

AGREEMENT

NOW, on this 14th day of June, 2005, the City of Lawrence, Kansas, a municipal corporation, hereinafter referred to as party of the first part, and Lance M. Johnson, Managing Member, Lake Estates @ Alvamar, L.L.C. his successors in title and assigns, hereinafter referred to as party of the second part, in consideration of the mutual understanding and promises contained herein, do hereby agree as follows:

1. That the party of the first part on March 29, 2005 agreed to accept the annexation petition and consent of the party of the second part for the below described tract of real property, to-wit:

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 6TH 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 79°55'14" EAST, 70.08 FEET; THENCE SOUTH 57°39'01" EAST, TO AND ALONG THE NORTH LINE OF LOT 2 IN SAID BLOCK ONE, 332.39 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 582,215 SQUARE FEET OR 13.366 ACRES, MORE OR LESS.

2. That the party of the first part will not require at this time the construction of Lake Pointe Drive, and all necessary and related improvements, from County Road N. 920 to the property described above. Further, the party of the first part does not require at this time, but may require as a future special assessment benefit district, the necessary dedication or acquisition of real property for the street connection of the above described property to County Road N. 920.

3. That the party of the second part waives and relinquishes any right he/she may have under K.S.A. 12-6A06, and amendments thereto, to protest the construction of streets and/or sidewalks for/on the above described property, specifically including the construction of the extension of Lake Pointe Drive from County Road N. 920 to the above described property, including all necessary acquisition of real property for said improvement, for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time.

IN WITNESS WHEREOF, the said parties of the first and second parts have hereunto set their hands, and the Mayor of the City of Lawrence has signed this agreement on behalf of the said party of the first part, and the owner of the subject property has signed this agreement on behalf of the said party of the second part, and the said party of the first part has caused these presents to be attested by its clerk and the seal of said City to be hereto attached, this 14th day of June, 2005.

City of Lawrence, Kansas

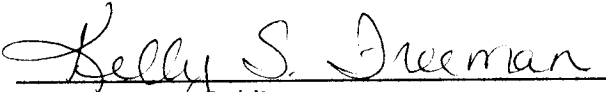
ATTEST:

Frank S. Reeb, City Clerk

By _____
Dennis Highberger, Mayor
Party of the First Part

By 
Lance M. Johnson, Managing Member
Lake Estates @ Alvamar, L.L.C.
Party of the Second Part

Subscribed and sworn to before me this 14th day of June, 2005.


Notary Public

My Commission Expires: 7/15/08

