



Landplan Engineering, P.A.

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**Civil Engineering
Landscape Architecture
Community Planning
Surveying**

January 5, 2005

The Honorable Mike Rundle
Mayor of the City of Lawrence
6 East Sixth Street
Lawrence, Kansas 66044

**Re: Annexation and Rezoning of approximately 17.52 acres the Southwest
Quarter of Section 29, Township 12 South, Range 19**

Dear Mayor Rundle,

Please accept this formal request to annex the above-mentioned property into the City of Lawrence. A rezoning application has also been submitted for this property and is tentatively scheduled to be before the Planning Commission on February 23, 2005 for recommendation to the City Commission on March 15, 2005.

We make this request on behalf of the property owner. Please find the attached "Petition for Annexation" signed by the Owner of Record.

Thank you for considering this request. Please feel free to call this office with any questions or comments concerning this or related matters.

Sincerely,

Tim A. Herndon,
Agent

encl.



APPLICATION FORM

(Type or Print)

Lawrence Douglas County Metropolitan Planning Office

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceplanning.org>

Project Name & Description Annexation Request (Former "Brink Property")		Total Site Acreage 17.52 Acres	Present Zoning A
Legal Description (May be attached as separate sheet) Attached		Proposed Zoning	
Project Address/General Location North of Highway 40 and East of Highway K-10		Presubmittal [] Planner [] Date	
Property Owner's Name Hanover Place, LC; Oread, LC; Tanglewood, LC	Phone (785) 843-6600	Fax (785) 843-8405	
Property Owner's Address P.O. Box 628	City Lawrence	State Kansas	Zip 66044
Applicant's Name (if different from above) Landplan Engineering, P.A.	Phone (785) 843-7530	Fax (785) 843-2410	
Applicant's Address 1310 Wakarusa Drive	City Lawrence	State Kansas	Zip 66049
Applicant's Mobile Phone or Pager () --	Property Owner and/or Applicant's E-mail Address		

APPLICATION TYPE	
☐ Site Plan [] Lawrence [] Douglas County (unincorporated)* ☐ Use Permitted Upon Review (Submit Sheet A) ☐ Conditional Use Permit (Submit Sheet A)* ☐ (Re)Zoning (Submit Sheet A) [] Lawrence [] Douglas County ☒ Annexation (Submit Sheet B) ☐ Historic Resources Commission Review (Submit Sheet H) ☐ Variance (Submit Sheet V)	☐ Preliminary Development Plan (Submit Sheet A) [] PRD [] PCD [] PID [] POD ☐ Final Development Plan (Submit Sheet A) [] PRD [] PCD [] PID [] POD ☐ Lot Split * ☐ Preliminary Plat * ☐ Final Plat* or [] Replat * ☐ Temporary Use Permit <i>*Provide utility company info for projects in Douglas County*</i>

PROJECT INFORMATION	
Existing Use [] Residential [] Commercial [] Industrial [] Office [] Agriculture ☒ Vacant [] Other _____	
Proposed Use ☒ Residential ☒ Commercial [] Industrial ☒ Office [] Agriculture [] 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

COMPLETE THIS PORTION IF SUBDIVIDING PROPERTY			
Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size

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 _____ Signature Tim A. Herndon, Agent Date 1.9.05		Planning Staff Use Only [] Fee \$ _____ [] Property Owner List [] Attached Legal Description [] Site Plans # _____
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SHEET B

(Type or Print)

Lawrence Douglas County Metropolitan Planning Office

6 East 6th 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:

The subject property is currently undergoing rezoning review for multiple rezoning classifications for proposed residential, office and commercial development. Area of annexation must be incorporated for applicable zoning to be implemented.

(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.):

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

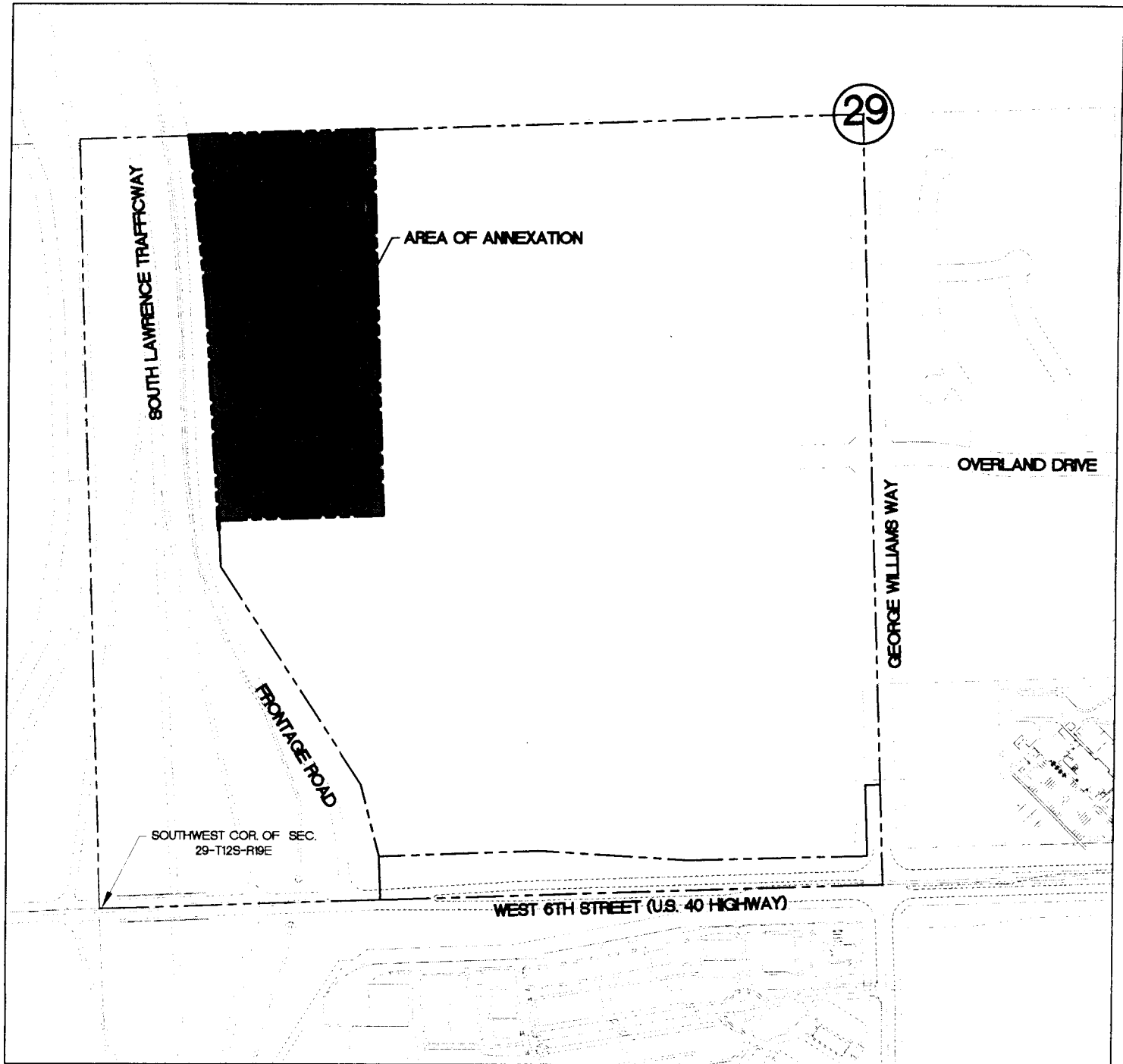
Is the annexation request contingent upon rezoning or other land use regulatory decisions? If yes, please describe:

Yes, pending RS-2 / RM-D / RO-1A and PCD-2 zoning classification.

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

None

ANNEXATION REQUEST



LEGAL DESCRIPTION - ANNEXATION FOR BRINK TRACT

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE, 386.52 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE NORTH $88^{\circ}04'03''$ EAST, ALONG SAID NORTH LINE, 617.07 FEET TO THE NORTHEAST CORNER OF THE NORTH 30 ACRES OF THE WEST 60 ACRES OF SAID QUARTER SECTION; THENCE SOUTH $01^{\circ}55'11''$ EAST, ALONG THE EAST LINE OF SAID NORTH 30 ACRES, 1326.31 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH $88^{\circ}04'19''$ WEST, ALONG THE SOUTH LINE OF SAID NORTH 30 ACRES, 561.08 FEET TO SAID EAST RIGHT-OF-WAY LINE, THENCE NORTH $02^{\circ}42'21''$ WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 773.59 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE ON A 4069.72 FOOT RADIUS CURVE TO THE LEFT WITH A 554.59 FOOT CHORD BEARING NORTH $06^{\circ}36'46''$ WEST, AN ARC DISTANCE OF 555.02 FEET TO THE POINT OF BEGINNING. CONTAINS 17.519 ACRES, MORE OR LESS.

LOCATION MAP



NORTH

SCALE: 1" = 500'



REZONING REQUEST

Attachment "A"

LEGAL DESCRIPTION – ANNEXATION REQUEST:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE, 386.52 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE NORTH 88°04'03" EAST, ALONG SAID NORTH LINE, 617.07 FEET TO THE NORTHEAST CORNER OF THE NORTH 30 ACRES OF THE WEST 60 ACRES OF SAID QUARTER SECTION; THENCE SOUTH 01°55'11" EAST, ALONG THE EAST LINE OF SAID NORTH 30 ACRES, 1326.31 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°04'19" WEST, ALONG THE SOUTH LINE OF SAID NORTH 30 ACRES, 561.08 FEET TO SAID EAST RIGHT-OF-WAY LINE, THENCE NORTH 02°42'21" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 773.59 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE ON A 4069.72 FOOT RADIUS CURVE TO THE LEFT WITH A 554.59 FOOT CHORD BEARING NORTH 06°36'46" WEST, AN ARC DISTANCE OF 555.02 FEET TO THE POINT OF BEGINNING. CONTAINS 17.519 ACRES, MORE OR LESS.

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

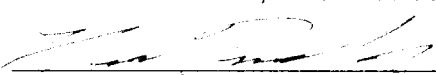
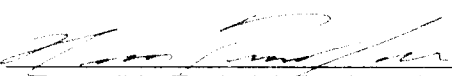
To: The Governing Body of the City of Lawrence, Kansas

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. (If this is not accurate, delete this provision. Additional procedures will be necessary for the annexation of property not adjoining City boundaries.)

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.

Property Owner of Record: Hanover Place, LC
Oread, LC
Tanglewood, LC
Address of Owner: P.O. Box 628, Lawrence, Kansas 66044

Property Owner signature: 
Russell L. Tuckel, Vice President Hanover Place, LC

Russell L. Tuckel, Vice President Oread, LC

Russell L. Tuckel, Vice President Tanglewood, LC

(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

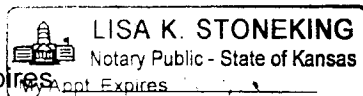
STATE OF KANSAS)
COUNTY OF DOUGLAS)

The foregoing petition and consent to annexation was acknowledged before me this _____ day of _____, 2005, by Russell L. Tuckel.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

Notary Public

Date: _____

My appointment expires _____



Pursuant to K.S.A. 79-1437e, a real estate validation questionnaire is not required due to Exception No. 3

114235

Reserved for Register of Deeds

Entered in Transfer Record in my office this
15th day of April, A.D. 1997
Patty James, County Clerk
Atty.

State of Kansas, Douglas County, SS.
Filed and Entered in Vol. 576
Page 130 at 2:02 o'clock P M
134
APR 14 1997
Don Newstetter
By _____ Register of Deeds
Deputy

NO. 114235
INDEX _____
NUMERICAL INDEX _____
24-12-18 NW
27-12-18 SW
24-12-19 SW
30-12-19 SE
36-12-18 NE
6-13-19 SE
30-13-18-80
015-016 - Miradaw
LEA
015-461 - Brink

KANSAS QUITCLAIM DEED
(Corrective Deed)

On this 14th day of April, 1997.

Betty Lou Brink, a single person,

("Grantor"), QUITCLAIMS to

Brink Land Company, L.C., a Kansas limited liability company,

("Grantee"), all of the following-described real estate in Douglas County, Kansas:

An undivided one-half interest in that portion of the Northwest Quarter lying South of the Kansas Turnpike in Section Twenty-four (24), Township Twelve (12) South, Range Eighteen (18) East of the 6th P.M. in Douglas County, Kansas

LESS:

Tract 1: Commencing on the West Section line 347 feet South of the Northwest Corner of said Section Twenty-four (24), and on the South right-of-way line of the Kansas Turnpike; thence South 761.3 feet along said West line; thence East 610 feet parallel to the South line of the Northwest Quarter of said Section Twenty-four (24); thence North 639 feet, more or less, parallel to the West line of said section to a point on the South right-of-way line of the Kansas Turnpike; thence Westerly 152 feet, more or less, along the arc of a curve (radius of 5459.65 feet) along said right-of-way; thence North 120 feet along said right-of-way; thence West along said right-of-way of the Kansas Turnpike, 457 feet, to the point of beginning, containing 10.22 acres, more or less; and

LESS:

Tract 2: Commencing at the Southwest Corner of the Northwest Quarter of Section Twenty-four (24), Township Twelve (12) South, Range Eighteen (18) East of the 6th P.M., Douglas County, Kansas; thence North 443.0 feet; thence East 610 feet, parallel to the South line of said quarter section; thence South 443.0 feet; thence West along the South line of said quarter section to the point of beginning, containing 6 Acres, more or less; and

LESS:

Tract 3: Commencing 443 feet North of the Southwest Corner of the Northwest Quarter of Section Twenty-four (24), Township Twelve (12) South, Range Eighteen (18) East, Douglas County, Kansas; thence North 436.4 feet; thence East parallel with the South line of said quarter section, 610 feet; thence South parallel with the West line of said quarter section, 438.4 feet; thence West to the point of beginning, containing 6 Acres, more or less.

BOOK 576 PAGE 130

Barber Emerson

AND

An undivided one-half interest in the Northeast Quarter of Section Thirty-six (36), Township Twelve (12) South, Range Eighteen (18) East of the 6th P.M., Douglas County, Kansas,

LESS:

One and one fourth (1 1/4) acres for school site described as follows:

Commencing 40 rods north of Southeast corner of the Northeast Quarter of Section 36, Township 12, Range 18, thence West 12-1/2 rods; thence north 16 rods; thence east 12-1/2 rods; thence south 16 rods to place of beginning, in Douglas County, Kansas.

LESS:

A conveyance to The Secretary of Transportation of the State of Kansas by warranty deed recorded in Office of Register of Deeds, Book 538, Page 393, described as follows:

A tract of land in the NE1/4 of Section 36, Township 12 South, Range 18 East of the Sixth Principal Meridian in Douglas County, Kansas, being more particularly described as follows: BEGINNING at a point on the East line of said Northeast Quarter, said point being 620.78 feet North of the Southeast corner of said Northeast Quarter, the East line of said NE1/4 having an assumed bearing of North 00 Degrees 00 Minutes 00 Seconds West; thence North 89 Degrees 23 Minutes 06 Seconds West, parallel with the South line of said Northeast Quarter, 1113.87 feet; thence North 00 Degrees 00 Minutes 00 Seconds West parallel with the East line of said Northeast Quarter, 700.00 feet; thence South 89 Degrees 23 Minutes 06 Seconds East, parallel with the South line of said Northeast Quarter, 700.00 feet; thence South 00 Degrees 00 Minutes 00 Seconds East; parallel with the East line of said Northeast Quarter, 670.00 feet; thence South 89 Degrees 23 Minutes 06 Seconds East, parallel with the South line of said Northeast Quarter, 413.87 feet to the East line of said Northeast Quarter, thence South 00 Degrees 00 Minutes 00 Seconds East along the East line of said Northeast Quarter, 30.00 feet to the point of beginning of the tract herein described, containing 11.53 acres more or less.

Grantee shall have the right to fence the anchor bases and tower base if the property is used for the construction of a radio communication tower complex. Grantee shall not fence the perimeter of the property. Grantors reserve unto themselves the right to only graze livestock on the property.

LESS:

Commencing at the Northeast Corner of the Northeast Quarter (NE1/4) of said Section 36; thence North 90°00'00" West along the North Line of the Northeast Quarter (NE1/4) of said Section 36, a distance of 497.18 feet for a Point of Beginning; thence South 00°00'00" East a distance of 770.84 feet; thence South 84°40'06" West a distance of 287.34 feet; thence North 25°31'36" West a distance of 127.59 feet; thence North 22°49'47" East a distance of 206.41 feet; thence North 00°00'00" East a distance of 492.15 feet to the North Line of the Northeast Quarter (NE1/4) of said Section 36; thence North 90°00'00" East on the North Line of the Northeast Quarter (NE1/4) of said Section 36 a distance of 261.00 feet to the Point of Beginning, containing 5.00 Acres more or less all in Douglas County, Kansas.

RESERVING unto Grantor the right of ingress and egress to Highway 40. Such easement shall not run with the land.

AND

An undivided one-half interest in the North 30 acres of the West 60 acres of the Southwest Quarter of Section Twenty-nine (29), Township Twelve (12) South, Range Nineteen (19) East, Douglas County, Kansas.

SUBJECT TO:

permanent easement for 12.29 acres, exclusive of existing highway, and temporary easement for 0.40 acres granted to the Secretary of Transportation by deed recorded in Book 515, Page 433 in the Office of the Register of Deeds, Douglas County, Kansas.

AND

An undivided one-half interest in the North 100 acres of the Southeast Quarter of Section 6, Township 13 South, Range 19 East, Douglas County, Kansas.

LESS:

Commencing 458.05 feet southerly from the East One-Quarter corner of Section 6, Township 13 South, Range 19 East on the east boundary of said Section 6 and thence 30.00 feet westerly at 90°00', to a point on the west right-of-way of a Township road for a point of beginning; thence South 1°09' West. (See Corps of Engineers boundary survey for Clinton Lake in said Section 6) 580.00 feet along said right-of-way and parallel to the east boundary of said Section; thence North 70°42' West 383.60 feet to a point on the east right-of-way of access Road A, said point being 70.00 feet left of Station 88+60.00 on the center line of said road A. (See construction plans for said road), thence North 31° 04 1/2' East, 322.92 feet parallel to said center line and 70.00 feet therefrom; thence North 27°31' East, 345.67 feet along a chord of a curve to the left (radius at center line = 1909.86 feet) to a point 70.00 feet to the left of Station 83+00 on said Road "A" thence S.56° 02 1/2' East, 102.47 feet, along an easement line, to the point of beginning, all in the North 100 acres of the Southeast One-Quarter of Section 6, Township 13 South, Range 19 East, Douglas County, Kansas and containing 3.02 acres, more or less, which is now described as Clinton Cove Subdivision Lot 1, Douglas County, Kansas,

LESS:

the following described tract, to wit: That portion of the North 100 acres of the Southeast Quarter of Section Six (6), Township Thirteen (13) South, Range Nineteen (19) East of the 6th P.M., lying West of Douglas County Road No. 13, also known as the Corps Road, less Clinton Cove Subdivision No.2 located thereon, together with reversionary right-of-ways, if any, and all improvements located thereon, and more particularly described as follows: Beginning at the Northwest Corner of the Southeast Quarter of Section Six (6), Township Thirteen (13) South, Range Nineteen (19) East of the 6th P.M.; thence North 88°57'52" East on the North line of the Southeast Quarter of said Section 6, a distance of 2,513.30 feet, to the Westerly right-of-way line of Douglas County Road No. 13, thence Southwesterly on the Westerly right-of-way line of said Douglas County Road No. 13, on a curve to the right with a radius of 1829.86 feet, a delta angle of 18°44'16" an arc length of 598.43 feet; thence continuing to the Westerly right-of-way line of said Douglas County Road No. 13, South 31°05'58" West a distance of 466.23 feet, to the Northeast Corner of Lot One (1), Clinton Cove Subdivision No. 2; thence South 89°07'57" West on the North line of said Lot 1, a distance of 1373.47 feet, to the Northwest Corner of said Lot 1; thence South 00°50'31" East on the West line of said Lot 1, a distance of 709.60 feet to the Southwest Corner of said Lot 1 and the South line of the North 100 acres of the Southeast Quarter of said Section 6; thence South 89°07'40" West on the South line of the North 100 acres of the Southeast Quarter of said Section 6, a distance of 710.04 feet to the West line of the Southeast Quarter of said Section 6, thence North 00°44'34" East on the West line of the Southeast Quarter of said Section 6, a distance of 1648.44 feet, to the point of beginning, containing 61.61 acres, more or less, all in Douglas County, Kansas.

SUBJECT TO:

Road easement granted to the Secretary of Transportation of the State of Kansas for 7.34 acres, more or less, which includes 0.27 acres of existing right-of-way (Civil Action T-5082)

SUBJECT TO:

permanent easement granted to the Secretary of Transportation of the State of Kansas for 1.28 acres, and permanent easement granted to the Secretary of Transportation of the State of Kansas for 3.56 acres, with all rights of access to and from the abutting public highway over and across a line in Lot 4 of Clinton Cove Subdivision.

AND

An undivided one-half interest in the Southwest Quarter of Section Thirty (30), Township Thirteen (13), Range Eighteen (18), less land taken by the United States of America, and less: Beginning at the Southeast Corner of said one-quarter; thence North 30 rods; thence 96 rods 4 feet in a Northwesterly direction; thence South 32 rods 12 feet to the South line of said quarter section; thence East to the place of beginning, all in Douglas County, Kansas and also right of way for road 20 feet wide from North to South adjacent to a natural watercourse or ditch on the West end of the North 99 acres of the Northwest Quarter of Section Thirty (30), Township Thirteen (13), Range Eighteen (18) East of the 6th P.M., less the South 34.783 acres thereof.

AND

An undivided one-half interest in the West Half of the Southeast Quarter of Section Thirty (30), Township Twelve (12), Range Nineteen (19), Douglas County, Kansas.

SUBJECT TO:

permanent easement granted to the Secretary of Transportation of the State of Kansas by general warranty deed recorded in Book 515, Page 433 in the office of the Register of Deeds, Douglas County, Kansas, for 0.07 acres.

AND

An undivided one-half interest in Lot 1-A, Block 12, Meadow Lea Estates, an Addition to the City of Lawrence, Douglas County, Kansas.

AND

The East Half of the Southeast Quarter of Section 30, Township 12, Range 19, Douglas County, Kansas, and

LESS:

Lot 1, Brink Subdivision, in a replat of a portion of Clinton Corners Subdivision in Douglas County, Kansas, more particularly described as follows: Commencing at the Southeast Corner of the Southeast Quarter of Section 30, Township 12 South, Range 19 East of the Sixth Principal Meridian; thence South 87° 34' 28" West on the South line of the Southeast Quarter of said Section 30, a distance of 1091.81 feet; thence North 01° 53' 18" West a distance of 75.00 feet for a point of beginning; thence continuing North 01° 53' 18" West a distance of 587.09 feet; thence North 87° 34' 28" East a distance of 743.60 feet to the West right-of-way line for the South Lawrence Trafficway; thence South 27° 50' 40" West on the West right-of-way line for the South Lawrence Trafficway, a distance of 485.00 feet; thence South 67° 57' 58" West continuing on said West right-of-way line a distance of 441.59 feet to the North right-of-way line for U.S. Highway 40; thence South 87° 34' 28" West on the North right-of-way line for U.S. Highway 40, a distance of 88.46 feet to the point of beginning, containing 7.00 acres, more or less, all in Douglas County, Kansas, subject to rights of way, easements and restrictions of record, and

SUBJECT TO:

permanent easement granted to the Secretary of Transportation of the State of Kansas by general warranty deed recorded in Book 515, Page 433 in the Office of the Register of Deeds, Douglas County, Kansas, for 0.72 acres, and

permanent easement granted to the Secretary of Transportation of the State of Kansas by general warranty deed recorded in Book 515, Page 431 in the Office of the Register of Deeds, Douglas County, Kansas, for 6.99 acres, exclusive of the existing highway, and

permanent easement over and upon a tract of land in Lot 1, in Clinton Corners, a subdivision in Douglas County, Kansas, granted to the Secretary of Transportation by general warranty deed recorded in Book 515, Page 431 in the Office of the Register of Deeds, Douglas County, Kansas, for 4.41 acres, and temporary easement granted to

the Secretary of Transportation of the State of Kansas by general warranty deed recorded in Book 515, Page 431 in the Office of the Register of Deeds, Douglas County, Kansas, for 0.30 acres

AND

Lot 1 in Brink Subdivision, in a replat of a portion of Clinton Corners Subdivision in Douglas County, Kansas, more particularly described as follows: Commencing at the Southeast Corner of the Southeast Quarter of Section 30, Township 12 South, Range 19 East of the Sixth Principal Meridian; thence South 87° 34' 28" West on the South line of the Southeast Quarter of said Section 30, a distance of 1091.81 feet; thence North 01° 53' 18" West a distance of 75.00 feet for a point of beginning; thence continuing North 01° 53' 18" West a distance of 587.09 feet; thence North 87° 34' 28" East a distance of 743.60 feet to the West right-of-way line for the South Lawrence Trafficway; thence South 27° 50' 40" West on the West right-of-way line for the South Lawrence Trafficway, a distance of 485.00 feet; thence South 87° 57' 58" West continuing on said West right-of-way line a distance of 441.59 feet to the North right-of-way line for U.S. Highway 40; thence South 87° 34' 28" West on the North right-of-way line for U.S. Highway 40, a distance of 88.48 feet to the point of beginning, containing 7.00 acres, more or less, all in Douglas County, Kansas, subject to rights of way, easements and restrictions of record.

AND

South Half of the Southwest Quarter of Section 27, Township 12 South, Range 18 East of the 6th P.M., Douglas County, Kansas,

SUBJECT TO:

easement for Right of Way for Highway Purposes granted to Douglas County, Kansas, by deed recorded in Book 521, Page 889, in the Office of the Register of Deeds, Douglas County, Kansas, for 0.317 acres.

for the sum of Contribution, without other consideration.

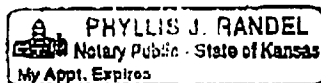
SUBJECT TO:

Betty Lou Brink
Betty Lou Brink

STATE OF KANSAS COUNTY OF DOUGLAS)

ss:

This instrument was acknowledged before me on April 14, 1997, by Betty Lou Brink.



Phyllis J. Randel
Notary Public

My appointment expires: 2-28-2001

(This Corrective Deed is for the sole purpose of correcting the legal description on page 2, with respect to the reserved five (5.0) acre tract, and the legal description on page 3, that should have been the North 100 acres less the 3.02 acre tract rather than the North 97 acres, of the Quitclaim Deed filed in the Office of the Register of Deeds on December 31, 1996, in Book 569, Page 1656.)