

DR 84-12 Calvary United Methodist Church requests a Special Permit to construct an underground vault for telephone switching equipment on the west side of Rock Rd. in

Post 09-7-84 KB

ACTION

DATE

COMMITTEE	_____	_____
M.A.P.C.	<i>Approved</i>	<i>9-20-84</i>
R.C.C./B. CO. C.	<i>approved</i>	<i>10-16-84</i>

Map No. 5950 A
Sec. _____
Twp. _____
Range _____

DATA SHEET

DR - 84-12

Filed 8-27-84

APPLICATION REQUEST: Special permit to construct an underground vault for telephone switching equipment.

APPLICATION DATA:

1. Applicant: Calvary United Methodist Church
Address 2525 North Rock Rd., Wichita, 67226 Phone 683-7878
2. Agent: Southwestern Bell Telephone Co. c/o Fred L. Neff
Address 154 N. Broadway, Rm. 956, Wichita 67202 Phone 268-2800
3. General Location: On the west side of Rock Road in an area south of 26th Street North.
4. Proposed Use: _____

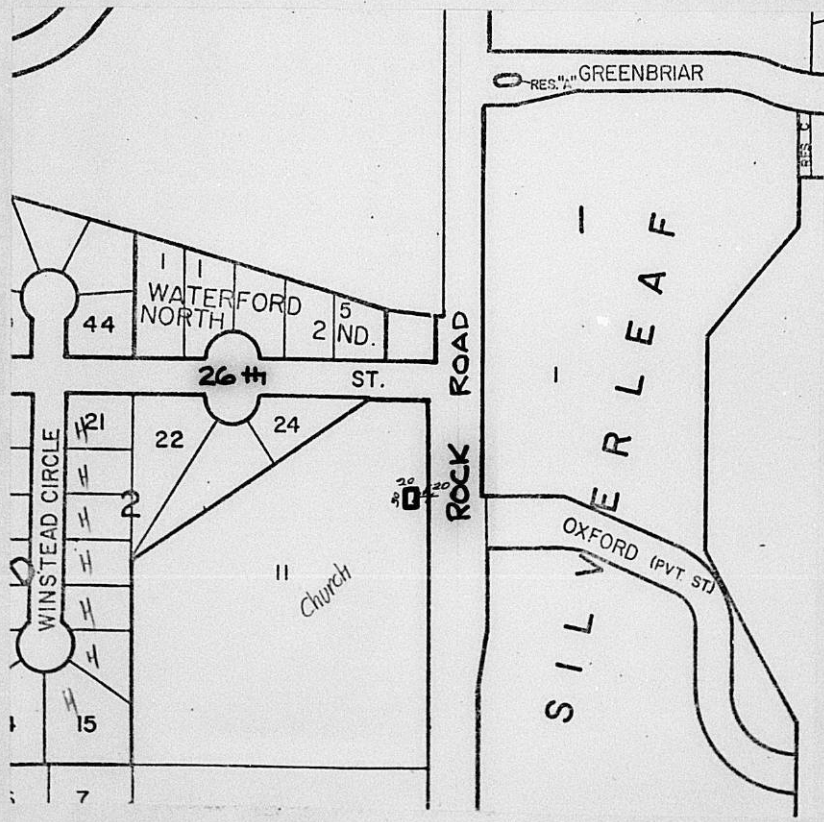
AREA DATA:

1. Acres: 0.013 (20' ft. by 30' ft.)
2. Adjoining Zoning: E "AA" w/CUP S "AA" w/CUP W "AA" w/CUP N "AA" w/CUP
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by (P) Date 9-12-84 Time 10:30

DR 84-12



Survey
No. 2153C
WASTING, AND
LOS ANGELES-CINCINNATI-OSAMA, OH
MEMBER, T.L. LOCUST GROVE, GA
USA

PICTURE SHEET

2070
2070
10

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

September 6, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a Special Permit to construct an underground vault for telephone switching equipment in your area, on property legally described below. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support of or in opposition to this request. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on September 20, 1984, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. DR 84-12

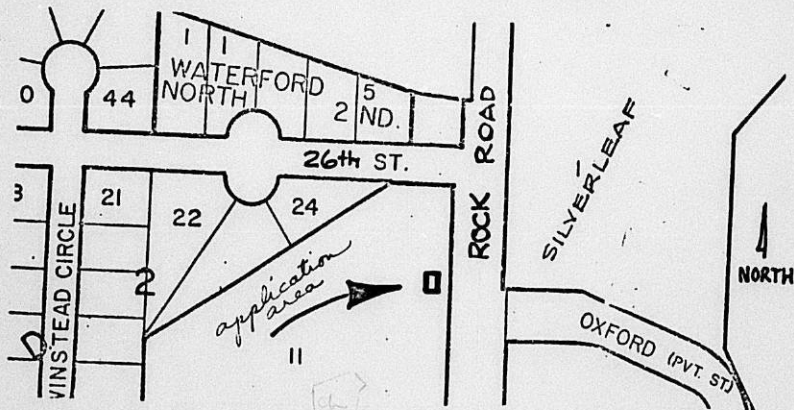
Special Permit to Construct an Underground Vault
for Telephone Switching Equipment

A portion of Lot 11, Block 4, Sycamore Village Third Addition to Wichita, Sedgwick County, Kansas, more particularly described as commencing at the NE corner of said Lot 11; thence south along the east line of said lot, 183 feet; thence west at right angles a distance of 20 feet for a place of beginning; thence continuing west on the last described line extended, 20 feet; thence north at right angles a distance of 30 feet; thence east 20 feet; thence south 30 feet to the point of beginning. Generally located on the west side of Rock Road in an area south of 26th Street North.

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 BCC. 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 case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary



March 14, 1985

Mr. Fred Neff
Southwestern Bell
154 North Broadway, Rm. 956
Wichita, Kansas 67202

RE: DR 84-12 and DR 84-13 - Special Use Permits for Underground
Vaults

Dear Fred:

This letter is in response to your request for written confirmation that the City Commission has approved special use permits for underground vaults for telephone switching equipment to be located on the west side of Rock Road south of 26th Street North (DR 84-12) and on the south side of 23rd Street North between Hillside and Lorraine (DR 84-13). Both locations were approved for this use by the City Commission on October 16, 1984, as recommended by the Metropolitan Area Planning Commission.

I have enclosed a xerox copy of the portion of the October 16th City Commission minutes where these two cases were reviewed. The recommended condition of approval for the site on 23rd Street was that a minimum 2½-foot setback on the east side of the property be retained to avoid encroachment of a public utility easement. There were no conditions of approval for the Rock Road site. The 50-foot setback specified on the approved development plan (DP-73) for that site was administratively adjusted by the Director of Planning and the Superintendent of Central Inspection to allow for installation of the vault.

If additional information is needed regarding Planning Commission or City Commission action on these special use permits, please let me know.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

THE CITY OF WICHITA

OFFICE OF METROPOLITAN AREA PLANNING DATE October 26, 1984
Department

TO Robert B. Feldner, Superintendent of Central Inspections

FROM Robert A. Lakin, Director of Planning

SUBJECT DP73 - Adjustment of Setback
Line from Rock Road in
Parcel 9

On October 16, 1984, the City Commission approved a special permit to allow construction of an underground vault for telephone switching equipment within Parcel 9 of the Comotara (Phase Two) C.U.P. The approved location for the vault is entirely within the 50-foot setback from Rock Road as specified on the C.U.P. This fact was pointed out at the public hearing and it was stated that, if the special permit was granted, the C.U.P. setback would be administratively adjusted to allow for installation of the vault.

Therefore, in accordance with the provisions of the special permit, (see DR 84-12) our signatures below indicate that this administrative adjustment of the 50-foot setback from Rock Road on subject portion of Parcel 9 has been granted. For clarity of the exact location of this adjustment, a copy of the public hearing notice for DR 84-12, with legal description, is attached.

Original signed
Robert A. Lakin
Director of Planning

Original signed
Robert B. Feldner
Superintendent of Central
Inspections

RAL/LO/lw
Attachment

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

September 6, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a Special Permit to construct an underground vault for telephone switching equipment in your area, on property legally described below. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support of or in opposition to this request. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on September 20, 1984, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. DR 84-12

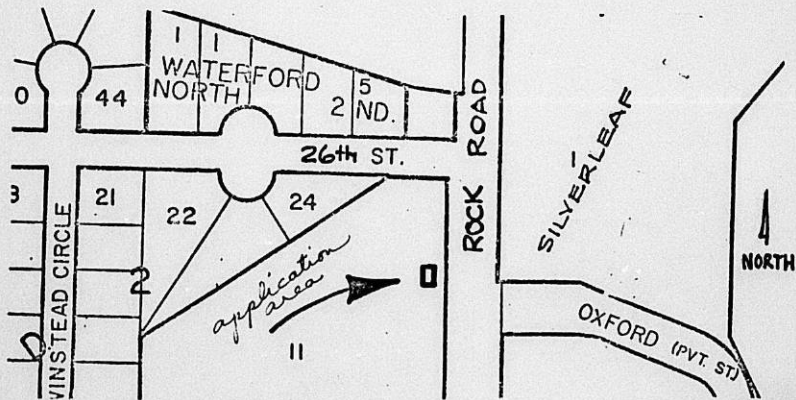
Special Permit to Construct an Underground Vault
for Telephone Switching Equipment

A portion of Lot 11, Block 4, Sycamore Village Third Addition to Wichita, Sedgwick County, Kansas, more particularly described as commencing at the NE corner of said Lot 11; thence south along the east line of said lot, 183 feet; thence west at right angles a distance of 20 feet for a place of beginning; thence continuing west on the last described line extended, 20 feet; thence north at right angles a distance of 30 feet; thence east 20 feet; thence south 30 feet to the point of beginning. Generally located on the west side of Rock Road in an area south of 26th Street North.

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 BCC. 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 case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary



WICHITA-SEDGWICK COUNTY

October 23, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Robert B. Feldner, Superintendent of Central Inspection
FROM: Louise Olivarez, Senior Planner

SUBJECT: DR 84-12 and DR 84-13: Special Permits to construct
underground vaults for telephone switching equipment.

On October 16, 1984, the City Commission approved two requests from Southwestern Bell to construct underground vaults for telephone switching equipment on properties within "AA" zoning districts. I have attached a copy of our notices which went out to property owners in the vicinity of these sites. Each notice has a legal description of the area for which the permit was requested (and granted) and a general area map. The official zoning maps will be updated in the near future to note these two areas where special use permits have been granted.

DR 84-12 was approved outright. DR 84-13 was approved subject to retaining a minimum 2½-foot setback on the east side of the property to avoid encroachment of a utility easement. If you have any questions about these special permits, please call.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

Attachments

Planning Agenda

Item

Page

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF CITY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

DR 84-12 - SPECIAL PERMIT TO CONSTRUCT AN UNDERGROUND VAULT
FOR TELEPHONE SWITCHING EQUIPMENT, GENERALLY LOCATED ON THE
WEST SIDE OF ROCK ROAD IN AN AREA SOUTH OF 26TH STREET NORTH.

The MAPC recommends that the application be approved.

(see minutes for full motion)

Gardner moved, Hansen seconded and it carried unanimously.

Peters was absent.

- ACTION:
1. Concur with the findings of fact of the Metropolitan Area Planning Commission and approve the special permit; or
 2. Take such action as the City Commission deems appropriate.

CPO ACTION: CPO Council Area "I" voted 7-0 to recommend approval of the special permit.

DATA AND MINUTES

MAPC Hearing Date: 9-20-84

BCC Hearing Date: 10-16-84

AREA DATA:

Acres: 0.0138

Size: 20' x 30'

Reason: To accommodate an underground vault for telephone switching equipment.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Church property	"AA"
North	Church property	"AA"
East	Proposed townhouses	"AA"
South	Church property	"AA"
West	Church property	"AA"

History: DP-73 approved by MAPC 6-12-75

BCC 7-01-75

Last amended by MAPC 1-12-84

BCC 2-07-84

Applicant: Calvary United Methodist Church, 2525 N. Rock Road,
Wichita, Kansas 67226

Protestors: None.

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 20, 1984

LEGAL:

4. Case No. DR 84-12 - Calvary United Methodist Church requests a Special Permit for a portion of Lot 11, Block 4, Sycamore Village Third Addition to Wichita, Sedgwick County, Kansas, more particularly described as commencing at the NE corner of said Lot 11; thence south along the east line of said lot, 183 feet; thence west at right angles a distance of 20 feet for a place of beginning; thence continuing west on the last described line extended, 20 feet; thence north at right angles a distance of 30 feet; thence east 20 feet; thence south 30 feet to the point of beginning. Generally located on the west side of Rock Road in an area south of 26th Street North.

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

COMMENTS:

1. As provided for in Section 28.04.180.4 of the City Zoning Ordinance, the applicant, on behalf of Southwestern Bell, is requesting a special permit to construct an underground vault for telephone switching equipment. The buried vault will be approximately 16 feet long, 6 feet wide, and 9 feet high; the exposed hatch is approximately 4½ feet long, 2½ feet wide, and 25 inches high. The land will be leased from the property owner.
2. This site is on property which is part of the Comotara residential community unit plan (DP-73). A 50-foot setback from Rock Road is designated on the C.U.P. If the special permit request is granted, an administrative adjustment of the setback at this location will be made. No curb cut to Rock Road will be needed for this land use.

DISCUSSION:

OLIVAREZ pointed out that most of the use of the property would be for an underground vault. The portion that will be above ground was about 4-1/2 feet by 2-1/2 feet, and approximately 25 inches high. She showed slides of a similar vault constructed on Lark Lane about two years ago. She mentioned that the site on Rock Road was part of a community unit plan, and there is a 50-foot building setback from Rock Road on that C.U.P. OLIVAREZ said that if this special permit is granted, staff would administratively adjust the C.U.P. setback to allow this vault. Staff recommended approval of the special permit request. The CPO Council has recommended approval unanimously.

BAYOUTH questioned the electric meter and the possibility of vandalism. He asked how it would be secured.

FRED NEFF, representing Southwestern Bell Telephone, stated that the vaults are locked and there would not be any way for anyone to get in without a tool that only Southwestern Bell had access to.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the compatibility of the proposed underground vault with the adjacent developments; and the recommendation of approval by staff; I move that we recommend to the governing body that this application be approved. Gardner moved, Hansen seconded and it carried unanimously. Peters was absent.

September 21, 1984

Fred L. Neff
Southwestern Bell Telephone Company
154 North Broadway, Room 956
Wichita, Ks.

Re: DR 84-12 - Special Permit to
construct an underground vault
for telephone switching equipment

Dear Mr. Neff:

At its regular meeting on September 20, 1984, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on October 16, 1984, this meeting to 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.

Sincerely yours,

Louise Olivarez
Senior Planner

JHG:sd

cc: Calvary United Methodist Church, 2525 North Rock Road, Wichita 67226

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE September 20, 1984

TO Jack Galbraith, Chief Planner-Current Plans

FROM Mary L. Moore, Administrative Aide III

SUBJECT DR 84-12 Generally located on
the west side of Rock Road in an
area south of 26th Street North

CPO Council "I" considered the above captioned case at its September 18th meeting and voted 7-0 to recommend approval for the special permit.

Jerry Glancy, representative, was present to discuss the case with the Council. No area residents were present concerning the case.

Please provide the Council's recommendation to the MAPC when it meets to consider this case.

Mary L. Moore

Mary L. Moore
Administrative Aide III

MLM:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RE: AGENDA ITEM NO. 4

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DR 84-12 - SPECIAL PERMIT

Generally located on the west side of Rock Road in an area south of 26th Street North.

MAPC HEARING DATE: 9-20-84

Acres: 0.0138

Size: 20' x 30'

Reason: To accomodate an underground vault for telephone switching equipment.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Church property	"AA"
North	Church property	"AA"
East	Proposed townhouses	"AA"
South	Church property	"AA"
West	Church property	"AA"

History: DP-73 approved by MAPC 6-12-75
BCC 7-01-75
Last amended by MAPC 1-12-84
BCC 2-07-84

Applicant: Calvary United Methodist Church, 2525 N. Rock Road, Wichita 67226

COMMENTS:

1. As provided for in Section 28.04.180.4 of the City Zoning Ordinance, the applicant, on behalf of Southwestern Bell, is requesting a special permit to construct an underground vault for telephone switching equipment. The buried vault will be approximately 16 feet long, 6 feet wide, and 9 feet high; the exposed hatch is approximately 4½ feet long, 2½ feet wide, and 25 inches high. The land will be leased from the property owner.
2. This site is on property which is part of the Comatara residential community unit plan (DP-73). A 50-foot setback from Rock Road is designated on the C.U.P. If the special permit request is granted, an administrative adjustment of the setback at this location will be made. No curb cut to Rock Road will be needed for this land use.

CASE NO. DR 84-12

- 3 "Notice to Adjoining Property Owners" mailed on 9-6-84
for MAPC meeting on 9-20-84.
- 2 One each to applicant and agent.
- 3 One each to Karen Crook, CPO, Don Schneider.

8 TOTAL

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

September 6, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

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CASE NO. DR 84-12

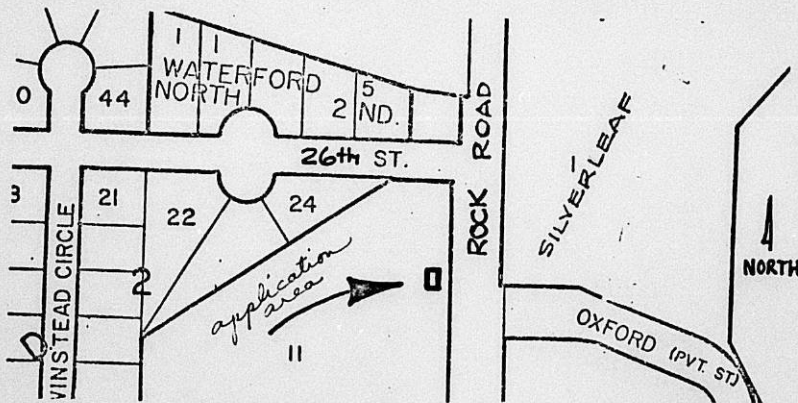
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Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary



MAPC 10-4-84
Map 5750 A
DR 84-12

~~CONDITIONAL USE PERMIT~~
^{SPECIAL}
APPLICATION FOR APPROVAL OF SPECIAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS
WICHITA

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

1. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT Calvary United Methodist Church

ADDRESS 2525 N. Rock Road 67226 PHONE 683-7878

AGENT Southwestern Bell Telephone Company C/O - Fred L. Neff

ADDRESS 154 N. Broadway, Rm. 956 Wichita, KS PHONE 268-2800

B. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

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

2. a. The applicant proposes to establish a Underground Vault For Telephone Switching Equipment (use)

on property legally described as, ^{a portion of} Lot(s) 11

, Block(s) 4,

~~of the Sycamore Village Third~~ Addition to

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

equal
Wichita, Sedgewick County, Kansas, more particularly described as commencing at the NE corner of said lot 11. Thence south along the east line of said lot, 183 feet; thence west at right angles a distance of 30 feet for a place of beginning; thence continuing west on the east described line extended, 20 feet; thence north at right angles a distance of 30 feet; thence east 30 feet; thence south 30 feet to the point of beginning.

2. b. There are 0.013 acres (round to nearest tenth) in the above described property.

Note: DP-73 has a 50' setback from Rock Road. Application area is totally within setback.

T9-333-2

Revised 8/80

Adjacent zoning:

N AA w/cup

E AA w/cup

S AA w/cup

W AA w/cup

3. THIS PROPERTY IS LOCATED AT (ADDRESS) 2525 North Rock Road.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Southwest CORNER OF 26th Street North AND Rock Road, OR

B. ON THE west SIDE OF Rock Road (AVE.) STREET BETWEEN in an area south of 26th St North (AVE.) STREET AND _____ (AVE.) STREET.

4. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED AA w/cup (DP-73) (ZONING DISTRICT CLASSIFICATION).

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

To provide accomodation for an underground vault to house telephonic communication facilities to serve the surrounding service area.

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

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

? Jerry L. Glancy

BY _____
AUTHORIZED AGENT (IF ANY)

BY Fred L. Neff
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY)

7. OFFICE USE ONLY

This application was received at the Planning Department at 3
(AM, PM) on 8-27-84 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150⁰⁰.

Louise Oliveira Name
Senior Planner Title

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

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

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

Record Owners within 200 feet of: Lot 11, described as commencing at the Northeast corner; thence South along the East line of said Lot, 183 feet; thence West at right angles, a distance of 20 feet for a place of beginning; thence continuing West on last described line extended, 20 feet; thence North at right angles, a distance of 30 feet; thence East 20 feet; thence South 30 feet to the point of beginning, Block 4, SYCAMORE VILLAGE THIRD ADDITION to Wichita, Sedgwick County, Kansas.



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

DESCRIPTIONS

RECORD OWNERS

Lot 11, Block 4, SYCAMORE VILLAGE
THIRD ADDITION,

Calvary United Methodist
Church of Wichita, Kansas, Inc.
2525 N. Rock Road
Wichita, Kansas 67226

Lot 23, Block 2, WATERFORD NORTH,
an ADDITION,

William S. & Margaret E. Coffey
7835 E. 26th Street
Wichita, Kansas 67226

Lot 24, Block 2, WATERFORD NORTH,
an ADDITION,

Landmark Communities, Inc.
3500 N. Rock Road #100
Wichita, Kansas 67226

Lot 1, Block 1 and Lot 1, Block 2,
SILVERLEAF ADDITION,

Tallgrass Co.
2318 Greenleaf
Wichita, Kansas 67226

Dated at Wichita, Kansas, this 3rd day of August, 1984 at 7:00 AM

FIDELITY TITLE COMPANY, INC.

Tracer No. 67902

Medina A. Suttler
By
Fidelity FT Title

Assistant Sec.

COMPANY, INC.

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 2 21 PAYMENT NOTICE
 City of Wichita

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

Planning

DESCRIPTION	AMOUNT
<i>Special Permit - 150</i>	<i>150</i>
<i>Special Permit - 150</i>	<i>150</i>
NAME <i>Southwestern Bell</i>	
ADDRESS <i>150 N. Broadway</i>	
FUND <i>150-4174</i>	DUE DATE <i>5-7-81</i>
COMMENTS	
DATE <i>5-7-81</i>	BY <i>LH</i>