P.M. PEAK HOUR TRIP GENERATION RATES		TRIP/HR	
			IN	OUT	IN	OUT
1	LIGHT COMM.	0 G.S.F.	2.1	2.3	0	0
2	LIGHT COMM.	0 G.S.F.	2.1	2.3	0	0
3	OFFICE	100,000 G.S.F.	0.27	1.36	27	136
4	OFFICE	231,350 G.S.F.	0.27	1.36	62	315
5	LIGHT COMM.	160,500 G.S.F.	2.10	2.30	337	369
6	NURSING HOME	180 BED	0.4	0.2	72	36
7	APARTMENTS	580 D.U.	0.4	0.2	232	116

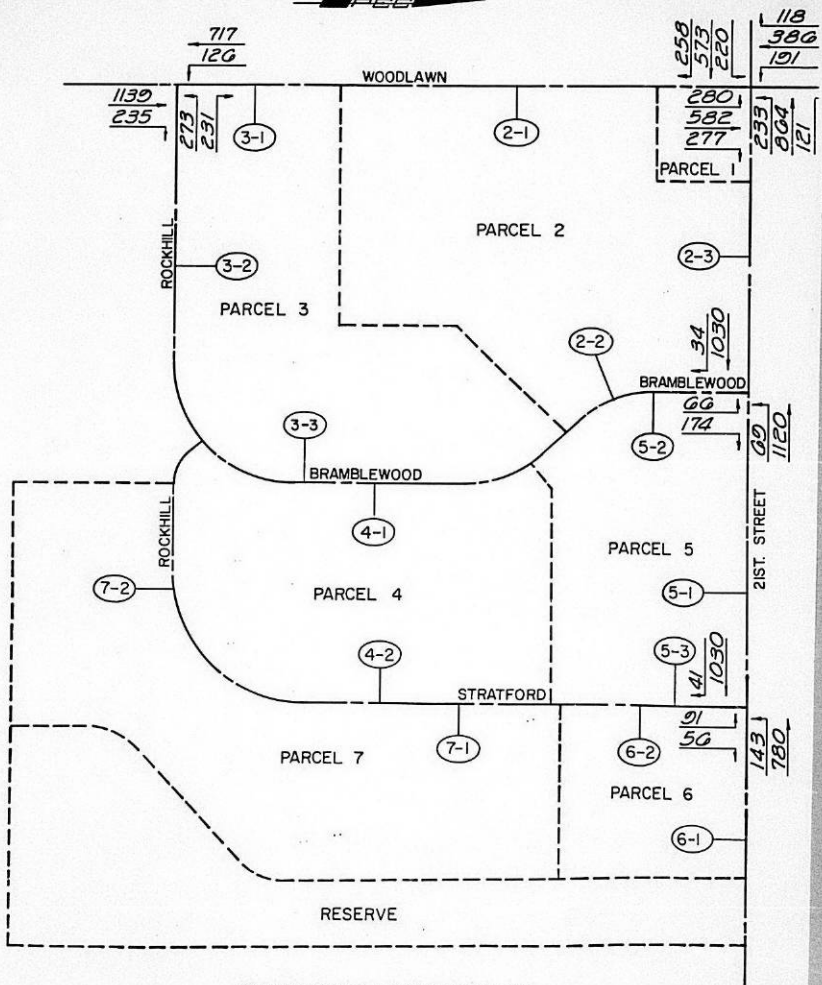
TABLE 2

P.M. PEAK HOUR
TRIP DISTRIBUTION ANALYSIS - NORTHBOROUGH C.U.P.

ENTRANCE	PARCEL	%	SPLIT	TRIPS		VOLUMES			
				IN	OUT	IN-LT	IN-RT	OUT-LT	OUT-RT
1-1	1	100	70 30	0	0	0	0	0	0
2-1	2	40	70 30	0	0	0	0	0	0
2-2	2	30	30 70			0	0	0	0
2-3	3	30	70 30			0	0	0	0
3-1	3	40	70 30	27	136	8	3	38	16
3-2	3	30	50 50			4	4	20	20
3-3	3	30	50 50			4	4	20	20
4-1	4	50	50 50	62	315	16	16	79	79
4-2	4	50	50 50			16	16	79	79
5-1	5	33	70 30	337	369	33	78	256	111
5-2	5	33	80 20			22	89	97	24
5-3	5	34	20 80			92	23	25	100
6-1	6	50	70 30	72	36	11	25	13	5
6-2	6	50	70 30			11	25	13	5
7-1	7	66	50 50	232	116	77	77	38	38
7-2	7	34	70 30			55	24	28	12
ROCKHILL	3,4,5,6,7	N/A	70 30	356	480	126	230	255	225
BRAMBLEWOOD	3,4,5,6,7	N/A	70 30	46	144	38	8	41	103
STRATFORD	4,5,6,7	N/A	70 30	183	147	143	41	91	56



NORTHBOROUGH TRAFFIC FLOW MAP
(EXISTING CONDITIONS)



NORTHBOROUGH TRAFFIC FLOW MAP
(PREDICTED CONDITIONS)

SUMMARY OF LEVELS OF SERVICE

21ST AND WOODLAWN

<u>Approach</u>	<u>Existing LOS</u>	<u>Predicted LOS</u>
East Bound	B	C
West Bound	B	C
North Bound	B	C
South Bound	B	C

21ST AND BRAMBLEWOOD

<u>Movement</u>	<u>Existing LOS</u>	<u>Predicted LOS</u>
4 (left turn-in)	B	C
7 (left turn-out)	E	E
9 (right turn-out)	C	E

21ST AND STRATFORD

4 (left turn-in)	--	D
7 (left turn-out)	--	E
9 (right turn-out)	--	C

WOODLAWN AND ROCKHILL

		<u>Stop Control</u>	<u>Signal</u>
4 (left turn-in)	B	E	B
7 (left turn-out)	E	E	B
9 (right turn-out)	B	E	B

FROM Louise DATE 3-12

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	ENGINEERING	GRAPHICS
<input type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Stockwell	<input checked="" type="checkbox"/> Getreiner	<input type="checkbox"/> Lindebak	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input checked="" type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Cain	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Dudark	<input type="checkbox"/> Young	<input type="checkbox"/> Ruiz	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Ahrens	<input type="checkbox"/> Bonanni	<input type="checkbox"/> Henry	<input type="checkbox"/> Jones
<input type="checkbox"/> Harris	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Lahey	<input type="checkbox"/> Schneider	<input type="checkbox"/> Whitney
<input type="checkbox"/> Henderson	<input type="checkbox"/> Hart	<input type="checkbox"/> Nagley	<input type="checkbox"/>	
<input type="checkbox"/> Wasko	<input type="checkbox"/> Kelley	<input type="checkbox"/> Olivarez	<input type="checkbox"/>	
<input type="checkbox"/> Wimbley	<input type="checkbox"/> Losew	<input type="checkbox"/> Smythe	<input type="checkbox"/>	
	<input type="checkbox"/> Mitchell		<input type="checkbox"/>	
	<input type="checkbox"/> Peete		<input type="checkbox"/>	
	<input type="checkbox"/> Shen		<input type="checkbox"/>	

Return to Louise

REMARKS *Larry Wilby loaned me this copy of the Northborough traffic study last Wednesday. He said he has no problem with it. Is scheduled for Traffic Comm 3-19. Wants guarantees for deceler signals.*

<input checked="" type="checkbox"/> Note & Return
<input type="checkbox"/> Handle
<input type="checkbox"/> All Staff
<input type="checkbox"/> Comment
<input type="checkbox"/> Signature
<input type="checkbox"/> Library
<input type="checkbox"/> Information
<input type="checkbox"/> Type

19-105

received 3-6-86

SCOPE:

This study is intended to assess the traffic impact on 21st Street North and Woodlawn adjacent to the proposed Northborough C.U.P. due to further development of this site. This report contains trip generation computations based upon the size and type of development. Also included is a trip distribution analysis based upon existing traffic desire lines. Capacity analysis and determination of Level of Service are presented for the public street intersections.

TRIP GENERATION:

The Northborough Community Unit Plan encompasses an area which is currently developed or under development. Of this area (Parcels 1, 2 and 3) only Parcel 3 is shown to have any additional capacity to generate or attract trips. Parcels 1 and 2 are developed far below the stipulated maximum density, but due to parking restrictions, single story development, and the existing building layouts, it is not likely that any further development will occur on these parcels.

The assumptions stated above are reflected in the trip generation table. The amount of additional development on Parcel No. 3 is shown to be 100,000 g.s.f. This includes the present building under construction. The trip generation rates used are from the Institute of Transportation Engineers publication "Trip Generation".

TRIP DISTRIBUTION:

Figure 1 shows the existing street layout with the existing volumes at each public street intersection. Figure 2 shows the proposed street layout with the predicted volumes at each public street intersection. The volumes

predicted for the entrances are shown in Table 2 - "Trip Distribution Analysis." Although additional entrances will be constructed, the ones shown, accurately depict the generated volumes and overall distribution.

CAPACITY ANALYSIS:

The capacity analysis shows the changes to the level of service which are expected during the P.M. peak due to the full development of the site. The analysis assumes no changes to the geometric layout at the intersection of 21st and Woodlawn, at Woodlawn and Rockhill, or at 21st and Bramblewood.

A summary of intersection levels-of-service is enclosed which depicts the comparison of existing to future conditions.

CONCLUSIONS:

The further development of the Northborough area will not reduce the operating characteristics of the intersection at 21st and woodlawn below acceptable levels.

The intersection of Woodlawn and Rockhill may require signalization if the area is developed to the maximum allowable density shown on the C.U.P. for Parcels 4 through 7. In addition, a right turn deceleration lane (150' in length with a 100' taper) should be constructed south of Rockhill. This improvement will have little affect on the turning movement levels of service, but will reduce conflicts with the through movements on Woodlawn.

A continuous right turn acceleration/deceleration lane should be constructed on 21st Street along the frontage to Parcel 5. This lane will have a positive affect at Bramblewood as well as reduce conjestion at the proposed entrances into Parcel 5.

TABLE 1

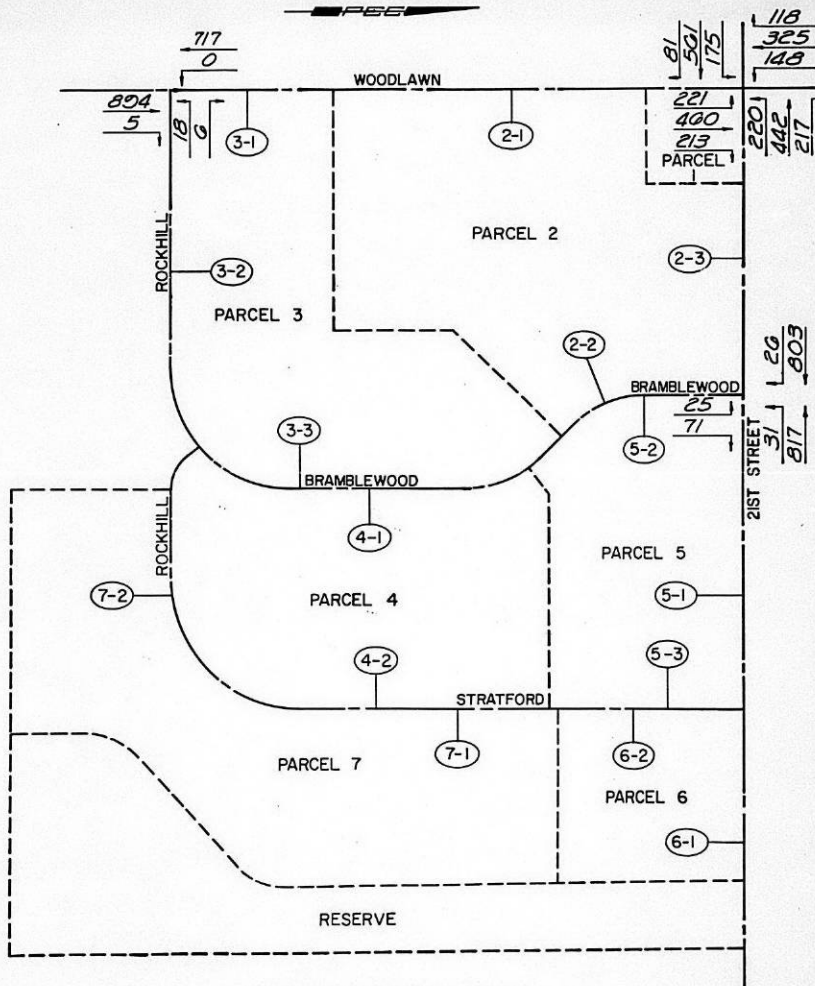
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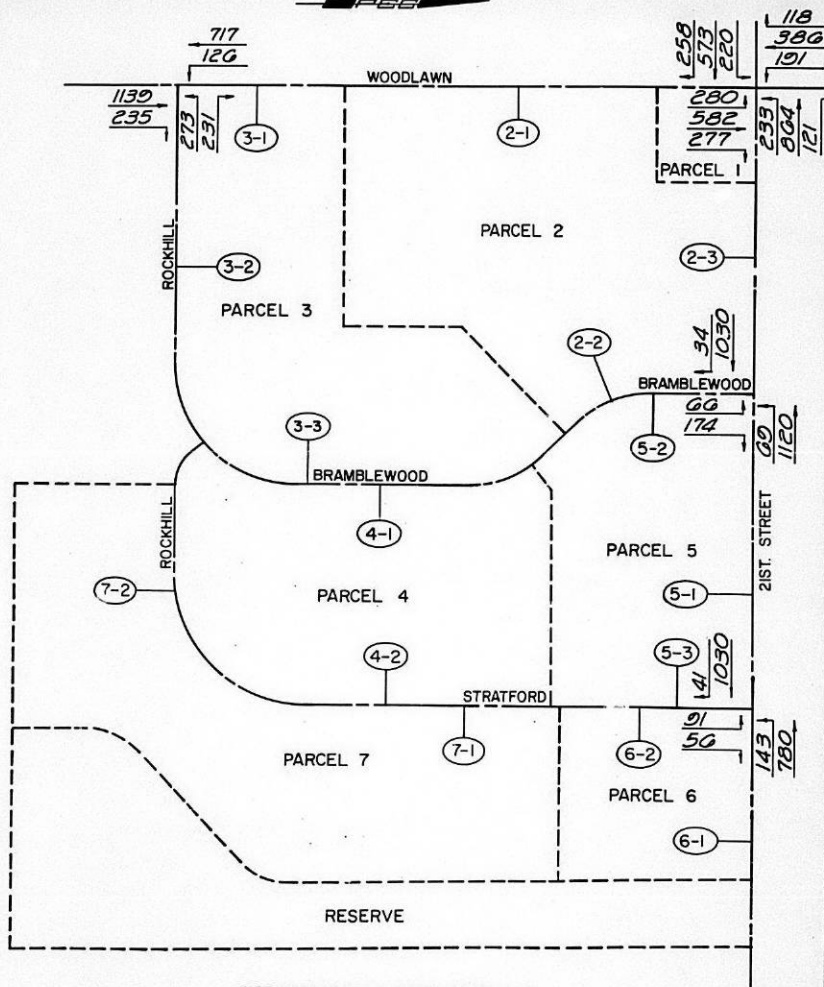
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21ST AND BRAMBLEWOOD

Movement	Existing LOS	Predicted LOS
4	B	C
7	E	E
9	C	E

*refer to
Cribbed
Volume*

21ST AND STRATFORD

4	--	D
7	--	E
9	--	C

WOODLAWN AND ROCKHILL

4	B	E
7	E	E
9	B	E



**CONTINENTAL
PIPE LINE COMPANY**

P.O. Box 1267
Ponca City, OK 74603
(405) 767-2367

Don V. Miller
Director of Access and
Regulations
Oklahoma-Kansas District

RECEIVED

JAN 03 1986

METROPOLITAN PLANNING
ROUTE _____

January 2, 1986

Ms. Louise Olivarez
Senior Planner
Metropolitan Area Planning Department
455 North Main Street
Wichita, Kansas 67202-1688

Dear Ms. Olivarez:

DP-67 Amendment to Northborough C.U.P.

In response to your letter of December 17, 1985, I must agree that paragraphs 4 and 5, page 2, of the Journal Entry of Judgment seem confusing and perhaps could be worded more clearly. Hopefully, I can answer your questions with my interpretation of the judgment and explanation of the right-of-way agreement. Before proceeding, I must explain the judgment and interpretation of CPL's right-of-way agreement by Judge Wood is a result of conflicts CPL had with the developer along Woodlawn Avenue, Lots 1 and 2, Block 1. Since the remaining undeveloped area of Northborough has the same type of easement, the restrictions and intended usage should apply.

Please refer to Exhibit A of CPL's right-of-way agreement and to the original plat of Northborough, which was approved by the Planning Commission on April 15, 1976, and recorded August 9, 1977. Both of these plats show the correct width, location and type of easements.

According to Exhibit A of the right-of-way agreement, CPL's line is located within the area designated as a restricted easement. Within this restricted easement is a 10-foot planting strip. The planting strip is located in the outer most area of the restricted easement.

No where in this documentation does it differentiate between a restricted easement and an easement. A definition or description of the permitted usage of the restricted portion is not given. The only clue to the intention of having part of the easement designated as restricted is indicated on Exhibit A. It is always CPL's intention to maintain a clear right of way. It is detrimental to CPL's operations to have any obstructions within the easement; thus, the right-of-way agreement states no structures or obstructions will be allowed. It can only be assumed the portion designated as restricted was done to provide a method of defining and controlling the width and location of the planting screen.

As the Journal Entry of Judgment states in paragraph 4, page 2, the grantor may plant only in the area of the restricted easement that is designated as the planting screen on Exhibit A. Paragraph 5 on page 2 further states the

Ms. Louis Oliva
January 2, 1986
Page 2

grantor is not precluded from planting in other areas of the easement which are not designated as restricted.

The Journal Entry of Summary Judgement concerns parking lots and curbing. It prohibits the developer from placing these obstructions within CPL's right of way except for that which is required at entrances and exits.

I appreciate your action of requesting the developer to move the planting screen north of the restricted easement in parcel 4. This will help CPL maintain a clear easement and provide better access to the pipeline. Also, please consider the following recommendations:

Should the developer use the 10-foot planting screen along the outside portion of CPL's restricted easement, please request the developer maintain the shrubbery at a height not greater than six feet and not allow it to overhang or extend beyond the planting strip or allow any structure which would obstruct aerial surveillance within the easement.

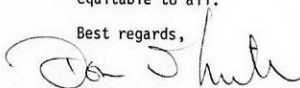
If the developer plans to construct a wall or fence, the ideal location would be in the area between the easement and the building setback line. This would not only provide additional isolation between the buildings and the pipeline but would not interfere with accessing the pipeline from the street. As you have suggested, this would also be a good area for a planting screen.

Please notice on the amended plat CPL's easements along the north side of Rock Hill are not represented as on the original plat or Exhibit A. The widths are correct; however, the restricted easement should be the one located closest to Rock Hill.

As a final suggestion, the simplest solution to the issue may be for CPL to stake the exact location of the line and have the developer maintain the planting screen or wall at least 15 feet from either side of the line. This would allow a 30-foot strip which is sufficient for surveillance and maintenance.

Thank you for your assistance in this matter. CPL will gladly work with your office and the developer to resolve the issue in a way which is equitable to all.

Best regards,



Don V. Miller
Director of Access and
Regulations

br324/2

cc: GGC JMH DEV



**CONTINENTAL
PIPE LINE COMPANY**

Continental Pipe Line Company
P. O. Box 1287
Ponca City, OK 74603



Ms. Louise Olivarez
Senior Planner
Metropolitan Area Planning Department
455 North Main Street
Wichita, Kansas 67202-1688



December 17, 1985

Mr. Don V. Miller
Director of Access and Regulations
Continental Pipe Line Company
P. O. Drawer 1267
Ponca City, Oklahoma 74603

RE: DP-67 - Amendment to Northborough C.U.P. Located South of 21st
Street North and East of Woodlawn in Wichita, Kansas.

Dear Mr. Miller:

Thank you for the information regarding the Northborough site. After reading all the information, I have a few questions which I am sure you can answer. Is it only the restricted easements which prohibit plantings and paving or does the 15-foot easement adjacent thereto in Block 1 also prohibit such things? Are the only exceptions to this restriction, as shown on Exhibit A (Film 253 Page 1401), the ten-foot planting strips and paving for ingress and egress? I wasn't sure after reading finding number five on page two of the February 2nd Journal Entry of Judgment where a "15 foot restricted portion" is referenced. I assume that no planting or parking will be permitted in the 25-foot restricted easement on proposed Parcel 4 and I have asked the applicant to move the ten-foot planting strip north of this 25-foot easement.

You asked for the names and address of the landowner and developer. Messrs. Gore, Leben and Beren still own the undeveloped portion (Parcels 4 thru 7) and they are represented by their attorney, Robert W. Kaplan, 430 N. Market, Wichita, 67202; telephone (316)262-5175. Their engineer is Gary Wiley of Professional Engineering Consultants, 1440 E. English, Wichita, 67211; telephone (316) 262-2691. I will keep you advised of any major changes proposed. Right now everything is on hold waiting for the applicant to do a traffic study.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

December 16, 1985

Mr. Robert W. Kaplan
430 North Market
Wichita, Kansas 67202

RE: DP-67 Amendment #1 - Northborough C.U.P.

Dear Mr. Kaplan:

We have completed our review of the above-referenced C.U.P. amendment request. In discussing this proposal with the Traffic Engineer, Bill McKinley, we were advised that your client should have a traffic consultant prepare an analysis of the traffic which would be generated by this C.U.P., if fully developed as proposed, and determine what road improvements would be needed to handle that traffic. This proposed amendment to the development plan would allow an increase in office/commercial development of 65% to almost one million square feet. Residential development could increase by 35% over the original proposal to a maximum of 931 dwelling units. Neither of these figures includes the proposed nursing center. This amount of office/commercial development is equivalent to the size of Towne West.

We have never been supportive of light commercial zoning east of Bramblewood, believing this district to be incompatible with the single-family zoning to the north. We do not object to the "B" zoning for the nursing home because of the uses which have developed to the east along the south side of 21st Street.

Since the proposal for handling drainage is different from that originally approved, a new plan will need to be submitted to the Engineering Division. Although this will not be required until replatting occurs, the concept should be discussed with Engineering soon as the limits of the drainage reserve affect the boundaries of Parcels 6 and 7.

Last Wednesday, I received a letter from Continental Pipe Line Company and a copy of their easements granted in 1977 when Northborough was first being platted. After reading these easements and a Journal Entry of Judgment dated 2 February, 1982, regarding plantings within their easement, I am of the opinion that no plantings will be permitted within the 25-foot restricted pipeline easement on Parcel 4. The illustrated 10-foot landscape strip should be moved north to clear the restricted easement. After further discussions with Continental, I may have additional comments regarding the labeling of landscape strips in Parcels 2 and 3.

Robert W. Kaplan
December 16, 1985
Page 2

A copy of the general provisions and parcel descriptions marked with our comments is enclosed. At such time as you wish to discuss any of our comments and requirements, please let me know.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw
Enclosures

cc: Gary Wiley, Professional Engineering Consultants, P.A., 1440 E. English,
Wichita, KS. 67211 (w/attachment)
Mike Lindebak, City Engineer and Interim Director of Planning
Bill McKinley, Traffic Engineer

OFFICE COPY *and not*

12-16-85 STAFF COMMENTS
FURNISHED TO BOB KAPLAN
AND GARY WILEY.

GENERAL PROVISIONS

Show total acres in C.U.P.; total maximum commercial sq. ft. and office sq. ft.; total max. d. u.'s. and density.

1. ACCESS CONTROL: ACCESS TO WOODLAWN SHALL BE LIMITED TO SIX ~~TWO~~ OPENINGS: TWO ~~EACH~~ EACH TO PARCELS ~~ONE~~ 1~~2~~, ~~TWO~~ 2~~2~~, AND ~~THREE~~ 3~~2~~. ONE OPENING TO PARCEL ~~TWO~~ 4~~2~~ SHALL BE CONSTRUCTED TO MAJOR ENTRANCE STANDARDS. ACCESS TO 21ST STREET SHALL BE LIMITED TO EIGHT OPENINGS: TWO ~~EACH~~ EACH TO PARCELS ~~ONE~~ 1~~2~~ AND ~~TWO~~ 2~~2~~, THREE ~~EACH~~ TO PARCEL ~~FOUR~~ 4~~2~~, AND ONE ~~EACH~~ TO PARCEL ~~SIX~~ 6~~2~~. ONE OPENING TO PARCEL ~~TWO~~ 4~~2~~ AND PARCEL ~~FOUR~~ 4~~2~~ SHALL BE CONSTRUCTED TO MAJOR ENTRANCE STANDARDS.

THAT PORTION OF THE MAJOR ENTRANCE TO PARCEL ~~FOUR~~ 4~~2~~ ON PUBLIC RIGHT-OF-WAY WILL BE ~~GUARANTEED~~ GUARANTEED AT THE TIME OF ~~PLATTING~~ PLATTING. THAT PORTION OF THE MAJOR ENTRANCE ON PRIVATE PROPERTY WILL BE A REQUIREMENT AT THE TIME OF BUILDING PERMIT(S) FOR PARCEL ~~FOUR~~ 4~~2~~.

ADDITIONAL ACCESS CONTROLS ARE AS INDICATED ON THE PLAN.

2. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. DRAINAGE: DRAINAGE SHALL BE IN ACCORDANCE WITH ~~THE APPROVED~~ DRAINAGE PLANS ~~APPROVED BY~~ APPROVED BY ~~ON FILE IN~~ THE ENGINEERING DIVISION OF THE CITY OF WICHITA. A REVISED DRAINAGE PLAN SHALL BE SUBMITTED WITH THE REPORT OF PARCELS 4, 5, 6 & 7.
4. BUILDING SETBACKS: MINIMUM BUILDING SETBACKS SHALL BE AS INDICATED ON THE PLAN. IN THE EVENT THAT PARCEL ~~FOUR~~ 4~~2~~ IS DEVELOPED WITH GARDEN APARTMENTS, THE BUILDING SETBACK ~~TO~~ ^{FROM} BRAMBLEWOOD AND STRATFORD ~~DONE~~ MAY BE ~~MAY BE~~ REDUCED TO THE 65-FOOT ~~AND~~ CONTINENTAL PIPE LINE CO. SETBACK ALONG ROCKHILL ~~DONE~~.

BUILDING SETBACK ALONG THE CONTINENTAL PIPELINE CO. EASEMENT SHALL BE IN ACCORDANCE WITH THE RECORDED PLAT OF NORTHBOROUGH AND FURTHER DEFINED ON FILM 253 PAGE 1398 et seq.

5. PARKING RATIO SHALL BE IN ACCORDANCE WITH THE APPROPRIATE CODE OF THE CITY OF WICHITA ~~OR AS INDICATED~~ ^{UNLESS SPECIFIED} IN THE PARCEL DESCRIPTIONS.
 6. ADVERTISING SIGNS SHALL BE IN ACCORDANCE WITH SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA, WITH THE FOLLOWING EXCEPTION: NO BILLBOARD ADVERTISEMENT ~~OR PORTABLE SIGN~~ ^{OR SIGN} SHALL BE ALLOWED ON PARCELS ~~FOUR (4), FIVE (5), SIX (6) OR SEVEN (7)~~.
 7. A FIRE ^{LANE} HARD SURFACED AND TWENTY ~~(20)~~ FEET MINIMUM IN WIDTH FOR PARCEL ~~TWO (2)~~ AND TWENTY FOUR ~~(24)~~ FEET MINIMUM IN WIDTH FOR PARCELS ~~FOUR (4) AND FIVE (5)~~, ^{COMMERCIAL OR OFFICE} SHALL BE PROVIDED AROUND ALL MAIN STRUCTURES CONSTRUCTED WITHIN SAID PARCELS. SAID FIRE LANES SHALL BE CONSTRUCTED WITH A MINIMUM OF 3 1/2 INCH ASPHALT BASE AND 1 1/2 INCH ASPHALT SURFACE. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
- PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF THE FIRE LANE(S).
8. AT THE TIME OF PLATTING, THE APPLICANT SHALL GUARANTEE THE INSTALLATION OF ACCEL/DECEL LANES ALONG 21ST STREET AND WOODLAWN.

9. SCREENING AND LANDSCAPING: the planting strips, as indicated in parcels ~~one (1)~~, ~~TWO (2)~~, ~~THREE (3)~~, ~~FOUR (4)~~ AND ~~FIVE (5)~~, SHALL CONSIST OF TREES, GRASS, AND LOW SHRUBBERY NOT LESS THAN TEN (10) FEET IN WIDTH AND SHALL BE OF SUCH A TYPE AND MAINTAINED IN SUCH A MANNER AS TO NOT CONSTITUTE A TRAFFIC HAZARD. FAILURE TO PROPERLY MAINTAIN THE PLANTING STRIPS SHALL BE CONSIDERED A VIOLATION OF THE C.U.P., AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND SUPERINTENDENT OF CENTRAL INSPECTION.

SHOULD PARCEL ~~FOUR (4)~~ DEVELOP WITH OFFICES, THE PLANTING STRIP IN PARCEL ~~THREE (3)~~ FROM THE NORTH LINE OF ROCKHILL ~~WAY~~, AS EXTENDED, TO THE SOUTH LINE OF PARCEL ~~FIVE (5)~~, AS EXTENDED, SHALL NOT BE REQUIRED.

SHOULD PARCEL ~~FOUR (4)~~ BE DEVELOPED AS RESIDENTIAL, THE PLANTING STRIP ALONG ROCKHILL ~~WAY~~ AND STRATFORD ~~WAY~~ SHALL NOT BE REQUIRED.

A SOLID OR SEMI-SOLID WALL AT LEAST FIVE (5) FEET, BUT NOT MORE THAN EIGHT (8) FEET HIGH CONSTRUCTED OF BRICK, STONE, MASONRY, ARCHITECTURAL TILE OR OTHER SIMILAR MATERIAL SHALL BE INSTALLED ALONG THE SOUTH LINE OF PARCEL

~~FIVE (5)~~ IF PARCEL ~~FOUR (4)~~ IS DEVELOPED AS RESIDENTIAL. IF PARCELS 3 OR 5 DEVELOP PRIOR TO PARCEL 4, THE ABOVE-REFERENCED PLANTING STRIP OR WALL SHALL BE ~~REQUIRED~~.

A WALL, AS DESCRIBED ABOVE, SHALL BE SUBSTITUTED FOR THE PLANTING STRIPS WITHIN PARCELS ~~TWO (2)~~, ~~FOUR (4)~~, AND ~~FIVE (5)~~ WHERE THE STORAGE AREA, SERVICE AREA, OR THE REAR OF NON-RESIDENTIAL BUILDING(S) FACE DIRECTLY INTO A RESIDENTIAL DISTRICT. APPROPRIATE STREET TREES (AS APPROVED BY THE CITY FORESTER) FOR PARCELS ~~FOUR (4)~~ AND ~~FIVE (5)~~ SHALL BE PLANTED NO FARTHER APART THEN FIFTY (50) FEET ON CENTERS IN THE PUBLIC PARKING AREA BETWEEN THE CURB AND WALL AND SHALL BE MAINTAINED BY THE OWNER(S) OF THE ADJACENT PARCELS.

A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY WALL.
NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT.

10. A LANDSCAPE PLAN, PREPARED BY A LANDSCAPE ARCHITECT, FOR THE REQUIRED PLANTING STRIPS, INDICATING THE TYPE, LOCATION, AND SPECIFICATION OF PLANT AND METHOD OF PROVIDING WATER, MATERIALS SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMIT(S) FOR PARCELS ~~ONE~~ ~~1~~), ~~TWO~~ ~~2~~), ~~THREE~~ ~~3~~), ~~FOUR~~ ~~4~~), AND ~~FIVE~~ ~~5~~).

(we require that a method of watering be shown in the landscape plan. All for parcels 1, 2, 3 have to have a method of watering)

A METHOD OF PROVIDING WATER TO THE PLANT MATERIALS IN THE PLANTING STRIPS WITHIN PARCELS FOUR (4) AND FIVE (5), WILL BE REQUIRED TO BE SUBMITTED WITH THE LANDSCAPE PLANS.

(separate drawings required by CID)

A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS APPROVED IN THE LANDSCAPE PLAN ~~FOR PARCELS FOUR (4) AND FIVE (5)~~ SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.

11. A HOMEOWNER'S ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF THE RESERVE SHALL BE SUBMITTED WITH THE FINAL ^{RE} PLAT.

(Note: your request will have to vacate the dedicated drainage row.)

PARCEL DESCRIPTIONS

PARCEL ONE

PROPOSED USE - AUTOMOTIVE, FINANCIAL, AND OTHER SERVICE ORIENTED RETAIL THAT DOES NOT INCLUDE CARRY-OUT FOOD SERVICE AS THE PRINCIPAL BUSINESS

NET AREA - 0.92± ACRES, OR 40,085± SQUARE FEET
MAXIMUM BUILDING COVERAGE - 30 PER CENT OR 12,025± SQUARE FEET
FLOOR AREA RATIO - .30
MAXIMUM GROSS FLOOR AREA - 12,025± SQUARE FEET
MAXIMUM BUILDING HEIGHT - 35 FEET

PARCEL TWO

PROPOSED USE - SHOPPING CENTER AND/OR OFFICES, PROFESSIONAL, PERSONAL SERVICES, COMPARISON AND CONVENIENCE SHOPPING, AND PARKING

NET AREA - 19.02± ACRES OR 828,511 SQUARE FEET
MAXIMUM BUILDING COVERAGE - 30 PER CENT OR 248,553 SQUARE FEET
FLOOR AREA RATIO - .40
MAXIMUM GROSS FLOOR AREA - 331,404 SQUARE FEET
MAXIMUM BUILDING HEIGHT - 55 FEET
MAXIMUM NUMBER OF BUILDINGS SHALL NOT EXCEED SIX (6)

PARCEL THREE

PROPOSED USE - PROFESSIONAL, MEDICAL, DENTAL OFFICES AND CLINICS, LABORATORIES WITH ACCUTE CARE FACILITIES AND PERSONAL SERVICES AS PERMITTED BY THE ZONING ORDINANCE, AND PARKING.

NET AREA - 14.98 ± ACRES OR 652,528 ± SQUARE FEET
MAXIMUM BUILDING COVERAGE - 30 PER CENT OR 195,758 ± SQUARE FEET
FLOOR AREA RATIO - .40
MAXIMUM GROSS FLOOR AREA -- 261,011 ± SQUARE FEET
MAXIMUM BUILDING HEIGHT -- IN ACCORDANCE WITH SECTION 28.04.080-B OF THE CODE OF THE CITY OF WICHITA.

PARCEL FOUR

PROPOSED USE - PROFESSIONAL, MEDICAL, DENTAL OFFICES, AND CLINICS,
LABORATORIES AND PERSONAL SERVICES AS PERMITTED BY THE
ZONING DISTRICT.

NET AREA 13.3 ACRES ±

MAXIMUM BUILDING COVERAGE - 30% OR 173,500 SQ. FT.

MAXIMUM GROSS FLOOR AREA - 40% OR 231,350 SQ. FT.

MAXIMUM BUILDING HEIGHT - 55 FEET

MAXIMUM NUMBER OF BUILDINGS - THREE (UNLESS A SITE PLAN IS FIRST APPROVED BY
THE DIRECTOR OF PLANNING PROVIDING FOR MORE BUILDINGS)

ALTERNATE PARCEL FOUR

PROPOSED USE GARDEN APARTMENTS AND ASSOCIATED COMMUNITY FACILITIES.

NET AREA 13.5 ACRES ±

DENSITY - 26 D.U.'s/NET ACRE OR 351 D.U.'s

PARKING RATIO - 1.5/D.U.

MAXIMUM BUILDING HEIGHT - 35 FEET

PARCEL FIVE

PROPOSED USE - FINANCIAL INSTITUTIONS, OFFICE, PERSONAL SERVICES, RESTAURANTS
(EXCLUDING ~~THOSE WITH~~ DRIVE-UP WINDOW SERVICE), ^{OR DRIVE-IN RESTAURANTS} AND RETAIL
SALES AS PERMITTED BY THE ZONING DISTRICT.

NET AREA - 9.2 ACRES ±

MAXIMUM BUILDING COVERAGE - 30% OR 120,370 SQ. FT.

MAXIMUM GROSS FLOOR AREA - 40% OR 160,500 SQ. FT.

MAXIMUM BUILDING HEIGHT - 35 FEET (55 FEET FOR OFFICES)

MAXIMUM NUMBER OF BUILDINGS - THREE

PARCEL SIX

PROPOSED USE - NURSING CENTER

NET AREA - 5.0 ACRES ±

MAXIMUM BUILDING HEIGHT - 35 FEET

PARKING RATIO - IN ACCORDANCE WITH THE CODE OF THE CITY OF WICHITA

PARCEL SEVEN

PROPOSED USE - GARDEN APARTMENTS, TOWNHOUSES AND ASSOCIATED COMMUNITY FACILITIES.

NET AREA - 33.4 ACRES±

DENSITY - APARTMENTS = 17.4 DU'S/NET ACRE OR 580 D.U.'S

TOWNHOUSES = 6.0 D.U.S/NET ACRE OR 200 D.U.'S

PARKING RATIO - 1.5/D.U. FOR GARDEN APARTMENTS

2.0/D U. FOR TOWNHOUSES

MAXIMUM BUILDING HEIGHT - 35 FEET

*# beds?
- related facilities?*

DP-67 original

Parcel	Comm	office	residential
1	12,025 #		
2	331,404 #		
3	261,011 #	261,011	
4			272 du
5			205 du
6			85 du
7			127 du
	<u>604,440 #</u>		<u>689 du</u>
	343,429		
		261,011	
	604,440		

DP-67 proposed

Parcel	Commercial	office	housing
1	12,025		
2	331,404		
3	261,011	261,011	
4		231,350	or 351 du
5	160,500		housing
6			housing
7			580 du
	<u>503,929</u>		
		492,361	
	994,290		931 du
	(391,850 of same ten legs)		+ increase
	6.48% increase		center
			(242 du
			more)
			35% increase

231,350
160,500
391,850



P.O. Box 1267
Ponca City, OK 74603
(405) 767-2367

Don V. Miller
Director of Access and
Regulations
Oklahoma-Kansas District

December 9, 1985

RECEIVED

DEC 11 1985

METROPOLITAN PLANNING
ROUTE _____

Ms. Louise Olivarez
Senior Planner
Metropolitan Area Planning Department
455 North Main Street
Wichita, Kansas 67202-1688

Dear Ms. Olivarez:

Thank you for your letter and information concerning the proposed replatting of Northborough Addition.

As always, Continental Pipe Line Company's (CPL) primary concern in a development such as this is for the safety of the citizens occupying homes and businesses near the pipeline. CPL's pipelines are operated in full compliance with the Federal Department of Transportation Regulations. In order to maintain compliance with these regulations, a clear unobstructed right of way is an absolute necessity. It is important that building setbacks be maintained for public safety. ~~It is equally important that structures or trees which encumber aerial surveillance and emergency access not be allowed within the pipeline right of way.~~ Unfortunately, most developers do not share this concern.

As expected, most developers attempt to utilize every available inch of their property with little consideration for safety. Fortunately, planning departments, such as Wichita's, have been established to regulate these developments.

As I had mentioned during our recent telephone conversation, CPL has had a conflict with a developer in the Northborough Addition. This conflict resulted in a lawsuit, which the judgment was in favor of CPL. I have enclosed a copy of the Journal Entry of Judgment and a copy of CPL's right-of-way agreement for your review.

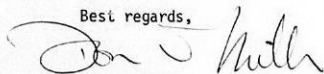
I have also enclosed a copy of the original plat which was approved August 8, 1977. CPL's line through the development has been relocated and lowered; its route is indicated on the plat. If the building setbacks and easement width remain as on the 1977 plat, there should be no problems. The pipeline depth should be sufficient in all areas provided the current grading plans do not require any removal of cover from the pipeline. If possible, would you please provide the names and address of the landowner or developer requesting the replatting of Northborough.

Ms. Louise Oliv...z
December 9, 1985
Page 2

Thank you for your cooperation and concern. I would greatly appreciate being kept informed of the Planning Department's decisions on this and other development affecting CPL's line.

Should you need more information or wish to discuss this further, please call.

Best regards,



Don V. Miller
Director of Access and
Regulations

b4318/2
enc.

cc: GGC JMH DEV

IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CIVIL DEPARTMENT

LAW OFFICES
M. T. MINNUN,
WINNIE
J. S. ANHWELL,
SUITE 420
I. GARVEY BUILDING
OO W. DOUGLAS
117A, KANSAS STAGE
264-8127

CONTINENTAL PIPE LINE COMPANY,)
a Delaware corporation,)
)
Plaintiff,)
)
vs.)
)
BRITTANY DEVELOPMENTS COMPANY,)
a Limited Partnership,)
)
Defendant.)

Case No. 81C2769

(Pursuant to Chapter 60 of
Kansas Statutes Annotated)

JOURNAL ENTRY OF JUDGMENT

NOW, on this 2nd day of February, 1982, the same being a regular judicial day of this Court, comes on the above referenced matter for a hearing relating to the question reserved for hearing in a Journal Entry of Summary Judgment hereinbefore entered by agreement between the parties. Specifically, the hearing involves the issues concerning whether this Court should order the removal of certain trees as sought in plaintiff's Petition.

The plaintiff appears by its attorneys, E. Dwight Taylor of Stinson, Wisdom, Lasswell & Wilson, and Guy Clark of Northcutt, Raley, Clark & Gardner of Ponca City, Oklahoma, who has been properly admitted to practice before this Court. The defendant appears by its attorney, M. Ralph Baehr of Nieto, Baehr & Hollander, and personally by its representative, F. H. Rousey.

After opening statements by counsel for plaintiff and defendant, defendant made objection to the plaintiff's use of parol and other extrinsic evidence in the plaintiff's argument on the proper construction of the right-of-way agreement and easement controverted herein on the grounds that the said agreement and easement were plain and unambiguous and that the

OFFICES
IN
NEWELL
176 430
WEST BUILDING
F. DOUGLAS
KANSAS 67202
14-8137

meaning of those instruments could be gathered from the four corners of the documents themselves. After hearing arguments upon the question, the Court finds that the words and phrases controverted herein are not so plain and unambiguous as to prevent the use of parol and other, extrinsic evidence to aid the Court in properly construing the meaning thereof, and the Court, therefore, overrules the defendant's objection.

The plaintiff proceeded to present its evidence and the defendant advised the Court that it would not put on any evidence.

Having heard the evidence and having viewed the documents placed in evidence, and having considered the arguments of counsel, the Court finds that:

1. This Court has jurisdiction of the parties and subject matter of the captioned action.
2. The Grantors of the easement herein controverted, and their successors, have the right to fully use and enjoy the premises except as the same is necessary for the purposes granted to the Grantee in said easement.
3. The language in the easement by which the Grantors agreed not to build, create or construct any obstruction, engineering works or other structure over said pipe line or pipe lines was intended and should be construed to include the planting of trees on the restricted portion of said easement.
4. The exceptions to the Grantors' agreement not to build, create or construct any obstructions, engineering works or other structures, which are set forth in the plat attached as Exhibit "A" of the agreement and incorporated therein by reference, do not include the right to plant trees at any other location on the restricted portion than the planting screen provided for in the said Exhibit "A" to the agreement.
5. Defendants are not precluded from planting trees on any portion of plaintiff's easement except the fifteen (15) foot restricted portion as referenced in the said Exhibit "A."

LAW OFFICES
WINNIN,
WISDOM,
LASSWELL,
WILSON
SUITE 430
14 GARVEY BUILDING
300 W. DOUGLAS
CHICAGO, ILLINOIS 60601
264-8127

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED that, pursuant to K.S.A. 60-256, the plaintiff is entitled to and shall have judgment for a mandatory injunction against the defendant to remove from the plaintiff's restricted portion of the right-of-way the trees planted therein by the defendant within a reasonable time, not to exceed sixty (60) days from the date of the entry of this judgment; for a permanent injunction from causing or permitting any future planting of trees in the restricted portion of said right-of-way; and for the costs of this action.

IT IS SO ORDERED.

JOHN E. FOULSTON

John E. Foulston, District Judge

APPROVED:

STINSON, WISDOM, LASSWELL & WILSON
NORTHCUTT, RALEY, CLARK & GARDNER
Attorneys for Plaintiff

By: 

F. Dwight Taylor

NITTO, BAHR & HOLLANDER
Attorneys for Defendant

By: 51 M. Ralph Bahr

M. Ralph Bahr



Certificate of Clerk of the District Court. The above is a true and correct copy of the original instrument filed on the 16 day of March, 1932 and recorded in the District of the Tenth Judicial District, State of Kansas, to-wit: Dated this 17 day of March, 1932
Clerk of the District Court

By: John W. Harris

NIETO, BAEHR & HOLLANDER
600 Century Plaza Building
Wichita, Kansas 67202
AC 316/265-0098

IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CIVIL DEPARTMENT

CONTINENTAL PIPE LINE COMPANY,
a Delaware Corporation,

Plaintiff,

vs.

BRITTANY DEVELOPMENTS COMPANY,
a Limited Partnership,

Defendant.

Case No. 81C2769

PURSUANT TO CHAPTER 60 OF
KANSAS STATUTES ANNOTATED

JOURNAL ENTRY OF SUMMARY JUDGMENT

NOW, on this 14th day of January, 1982, the same being a regular judicial day of this Court, comes on the above referenced matter for hearing upon the plaintiff's Motion for Summary Judgment. Plaintiff appears by its attorney, E. Dwight Taylor of Stinson, Wisdom, Lasswell & Wilson; and defendant appears by its attorney, M. Ralph Baehr of Nieto, Baehr & Hollander. There are no other appearances.

The parties announce and agree that the plaintiff is entitled to the relief sought in its Petition and Motion for Summary Judgment in all respects except that the question of whether the removal of the trees, sought in plaintiff's Petition, is reserved. Being fully advised in the premises by counsel and having reviewed the file, the Court finds that:

1. The Court has jurisdiction of the parties and subject matter of the above-captioned action.

2. The plaintiff has a valid, enforceable right-of-way easement as set out specifically in a document entitled "Right

of Way Agreement and Partial Release" dated the 5th day of July, 1977, and filed for record on the 7th day of July, 1977, at Film 253, Page 1398 of the Register of Deeds of Sedgwick County, Kansas.

3. The defendant has caused or permitted the construction of an asphalt parking lot with concrete curbing, lined with newly-planted trees, a portion of which is within the aforesaid right-of-way easement.

4. It is the finding of this Court that the location of the parking lot and concrete curbing constitutes a violation of the aforesaid easement, and that the plaintiff is entitled to an order causing the defendant to remove the same in accordance with the agreement. It is the further finding of this Court that the plaintiff is entitled to an order preventing future violations of the said right-of-way.

5. The question of whether the planting of trees within the said right-of-way constitutes a violation of the right-of-way agreement so as to entitle the plaintiff to an order for removal of the trees is reserved.

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED, ADJUDGED AND DECREED: That, pursuant to K.S.A. 60-256, the plaintiff is entitled to and shall have judgment for a mandatory injunction against the defendant to remove from the plaintiff's right-of-way the asphalt parking lot and concrete curbing; for a permanent injunction from causing or permitting any future violations of the said right-of-way.

IT IS FURTHER ORDERED: That the question of the removal of trees as set forth in this Court's findings above is reserved for future proceedings, and that the question of cost is likewise reserved.

IT IS SO ORDERED.

JOHN E. FOULSTON

JUDGE

for Baum

APPROVED:

STINSON, WISDOM, LASSWELL & WILSON

By: *E. Dwight Taylor*
Attorneys for Plaintiff

NIETO, BAEHR & HOLLANDER

By: *M. Ralph Baehr*
M. RALPH BAEHR
Attorneys for Defendant

Seal of the District Court of the District of Columbia
Certificate of Clerk of the District Court. The above
true and correct copy of original instrument
was filed in the office of the Clerk of the District Court
of the District of Columbia, on the 2 day of February, 1982.
Attest this 11 day of March, 1982.
Clerk of the District Court
By: *John Hanna*

FILM 253 JAN 1 1938

RIGHT OF WAY AGREEMENT
AND
PARTIAL RELEASE

JUL 7 1917
37640
BETTE F. McCART
REGISTRAR OF DEEDS

Original Compared
With Record

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, THEODORE GORE, ROBERT M. BEREN and THEODORE LEBEN, hereinafter referred to as GRANTORS, do hereby grant unto CONTINENTAL PIPE LINE COMPANY, a Delaware corporation having offices in Ponca City, Oklahoma, hereinafter referred to as Grantee, its successors and assigns, the right to lay, maintain, inspect, alter, repair, operate, protect, remove and relay a pipe line or pipe lines, for the transportation of oil and gas and products and by-products thereof, water and other substances, and such drips, valves, fittings, meters and other equipment and appurtenances as may be necessary or convenient for such operations and, if necessary, to construct, maintain, operate, remove and replace communication and control facilities upon, over, through and under the following described land situated in Sedgwick County, State of Kansas, as legally described on Exhibit "B" hereto attached and incorporated herein by reference, together with the rights of ingress and egress to and from said line or lines, or any of them, for the purposes aforesaid, hereby releasing and waiving for the purpose of this grant all rights under and by virtue of the dower, homestead and homestead exemption laws, if any, of said state.

GRANTORS shall have the right to fully use and enjoy the said premises except as the same may be necessary for the purposes herein granted to the said GRANTEE; and GRANTEE hereby agrees to pay any damages which may arise to crops, pasturage, fences or buildings of said GRANTORS from the exercise of the rights herein granted. GRANTEE shall have the right to change the size of its pipes, the damages, if any, in making such change to be paid by the said GRANTEE. GRANTORS agree not to build, create or construct any obstruction, engineering works or other

300
Kiplan, J. M. Miller
via N. Parker 67.00

structure over said pipeline or pipe lines nor permit same to be done by others except as shown by attached Exhibit "A".

Any pipe line or lines or other appurtenances constructed by GRANTEE across lands under cultivation shall at the time of construction thereof, be buried to such depth as will not interfere with such cultivation, and shall be within the easement shown on attached Exhibits and shall be buried beneath the drainage right-of-way shown on Exhibit "A".

This Right of Way Agreement may be assigned by GRANTEE, its successors and assigns, in whole or in part, vesting in any other person, firm or corporation the ownership of one or more pipe lines or an undivided interest therein and/or communication lines, with full rights of ingress and egress for the maintenance, repair, operation, replacement and removal thereof.

Building setbacks and restrictions shall be as indicated by Exhibit "A" and the legend thereon pertaining to said right-of-way shall govern as if set forth herein in full.

As additional consideration, GRANTEE does hereby release, relinquish and surrender all of its right, title and interest in and under and by virtue of that certain Right of Way Agreement dated December 14, 1928, recorded in Book 61 Miscellaneous, Page 31, filed January 22, 1929 in the office of Register of Deeds, Sedgwick County, Kansas, between J. F. Gsell, as Grantor and the Marland Pipe Line Company, now Continental Pipe Line Company, Grantee, insofar and only insofar as said right of way affects the following described land, to-wit:

A tract of land in Platted "NORTHBOROUGH", an addition to Wichita, Sedgwick County, Kansas, and more particularly described as follows:

Government Lot 1 in the NW/4 and the E/2 of NW/4 and Government Lot 2 in the NW/4 except the south 1017 feet of said Lot 2, all in Section 7, T27S, R2E of the 6th P.M. Sedgwick County, Kansas.

The terms, conditions and provisions hereof shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

WITNESS the execution hereof the 5th day of July, 1977.

Theodore Gore
THEODORE GORE

Robert M. Beren
ROBERT M. BEREN

Theodore J. Leben
THEODORE LEBEN

GRANTORS

ATTEST:

Jim W. Nelson

CONTINENTAL PIPE LINE COMPANY, a Delaware Corporation

BY: N. B. Mauris
N. B. MAURIS

Jim W. Nelson
2/11/77
JWN

KENNETH O. TAYLOR
 Consulting Engineer
 1542 South St. Francis
 Wichita, Kansas 67211

RESTRICTED EASEMENT IN BLOCK 1

20
 Beginning at a point on the south line of Lot 1, Block 1, Northborough, an Addition to Wichita, Sedgwick County, Kansas, said point being 75 feet east of the west line of the NW $\frac{1}{4}$ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas; thence $S0^{\circ}04'W$ parallel to and 75 feet east of the west line of said NW $\frac{1}{4}$, 600 feet to a point, said point being also 875 feet south of the north line of said NW $\frac{1}{4}$; thence southeasterly to a point 80 feet east of the west line and 925 feet south of the north line of said NW $\frac{1}{4}$; thence $S0^{\circ}04'W$ parallel to and 80 feet east of the west line of said NW $\frac{1}{4}$, 623.95 feet to the P.C. of a curve; thence southeasterly on a curve to the left having a radius of 30 feet and a deflection angle of $90^{\circ}12'$, a distance of 47.23 feet to the P.T. of said curve, said P.T. being 20 feet north of the south line of Lot 3, Block 1 in said Northborough; thence $N89^{\circ}52'E$ parallel to the south line of said NW $\frac{1}{4}$, 806.34 feet to the north line of Rockhill Lane as platted in said Northborough; thence southwesterly and westerly on the north line of said Rockhill Lane 858.92 feet to the SW corner of Lot 3, Block 1 in said Northborough; thence north on the west line of Lots 3 and 2, Block 1 in said Northborough to the SW corner of Lot 1, Block 1 in said Northborough; thence east 3.75 feet to the point of beginning.

CONTINENTAL PIPE LINE COMPANY EASEMENT IN BLOCK 1

15
 Beginning at a point on the west line of Lot 1, Block 1, Northborough, an Addition to Wichita, Sedgwick County, Kansas 150 feet south of the NW corner of said Lot 1, Block 1; thence southeasterly to a point on the south line of said Lot 1, Block 1, said point being 90 feet east of the west line of the NW $\frac{1}{4}$ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas; thence $S0^{\circ}04'W$ parallel to and 90 feet east of the west line of said NW $\frac{1}{4}$, 600 feet; thence southeasterly to a point 95 feet east of the west line and 925 feet south of the north line of said NW $\frac{1}{4}$; thence $S0^{\circ}04'W$ parallel to and



EXHIBIT "B"

95 feet east of the west line of said NW ¼, 623.98 feet to the P.C. of a curve; thence southeasterly on a curve to the left having a radius of 15 feet and a deflection angle of 90°12', a distance of 23.61 feet to the P.T. of said curve, said P.T. being 35 feet north of the south line of Lot 3, Block 1 in said Northborough; thence N89°52'E parallel to the south line of said NW ¼, 839.93 feet to the north line of Rockhill Lane as platted in said Northborough; thence southwesterly and westerly on the north line of said Rockhill Lane, 895.74 feet to the SW corner of Lot 3, Block 1 in said Northborough; thence north on the west line of Lots 3, 2 and 1, Block 1 to the point of beginning.

SETBACK LINE IN BLOCK 1

Beginning at a point on the west line of Lot 1, Block 1, Northborough, an Addition to Wichita, Sedgwick County, Kansas, 120 feet south of the NW corner of said Lot 1, Block 1; thence southeasterly to a point 45 feet north of the south line of said Lot 1, Block 1 and 120 feet east of the west line of the NW ¼ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas; thence S0°04'W parallel to and 120 feet east of the west line of said NW ¼, 645 feet; thence southeasterly to a point 125 feet east of the west line and 925 feet south of the north line of said NW ¼; thence S0°04'W parallel to and 125 feet east of the west line of said NW ¼, 608.95 feet to a point 65 feet north of the south line of Lot 3, Block 1 in said Northborough; thence N89°52'E parallel to the south line of said NW ¼, 871.79 feet to the northerly and westerly right of way line of Rockhill Lane and Bramblewood as platted in said Northborough; thence southwesterly and west along said right of way line, 951.50 feet to the SW corner of Lot 3, Block 1 in said Northborough; thence north along the west line of Lots 3, 2 and 1, Block 1 in said Northborough to the point of beginning.

CONTINENTAL PIPE LINE COMPANY EASEMENT (RESTRICTED) IN BLOCK 3

That part of Lot 1, Block 3 in Northborough, an Addition to Wichita, Sedgwick County, Kansas lying south of a line 1082 feet north of the south line of the NW ¼ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas.

SETBACK LINE IN BLOCK 3

That part of Lot 1, Block 3 in Northborough, an

5.25'

KENNETH O. TAYLOR
LICENSED
1853
KANSAS
Surveyor
Feb. 18, 1977

Addition to Wichita, Sedgwick County, Kansas lying south of a line 1122 feet north of the south line of the NW $\frac{1}{4}$ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas.

CONTINENTAL PIPE LINE COMPANY EASEMENT, BLOCK 5 AND 6 AND DRAINAGE RIGHT OF WAY

A strip of land 40 feet in width, 20 feet on either side of the following described center line: Commencing at the SE corner of the NW $\frac{1}{4}$ of Section 7, T27S, R2E of the 6th P.M., Sedgwick County, Kansas; thence $N0^{\circ}20'29''W$ along the east line of said NW $\frac{1}{4}$, 562 feet to the SE corner of Northborough, an Addition to Wichita, Sedgwick County, Kansas; thence $S89^{\circ}52'W$ parallel to the south line of said NW $\frac{1}{4}$ and along the south line of said Northborough, 459.60 feet to a point of beginning; thence $N35^{\circ}58'W$, 600 feet to the P.C. of a curve; thence northwesterly on a curve to the left having a radius of 70 feet to the north line of Block 5 in said Northborough.



Kenneth O. Taylor
Feb. 8, 1977

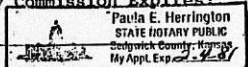
STATE OF KANSAS
COUNTY OF SEDGWICK

Be it remembered that on this 5th day of July, 1977, before me, a notary public in and for said state, personally appeared THEODORE GORE, personally known to me and known to me to be the same person who executed the foregoing instrument, and such person duly acknowledged the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year above written.

Paula E. Herrington
Notary Public

My Commission Expires:



STATE OF KANSAS
COUNTY OF BUTLER

Be it remembered that on this 5th day of July, 1977, before me, a notary public in and for said state, personally appeared ROBERT M. BEREN, personally known to me and known to me to be the same person who executed the foregoing instrument, and such person duly acknowledged the execution of the same.

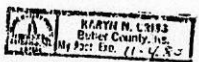
In witness whereof, I have hereunto set my hand and affixed my official seal the day and year above written.



Larry N. Criss
Notary Public

My Commission Expires:

November 4, 1980



STATE OF KANSAS
COUNTY OF SEDGWICK

Be it remembered that on this 5th day of July, 1977, before me, a notary public in and for said state, personally appeared THEODORE LEBEN, personally known to me and known to me to be the same person who executed the foregoing instrument, and such person duly acknowledged the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year above written.

Arlene E. Schroer
Notary Public

My Commission Expires:

ARLENE E. SCHROER
STATE NOTARY PUBLIC
Sed. Wick County, Kansas
My Commission Expires
Aug. 5, 1978.

STATE OF TEXAS)
COUNTY OF HARRIS) ss.

Be it remembered that on this 13th day of June, 1977, before me, a notary public in and for said state, personally appeared N. B. Mavis, President of CONTINENTAL PIPE LINE COMPANY, a Delaware corporation, who is personally known to me and known to me to be the President of said corporation, and the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year above written.



Karen E. Hugo
Notary Public in and for
Harris County, T E X A S
KAREN E. HUGO

My Commission Expires:
March 23, 1978

November 25, 1985

Mr. Don Miller
Director of Access and Regulations
Continental Pipe Line Company
P. O. Drawer 1267
Ponca City, Oklahoma 74603

RE: DP-67 - Amendment to Northborough C.U.P. Located South of 21st Street
North and East of Woodlawn in Wichita, Kansas.

Dear Mr. Miller:

We are reviewing a request for an amendment to the above-referenced development plan. The amendment affects only Parcels 4, 5, 6 and 7. Replatting of these parcels will be required. Since you have a pipeline going through this property, we wanted you to be aware of their proposal for development.

If you have any comments about the location of this pipeline, setbacks from it, street and utility crossings, etc., please let me know at your earliest convenience.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

enclosures: CUP & general provisions

Carl Sigson of
Engineering called
11-27-85 with response
to DP-67 amendment.

They want Traffic
Engineering to comment
on street needs.

They advise that this
redevelopment will
require the drainage to
be re-studied by the
developer. They have
no revised drainage
info to comment on at
this point.

L.O.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: November 20, 1985

TO: Mike Lindebak, City Engineer & Interim Director of Planning
Bill McKinley, Traffic Engineer

FROM: Louise Olivarez, Senior Planner

SUBJECT: DP-67 - Northborough C.U.P. Amendment.

Attached for your review is a print of the proposed amendment to the Northborough C.U.P. located at the southeast corner of 21st Street North and Woodlawn. Also attached is a copy of the proposed text for the General Provisions and parcel descriptions. Only Parcels 4, 5, 6 and 7 are being amended. A rezoning application has been filed in conjunction with this amendment. Parcel 4 is proposed for "BB" zoning; Parcel 5 for "LC"; and Parcel 6 for "B". Parcel 7 will remain "R-5".

I would appreciate any comments you may have especially as they may concern drainage and traffic. I will be providing the applicant with our comments no later than December 2, 1985.

Louise Olivarez
Senior Planner

LO/blw

cc: Monty H. Robson, Superintendent of Central Inspection

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

DP 67 Amendment #1

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

1. Name of applicant or applicants and/or their agent or agents.

- A. APPLICANT Theodore Leben et al ✓
 ADDRESS ^{105 S. Broadway Suite 640} 640 Broadway Plaza Building Zip Code 67202 PHONE 264-2375
 AGENT Robert W. Kaplan, attorney ✓
 ADDRESS 430 North Market Zip Code 67202 PHONE 262-5175
- B. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____
- C. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 Engineer _____
 AGENT P.E.C., P.A. Attn: Gary Wiley ✓
 ADDRESS 1440 East English Zip Code 67211 PHONE 262-2691

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

2. A. The applicant hereby requests approval (amendment) (circle appropriate word) of a Community Unit Plan on property zoned LC-BB-B-R5 ^{RS and B, BB, and LCA} *proposed* and legally described as Lot(s) ALL LOTS WITHIN Block(s) 2, 3, 4, 5, & 6 of the _____ Northborough _____ Addition, Wichita, Sedgwick Co., Ks.

amendment of parcels 4, 5, 6, 7

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

SUPERSEDED
See amendment which affected Parcel 6 only.

- B. There are 60.967 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 5949D Zoning (N) AA (S) AA (E) RS (W) LC+BB MAPC 1986
w/cup BB(w/cup) (w/cup) Revised 9/85

T9-330-3

2008

- South of 21st St. North and east of Bramblewood*
3. The general location is (USE APPROPRIATE SECTION):
- A. At the Southeast corner of Bramblewood and 21st Street, OR
- B. On the _____ side of _____ (Ave.) Street between _____ (Ave.) Street and _____ (Ave.) Street.

4. WE 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; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

 APPLICANT'S SIGNATURE
 Theodore Leben

BY *Robert W. Kaplan*
 AUTHORIZED AGENT (IF ANY)
 Robert W. Kaplan

 APPLICANT'S SIGNATURE

BY _____
 AUTHORIZED AGENT (IF ANY)

 APPLICANT'S SIGNATURE

BY _____
 AUTHORIZED AGENT (IF ANY)

 OFFICE USE ONLY

This application was received at the Planning Department at _____ (AM, PM) on 11-20-85 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 500⁰⁰.

Louise Olving Name
S. Plumer Title

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1 & part of Lot 2 described: Beginning at the Northwesterly corner of said Lot 2, and on the East Right of Way line of Woodlawn Avenue; thence 203.75 feet on a bearing of North 90° 00' 00" East to the South- east corner of said lot 1, thence 127.11 feet on a bearing of South 00° 04' 00" West and along the extended East line of said Lot 1, thence 215.00 feet on a bearing of North 90° 00' 00" West to said East Right of Way line of Woodlawn Avenue; thence 52.12 feet on a bearing of North 00° 04' 00" East and along said East Right of Way line of Woodlawn Avenue; thence 75.84 feet on a bearing of North 08° 35' 46" East along said East Right of Way line of Woodlawn Avenue to the point of Beginning.	1	Northborough	✓ Wichita State Bank 711 W. Douglas Wichita, Kansas 67213
Lot 2, except previously described portion, Block 1		"	Brittany Development Company ✓ 200 Fourth Financial Center Wichita, Kansas 67202
Lot 3	1	"	same as above
<i>application area</i> Lot 1	2	"	T.J. Land & Cattle Co. c/o Theodore Leben ✓ 640 Broadway Plaza Building Wichita, Kansas 67202 Theodore Gore ✓ 125 N. Market Suite 1750 Wichita, Kansas 67202 Robert M. Beren ✓ 573 N. Armour St. Wichita, Kansas 67206 Mid Kansas Jewish Welfare ✓ Federation, Inc. 400 N. Woodlawn Suite 22 Wichita, Kansas 67208
<i>app area</i> Lot 1	3	"	same as above

Lot	Block	Addition	Property Owner
<i>Application above</i> Lots 1 through 14, 4 inclusive Lots 1 through 43, 5 inclusive Lots 1 through 26, 6 inclusive & Reserve A		Northborough	Theodore Gore 125 N. Market Suite 1750 Wichita, Kansas 67202
			Robert M. Beren 573 N. Armour St. Wichita, Kansas 67206
			T.J. Land & Cattle Co. c/o Theodore Leben 640 Broadway Plaza Building Wichita, Kansas 67202
	1	Hebrew Congregation Addition	The Hebrew Congregation of Wichita 1850 N. Woodlawn Blvd. Wichita, Kansas 67208
Lot 1	1	Chelsea Estates	Hung-Yuam Tu Fu-Chiu Tu 1955 Tallyrand Wichita, Kansas 67206
Lot 2	1	"	Sproul Construction Co. Inc 6200 E. Central Rm 5 Wichita, Kansas 67208
Lot 3	1	"	Edward N. & Gay Gladding 7238 Chadowes St. Wichita, Kansas 67206
		"	Richard J. & Carol J. Koll 7226 Chadowes Wichita, Kansas 67208
		"	Bill Bachman & Associates Inc. 1901 W. 13th St. Wichita, Kansas 67203
		"	same as above
		"	Sproul Construction Co. Inc. 6200 E. Central Rm 5 Wichita, Kansas 67208

Brenda -
do not type these
names for the
legals which are
highlighted in
yellow as there is
an addendum to this
list which gives
new owners of these
highlighted lots.
addendum is attached.

Lot	Block	Addition	Property Owner
<i>Application Area</i> Lots 1 through 14, 4 inclusive Lots 1 through 43, 5 inclusive Lots 1 through 26, 6 inclusive & Reserve A		Northborough	Theodore Gore 125 N. Market Suite 1750 Wichita, Kansas 67202
			Robert M. Beren 573 N. Armour St. Wichita, Kansas 67206
			T.J. Land & Cattle Co. c/o Theodore Leben 640 Broadway Plaza Building Wichita, Kansas 67202
	1	Hebrew Congregation Addition	The Hebrew Congregation of Wichita 1850 N. Woodlawn Blvd. Wichita, Kansas 67208
Lot 1	1	Chelsea Estates	Hung-Yuam Tu Fu-Chiu Tu 1955 Tallyrand Wichita, Kansas 67206
Lot 2	1	"	Sproul Construction Co. Inc 6200 E. Central Rm 5 Wichita, Kansas 67208
Lot 3	1	"	Edward N. & Gay Gladding 7238 Chadowes St. Wichita, Kansas 67206
Lot 4	1	"	Richard J. & Carol J. Koll 7226 Chadowes Wichita, Kansas 67208
Lot 5	1	"	Bill Bachman & Associates Inc. 1901 W. 13th St. Wichita, Kansas 67203
Lots 6,7&8	1	"	same as above
Lots 9&10	1	"	Sproul Construction Co. Inc. 6200 E. Central Rm 5 Wichita, Kansas 67208

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 11	1	Chelsea Estates	Wm. P. Veatch Co. Inc. ✓ 1046 N. Stratford Wichita, Kansas 67206
Lot 12	1	"	M. N. Gohil, M.D., PA ✓ Profit Sharing Plan & Pension Plan Trust 1823 Rutland Rd. Wichita, Kansas 67206
Lots 13,14& 15	1	"	Amarado Investment Co. Inc. ✓ 216 S. Market Wichita, Kansas 67202
Lots 16,17&18	1	"	same as above
Lot 19	1	"	Tony B. & Karen Lewallen Sumler 1509 N. Broadview Wichita, Kansas 67208
			Walter L. & Jackie J. Sharp ✓ 2304 Star Augusta, Kansas 67010
Lot 20	1	"	Mahendra N. & Rashmi Bala M. Gohil ✓ 1823 Rutland Rd. Wichita, Kansas 67206
Lots 21,22&23	1	"	C & V Developers 520 S. Holland Wichita, Kansas 67209
Lot 24	1	"	Olander Construction Co. Inc. 314 Rutland Rd. Wichita, Kansas 67206
Lot 25	1	"	Amarado Investment Co. Inc. ok 216 S. Market Wichita, Kansas 67202
Lots 26&27	1	"	Jeffrey L. & Betty L. Krehbiel ✓ 7223 E. 17th Wichita, Kansas 67206
Lot 28	1	"	Richard B. Kraybill ✓ 7231 E. 17th 67206
Lot 29	1	"	Alfred A. Caro ✓ 1559 Willow Rd. Wichita, Kansas 67208

Lot	Block	Addition	Property Owner
Lot 1	2	Chelsea Estates	Wm. P. Veatch Co. 1046 N. Stratford Wichita, Kansas 67206 OK
Lot 2	2	"	David M. & Julie A. Anderson ✓ 482 S. Elypco Wichita, Kansas 67218
Lot 3	2	"	Tasheff Co., Inc. 918 Shadyway Wichita, Kansas 67203
Lot 4	2	"	Wm. P. Veatch Co. Inc 1046 N. Stratford Wichita, Kansas 67206 OK
Lot 5	2	"	same as above
Lot 6	2	"	Lawrence J. & Shirley C. Hageron ✓ 7115 Chadowes Wichita, Kansas 67206
Lot 7	2	"	Bill Bachman & Assoc. inc. OK 1901 W. 13th Wichita, Kansas 67203
Lots 8&9	2	"	Wm. P. Veatch Co. Inc. OK 1046 N. Stratford Wichita, Kansas 67206
Lot 10	2	"	Gerald H. & Judith A. Siemens ✓ 1411 Colorado-Derby Bldg. Wichita, Kansas 67202
Lot 11	2	"	same as above
Lot 12	2	"	Robert G. Perry 8833 W. Douglas Wichita, Kansas 67209
Lot 13	2	"	Baker Construction Inc. ✓ 7224 Rockhill Wichita, Kansas 67206
Lot 14	2	"	Ronald K. & Janet L. Badger 4630 E. Mt. Vernon Wichita, Kansas 67218
Lot 1	3	"	Ronald E. & Theresa A. Larsen 4420 Laclede Ave. Wichita, Kansas 67217
Lot 2	3	"	Philip R. & Susan K. Smith ✓ 7223 Rockhill Wichita, Kansas 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 3	3	Chelsea Estates	Robert R. & Jane A. Sweatt ✓ 7213 Rockhill Wichita, Kansas 67206
Lot 4	3	"	Hartman Homes Inc. 6200 E. Central Wichita, Kansas 67208
Lot 5	3	"	Tasheft Co. Inc. 918 Shadyway wichita, Kansas 67203
Lot 6	3	"	Macon Development Co. Inc 566 S. Oliver Wichita, Kansas 67218
Lot 7	3	"	James A. & Susan W. Hatfield ✓ 7103 Rockhill Wichita, Kansas 67206
Lot 8	3	"	Wm. P. Veatch Co. Inc. 1046 N. Stratford Wichita, Kansas 67206
Lot 9	3	"	Arnold D. & Paula S. Gray ✓ 7116 Chelsea Wichita, Kansas 67208
Lot 10	3	"	Reiland Construction Co. 602 Rutland Wichita, Kansas 67206
Lot 11	3	"	Olander Construction Co. Inc. ok 314 Rutland Wichita, Kansas 67206
Lot 12	3	"	Mid Kansas Federal Savings & Loan Assoc. 230 S. Market Wichita, Kansas 67202
Lot 13	3	"	Harold P. & Thelma M. Allen ✓ 905 Rita St. Wichita, Kansas 67213
Lot 14	3	"	Latif Buckridan Mary Lou Buckridan 7232 Chelsea Wichita, Kansas 67208
Lot 1	4	"	Bill O. Suhm Co. ✓ dba Boss Construction 14602 Willowbend Ct Wichita, Kansas 67230

Lot	Block	Addition	Property Owner
Lot 2	4	Chelsea Estates	Berniece Watson 8017 E. Douglas Wichita, Kansas 67207
Lot 3	4	"	Robert G. & Linda D. Dietz 714 N. Yale Wichita, Kansas 67208
Lot 4	4	"	Amarado Investment Co. Inc. 216 S. Market Wichita, Kansas 67202
Lot 5&6	4	"	Tasheff Co., Inc. 918 Shadyway Wichita, Kansas 67203
Lot 7	4	"	Allen D. & Jan Marie Gerber ✓ 2243 Bramblewood Apt. 1304 Wichita, Kansas 67226
Lot 8	4	"	Phillip D. & Marion A. Thomas 2683 N. Pershing Wichita, Kansas 67220
Lot 9	4	"	William A. & Patricia G. MacPherson 451 N. Bluff Wichita, Kansas 67208
Lot 10	4	"	Gracie A. MacPherson c/o Jane E. MacPherson 319 S. Oliver Wichita, Kansas 67218
Lot 11	4	"	Donald G. & Helen L. Grunke ✓ 27 High Point Rd. Valley Center, Kansas 67147
Lot 12	4	"	Shawky N. F. & Jeanette Z. Habashy ✓ 7212 E. 17th St. Wichita, Kansas 67206
Lot 13	4	"	✓ Elizabeth Taylor Ibarra 7224 E. 17th St. Wichita, Kansas 67206
Lot 14	4	"	dc Wm. P. Veatch Co. Inc. 1046 N. Stratford Wichita, Kansas 67206

Lot	Block	Addition	Property Owner
Lot 2	5	Chelsea Estates	OK Sproul Construction Co. Inc. 6200 E. Central Rm 5 Wichita, Kansas 67208
Lot 3	5	"	same as above
Lot 4	5	"	Mark Ellingson Joan F. Ellingson 1922 Tallyrand Wichita, Kansas 67206
Lot 5	5	"	V.L. Wegner ✓ V.L. Wegner 1912 Tallyrand Wichita, Kansas 67206
Lot 6	5	"	Jack & Kathleen ✓ Poling 1906 Tallyrand Wichita, Kansas 67206
Lot 7	5	"	OK Sproul Construction Co. Inc. 6200 E. Central Rm 5 Wichita, Kansas 67208
Lot 8	5	"	same as above
Lot 9	5	"	Mark T. & Barbara A. Willoughby 1824 Tallyrand Wichita, Kansas 67206
Lot 1	1	Chelsea Square Second	✓ Sheffield Company P.O. Box 2079 Wichita, Kansas 67201
Unit 101 & 103	-	Chelsea Square, a Condominium	same as above
Unit 102	Building 1	"	✓ Patrick K. Cantwell 6602 E. Harry Apt. 801 Wichita, Kansas 67207
Unit 104	Building 1	"	✓ Stephen L. Zacker 2021 Broadmoor #104 Wichita, Kansas 67206
Unit 201 Unit 202 Unit 203	Building 2	"	Sheffield Company Box 2079 Wichita, Kansas 67201
Unit 401 Unit 402 Unit 403	Building 4	"	same as above
Unit 404	Building 4	"	John Blake Morris Hope K. Morris 2021 N. Broadmoor #404 Wichita, Kansas

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Unit 501 & 503	Building 5	Chelsea Square, a Condominium	Sheffield Company Box 2079 Wichita, Kansas 67201
Unit 502	Building 5	"	Christine P. Davis 2021 Broadmoor #502 Wichita, Kansas 67206 ✓
Unit 504	Building 5	"	William M. Raymond 2021 Broadmoor #504 Wichita, Kansas 67206 ✓
Unit 601	Building 6	"	David P. Silhan 2021 N. Broadmoor #601 Wichita, Kansas 67206 ✓
Unit 602	Building 6	"	Richard A. Schweninger 2021 N. Broadmoor #602 Wichita, Kansas 67206 ✓
Unit 603	Building 6	"	Michael M. Seiwert 2021 N. Broadmoor #603 Wichita, Kansas 67206 ✓
Unit 604 & 605	Building 6	"	Sheffield Company Box 2079 Wichita, Kansas 67201
Unit 606	Building 6	"	Beth Ann Morrison 2021 N. Broadmoor #606 Wichita, Kansas 67206 ✓

Lot 1	Block 1	Sheffield Place Addition	Blanche V. Stevens 2025 N. Broadmoor Wichita, Kansas 67206
Lot 2	1	"	Peggy L. Witter 2025 N. Broadmoor #183 Wichita, Kansas 67206 ✓
Lot 3	1	"	Howard D. & Ellen F. Nellis 914 Armour Dr. Wichita, Kansas 67207 ✓
Lot 4	1	"	John M. O'Day 2025 N. Broadmoor #181 Wichita, Kansas 67207
Lot 1	3	"	Arthur D. & Palmina C. Weigand 2025 N. Broadmoor #175 Wichita, Kansas 67206 ✓

***The Reserves & common areas lying within Chelsea Square are owned by all the owners of the units located within Chelsea Square. Only the owners of units within a 1000 foot radius of the description set out in the certificate are listed here.

Lot	Block	Addition	Property Owner
Lot 2	3	Sheffield Place	Robert M. & Darlene J. Harris ✓ 2025 N. Broadmoor #174 Wichita, Kansas 67206
Lot 3	3	"	Vernon L. & Dessie Oliver James ✓ 2025 N. Broadmoor #173 Wichita, Kansas 67206
Lot 4	3	"	George W. & E.M. Wood 2025 N. Broadmoor #172 Wichita, Kansas 67206
Lot 5	3	"	Billie J. Hyatt ✓ 2025 N. Broadmoor #171 Wichita, Kansas 67206
East 26 feet lot 4 & lot 5, except east 39 feet	3	McEwen 7th Addition	Darrel M. & Elsie B. Myers ✓ 6510 Farmview Lane Wichita, Kansas 67206
East 39 feet of lot 5, & west 34 feet of lot 6	3	"	Lu L. Stein ✓ 6514 Farmview Wichita, Kansas 67206
Lot 6, except west 34 feet & west 18 feet of lot 7	3	"	Jay W. & Gertrude L. McLeod ✓ 6516 Farmview Lane Wichita, Kansas 67206
Lot 7, except west 18 feet	3	"	James R. & Nurena Jo Maxwell ✓ 6520 Farmview Lane Wichita, Kansas 67206
Lot 1	1	McEwen 8th Addition	Wayne M. & Martha P. Adrian ✓ 6600 Farmview Lane Wichita, Kansas 67206
Lot 2	1	"	Walter B. Hanks, Jr. Johanna M. Hanks ✓ 6614 Farmview Lane Wichita, Kansas 67206
Lot 3	1	"	Philip D. & Constance L. Turner ✓ 849 Greenway Ct. Derby, Kansas 67037
			Burris C. & Phyllis C. Crawford ✓ 805 N. Mission Wichita, Kansas 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 4	1	McEwen 8th Addition	Warren R. & Helen V. Barrett ✓ 6700 Farmview Lane Wichita, Kansas 67206
Lot 5	1	"	Charles G. & Agnes W. DuPont ✓ 6716 Farmview Lane Wichita, Kansas 67206
Lot 1	2	"	Harold L. & Barbara A. Walter ✓ 6601 Farmview Lane Wichita, Kansas 67206
Lot 2	2	"	James A. & Marilyn K. Monk ✓ 6615 Farmview Lane Wichita, Kansas 67206
Lot 3	2	"	Daniel J. & Elaine D. Bernstorf ✓ 6621 Farmview Lane Wichita, Kansas 67206
Lot 1	3	"	Richard L. & Yukiko Hendrich ✓ 6701 Farmview Lane Wichita, Kansas 67206
Lot 2	3	"	Glen D. & R. Eileen Dolton ✓ 6657 Aberdeen Wichita, Kansas 67206
Lot 15	3	"	Diodato R. & Helen Ruth Bezzi ✓ 1663 Glasgow Wichita, Kansas 67206
Lot 16	3	"	Mary K. Langford ✓ 6729 Farmview Lane Wichita, Kansas 67206
Lot 1	A	McEwen 9th Addition	Alice V. Markley ✓ 6800 Farmview Lane Wichita, Kansas 67206
Lot 2	A	"	John J. & Judy L. Marstall ✓ 6808 Farmview Lane Wichita, Kansas 67206
Lot 3	A	"	Eugene F. & Virginia M. Carbiener ✓ 6814 Farmview Lane Wichita, Kansas 67206

Lot	Block	Addition	Property Owner
Lot 4	A	McEwen 9th Addition	Donovan F. & Ila Clark Boorman ✓ 6820 Farmview Lane Wichita, Kansas 67206
Lot 5	A	"	✓ Charles E. & Josephine M. Leonard 6828 Farmview Lane Wichita, Kansas 67206
Lot 6	A	"	✓ Barbara S. Davis 6832 Farmview Lane wichita, Kansas 67206
Lot 7	A	"	Pete M. Christy, Jr. Millie J. Christy 6838 Farmview Lane Wichita, Kansas 67206
Lot 8	A	"	✓ John H. & Joyce A. Bradbury 6842 Farmview Lane Wichita, Kansas 67206
Lot 9	A	"	✓ C.W. Womack, Jr. Carol Ann Womack 6850 Farmview Lane Wichita, Kansas 67206
Lot 1	B	"	✓ David E. & Carolyn P. Denver 1686 Glasgow Wichita, Kansas 67206
Lot 2	B	"	✓ Max E. & Nina M. Eberhart 1678 Glasgow Wichita, Kansas 67206
Lot 13	B	"	✓ Robert A. & Mary J. Jacques 1641 Culen Wichita, Kansas 67206
Lot 14	B	"	✓ Max L. & Nellie Ann Mason 1649 Culen Wichita, Kansas 67206
Lot 1	C	"	✓ Douglas E. & Ruth E. Elder 1642 Culen Wichita, Kansas 67206
Lot 2	C	"	✓ Virgil L. & Mary B. Rhea 6841 Farmview Lane Wichita, Kansas 67206

Lot	Block	Addition	Property Owner
Unit 6908	Building A	Farmview Residences	B-V Rentals
Unit 6910			✓ 1220 Burning Tree Dr.
Unit 6916			Wichita, Kansas
Unit 6918			67230
Unit 7004	Building C	"	Terry L. & Martha Susa ✓ Pullman 1005 N. Market Wichita, Kansas 67211
Unit 7006	Building C	"	✓ John L. & Mary Ellen Schwieger 7006 Farmview Lane Wichita, Kansas 67206
Unit 7012	Building D	"	Catherine A. Staley 7012 Farmview Lane Wichita, Kansas 67206
Unit 7014	Building D	"	Stephen L. & Vicki L. Hull 7014 Farmview Lane Wichita, Kansas 67206
Unit 7032	Building E	"	B-V Rentals
Unit 7034			ok 1220 Burning Tree Dr. Wichita, Kansas 67230
Unit 7042	Building F	"	Eugene E. & Dorothy M. Kaufman
Unit 7044			✓ 204 N. Roosevelt Wichita, Kansas 67208
*** Lot 3	Block 2	Rockhurst 6th Addition	Robert E. & Donna M. Peters 1106 N. Armour St. Wichita, Kansas 67206
			✓ Kenneth C. & Johanna K. Peters 1410 Stratford Wichita, Kansas 67206
Lot 4	2	"	Same as above
Lot 5	2	"	Dennis E. & Karen S. McGowan ✓ 6921 Farmview Lane Wichita, Kansas 67206
Lot 6	2	"	Joseph N. Berns ✓ 1648 Lawrence Lane Wichita, Kansas 67206
Lot 10	2	"	same as above

***The common area in Farmview Residences is owned jointly by the individual apartment owners, each with an undivided interest in and to said common area. Common area is described as all land covered by the Declaration of Condominium except that portion thereof on which the buildings that contain the apartments are built.

Lot	Block	Addition	Property Owner
Lot 11	2	Rockhurst 6th Addition	Joseph N. Berns 1648 Lawrence Lane Wichita, Kansas 67206
Lot 12	2	"	Mary A. Driver 251 N. Armour Wichita, Kansas 67206
Lot 13	2	"	✓ Gloria Halifax Tilford 1725 Gouverneur Wichita, Kansas 67207
Lot 5	1	GPS 3rd Addition	✓ Burger King Limited Partnership I P.O. Box 520783 Gen. Del. Miami, Florida 33152
Lot 1		Plaza Twenty-one 2nd Addition	Falley's Inc. 3120 S. Kansas Topeka, Kansas 66611
Reserve H		Comotara 1st Addition	✓ Country Lake Homeowners Association Inc. 6500 E. 21st St. Apt 24 Wichita, Kansas 67226
Lot 1	H	"	✓ Bradley K. & Dorothy J. Brownlee 6905 Newbury Circle Wichita, Kansas 67220

Part of Lot 2 described:

Beginning at the northeast corner of Lot 2, thence southerly along the east line of lot 2, 67.66 feet, thence northerly 67.8 feet to a point on the north line of lot 2, said point being 4 feet west of northeast corner of lot 2, thence east along the north line of Lot 2, 4 feet to point of beginning, Block H

Lot 3, except Beginning on the west line, said point being 67.66 feet southerly of the northwest corner thereof, thence southerly along the west line said lot 65.58 feet to the southwest corner thereof, thence east along the south line said Lot 3, 4 feet, thence Northerly 64.45 feet to the point of beginning, Block H, Comotara 1st Addition.

Lot 2, except beginning at the northeast corner, thence southerly along the east line Lot 2, 67.66 feet thence northerly 67.8 feet to a point on the north line lot 2, said point being 4 feet west of the northeast corner of lot 2, thence east along north line lot 2, being 4 feet west of the northeast corner lot 2, thence east along north line of lot 2, 4 feet to point of beginning. &

"
q ✓ Donald W. Wilson
6923 Newbury Circle
Wichita, Kansas
67206

✓ Linda J. Barnett
105 Mathewson Avenue
Wichita, Kansas
67214

same as above

✓ John W. & Donna M.
Breen
6913 Newbury Circle
Wichita, Kansas
67220

Lot	Block	Addition	Property Owner
Part of Lot 3 described: Beginning a point on the west line said lot, said point being 67.66 feet southerly of the northwest corner thereof, thence southerly along west line said lot 65.58 feet to southwest corner thereof, thence east along south line of Lot 3, 4 feet, thence northerly 64.45 feet to point of beginning, Block H, Comotara 1st Addition.			John W. & Donna M. Breen 6913 Newbury Circle Wichita, Kansas 67220
Lot 4	H	Comotara 1st Addition	B. Earl Adamy, Jr. 407 N. Mission Wichita, Kansas 67206
Lot 5	H	"	Richard S. & Patrice D. Clevenger 6943 Newbury Circle Wichita, Kansas 67220
Lot 6	H	"	B. Edd & Cheryl L. Rogers 6953 Newbury Circle Wichita, Kansas 67220
Lot 7	H	"	Robert James Hagadorn, Jr. Olga Hagadorn 6963 Newbury Circle Wichita, Kansas 67220
Lot 8	H	"	Calip E. & Nancy J. Harper 6962 Newbury Circle Wichita, Kansas 67220
Lot 9	H	"	Lawrence N. & Margaret A. Golding 6952 Newbury Circle Wichita, Kansas 67220
Lot 10	H	"	Eddy L. & Maria C. Jones 6942 Newbury Circle Wichita, Kansas 67220
Lot 11	H	"	Richard D. & Kay J. Kutlas 6930 Newbury Circle Wichita, Kansas 67220
Lot 12	H	"	Larry A. & Polly Ritchie Klenda 6918 Newbury Circle Wichita, Kansas 67220
Lot 13	H	"	Eugene P. Friedman 6906 Newbury Circle Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Lot 1	I	Comotara 1st Addition	Donald I. J. Muck June F. Muck 6805 Trinity Circle Wichita, Kansas 67220
Lot 2	I	"	John William & Shirley Ann Brownfield 6815 Trinity Circle Wichita, Kansas 67220
Lot 3	I	"	Patrick G. & Jalene C. McFadden ✓ 6823 Trinity Circle Wichita, Kansas 67220
Lot 4	I	"	Meryl M. & Joan M. Bertrand ✓ 6731 Trinity Circle Wichita, Kansas 67220
Lot 5	I	"	Nathan R. & Lisa L. Studtmann 6839 Trinity Circle Wichita, Kansas 67220
Lot 6	I	"	Joseph H. & Jennie L. Schwab 1440 N. Belmont Wichita, Kansas 67208
Lot 7	I	"	Michael D. & Janet D. Erickson 6855 Trinity Circle Wichita, Kansas 67220
Lot 8	I	"	Paul R. & Patricia L. Ross ✓ 6861 Trinity Circle Wichita, Kansas 67220
Lot 9	I	"	Donald James & Joyce Newman 6850 Trinity Circle Wichita, Kansas 67220
Lot 10	I	"	Earl F. & Caren C. McIntyre ✓ 6840 Trinity Circle Wichita, Kansas 67220
Lot 11	I	"	Patrick V. & Susanne J. Riquetti ✓ 6832 Trinity Circle Wichita, Kansas 67220
Lot 12	I	"	Mert Frederick Buckley Connie Sue Buckley ✓ 6818 Trinity Circle Wichita, Kansas 67220

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 13	I	Comotara 1st Addition	✓ Vernal L. & Elizabeth A. Miller 6804 Trinity Circle Wichita, Kansas 67220
Lot 1	J	"	Charles C. & Rosetta T. Rodd 6706 Bainbridge Circle Wichita, Kansas 67220
Lot 2	J	"	✓ David Lee & Judith Rowe Dewhirst 6716 Bainbridge Circle Wichita, Kansas 67220
Lot 3	J	"	✓ Ronald J. & Margaret H. Miller 6726 Bainbridge Circle Wichita, Kansas 67220
Lot 4	J	"	✓ Daniel A. & Dale A. Million 6806 Bainbridge Circle Wichita, Kansas 67220
Lot 5	J	"	✓ John Charles Culver Saretta L. Culver 6818 Bainbridge Circle Wichita, Kansas 67220
Lot 6	J	"	✓ Ronald Blane Rose Linda Jean Rose 6828 Bainbridge Circle Wichita, Kansas 67220
Lot 7	J	"	✓ Gary D. & Deborah R. Hardman 6902 Bainbridge Circle Wichita, Kansas 67220
Lot 8	J	"	Estate of Marcella E. Ansel
Lot 9	J	"	✓ Roger C. & Victoria Hermes Bond 6924 Bainbridge Circle Wichita, Kansas 67220
Lot 10	J	"	John L. Bohrer 6936 Bainbridge Circle Wichita, Kansas 67220
Lot 11	J	"	✓ Thomas L. & Beatrice V. Waymire 2219 Cameron Circle Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Lot 12	J	Comotara 1st Addition	Robert Bruce Thompson Trudy Lynne Thompson ✓ 2229 Cameron Circle Wichita, Kansas 67226
Lot 13	J	"	Larry D. Swartz Linda L. Swartz ✓ 2239 Bainbridge Circle Wichita, Kansas 67220
Lot 14	J	"	Ronald C. Brown Marcia Sue Brown 2250 Cameron Circle Wichita, Kansas 67220
Lot 15	J	"	James E. French Virginia F. French ✓ 2240 Cameron Circle Wichita, Kansas 67220
Lot 16	J	"	Norman F. Schaefer Shirley Ann Schaefer ✓ 2230 Cameron Circle Wichita, Kansas 67220
Lot 17	J	"	Billy M. Tate Patricia A. Tate 2220 Cameron Circle Wichita, Kansas 67220
Lot 18	J	"	Jack L. Carduff L. Janice Carduff ✓ 2200 Cameron Circle Wichita, Kansas 67220
Reserve F & Reserve G		"	Comotara Homeowners Association Inc. ✓ 2500 Claiborn Circle Wichita, Kansas 67226
Lot 1	K	"	Louis K. Blomquist Marcheta M. Blomquist 6707 Bainbridge Circle Wichita, Kansas 67220
Lot 2	K	"	Ronald C. Mack Valdeyne Mack ✓ 6717 Bainbridge Circle Wichita, Kansas 67220
Lot 3	K	"	Antonio P. Barba Estrella G. Barba ✓ 1035 N. Emporia Wichita, Kansas 67214
Lot 4	K	"	David P. Miller Deborah B. Miller ✓ 6729 Bromley Circle Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Lot 5	K	Comotara 1st Addition	William James Rothrock Cynthia P. Rothrock ✓ 6739 Bromley Circle Wichita, Kansas 67220
Lot 6	K	"	David L. Naccarato Judy A. Naccarato ✓ 6749 Bromley Circle Wichita, Kansas 67220
Lot 7	K	"	Eugene R. Newton Genoa Newton ✓ 6755 Bromley Circle Wichita, Kansas 67220
Lot 8	K	"	Bob L. Robbins Barbara K. Robbins ✓ 6765 Bromley Circle Wichita, Kansas 67220
Lot 9	K	"	Robert L. Hans Susan Hans ✓ 6773 Bromley Circle Wichita, Kansas 67220
Lot 10	K	"	Elbert E. Ware Karen A. Ware ✓ 6781 Bromley Circle Wichita, Kansas 67220
Lot 11	K	"	Donald H. Nale Virginia R. Nale 6789 Bromley Circle Wichita, Kansas 67220
Lot 12	K	"	Terry L. Corr Diana K. Corr 6817 Bainbridge Rd. Wichita, Kansas 67220
Lot 13	K	"	Lucius R. Smith Judith A. Smith ✓ 6827 Bainbridge Wichita, Kansas 67220
Lot 14	K	"	Catherine F. Lynch Mariane L. Lynch ✓ 6837 Bainbridge Wichita, Kansas 67220
Lot 15	K	"	Robert D. Jayroe Kathlyn A. Jayroe ✓ 6905 Bainbridge Circle Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Lot 16	K	Comotara 1st Addition	James C. Skach Virginia M. Skach 6915 Bainbridge Wichita, Kansas 67220
Lot 17	K	"	Jeffrey C. Thomas Katherine L. Thomas 6925 Bainbridge Circle Wichita, Kansas 67220
Lot 18		"	Martha McCleave Vera McCleave 6935 Bainbridge Circle Wichita, Kansas 67220
Lot 19	K	"	Pete T. Williams Jacquelyne A. Williams 7005 Bainbridge Circle Wichita, Kansas 67220
Lot 20	K	"	Garon J. Jones Ardith Jones 7015 Bainbridge Circle Wichita, Kansas 67220
		South 562 feet of Northwest Quarter of Section 7-27-2E, Sedgwick County, Kansas.	Kansas Gas & Electric Company 120 E. 1st St. Wichita, Kansas 67202
Lot 35		The Meadows	Nola J. Walker 2403 Walden Dr. Wichita, Kansas 67226
Lot 36		"	Richard H. George Denise M. Johnson 2403 Walden Dr. #501 Wichita, Kansas 67226
Lot 37		"	Ronald D. Linhardt 2403 Walden Dr. #402 Wichita, Kansas 67226
Lot 38		"	Tax Deferral Investment Inc. 430 R. H. Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202
Lot 39		"	Edwin D. Steffy Deanne L. Steffy 2403 Walden Dr. #302 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 40		The Meadows	Tax Deferral Investment Inc. OK 430 RH Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202
Lot 41		"	Clarence A. Sanders Rosetta J. Sanders ✓ 2403 Walden #202 Wichita, Kansas 7226
Lot 45		"	Charles E. Smith Shirley M. Smith ✓ 2251 Bramblewood #403 Wichita, Kansas 67226
Lot 46		"	Tax Deferral Investment Inc. OK 430 RH Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202
Lot 47		"	Byron D. Cohen ✓ 2251 Bramblewood #302 Wichita, Kansas 67226
Lot 48		"	Roy Turner ✓ 2251 Bramblewood #301 Wichita, Kansas 67226
Lot 49		"	Marc Alan Quillen Marilyn M. Harp ✓ 2251 Bramblewood #202 Wichita, Kansas 67226
Lot 50		"	Tax Deferral Investment Inc. OK 430RH Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202
Lot 51		"	Stan E. Wisdom ✓ 430 RH Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202
Lot 52		"	Tax Deferral Investment Inc. OK 430 RH Garvey Bldg. 300 W. Douglas Wichita, Kansas 67202

Lot	Block	Addition	Property Owner
		Part of reserves in the Meadows described as follows:	Alfred A. Caro 2400 N. Woodlawn Suite 120 Wichita, Kansas 67220
		That portion of reserve as platted in said Addition lying within the following tract: Beginning at the Southwest corner of the floodway as platted in said Addition; thence along the boundary of said Addition bearing North 0°56'56" West, 110.00 feet; thence North 37°56'55" West 180.00 feet; thence North 49°3'4" East, 360.00 feet; thence North 89°3'4" East 116.92 feet; thence along a curve to the left having a central angle of 16°32'16" a radius of 393.10 feet, a length of 113.47 feet and a chord 113.07 feet long bearing South 22°33'03" East, to the Northerly corner of Lot 21 in said Addition; thence along the back line of Lots 21 through 26 bearing South 50°9'20" West, 146.07 feet; thence South 6°9'20" West 201.55 feet; thence South 36°58'49" East, 76.84 feet; thence South 51°10'39" West, 9.52 feet to a point on the South line of said Addition; thence South 79°2'39" West, 116.84 feet; thence South 89°3'4" West 110.00 feet to the point of beginning.	
		All reserves in The Meadows except portion described immediately above	Meadows Homeowners Association Inc. 6200 E. Central Wichita, Kansas 67208
		Reserve A	
		Sycamore Village	Wichita Development Co. 375 Park Ave New York, New York
		Part of Lot 5 described: Beginning at the Southeast corner thence northerly along the front line of lot 5, (being a curve having a radius of 50', an arc distance of 26.82 feet, thence North-westerly 150.71 feet to a point on the west line 75.15 feet North of the southwest corner, thence South 75.15 feet to the southwest corner, thence East 135 feet to beginning, Block 2, Sycamore Village	Roger R. Kaufman Janet S. Kaufman 7236 Bainbridge Circle Wichita, Kansas 67220
		Part of Lot 6, lying South & East of a line Beginning at a point on the west line of Lot 6, 123.91 feet south of the Northwest corner, thence Northeasterly to a point on the front line of lot 6, said point being 29.75 feet southeast of the Easterly common corner of Lots 5 & 6, Block 2	Michael L. Nelson 7230 Bainbridge Circle Wichita, Kansas 67220
		all part of Lot 6, lying North & West of a line beginning at a point on the west line, 123.91 feet South of the Northwest corner of Lot 6, thence Northeasterly to a point on the front line of lot 6, said point being 29.75 feet Southeast of the easterly common corner of Lots 5 & 6, Block 2, Sycamore Village	Ronald L. Brown 7232 Bainbridge Circle Wichita, Kansas 67220
Lot 7	2	Sycamore Village	Russell L. Shilt Susanna M. Shilt 7228 Bainbridge Circle Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Beginning at the Northwest corner of Lot 8, thence East along the North line of Lot 8, 55.82 feet, thence South 125.67 feet to a point on the South line of lot, said point being 60.83 feet East of the Southwest corner, thence West along the South line of Lot 60.83 feet to the Southwest corner; thence North 130 feet to beginning, Block 2, Sycamore Village			Robert B. Leake ✓ 7224 Bainbridge Circle Wichita, Kansas 67220
Lot 8, except portion described immediately above, Block 2		Sycamore Village	Norman W. Leake ✓ Dolores L. Leake 7222 Bainbridge Wichita, Kansas 67220
Lot 9	2	"	OK Olander Construction Co. Inc. 314 Rutland Wichita, Kansas 67206
Beginning at the Southwest corner of Lot 10, thence with a bearing N 60°35'49" on a line between Lots 10 & 11, 110.2 feet more or less, to the Southeast corner of Lot 10; thence S81°14'16" W 61.5 feet; thence South 37°51'44"W, 57.27 more or less to the southwest corner of lot 10 & point of beginning.			Same as above
Lot 10, except portion described immediately above, Block 2		Sycamore Village	✓ Larry L. Reynolds 342 S. Fountain Wichita, Kansas 67218
That part of Lot 11, Block 2, Sycamore Village, described as Beginning at the front corner common to Lots 10 and 11; thence S60°35'49"W, along the Northwesterly line of said Lot 11, 110.20 feet to the rear corner common to said lots 10 & 11; thence S29°24'11" E, along the rear line of Lot 11, 71.92 feet; thence S75°17'03"E, along the rear line of Lot 11, 24.89 feet; thence N 31°23'13" E, 25.89 feet; thence S 58° 36'47"E, .60 feet ; thence N 31°23'13"E, 5.64 feet; thence N58°36'47"W, 0.60 feet; thence N 31°23'13" E, 0.99 feet; thence N 58°36'47" W 0.17 feet; thence N31°23'13"E, 33.80 feet; thence N 58° 30'36" W, 19.14 feet; thence N 31°29'24"E, 24.48 feet; thence N 42°24'40" E, 22.54 feet to a point on the Northerly line of said Lot 11; thence Northwesterly along said Northerly line (being a curve, having a radius of 65 feet), an arc distance of 19.01 feet to the place of beginning.			Robert R. Fox Robert E. Bigelow 7206 Bainbridge Wichita, Kansas 67226
Lot 11, except portion described immediately above, Block 2, Sycamore Village			✓ Robert E. Bigelow Janet Bigelow Helen I. Hope 7204 Bainbridge Wichita, Kansas 67220

Lot	Block	Addition	Property Owner
Part of Lot 1, Block 3, Sycamore Village, described as follows: Beginning at the northeast corner of Lot 1, thence S00°54'33"E, 139.78 feet, to the Southeast corner, thence S63°19'34" W along the Southerly line 47.06 feet, thence N40°55'27" W 37.44 feet, thence North 49°04'33" East, 2.0 feet; thence North 40°55'27" W, 5.19 feet; thence South 49°04'33" W, 2.0 feet; thence North 40°55'27" West, 32.31 feet; thence South 49°04'33" West, 5.73 feet; thence North 40°55'27" West, 45.11 feet to a point on the Northerly line of said Lot 1; thence Northeasterly along the Northerly line of said Lot 1, 143.83 feet to the Place of beginning.			Robert B & Amy L. Feldner 7221 Bainbridge Wichita, Kansas 67220
Part of Lot 1, except portion described immediately above, Block 3, Sycamore Village			Richard D. Eckrich 7219 Bainbridge Wichita, Kansas 67220
Part of lot 2 described: Beginning at the Northwest corner of Lot 2, thence N63°19'34" E of northerly line 151.53 feet to the Northeast corner; thence S 0°54'33" E along the east line 88.68 feet; thence S 89°31'41" W, 84.68 feet S0°28'19" E , 0.31 feet, thence S89°31'41" W, 46.61 feet northerly to west line 23.10 feet to point of beginning & strip adjoining Lot 2, Commencing at the southeast corner, thence north 126.32 feet along the west line of Lot B to point of beginning, thence west at Right angles 15 feet, thence North parallel to west line of Lot B, 88.68 feet, thence East at Right angles 15 feet; thence South along the West line of Lot B, 88.68 feet to beginning.			H. D. Humphrey Patricia A. Humphrey 7211 Bainbridge Wichita, Kansas 67220
Lot 2, except portion described immediately above, Block 3, Sycamore Village			Robert R. Fox Elaine M. Fox 7209 Bainbridge Wichita, Kansas 67220
Lot 3	3	Sycamore Village	Larry L. Reynolds 342 S. Fountain Wichita, Kansas 67218
Lot A	"	"	Comotara Swim & Tennis Club, Inc. 7201 Bainbridge Wichita, Kansas 67220
Unit 1	Phase I	Applewood Condominium	Dorothy L. Koelling 7333 E. 22nd St. N. Apt 1 Wichita, Kansas 67226
Unit 2	"	"	Wallace C. Raabe Dorothy V. Raabe 7333 E 22nd St. N. Apt 2 Wichita, Kansas 67226
Unit 3	"	"	Melvin G. Smithen Lenora M. Smithen 7333 E. 22nd St. N. Apt 3 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Unit 4	Phase I	Applewood Condominium	James S. Wood Beatrice J. Wood 7333 E. 22nd St. N. ✓ Apt 4 Wichita, Kansas 67226
Unit 5	"	"	John W. Shores 7333 E. 22nd St. N. ✓ Apt 5 Wichita, Kansas 67226
Unit 6	"	"	Donald M. Brown 7333 E. 22nd St. N. ✓ Apt 6 Wichita, Kansas 67226
Unit 7	Phase II	"	George H. Schulz (deceased) Marjory M. Schulz 7333 E. 22nd St. N. ✓ Apt 7 Wichita, Kansas 67226
Unit 8	"	"	Myron Eugene Chamberlain Marjorie Jean Chamberlain 7333 E. 22nd St. N. Apt 8 Wichita, Kansas 67226
Unit 9	"	"	W. Joanne Baker 7333 E. 22nd St. N. ✓ Apt 9 Wichita, Kansas 67226
Unit 10	"	"	Donald M. Brinton Nancy E. Brinton 7333 E. 22nd St. N. ✓ Apt 10 Wichita, Kansas 67226
Unit 11	"	"	Larry R. Lamb Diane G. Lamb 7333 E 22nd St. N. Apt 11 Wichita, Kansas 67226
Unit 12	Phase III	"	Clinton R. Young 7520 E. 21st St. N. ✓ Apt 13 Wichita, Kansas 67206
Unit 13	"	"	✓ Dorothy Wallace 7520 E. 21st St. N. Apt. 14 Wichita, Kansas 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Unit 14	Phase III	Applewood Condominium	M. Claradine Johnson 7520 E. 21st St. N. ✓ Apt 15 Wichita, Kansas 67206
Unit 15	"	"	Food Flavors Inc P.O. Box 4122 Wichita, Kansas 67204
Unit 16	"	"	Sue M. Kleinheksel 7520 E. 21st St. N. ✓ Apt 17 Wichita, Kansas 67206
Unit 17	"	"	James A. Henderson Lois Belle Henderson 7520 E. 21st St. N. ✓ Apt 18 Wichita, Kansas 67206
Unit 18	"	"	Ethel E. Rogers 7520 E. 21st St. N. ✓ Apt 19 Wichita, Kansas 67206
Unit 19	"	"	Frank N. Brooks Lena Mae Brooks 7520 E 21st St. N. Apt 20 ✓ Wichita, Kansas 67206
Unit 20	"	"	C. Wesco Cation, Jr. Winifred F. Cation 7520 E. 21st St. N. ✓ Apt 21 Wichita, Kansas 67206
Unit 21	"	"	David E. Sproul Sidney Sproul 7520 E. 21st St. N. Apt 22 Wichita, Kansas 67206
Unit 22	"	"	Oleta M. Yost 7520 E. 21st St. N. ✓ Apt 23 Wichita, Kansas 67206
Unit 29	Phase IV	"	Walter S. Grether Linda D. Grether 7520 E. 21st Apt 8 Wichita, Kansas 67206

***The common area in Applewood Condominium are owned jointly by the individual residence owners, each with an undivided interest in and to said common area. Common area is described at all land covered by the Declaration of Condominium except that portion thereof on which the buildings that contain the residences are built.

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 17	Building M	Country Lake condominium	✓ Bruce A. Munsell Jeanne E. Munsell 6500 E. 21st N. #17 Wichita, Kansas 67206
Residence 18	"	"	✓ Ruby M. Bell Unit 19 6500 E. 21st N. Wichita, Kansas 67206
Residence 21	"	"	✓ Gene E. Rump Patricia L. Rump 6500 E. 21st St. Unit 21 Wichita, Kansas 67206
Residence 23	"	"	✓ Cecilia M. Blackwell 6500 E 21st St. Unit 23 Wichita, Kansas 67206
Residence 2	Building 1	"	✓ Daniel Baysinger Nancy J. Baysinger 6500 E 21st St. Unit 2 Wichita, Kansas 67206
Residence 4	"	"	Edna Wance Pamela Oxenreider 6500 E 21st St. Unit 4 Wichita, Kansas 67206
Residence 6	"	"	✓ Thomas D. Spink 6500 E. 21st St. Unit 6 Wichita, Kansas 67206
Residence 8	"	"	Employee Transfer Corporation 150 S. Wacker Dr. Suite 1985 Chicago, Illinois 60606
Residence 16	Building 2	"	Charles H. Reichart 9826 Boston Circle Wichita, Kansas 67207 (Affidavit of Interest) Ronald H. Harms Dana R. Harms 626 Preston Trail Wichita, Kansas 67230

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 18	Building 2	Country Lake Condominium	Ross D. Alexander 6500 E. 21st Unit 18 Wichita, Kansas 67206
Residence 20	"	"	Jon C. Macy Janet E. Macy ✓ 6500 E. 21st Unit 20 Wichita, Kansas 67206
Residence 22	"	"	Melvin A. Jensen Delma Dean Jensen ✓ 6500 E. 21st Unit 22 Wichita, Kansas 67206
Residence 24	Building 3	"	Martin A. Reif Eva D. Reif ✓ 6500 E. 21st Unit 24 Wichita, Kansas 67206
Residence 26	"	"	Mary A. Alexander 6500 E. 21st ✓ Unit 26 Wichita, Kansas 67206
Residence 28	"	"	? Donna R. Benson Address unknown H. Leon Mattocks (Contract 6500 E. 21st Purchaser) ✓ Unit 28 Wichita, Kansas 67206
Residence 30	"	"	William James Tucker Kathleen L. Tucker ✓ 6500 E. 21st Unit 30 Wichita, Kansas 67206
Residence 32	Building 4	"	Maxine C. Allen ✓ 6500 E. 21st Unit 32 Wichita, Kansas 67206
Residence 34	"	"	Peggy J. King ✓ 6500 E. 21st Unit 34 Wichita, Kansas 67206
Residence 36	"	"	Francisco R. Caballero A. 6500 E. 21st ✓ Unit 36 Wichita, Kansas 67206

Lot	Block	Addition	Property Owner
Residence 38	Building 4	Country Lake Condominium	Cordelia Ann Hill 6500 E. 21st Unit 38 Wichita, Kansas 67206
Residence 40	Building 5	"	Velma M. Winsby 6500 E. 21st Unit 40 Wichita, Kansas 67206
Residence 42	"	"	Raymond L. Best 6500 E. 21st St. Unit 42 Wichita, Kansas 67206
Residence 44	"	"	David M. Dayvault, Jr. 6500 E. 21st Unit 44 Wichita, Kansas 67206
Residence 46	"	"	Richard Coulthard 6500 E. 21st Unit 46 Wichita, Kansas 67206
Residence 25	Building 6	"	J. Neal Johnson Yvonne Johnson 6500 E. 21st Unit 25 Wichita, Kansas 67206
Residence 27	"	"	Thomas W. Healy Catherine B. Healy 6500 E. 21st Unit 27 Wichita, Kansas 67206
Residence 29	"	"	Kenneth R. Kimbell Vicky Jo Kimbell 6500 E. 21st Unit 29 Wichita, Kansas 67206
Residence 31	"	"	C. E. Stiles Charlotte G. Stiles 6500 E. 21st Unit 31 Wichita, Kansas 67206
Residence 1	Building 7	"	Jessie M. Webb 6500 E. 21st Unit 1 Wichita, Kansas 67206
Residence 3	"	"	Ann L. Stern 6500 E. 21st Unit 3 Wichita, Kansas 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 5	Building 7	Country Lake Condominium	Loda L. Knowles 6500 E. 21st Unit 5 Wichita, Kansas 67206
Residence 7	"	"	N.M. Onofrio Susan Onofrio ✓ 6500 E. 21st Unit 7 Wichita, Kansas 67206
Residence 9	Building 8	"	Kathy A. Dieker 6500 E. 21st ✓ Unit 9 Wichita, Kansas 67206
Residence 11	"	"	Jo L. Will Sally A. Will 6500 E. 21st Unit 11 Wichita, Kansas 67206
Residence 13	"	"	Cris A. Smalley ✓ 6500 E. 21st Unit 13 Wichita, Kansas 67206
Residence 15	"	"	Emmett E. Cole Lela Nilas Cole 6500 E. 21st Unit 15 Wichita, Kansas 67206
Residence 101	Building 1	Country Lake II, a Condominium	Michael G. Stratton Lucinda A. Stratton 2223 Bramblewood Unit 101 ✓ Wichita, Kansas 67226
Residence 102	"	"	Steven L. Jenkins Deatra L. Jenkins 2221 Bramblewood ✓ Unit 102 Wichita, Kansas 67226
Residence 103	"	"	Robert G. Svaton Monika M. L. Svaton 2221 Bramblewood Unit 103 Wichita, Kansas 67226
Residence 104	"	"	John R. Rimmer, Jr. 2221 Bramblewood ✓ Unit 104 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 201	Building 2	Country Lake II, a condominium	Avenell R. Elliott 2221 Bramblewood Unit 201 Wichita, Kansas 67226
Residence 203		"	Rita J. Simmons Address unknown
			Dorothy J. Sheeley 2221 Bramblewood Unit 203 Wichita, Kansas 67226
Residence 202		"	Marthe H. Thiessen 2221 Bramblewood Unit 202 Wichita, Kansas 67226
Residence 204		"	Ayse Neda Brown 2221 Bramblewood Unit 204 Wichita, Kansas 67226
Residence 301	Building 3	"	Dale L. Harris Connie S. Harris 2221 Bramblewood Unit 301 Wichita, Kansas 67226
Residence 302		"	Marilyn K. Lucas 2221 Bramblewood Unit 302 Wichita, Kansas 67226
Residence 303		"	Pat B. Preboth 2221 Bramblewood Unit 303 Wichita, Kansas 67226
Residence 304		"	James S. Stockwell Margit M. Stockwell 2221 Bramblewood Unit 304 Wichita, Kansas 67226
Residence 401	Building 4	"	Gerrit H. Wormhoudt 2221 Bramblewood Unit 401 Wichita, Kansas 67226
Residence 402		"	George F. Figgins Jane L. Barr 2221 Bramblewood Unit 402 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 403		Country Lake II, Condominium	Robert D. Finn 2221 Bramblewood Unit 403 Wichita, Kansas 67226
Residence 404		"	Robert W. Witham Carey M. Witham ✓ 2221 Bramblewood Unit 404 Wichita, Kansas 67226
Residence 501	Building 5	"	John W. Myers Nancy Lee Myers ✓ 2221 Bramblewood Unit 501 Wichita, Kansas 67226
Residence 502		"	Gary J. Martin ✓ 2221 Bramblewood Unit 502 Wichita, Kansas 67226
Residence 503		"	Michael R. Chapman 2221 Bramblewood Unit 503 Wichita, Kansas 67226
Residence 504		"	Patricia F. Lawrence 2221 Bramblewood Unit 504 Wichita, Kansas 67226
Residence 601	Building 6	"	Tirmina Bittel ✓ 2243 Bramblewood Unit 601 Wichita, Kansas 67226
Residence 602		"	Harold L. Walter Barbara A. Walter ✓ 2243 Bramblewood Unit 602 Wichita, Kansas 67226
Residence 603		"	Robert W. Burdick ✓ Patricia Ann Burnett 2243 Bramblewood Unit 603 Wichita, Kansas 67226
Residence 604		"	William B. Cunningham Jacqueline M. Cunningham ✓ 2243 Bramblewood Unit 604 Wichita, Kansas 67226
Residence 701	Building 7	"	Candace V. Meredith ✓ 2243 Bramblewood Unit 701 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 702		Country Lake II, Condominium	Randal Adams Sandra S. Adams ✓ 2243 Bramblewood Unit 702 Wichita, Kansas 67226
Residence 703		"	Delaine K. Hartman 2243 Bramblewood ✓ Unit 703 Wichita, Kansas 67226
Residence 704		"	Lyle Garcia Henrietta W. Garcia 2243 Bramblewood ✓ Unit 704 Wichita, Kansas 67226
Residence 801	Building 8	"	Deanna Kay Patton 2243 Bramblewood ✓ Unit 801 Wichita, Kansas 67226
Residence 802		"	Bruce W. Anderson 2243 Bramblewood ✓ Unit 802 Wichita, Kansas 67226
Residence 803		"	Elma A. Klaassen 2243 Bramblewood ✓ Unit 803 Wichita, Kansas 67226
Residence 804		"	Charles J. Mifsud Joan C. Mifsud 2243 Bramblewood ✓ Unit 804 Wichita, Kansas 67226
Residence 901	Building 9	"	Ruth R. Shaw 2243 Bramblewood ✓ Unit 901 Wichita, Kansas 67226
Residence 902		"	Chris Jeffrey Cazal Jo Anne K. Cazal 2243 Bramblewood Unit 902 Wichita, Kansas 67226
Residence 903		"	Timothy M. Scanlan 2243 Bramblewood ✓ Unit 903 Wichita, Kansas 67226
Residence 904		"	Margaret C. Winget 2243 Bramblewood Unit 904 Wichita, Kansas 67226

Lot	Block	Addition	Property Owner
Residence 1001	Building 10	Country Lake II, Condominium	Lois I. Green 2243 Bramblewood Unit 1001 ✓ Wichita, Kansas 67226
Residence 1002		"	Janet R. Habiger 2243 Bramblewood Unit 1002 Wichita, Kansas 67226
Residence 1003		"	Susan V. Hensley Address unknown
Residence 1004		"	Thayeron L. Parsons 2442 Rutland Ct. Wichita, Kansas 67226
Residence 1101	Building 11	"	Gary L. Roush 2243 Bramblewood Unit 1101 ✓ Wichita, Kansas 67226
Residence 1102		"	Betty K. Van Buren ✓ 2243 Bramblewood Unit 1102 Wichita, Kansas 67226
Residence 1103		"	Le Ann E. Cushenbery ✓ 2243 Bramblewood Unit 1103 Wichita, Kansas 67226
Residence 1104		"	Lawarence Dakin Cramer 2243 Bramblewood Unit 1104 Wichita, Kansas 67226
Residence 1201	Building 12	"	Floyd D. Powell Shirley T. Powell 2243 Bramblewood Unit 1201 ✓ Wichita, Kansas 67226
Residence 1202		"	Richard Lee Davis Janice E. Davis ✓ 2243 Bramblewood Unit 1202 Wichita, Kansas 67226
Residence 1203		"	June C. Speckhardt Teresa L. Speckhardt ✓ 2243 Bramblewood Unit 1203 Wichita, Kansas 67226
Residence 1204		"	Michael H. Morgan Carol A. Telford 2243 Bramblewood Unit 1204 Wichita, Kansas 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Residence 1301	Building 13	Country Lake II, Condominium	Ruth A. Muenchrath 2243 Bramblewood Unit 1301 Wichita, Kansas 67226 ✓
Residence 1302		"	Robert I. Gale, Jr. 2243 Bramblewood Unit 1302 Wichita, Kansas 67226 ✓
Residence 1303		"	Carol A. Hartman 2243 Bramblewood Unit 1303 Wichita, Kansas 67226 ✓
Residence 1304		"	Allen D. Gerber Jan M. Gerber 2243 Bramblewood Unit 1304 Wichita, Kansas 67226
Residence 1401	Building 14	"	John A. Tenborg Kathleen R. Tenborg Unit 1401 2243 Bramblewood Wichita, Kansas 67226 ✓
Residence 1402		"	William S. Graves 2243 Bramblewood Unit 1402 Wichita, Kansas 67226 ✓
Residence 1403		"	Gregory Dean Davis 2243 Bramblewood Unit 1403 Wichita, Kansas 67226
Residence 1404		"	Clarence L. Silvertooth Box 1007 Wichita, Kansas 67201 ✓
Residence 1501	Building 15	"	Masile L. Kyhl 2243 Bramblewood Unit 1501 Wichita, Kansas 67226 ✓
Residence 1502		"	Max F. Blakely Judy A. Blakely 2 Park Road Rose Hill, Kansas 67133 ✓
Residence 1503		"	Criss L. Schulz Joan Schulz 2243 Bramblewood Unit 1503 Wichita, Kansas 67226 ✓

FOX TRIMBLE BOND

Lot	Block	Addition	Property Owner
Residence 1504		Country Lake II Condominium	James B. Lynn Jean A. Lynn ✓ Residence 1504 2243 Bramblewood Wichita, Kansas 67226
Residence 1601	Building 16	"	Clifford W. Hibbs Lorene I. Hibbs 2243 Bramblewood Unit 1601 Wichita, Kansas 67226
Residence 1602		"	Bruce W. Bertsch Brandia S. Bertsch ✓ 2243 Bramblewood Unit 1602 Wichita, Kansas 67226
Residence 1603		"	Kathleen A. Spearow 132 N. Fountain Wichita, Kansas 67208 Jan A. Harder (Affidavit of Interest) ✓ 2243 Bramblewood Unit 1603 Wichita, Kansas 67226
Residence 1604		"	George W. Howing M. Dean Howing ✓ 2243 Bramblewood Unit 1604 Wichita, Kansas 67226

Lot 1, except South 680 feet		Coleman School Addition	Board of Education School District 1 ✓ 1544 N. Gouverneur Wichita, Kansas 67206
South 680 feet of lot 1		"	The Board of Park Commissioners City of Wichita - 455 N. Main 67202
Lot 1		Chelsea North Addition	Northeast Medical Building ✓ 5005 E. 21st Wichita, Kansas 67208
The South 170 feet of The East 175 feet of lot 2		"	Stephen P. Moore ✓ 7111 E. 21st Wichita, Kansas 67206
Lot 2, except south 170 feet of east 175 feet		"	Northeast Developers ✓ 6806 Bainbridge Circle Wichita, Kansas 67226

***The common area in Country Lake & Country Lake II are owned jointly by the individual residence owners, each with an undivided interest in and to said common area. Common area is described as all land covered by the Declaration of Condominium except that portion thereof on which the buildings that contain the residences are built.

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 3		Chelsea North Addition	Alfred A. Caro 1559 Willow Road Wichita, Kansas 67208
Reserve		Sheffield Place Addition	✓ Sheffield Company P. O. Box 2079 2079 Center City Development Wichita, Kansas 67201
Unit 204	Building 2	Chelsea Square 2nd	Fletcher G. Bennett, Jr. Peggy N. Bennett ✓ 2021 Broadmoor #204 Wichita, Kansas 67206

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We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 1000 foot radius of:

All of Northborough, an Addition to Wichita, Sedgwick County, Kansas, except Block 1, and except that part platted as 21st Street, and except that part of Rockhill Lane and Bramblewood adjacent to said Block 1.

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 20th day of May, 1983, at 7:00 O'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Stable
Vice President

Order No. 318215
cf

UPDATE OWNERSHIP LIST #318215

We hereby update the foregoing ownership list of the hereinbefore described lots from the 20th day of May, 1983, at 7:00 o'clock A.M. to the 11th day of September, 1985, at 7:00 o'clock A.M. without change except:

Lot	Block	Addition	Property Owner
Lot 1	Block 1	Chelsea Estates	✓✓ Chong S. So. Jae I. So. 202 N. Rock Road, Apt. 709 Wichita, KS 67226
Lot 3	Block 1	"	✓✓ H. Wayne Foss Elizabeth A. Foss 7238 Chadowes Wichita, KS 67206
Lot 19	Block 1	"	✓✓ Tony B. Sumler Karen Lewallen Sumler 1833 N. Rutland Wichita, KS 67206
Lot 21	Block 1	"	✓✓ William L. Ashby 2221 Bedford Wichita, KS 67207
Lot 22	Block 1	"	✓✓ Marc A. Porter Sheryl Porter 5216 N. Hillside Wichita, KS 67219
Lot 23	Block 1	"	✓✓ Nemer Properties, Box 8473 Wichita, KS 67206
Lot 24	Block 1	"	Affidavit of Interest: ✓✓ Roland J. & Margareta Simmons 1950 N. Spruce, Wichita, KS 67214 OF Amarado Investment Co., Inc. 216 S. Market Wichita, KS 67202
Lot 3	Block 2	"	✓✓ Melvin L. Kindie Beverly R. Kindie 7215 Chadowes Wichita, KS 67206
Lot 12	Block 2	"	✓✓ Robert G. Perry, Trustee of Robert G. Perry Family Trust 8833 W. Douglas Wichita, KS 67209
Lot 14	Block 2	"	✓✓ Ronald K. Badger Janet L. Badger 7234 Rockhill Wichita, KS 67206
Lot 1	Block 3	"	✓✓ Ronald E. Larsen Theresa A. Larsen 7233 Rockhill Wichita, KS 67206
Lot 4	Block 3	"	✓✓ Hartman Homes, Inc. 8100 E. 22nd North Wichita, KS 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 5	Block 3	Chelsea Estates	Carl R. Haas Nancy J. Haas 7123 E. Rockhill Wichita, KS 67206 ✓✓
Lot 6	Block 3	"	Mark E. Mitchell Sally A. Mitchell 7115 Rockhill Wichita, KS 67206 ✓✓
Lot 8	Block 3	"	Robert A. Dwyer Susan L. Dwyer 8739 E. Wassall Ct. Wichita, KS 67216 ✓✓
Lot 10	Block 3	"	Merl R. Watkins Barbara E. Watkins 7124 Chelsea Wichita, KS 67206 ✓✓
Lot 12	Block 3	"	David N. Young Phyllis E. Young 6347 Eilerts Wichita, KS 67218 ✓✓
Lot 14	Block 3	"	Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202 ✓✓
Lot 2	Block 4	"	Harold G. Sadowski Barbara Blue Address Unknown
Lot 3	Block 4	"	American Savings Association of Kansas, a Federal Savings & Loan Association 201 N. Main Wichita, KS 67202 ✓✓
Lot 4	Block 4	"	Olander Construction Co., Inc. 314 Rutland Wichita, KS 67206 ok
Lot 5	Block 4	"	Susan J. Barnes 7123 Chelsea Wichita, KS 67206 ✓✓
Lot 6	Block 4	"	Randall B. Smith Debra D. Smith 7117 E. Chelsea Wichita, KS 67206 ✓✓ AND Clyde Daniels 256 S. Minneapolis Wichita, KS 67211 ✓✓

Lot	Block	Addition	Property Owner
Lot 8	Block 4	Chelsea Estates	✓✓ Phillip D. Thomas Marion A. Thomas 7104 E. 17th Wichita, KS 67206
Lot 9	Block 4	"	✓✓ James L. Lee Doris J. Lee 7116 E. 17th Wichita, KS 67206
Lot 10	Block 4	"	✓✓ Willie N. Williams Maxine Williams 7124 E. 17th Wichita, KS 67216
Lot 4	Block 5	"	✓✓ Lewis E. Anderson Jean S. Anderson 1922 Tallyrand Wichita, KS 67206
Lot 9	Block 5	"	✓✓ Robert W. Bean Marilyn J. Bean 1824 Tallyrand Wichita, KS 67206
Unit 101	Building 1	Chelsea Square, a Condominium	✓✓ Shirley Letts Stryker 2021 N. Broadmoor #101 Wichita, KS 67206
Unit 103	Building 1	"	✓✓ Mark D. Foster 2021 N. Broadmoor, #103 Wichita, KS 67206
Unit 201	Building 2	"	✓✓ Fletcher G. Bennett Jr. Peggy N. Bennett 2021 N. Broadmoor, #201 Wichita, KS 67206
Unit 203	Building 2	"	✓✓ Joyce Wood 2021 N. Broadmoor, #203 Wichita, KS 67206
Unit 204	Building 2	"	✓✓ Joseph Alan Dillon 2021 N. Broadmoor, #204 Wichita, KS 67206
Unit 403	Building 4	"	✓✓ Timothy W. Heeren 2021 N. Broadmoor, #403 Wichita, KS 67206
Unit 404	Building 4	"	✓✓ John Blake Morris 2021 N. Broadmoor, #404 Wichita, KS 67206
Unit 502	Building 5	"	✓ Sheffield Company Box 2079 Wichita, KS 67201
Unit 503	Building 5	"	✓✓ Linda J. Clark 2021 N. Broadmoor, #503 Wichita, KS 67206

Lot	Block	Addition	Property Owner
Unit 605	Building 6	Chelsea Square, a Condominium	Boyd W. Howard II Lisa C. Callahan 2021 N. Broadmoor, #605 Wichita, KS 67206
Lot 1	Block 1	Sheffield Place Addition	G. T. Gentry Judith L. Gentry 2025 N. Broadmoor, #181 Wichita, KS 67206
Lot 4	Block 1	"	Elza Dalrymple Marie C. Dalrymple 2025 N. Broadmoor, #181 Wichita, KS 67206
Lot 4	Block 3	"	Richard E. Stoner Jr. Mary E. Stoner 2025 N. Broadmoor, #173 Wichita, KS 67206
Lot 7	Block A	McEwen 9th Addition	Scot E. Wolfington Diane M. Wolfington 6838 E. Farmview Wichita, KS 67206
Unit 7012	Building D	Farmview Residences	Gerald O'Shaughnessy 7012 Farmview Wichita, KS 67206
Unit 7014	Building D	"	Philip F. Anschutz 2400 Anaconda Bldg. Denver, CO 80202
Lot 3	Block 2	Rockhurst 6th Addition	Joseph N. Berns 1648 Lawrence Lane Wichita, KS 67206
Lot 4	Block 2	"	Thomas T. Wallace Jeanne A. Wallace Address Unknown
Lot 10	Block 2	"	Robert Kirk Lester Mary Elizabeth Lester 7021 Farmview Ct. Wichita, KS 67206
Lot 11	Block 2	"	Harold L. Parker Marilyn Parker 7027 Farmview Ct. Wichita, KS 67206
Lot 12	Block 2	"	Mary A. Driver Paul F. Driver 1733 N. Gouverneur Wichita, KS 67206
Lot 1		Plaza Twenty-one 2nd Addition	Fred C. Bramlage Burl H. Schippert c/o Michael Clutter 1310 1st Nat'l Bank Tower Topeka, KS 66603

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 6	Block H	Comotara 1st Addition	Kevin M. McMaster Linda C. Lahman ✓✓ 6953 Newbury Circle Wichita, KS 67226
Lot 7	Block H	"	Duncan B. Koerbl Jane E. McCann ✓✓ 6963 E. Newbury Circle Wichita, KS 67226
Lot 9	Block H	"	David V. Martin Nancy B. Martin ✓✓ 6952 Newbury Circle Wichita, KS 67226
Lot 13	Block H	"	Mary Jo Mays ✓✓ 6906 Newbury Circle Wichita, KS 67226
Lot 1	Block I	"	Roy H. Turner ✓✓ 6805 Trinity Drive Wichita, KS 67226
Lot 2	Block I	"	Francis E. Hoffman Verla M. Hoffman ✓✓ 6815 Trinity Circle Wichita, KS 67226
Lot 5	Block I	"	Kermit H. Thompson Anna I. Thompson ✓✓ 6839 Trinity Circle Wichita, KS 67226
Lot 6	Block I	"	Jospeh H. Schwab Jennie L. Schwab ✓✓ 6849 Trinity Drive Wichita, KS 67226
Lot 7	Block I	"	John A. Dickinson Nancy L. Dickinson ✓✓ 6855 Trinity Circle Wichita, KS 67226
Lot 9	Block I	"	James R. Culpepper Teresa S. Culpepper ✓✓ 6850 Trinity Circle Wichita, KS 67226
Lot 1	Block J	"	Andrew Harrell Martha L. Baughns ✓✓ 6706 Bainbridge Circle Wichita, KS 67226
Lot 8	Block J	"	? Estate of Marcella E. Ansel ? Address Unknown
Lot 10	Block J	"	✓✓ Michael C. Moline 6936 Bainbridge Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lot 14	Block J	Comotara 1st Addition	Wayne A. Becker Jan E. Becker 2250 N. Cameron Circle Wichita, KS 67226
Lot 17	Block J	"	Thomas P. Bashaw Jeanette C. Bashaw 2220 Cameron Circle Wichita, KS 67220
Lot 1	Block K	"	Harlan Mouser Patricia C. Mouser 6707 Bainbridge Circle Wichita, KS 67226
Lot 11	Block K	"	Roger David Skaer 6789 Bromley Circle Wichita, KS 67226
Lot 12	Block K	"	John D. Beltz Mary Ann Beltz 6817 Bainbridge Wichita, KS 67226
Lot 17	Block K	"	Robert M. Hughes Sharon P. Hughes 6925 Bainbridge Wichita, KS 67226
Lot 36		The Meadows	Ann C. Van Doren 2403 Walden Wichita, KS 67226
Lot 39		"	Phoebe A. Harter 2403 Walden Wichita, KS 67226
Lot 1		Comotara Villages Second	Alfred A. Caro 2400 N. Woodlawn Suite 120 Wichita, KS 67220
Reserve A		Sycamore Village	Sycamore Village Homeowners Association 310 W. Central, Suite 205 Wichita, KS 67201
		"	Raymond W. Schecher Catherine Schecher 7236 Bainbridge Wichita, KS 67226
		"	Janet L. Hardesty 7218 Bainbridge Wichita, KS 67226

Part of Lot 5, Block 2, described as beginning at the SE/c; th. N'y along the front line of Lot 5, (being a curve having a radius of 50', an arc distance of 26.82 feet, th. NW'y 150.71 feet to a point on the west line 75.15 feet North of the SW/c, th. South 75.15 feet to the SW/c, th. East 135 feet to beginning.

Lot 9, Block 2, exc. that part described as beginning at the SW/c thereof; th. NE'y, along the S'y line of said Lot 9, 30.67 feet; th. NW'y 110.98 feet to a point on the North line of said Lot 9, said point being 122.33 feet east of the NW/c thereof; th. West 122.33 feet to the NW/c of said Lot 9; th. SE'y, 185.22 feet to beginning.

Lot	Block	Addition	Property Owner
That part of Lot 9,	Block 2,	Sycamore Village	James R. Helzer
described as beinning at the		Addition	✓ Sandra Hoy Helzer
SW/c thereof; th. NE'ly, along			7216 Bainbridge Ct.
the S'ly line of said Lot 9,			Wichita, KS 67226
30.67 feet; th. NW'ly, 110.98			
feet to a point on the North			
line of said Lot 9, said point			
being 122.33 feet east of the			
NW/c thereof; th. west, 122.33			
feet to the NW/c of said Lot 9;			
th. SE'ly, 185.22 feet to			
beginning.			
That part of Lot 10, Block 2,		"	Francis J. Lovell
described as beginning at the NE/c			✓ Betty M. Lovell
thereof; th. S'ly along the E'ly			7212 Bainbridge
line of said Lot 10, 32.97 feet;			Wichita, KS 67226
th. W'ly, 128.64 feet to a point			
on the West line of said Lot 10,			
said point being 125.48 feet			
South of the NW/c of said Lot 10;			
th. North, 125.48 feet to the			
NW/c of said Lot 10; th. SE'ly,			
185.22 feet to the p.o.b.			
Lot 10, Block 2, except beginning		"	Citizens National Bank
at the SW/c thereof; th. N 60°			and Trust Company of
35'49" E, 110.20 feet to the SE/c			Emporia, KS, as Trustee
of said Lot 10; th. S 81°41'16" W,			✓ of the Esther A. Fanestil
61.50 feet; th. S 37°51'44" W, 57.27			Trust
feet to the p.o.b. and except that			7210 Bainbridge
part described as beginning at the			Wichita, KS 67226
NE/c thereof; th. S'ly along the			
E'ly line of said Lot 10, 32.97			
feet; th. W'ly 128.64 feet to a			
point on the West line of said			
Lot 10, said point being 125.48			
feet South of the NW/c thereof;			
th. North, 125.48 feet to the			
NW/c of said Lot 10; th. SE'ly,			
185.22 feet to the p.o.b.			
Lot 11, Block 2, except that part		"	B & H Enterprises
described as beginning at the front			7 Address Unknown
corner common to Lots 10 and 11; th.			
S 60°35'49" W, along the NW'ly line			
of said Lot 11, 110.20 feet to the			
rear corner common to said Lots 10			
& 11; th. S 29°24'11" E, along the			
rear line of Lot 11, 71.92 feet;			
th. S 75°17'03" E, along the rear			
line of Lot 11, 24.89 feet; th.			
N 31°23'13" E, 25.89 feet; th.			
S 58°36'47" E, .60 feet; th. N			
31°23'13" E, 5.64 feet; th. N 58°			
36'47" W, .60 feet; th. N 31°23'			
13" E, 0.99 feet; th. N 58°36'47" W			
0.17 feet; th. N 31°23'13" E,			
33.80 feet; th. N 58°30'36" W, 19.14			
feet; th. N 31°29'24" E, 24.48 feet;			
th. N 42°24'40" E, 22.54 feet to a point			
on the N'ly line of said Lot 11; th.			
NW'ly along said N'ly line (being a curve,			
having a radius of 65 feet), an arc distance			
of 19.01 feet to the p.o.b.			

Lot	Block	Addition	Property Owner
Lot 2, Blk. B, exc. beginning at the NW/c of Lot 2; th. N 63°19'34" E of the N'ly line 151.53 feet to the NE/c; th. S 0°54'33" E along the East line 88.68 feet; th. S 89°31'41" W, 84.68 feet; th. S 0°28'19" E, 0.31 feet; th. S 89°31'41" W, 46.61 feet N'ly to west line 23.10 feet to point of beginning and strip adjoining Lot 2, Commencing at the SE/c, th. North 126.32 feet along the West line of Lot B to point of beginning; th. West at right angles 15 feet; th. North parallel to West line of Lot B, 88.68 feet; th. East at right angles 15 feet; th. South along the West line of Lot B, 88.68 feet to beginning.		Sycamore Village	✓ Carl H. Sackewitz 7209 Bainbridge Wichita, KS 67226
Lot 3	Block 3	"	✓ Jeffrey A. Shadwick Lana S. Shadwick 7205 E. Bainbridge Wichita, KS 67226
Unit 8	Phase II	Applewood Condominium	✓ Clyde M. Pasley Monette M. Pasley 7333 E. 22nd St. N. Apt. 8 Wichita, KS 67226
Unit 11	Phase II	"	✓ Thomas E. DeWitt Karen R. DeWitt 7333 E. 22nd St. N. Apt. 11 Wichita, KS 67226
Unit 15	Phase III	"	✓ Forrest K. Uppendahl Elaine H. Uppendahl 7520 E. 21st Wichita, KS 67206
Unit 21	Phase III	"	✓ D. Cramer Reed M. Gene Reed 7520 E. 21st, Apt. 22 Wichita, KS 67206
Unit 29	Phase IV	"	✓ Farris S. Farha Geraldine I. Farha 7520 E. 21st, Apt. 8 Wichita, KS 67226
Residence 4	Building 1	Country Lake Condominium	✓ Mary E. Mourning 6500 E. 21st, Unit 4 Wichita, KS 67206
Residence 8	Building 1	"	✓ James C. Flower Judith H. Gibson 6500 E. 21st, Unit 8
Residence 16	Building 2	"	✓ Ronald H. Harms Dana R. Harms Address Unknown

Lot	Block	Addition	Property Owner
Residence 18	Building 2	Country Lake Condominium	✓✓ Ronald L. Mendell 6500 E. 21st, Unit 18 Wichita, KS
Residence 46	Building 5	"	✓✓ Donald I. Bourbon Mary Lou Bourbon 6500 E. 21st, Unit 46 Wichita, KS 67206
Residence 5	Building 7	"	✓✓ Paula J. Kroeschen 6500 E. 21st, Unit 5 Wichita, KS 67206
Residence 11	Building 8	"	✓✓ Terry W. Wages 6500 E. 21st, Unit 11 Wichita, KS 67206
Residence 15	Building 8	"	✓✓ Julia F. Gill 6500 E. 21st, Unit 15 Wichita, KS 67206
Residence 103	Building 1	Country Lake II, a Condominium	✓✓ Richard D. Warren Cynthia L. Warren 221 Bramblewood, Unit 103 Wichita, KS 67206
Residence 301	Building 3	"	✓✓ Lisa C. Quinn 2221 Bramblewood # 301 Wichita, KS 67226
Residence 302	Building 3	"	✓✓ Richard A. Davis 2221 Bramblewood, Unit 302 Wichita, KS 67226
Residence 303	Building 3	"	✓✓ Gregory A. Qualls 2221 Bramblewood, Unit 303 Wichita, KS 67226
Residence 403	Building 4	"	✓✓ Donald M. Finn Cathie J. Finn 2221 Bramblewood, Unit #403 Wichita, KS 67226
Residence 503	Building 5	"	✓✓ Dale E. Sturzenegger Marie A. Sturzenegger 2221 Bramblewood, Unit 503 Wichita, KS 67226
Residence 504	Building 5	"	✓✓ Luanne J. Scheuerman 2221 Bramblewood, Unit 504 Wichita, KS 67226
Residence 902	Building 9	"	✓✓ Suzan W. Foster 2243 Bramblewood, Unit 902 Wichita, KS 67226
Residence 904	Building 9	"	✓✓ Beulah V. Gentry Carolyn J. Allen 2443 Bramblewood, Unit 904 Wichita, KS 67226

Lot	Block	Addition	Property Owner
Residence 1002	Building 10	Country Lake II, a Condominium	✓ Steven J. Perkins 2243 N. Bramblewood, Unit 1002 Wichita, KS 67226
Residence 1004	Building 10	"	✓✓ Dennis W. Stokes 2243 Bramblewood, Unit 1004 Wichita, KS 67226
Residence 1104	Building 11	"	✓✓ Yvonne A. Lynd 2243 Bramblewood, Unit 1104 Wichita, KS 67226
Residence 1204	Building 12	"	✓✓ Jerry F. Harbaugh John F. Harbaugh 2243 Bramblewood, Unit 1204 Wichita, KS 67226
Residence 1304	Building 13	"	✓✓ Pauline J. Domel 2243 Bramblewood, Unit 1304 Wichita, KS 67226
Residence 1403	Building 14	"	✓✓ John R. Hagman 2243 Bramblewood, Unit 1403 Wichita, KS 67226
Residence 1601	Building 16	"	✓✓ Lorene I. Hibbs Karen Foley 2243 Bramblewood, Unit 1601 Wichita, KS 67226
Residence 1603	Building 16	"	✓✓ Robert H. Hutchinson Alberta L. Hutchinson 2243 Bramblewood, Unit 1603 Wichita, KS 67226
Beginning at the NW/c of Lot 3; th. East along the North line 381'; th. South 343.01'; th. West 281'; th. North to p.o.b.		Chelsea North Addition	City of Wichita 455 N. Main Wichita, KS 67202
Lot 3, except above described portion.		"	✓✓ Alfred A. Caro 1559 Willow Road Wichita, KS 67208

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Gable

Sr. Vice-President

Order No: 350012

nj

WICHITA - SEDGWICK COUNTY

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

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METROPOLITAN PLANNING
ROUTE DP-67 #2
 Z-2754

G. T. and Judith L. Gentry
2025 North Broadmoor, #181
Wichita, Kansas 67206

✓ C.D.
✓ P.B.
✓ C.L.

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WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
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Gary J. Martin
2221 Bramblewood
Unit #502
Wichita, Kansas 67226



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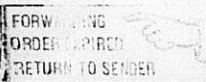


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James S. and Margit M. Stockwell
2221 Bramblewood
Unit #304
Wichita, Kansas 67226



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METROPOLITAN AREA PLANNING DEPARTMENT

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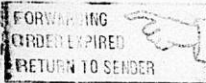
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Beulah V. Centry
Carolyn J. Allen
2443 Bramblewood
Unit #904
Wichita, Kansas 67226

CR 266/



✓C.D.
✓P.B.

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WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
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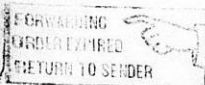
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ROUTE Z-2754
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Avenell R. Elliott
2221 Bramblewood
Unit #201
Wichita, Kansas 67226

CR 266/



✓C.D.
✓C.D.
✓P.B.

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WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

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Fred C. Bramlage
Burl H. Schippert
c/o Michael Clutter
1310 First National Bank Tower
Topeka, Kansas 66603

2

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WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL - TENTH FLOOR
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ROUTE Z-2754
 DP-67 #2

Ruby M. Bell
6500 East 21st Street North
Unit #19
Wichita, Kansas 67206

6/2



✓ C.D.
✓ P.B.

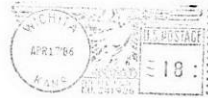
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WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

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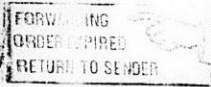
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ROUTE DP-67 #2
 Z-2754

Ruth A. Muenchrath
2243 Bramblewood
Unit #1301
Wichita, Kansas 67226

Op 266/



✓ C.D.
✓ P.B.
✓ C.R.

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WICHITA - SEDGWICK COUNTY

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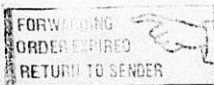
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METROPOLITAN PLANNING

ROUTE DP-67 #2
 Z-2754

Byron D. Cohen
2251 Bramblewood, #302
Wichita, Kansas 67226

Op 266/



✓ C.D.
✓ P.B.

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WICHITA - SEDGWICK COUNTY

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DEPARTMENT
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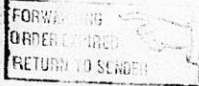
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METROPOLITAN PLANNING

ROUTE Z-2754
 DP-67 #2

Jeffrey C. and Katherine L. Thomas
6925 Bainbridge
Wichita, Kansas 67226



✓ C.D.
✓ P.B.

CP 2661

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WICHITA - SEDGWICK COUNTY

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DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
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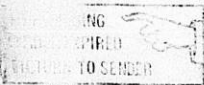
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METROPOLITAN PLANNING

ROUTE DP-67 #2
 Z-2754

Patrick K. Cantwell
6602 East Harry, Apt. 801
Wichita, Kansas 67207



✓ P.B.
✓ C.D.
✓ C.R.

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*

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