

**PETITION AND CONSENT TO  
ANNEXATION INTO THE  
CITY OF LAWRENCE, KANSAS**

To: The Governing Body of the City of Lawrence, Kansas:

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Lawrence, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

Such land lies upon or touches the City of Lawrence, Kansas boundary line. The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A. The petition and consent to annexation shall be binding upon all successors in title, assigns, and heirs. Finality of any annexing, rezoning or replatting of the Real Estate shall be contingent upon the sale of the property.

Property Owners of Record:

Alvamar, Inc., a Kansas corporation  
Yankee Tank Investors, a Kansas general partnership  
Chris Earl  
Mark A. Buhler  
Marsha G. Buhler


**Property Owner signatures:**

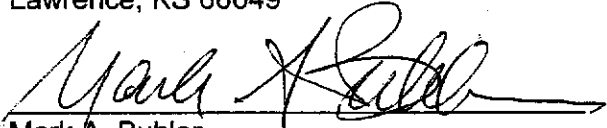
Alvamar, Inc.  
a Kansas corporation  
1611 St. Andrews Drive  
Lawrence, KS 66047


By: Beverly Smith Billings  
Beverly Smith Billings, President

Yankee Tank Investors,  
a Kansas general partnership  
4100 W. 6<sup>th</sup> Street  
Lawrence, KS 66049

By: John M. McGrew  
John M. McGrew, Partner

  
Chris Earl  
1337 Stonecreek Drive  
Lawrence, KS 66049

  
Mark A. Buhler  
1000 Sunset Drive  
Lawrence, KS 66044

  
Marsha G. Buhler  
1000 Sunset Drive  
Lawrence, KS 66044

STATE OF KANSAS )  
COUNTY OF DOUGLAS )

The foregoing petition and consent to annexation was acknowledged before me this 29<sup>th</sup> day of October, 2004, by Beverly Smith Billings, President, Alvamar, Inc., a Kansas corporation; by John M. McGrew, partner, Yankee Tank Investors, a Kansas general partnership; and owners Chris Earl, Mark A. Buhler and Marsha G. Buhler and TESTIMONY WHEREOF, I have set my hand and affixed my official seal on the day and year last above written.

  
Notary Public

Date: 10/29/04

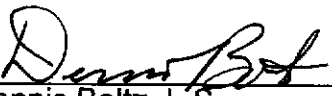


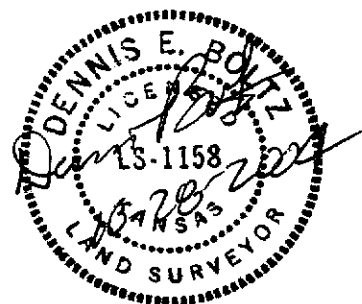
ATTACHMENT 'A'

**ANNEXATION LEGAL**

LOTS 2, 3 AND A PART OF LOT 4 IN BLOCK ONE, AND LOTS 2, 3, 4, 5 AND A PART OF LOT 6 IN BLOCK TWO, IN LAKE ESTATES SUBDIVISION NO. 6 AND AN UNPLATTED TRACT OF LAND ALL LYING IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE 6<sup>TH</sup> P.M. IN DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN SAID BLOCK TWO; THENCE ALONG THE LINE COMMON WITH LOT 1 AND LOT 2 IN SAID BLOCK TWO, ON A CURVE TO THE RIGHT, 335.86 FEET, SAID CURVE HAS A RADIUS OF 330.01 FEET AND A CHORD BEARING NORTH 34°14'46" EAST, A DISTANCE OF 321.55 FEET TO THE CORNER COMMON WITH LOTS 1 AND 2 IN SAID BLOCK TWO AND THE NORTHWESTERLY RIGHT-OF-WAY OF E 920 ROAD; THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF E 920 ROAD, ON A CURVE TO THE RIGHT, 72.27 FEET, SAID CURVE HAS A RADIUS OF 50.00 FEET AND A CHORD BEARING NORTH 30°38'13" EAST, A DISTANCE OF 66.14 FEET; THENCE NORTH 72°02'47" EAST, ALONG THE NORTHWESTERLY LINE OF E 920 ROAD, 110.00 FEET; THENCE ALONG THE NORTHWESTERLY LINE OF E 920 ROAD, ON A CURVE TO THE LEFT, 422.80 FEET, SAID CURVE HAS A RADIUS OF 410.00 FEET AND A CHORD BEARING NORTH 42°30'14" EAST, 404.31 FEET; THENCE SOUTH 77°02'17" EAST, 80.00 FEET TO THE NORTHWESTERLY CORNER OF LOT 2 IN SAID BLOCK ONE; THENCE SOUTH 57°39'01" EAST, 321.78 FEET TO THE NORTHWEST CORNER OF LOT 3 IN SAID BLOCK ONE; THENCE NORTH 87°21'21" EAST, 219.58 FEET TO THE NORTHWESTERLY CORNER OF LOT 4 IN SAID BLOCK ONE; THENCE NORTH 59°23'44" EAST, ALONG THE NORTH LINE OF LOT 4 IN SAID BLOCK ONE, 231.66 FEET TO A POINT 44.96 FEET SOUTHWESTERLY OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH 04°08'15" WEST, 181.28 FEET; THENCE SOUTH 08°55'50" EAST, 125.54 FEET; THENCE SOUTH 07°44'08" EAST, 239.12 FEET TO THE NORTHEAST CORNER OF LAKE VIEW ADDITION; THENCE SOUTH 87°57'29" WEST, ALONG THE SOUTH LINE OF SAID BLOCK TWO, CONTIGUOUS WITH THE NORTH LINE OF LAKE VIEW ADDITION, 419.98 FEET; THENCE CONTINUE SOUTH 87°54'06" WEST, ALONG SAID SOUTH LINE 980.55 FEET TO THE POINT OF BEGINNING, CONTAINING 582,074 SQUARE FEET OR 13.3625 ACRES, MORE OR LESS.

  
Dennis Boltz, L.S.  
Peridian Group, Inc.  
500 Rockledge Road, Suite A  
Lawrence, Kansas 66049



October 28, 2004

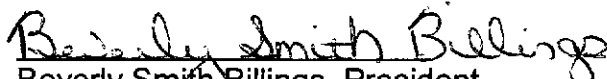
Ms. Linda Finger  
Planning Department  
City of Lawrence  
6 East Sixth Street  
Lawrence, KS 66044

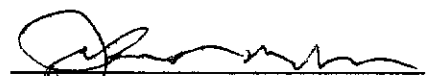
**RE: Lake Estates at Alvamar**

Dear Ms. Finger,

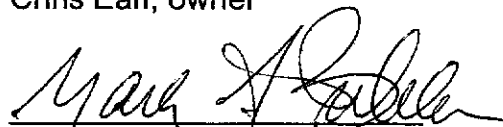
Please acknowledge this letter as reference Peridian Group, Inc. has been designated acting agent on behalf of the following property owners for all submittals on the Lake Estates at Alvamar project.

Sincerely,

  
Beverly Smith Billings, President  
Alvamar, Inc.  
A Kansas corporation

  
John M. McGrew, Partner  
Yankee Tank Investors,  
A Kansas general partnership

  
Chris Earl, owner

  
Mark A. Buhler, owner

  
Marsha G. Buhler, owner



# APPLICATION FORM

(Type or Print)

## Lawrence Douglas County Metropolitan Planning Office

6 East 6<sup>th</sup> Street, P.O. Box 708, Lawrence, KS 66044

(785) 832-3150 Fax (785) 832-3160

<http://www.ci.lawrence.ks.us/citygovt/planning/web99/index.html>

Project Name & Description Lake Estates at Alvamar		Total Site Acreage 13.3626 AC	Present Zoning A-1
Legal Description (May be attached as separate sheet) See Attached		Proposed Zoning RM-D/RS-2	
Project Address/General Location NE Corner of 22 <sup>nd</sup> Terrace and Lake Pointe Drive		Presubmittal [ LF ] Planner [ 10/04/04 ] Date	
Property Owner's Name: Yankee Tank Investors; Alvamar, Inc; Chris Earl, Mark A Buhler, and Marsha G. Buhler	Phone 785-843-2842	Fax 785-843-6206	
Property Owner's Address See attached	City	State	Zip
Applicant's Name (if different from above) Lake Estates at Alvamar, LLC Attn: William N. Fleming	Phone 785-843-6600	Fax 785-843-8405	
Applicant's Address 1211 Massachusetts	City Lawrence	State KS	Zip 66044
Applicant's Mobile Phone or Pager	Property Owner and/or Applicant's E-mail Address		

### APPLICATION TYPE

<input type="checkbox"/> <b>Site Plan</b> <input type="checkbox"/> Lawrence <input type="checkbox"/> Douglas County (unincorporated)* <input type="checkbox"/> <b>Use Permitted Upon Review (Submit Sheet A)</b> <input type="checkbox"/> <b>Conditional Use Permit (Submit Sheet A)*</b> <input type="checkbox"/> <b>(Re)Zoning (Submit Sheet A)</b> <input type="checkbox"/> Lawrence <input type="checkbox"/> Douglas County <input checked="" type="checkbox"/> <b>Annexation (Submit Sheet B)</b> <input type="checkbox"/> <b>Historic Resources Commission Review (Submit Sheet H)</b> <input type="checkbox"/> <b>Variance (Submit Sheet V)</b>	<input type="checkbox"/> <b>Preliminary Development Plan (Submit Sheet A)</b> <input type="checkbox"/> PRD <input type="checkbox"/> PCD <input type="checkbox"/> PID <input type="checkbox"/> POD <input type="checkbox"/> <b>Final Development Plan (Submit Sheet A)</b> <input type="checkbox"/> PRD <input type="checkbox"/> PCD <input type="checkbox"/> PID <input type="checkbox"/> POD <input type="checkbox"/> <b>Lot Split *</b> <input type="checkbox"/> <b>Preliminary Plat *</b> <input type="checkbox"/> <b>Final Plat* or [ ] Replat *</b> <input type="checkbox"/> <b>Temporary Use Permit</b> <i>*Provide utility company info for projects in Douglas County*</i>
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### PROJECT INFORMATION

Existing Use			
<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Office <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____
Proposed Use			
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____

### COMPLETE THIS PORTION IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT (CUP), USE PERMITTED UPON REVIEW (UPR), AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)

Total site area	Existing Floor Area	Existing Building Footprint	Open Space Area
# of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

### COMPLETE THIS PORTION IF APPLYING FOR A TEMPORARY USE PERMIT (TUPR)

Dates and Times	# Existing Parking Spaces	# Parking Spaces Required for Temporary Activity
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### COMPLETE THIS PORTION IF SUBDIVIDING PROPERTY

Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size
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**Property Owner/Agent Consent** – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

X William N. Fleming, Attorney-in-fact  
Signature Date

10/13/04

### Planning Staff Use Only

<input type="checkbox"/> Fee \$ _____	<input type="checkbox"/> Property Owner List
<input type="checkbox"/> Attached Legal Description	<input type="checkbox"/> Site Plans # _____

**Addresses of Property Owners:**

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A Kansas corporation  
1611 St. Andrews Drive  
Lawrence, KS 66047

Yankee Tank Investors  
A Kansas general partnership  
4100 W. 6<sup>th</sup> Street  
Lawrence, KS 66049

Chris Earl  
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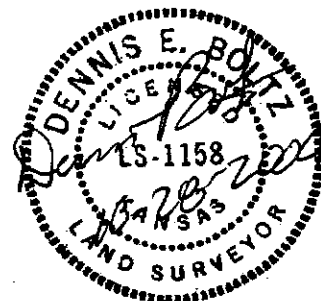
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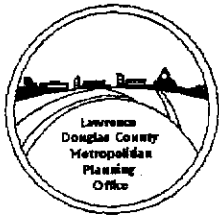
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Dennis Boltz, L.S.  
Peridian Group, Inc.  
500 Rockledge Road, Suite A  
Lawrence, Kansas 66049





## SHEET B

(Type or Print)

### Lawrence Douglas County Metropolitan Planning Office

6 East 6<sup>th</sup> Street, P.O. Box 708, Lawrence, KS 66044

(785) 832-3150 Fax (785) 832-3160

<http://www.ci.lawrence.ks.us/citygovt/planning/web99/index.html>

#### Requirements for Annexation Application:

- Complete Application Form.
- Complete Sheet B.
- Execute Consent to Annexation form. This will require an accurate legal description of the property proposed for annexation.
- Provide a copy of the last recorded deed of the property.
- Provide a map of requested annexation area. (If applicant does not have access to appropriate maps, contact the Planning Department.)

#### Please provide the following information to the best of your knowledge:

##### Reason for annexation request:

To facilitate residential development.

*(If one of the reasons for the annexation is to receive City water and/or sewer service, it is appropriate to note this.)*

##### Is the property currently served by:

City water service? Yes or No (Circle One)

City sanitary sewer service? Yes or No (Circle One)

Rural Water District (RWD) water service? Yes or No (Circle One) If the answer is yes, please describe the RWD facilities. (number of meters, connections, easements, etc.):

NONE

*If the property is currently served by rural water district service, state law requires that the City pay the RWD for RWD facilities serving the property upon annexation. City policy requires that this cost be paid by the annexation applicant.*

Does the property currently adjoin City of Lawrence boundaries? Yes

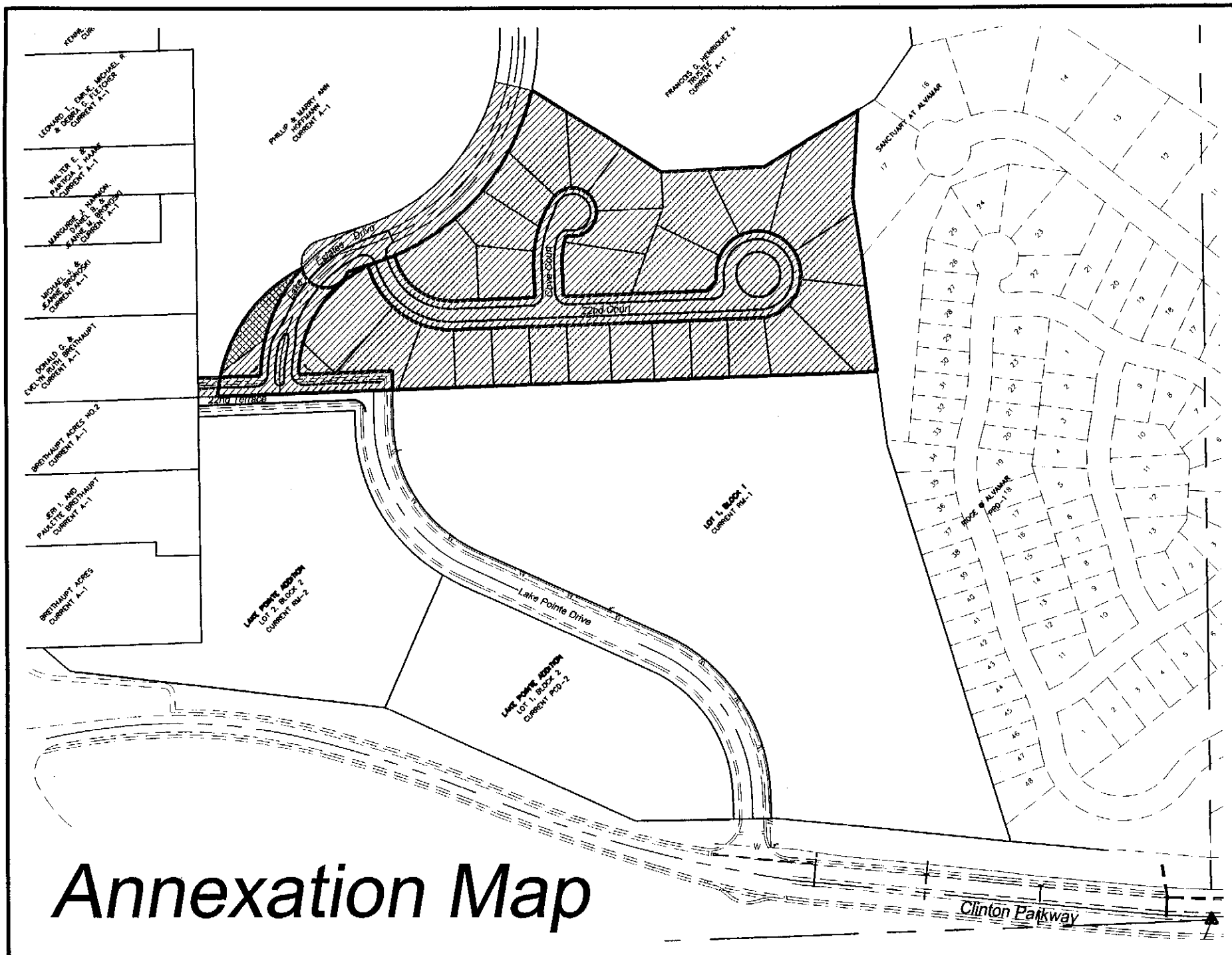
Is the annexation request contingent upon rezoning or other land use regulatory decisions? If yes, please describe:

Yes, contingent upon filing of plat with Register of Deeds office.

Please describe whether the property currently has any structures or improvements:

Vacant





# Annexation Map