



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
January 09, 2025 6:30 PM



I. Call to Order

II. Roll Call

Edgar Salazar ____ Phillip Jordan ____ Dee Roths ____

Deryk Faber ____ Paul Matzek ____ Brian Mackey ____

III. Pledge of Allegiance to the American Flag

IV. Consent Agenda

A. **Approval of Minutes from Previous Meeting**

Action: Motion to approve the minutes of December 12, 2024.

Motion _____ Second _____ Vote _____

V. Old Business/New Business

A. **SD-24-04- Proposed final plat R-5 garden and patio homes, townhouse and condominiums uses (Skyview at Webb Addition).**

Open Hearing
Close Hearing

Action: Motion to (recommend approve of / deny / table) the final plat of SD-24-04 (as presented / as amended).

Motion _____ Second _____ Vote _____

VI. Next Meeting: February 13, 2025

Action: Motion to approve the date of the next meeting: February 13, 2025 at 6:30 p.m.

Motion _____ Second _____ Vote _____

VII. Current Events

- City Offices will be closed January 20 for Martin Luther King, Jr. Day

VIII. Adjournment

Action: Motion to Adjourn.

Motion _____ Second _____ Vote _____



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
December 12, 2024 6:30 PM



I. Call to Order: Chairman Phillip Jordan called the meeting to order at 6:30 p.m.

II. Roll Call

Chairman Phillip Jordan and Commissioners Dee Roths, Deryk Faber, Paul Matzek, and Brian Mackey were present. Commissioner Edgar Salazar was absent.

Also present were City Attorney Maria Schrock, Director of Community Development Paula Downs, and City Engineer Anne Stephens.

II. Pledge of Allegiance to the American Flag

Chairman Jordan led the pledge of allegiance.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting.

Chairman Jordan shared typographical errors in the spelling of his first name and that it was requested for the reference of “Chairperson” be replaced with “Chairman” throughout the minutes. Staff acknowledged the errors and minutes for signature were updated.

MOTION: Chairman Jordan moved to approve the minutes of November 14, 2024. Commissioner Roths seconded the motion. *Motion carried 5-0.*

V. Announcement: Welcome of new Planning Commissioner Brian Mackey. John Charleston has resigned, and Mayor Benage is in the process of identifying a new member to the Commission.

VI. Old Business/New Business

A. PUD-24-04- Proposed Final PUD containing approved duplexes to be converted townhouses with zero interior lot lines on a reduced lot size in an R-4 zoning district as built (Chapel Landing Phase 2).

Chairman Jordan announced the item and reviewed ground rules for public hearings. Before proceeding with the public hearing, he asked the Commission if any member wished to disqualify themselves from participating in the case because they or a relative own property in the area of notification or have conflicts of interest. No one was disqualified.

Chairman Jordan noted that proper notice of this hearing was published at least 20 days before today’s hearing date on the City’s website and in *The Ark Valley News*. Notices were also mailed to

the applicant and all of the real property owners of record listed on the security title, in the area of notification. Chairman Jordan asked if anyone on the Commission had received any ex-parte verbal or written communications prior to this agenda item, which they would like to share. The Commissioners responded that they had not.

City staff gave a brief report on this case and referenced the Commission’s information packet for this meeting. City staff noted that this case was heard at the November 14th Planning Commission meeting and was tabled for further consideration and for documentation requests made by motion.

Chairman Jordan called upon the applicant to make his/her presentation and any response to the City staff report. Jay Cook, Baughman Company, spoke on behalf of the applicant and stood for questions from the Commission. Mr. Cook asked that the case be sent to the City Council because the applicant does not intend to provide the documents that Planning Commission requested. He stated the reason is because the documents requested are outside the scope of zoning and are not enforceable by the City. He stated that the applicant may be willing to update the PUD to reflect the Commission’s recommendation for number of street trees, and update face of the plat to reflect zoning setbacks. Cook stated that the applicant is willing to comply with regulations listed in the subdivision and zoning codes.

Chairman Jordan opened the public comments section. No others requested to speak and the public comments section was closed. Staff confirmed that they had not received any written communications from the public regarding this case.

The Commission then discussed the case.

MOTION: Chairman Jordan moved that having considered the evidence at the hearing and the factors to evaluate the application, I move we recommend to the City Council, that the proposed final PUD containing approved duplexes be converted townhouses with zero interior lot lines on a reduced lot size in a R-4 zoning district as built (Chapel Landing Phase 2) in PUD-24-04 be approved with modifications: the 4 modifications under Item 10 on the City recommendations, based on the findings from the review section of the staff report, as recorded in the summary of this hearing, and the following conditions be attached to this recommendation. Commissioner Mackey seconded the motion..

Discussion followed. Commissioners cited their reasons for recommending approval, namely: the recommendation of City Staff; Suitability of the subject property for the uses to which it has been restricted; and Relative gain to the public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant. Chairman Jordan called the question. *Motion carried 5-0*

B. Review proposed updates to the 2024 Bel Aire Zoning Map- (supermajority (5) required for approval).

City staff provided a brief report. Chairman Jordan opened the public hearing. No one spoke, and the public comments section was closed.

MOTION: Commissioner Roths moved to recommend the proposed zoning map changes as presented by this Planning Commission. Commissioner Faber seconded the motion. *Motion carried 5-0.*

C. SD-24-03- Proposed final platting R-5 and R-6 single and multi-family uses, and to include C-1 commercial as zoned (Spring Pines Subdivision, previously Homestead at Spring)

Staff stated that contrary to the written staff report, they now recommend unconditional approval of the plat.

The agent for the applicant, Will Clevenger, Garver, stood for questions from the Commission.

Chairman Jordan asked the Commission if any member wished to disqualify themselves from participating in the case because they or a relative own property in the area of notification or have conflicts of interest. No one was disqualified. Chairman Jordan noted that proper notice of this hearing was published at least 20 days before today’s hearing date on the City’s website and in *The Ark Valley News*. Notices were also mailed to the applicant and all of the real property owners of record listed on the security title, in the area of notification. Chairman Jordan asked if anyone on the Commission had received any ex-parte verbal or written communications prior to this agenda item, which they would like to share. The Commissioners responded that they had not.

Chairman Jordan then opened the public hearing. No one spoke. The public hearing was then closed and Chairman Jordan stated he would entertain a motion.

MOTION: Commissioner Faber moved to recommend approval of the final plat of SD-24-03 as presented. Chairman Jordan seconded the motion. *Motion carried 5-0.*

D. ZON-24-02- Proposed rezoning from C-1 Neighborhood commercial, office and retail, to R-5 garden and patio homes, townhouses and condominiums uses (Skyview at Webb Addition).

Staff recommended one change: the Dedication of right-of-way along Webb Road in conformance with the subdivision regulations relating to arterial roads.

Brian Lindebak, MKEC, represented the applicant and stood for questions from the Commission. Chairman Jordan opened the public hearing. No one spoke, so the public hearing was closed.

Chairman Jordan asked the Commission if any member wished to disqualify themselves from participating in the case because they or a relative own property in the area of notification or have conflicts of interest. No one was disqualified. Chairman Jordan noted that proper notice of this hearing was published at least 20 days before today’s hearing date on the City’s website and in *The Ark Valley News*. Notices were also mailed to the applicant and all of the real property owners of record listed on the security title, in the area of notification. Chairman Jordan asked if anyone on the Commission had received any ex-parte verbal or written communications prior to this agenda item, which they would like to share. The Commissioners responded that they had not.

The Commission then discussed the application in relation to the Golden Factors and the City’s Zoning Code. In support of recommending approval, Commissioners cited the zoning

and uses of nearby properties, the recommendation of permanent staff, Suitability of the subject property for the uses to which it has been restricted, and the length of time the property has been vacant.

MOTION: Chairman Jordan moved that Proposed rezoning from C-1 Neighborhood commercial, office and retail, to R-5 garden and patio homes, townhouses and condominiums uses (Skyview at Webb Addition) be approved as presented with condition of the dedication of right-of-way along Webb Rd in conformance with subdivision regulations related to required arterial right-of-way widths. Commissioner Faber seconded the motion. *Motion carried 5-0.*

E. SD-24-04- Proposed platting R-5 garden and patio homes, townhouse and condominiums uses (Skyview at Webb Addition).

Brian Lindebak, MKEC, represented the applicant and stood for questions from the Commission. Chairman Jordan opened the public hearing. No one spoke, so the public hearing was closed.

MOTION: Commissioner Faber moved to approve the rezoning application as presented and Commissioner Mackey seconded the motion. *Motion carried 5-0.*

VII. Approval of the Next Meeting Date.

MOTION: Chairman Jordan to approve the date of the next meeting: January 9, 2025 at 6:30 p.m. Commissioner Faber seconded the motion. *Motion carried 5-0.*

VIII. Current Events

A. Upcoming Agenda Items: No upcoming items were mentioned.

B. Upcoming Events:

- Saturday, December 7, Christmas in Bel Aire at Bel Aire City Hall, 5:30 – 7:30 p.m.
- City Hall will be closed on December 23 – 24, 2024 and January 1, 2025

IX. Adjournment

MOTION: Chairman Jordan moved to adjourn. Commissioner Matzek seconded the motion. *Motion carried 5-0.*

Approved by the Bel Aire Planning Commission this ____ day of _____, 2025.

Phillip Jordan, Chairman

DRAFT

STAFF REPORT

DATE: 01/01/2025

TO: Bel Aire Planning Commission
 FROM: Paula Downs
 RE: Agenda

STAFF COMMUNICATION	
FOR MEETING OF	1/09/25
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY:

SD-24-04- Proposed Final Plat R-5 Garden and Patio Homes, Townhouse and Condominium uses (Skyview at Webb Addition)

The city placed an ad in the Ark Valley Newspaper as required by the city code. The affidavit of publication is in the packet. The preliminary plat process required notification of surrounding property owners.

The city reviewed the final plat application, final plat, and drainage plan. The drainage plan is a 69 page document and is not included in the packet. It was reviewed and approved by the City Engineer. All other documents are in the meeting agenda packet.

Discussion/Review

The applicant submitted an application to rezone the property ZON-24-02 when the preliminary plat application was submitted. ZON-24-02 was approved by the Planning Commission on December 12. This item will go to City Council for final approval along with this case SD-24-04, once approved.

The preliminary plat was approved by the Planning Commission at the December 12 meeting.

The property is currently unplatted. The proposed subdivision would create a total of 69 single-family residential lots and five commercial lots.

Water and sewer will be provided by the City of Bel Aire.

The final plat has been reviewed and it conforms with the approved preliminary plat and subdivision regulations.

The final plat was distributed to city staff, utilities and fire department for review and comments. All comments to date have been revised by the applicant and are reflected on the final plat documents.

Staff Recommendation: Staff recommends approval of the final plat.

(Published once in Ark Valley News on November 21, 2024)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on December 12, 2024, the City of Bel Aire Planning Commission will consider the following Platting process in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

SD-24-04. Skyview at Webb Addition platting of an R-5 residential district
Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: ¼ mile south of E. 53rd St. N. and N. Webb Rd. on the West Side

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub- Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 19 day of November 2024.

/s/ Paula L. Downs
Bel Aire Planning Commission Secretary

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 21st day of November, 2024, with subsequent publications being made on the following dates:

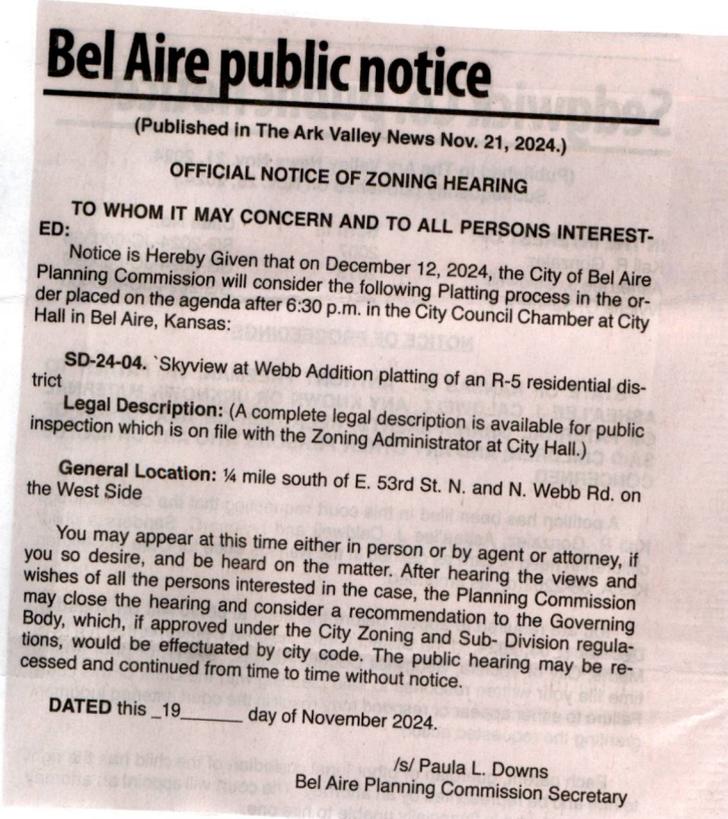
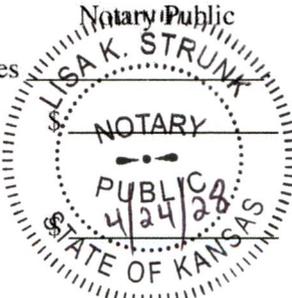
_____, 2024 _____, 2024
_____, 2024 _____, 2024
_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 21st day of November, 2024.

WKS

My commission expires
Additional copies
Printer's fee



Skyview at Webb Addition

MINIMUM PAD ELEVATIONS LOWEST OPENINGS		
LOTS (inclusive)	BLOCK	ELEVATION NAVD 88
1-6, 22, 23	1	1406.9

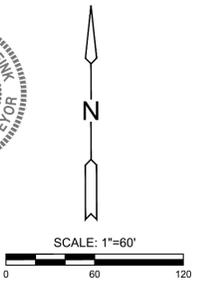
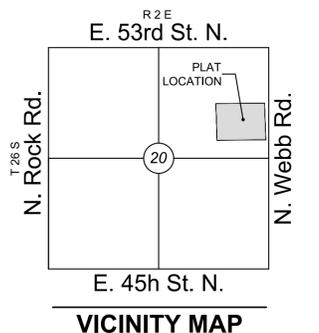
BOUNDARY CLOSURE
 Boundary Area: 25.01 acres
 Perimeter: 4235.356 ft.
 Error Closure: 0.000
 Error North: -0.0003
 Error East: 0.0001

FINAL PLAT

SKYVIEW AT WEBB ADDITION

AN ADDITION TO BEL AIRE, SEDGWICK COUNTY, KANSAS

NE. cor., NE 1/4, Sec. 20,
 T26S, R2E, 6th P.M.
 Fnd. 3/4" Rebar



Basis of Bearings: Kansas coordinate system of 1983 south zone bearing of S02°02'38"E on the east line of the Northeast Quarter, Section 20, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas.
 This plat is surveyed and plotted on NAD83 using Kansas state plane south zone coordinates, modified to the surface, having a combined adjustment scale factor of 1.0001200144

SETBACK NOTE

All Lots shall adhere to the setback requirements as follows:
 Front, Rear, and Street Side Setbacks shall be as per depicted hereon, or otherwise as per zoning district.
 Internal Side Setbacks for Lots 1-36, inclusive, Block 1, Lots 1-21, inclusive, Block 2, and Lots 1-12, inclusive, Block 3, shall be 5 feet, unless otherwise shown hereon.

LEGEND

- Date of Survey: October 2024
- △ = Section Corner Monument
- = Set 3/4" Rebar w/ MKEC CLS id Cap
- = Found monument (see annotation for type)
- ⊕ = Benchmark
- (M) = Measured
- (P) = Platted
- (CM) = Calculated from Measurement
- (CP) = Calculated from Plat
- ① = Lot
- ⑦ = Block

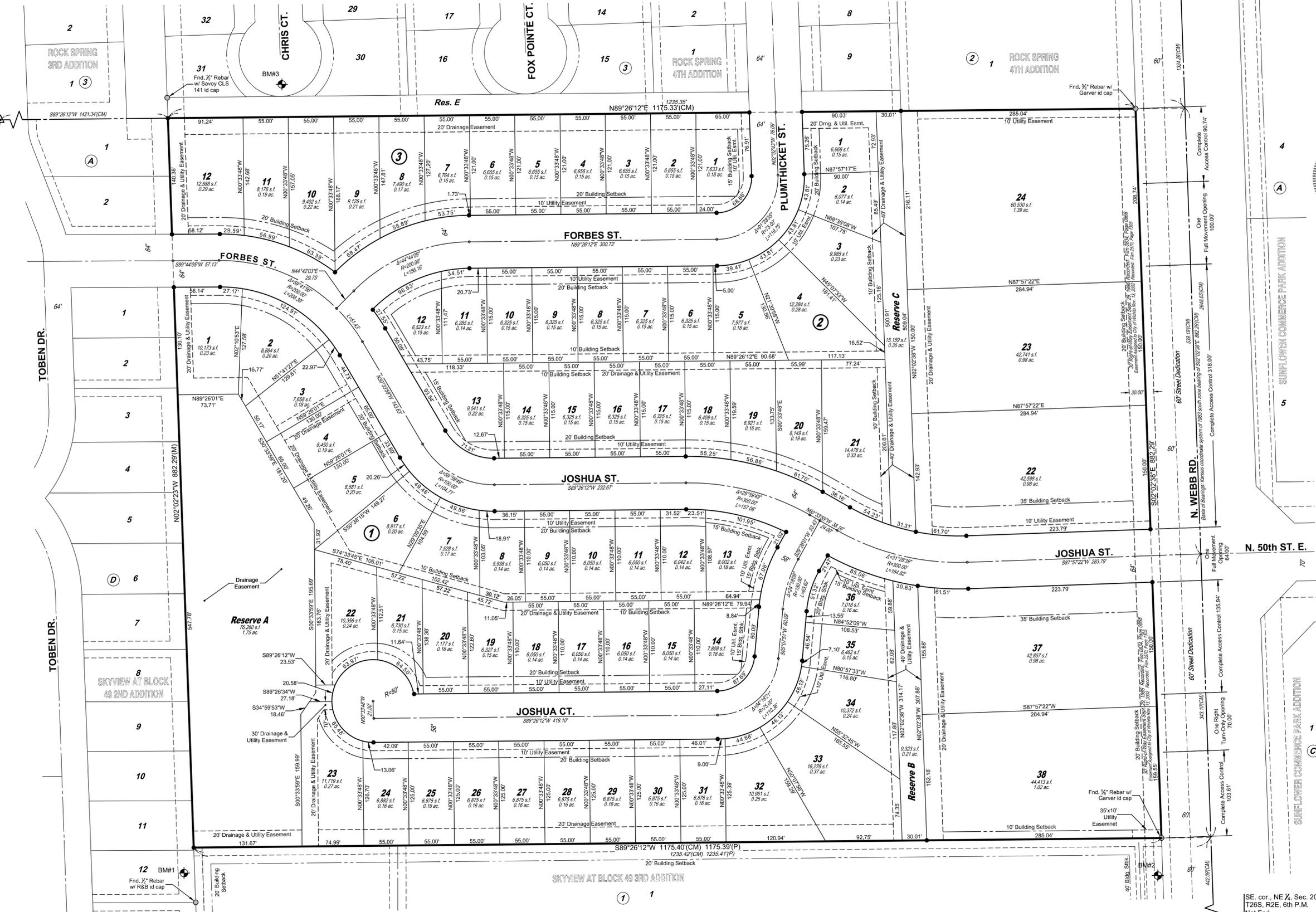
BENCHMARKS

- BM#1 Chiseled "X" on east side of inlet, approximately 31 feet south and 12 feet west of the southwest corner of Skyview at Webb Addition.
 N: 1718684.660 E: 1679324.884
 Elev. = 1403.441 NAVD88
- BM#2 Chiseled "X" on east end of the north top of curb of entrance to storage units, approximately 45 feet south and 4 feet west of the southeast corner of Skyview at Webb Addition.
 N: 1718681.629 E: 1680507.604
 Elev. = 1422.336 NAVD88
- BM#3 Chiseled "X" on top of curb at the south end of road in front of fire hydrant on E. Chris Ct., approximately 41 feet north and 138 feet east of the northwest corner of Skyview at Webb Addition.
 N: 1719638.197 E: 1679443.650
 Elev. = 1406.423 NAVD88



SE. cor., NE 1/4, Sec. 20,
 T26S, R2E, 6th P.M.
 Not Fnd.

Date of Preparation / Submitted: Dec. 16, 2024



1/2

Skyview at Webb Addition

FINAL PLAT

SKYVIEW AT WEBB ADDITION

AN ADDITION TO BEL AIRE, SEDGWICK COUNTY, KANSAS

CERTIFICATE OF SURVEY

I, Ernest Patrick Fink, a Professional Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "Skyview at Webb Addition" an addition to Bel Aire, Sedgwick County, Kansas, into Lots, Blocks, Reserves, and Streets, the same being accurately set forth in the accompanying plat and described herein:

The North 882.00 feet of the East 1235.00 feet of the South Half of the Northeast Quarter of Section 20, Township 26 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas.

CONTAINING: 1,089,610 square feet or 25.01 acres of land, more or less.

All streets, easements, rights-of-way, building setbacks, access controls, together with all other public dedications within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512b, as amended.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief.

Ernest Patrick Fink, P.S. #1459
MKEC Engineering, Inc. (CLS 39)
411 North Webb Road
Wichita, Kansas 67206



COUNTY SURVEYOR

STATE OF KANSAS, SEDGWICK COUNTY) ss:

Reviewed in accordance with K.S.A. 58-2005.



Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

OWNER'S CERTIFICATE

Know all men by these presents that we the undersigned property owners of the land above set forth in the Professional Surveyor's Certificate, have caused the same to be surveyed and platted into Lots, Blocks, Reserves, and Streets, the same to be known as "Skyview at Webb Addition" an addition to Bel Aire, Sedgwick County, Kansas.

The streets are hereby dedicated to and for the use of the public. Easements for the construction and maintenance of public utilities and drainage, as indicated hereon, are hereby granted to the public.

A drainage plan has been developed for this plat. All drainage easements, rights-of-way, and reserves shall remain at established grades or as modified with the approval of the applicable City Engineer, and shall be unobstructed to allow for the conveyance of stormwater. Lots 1, 2, 3, 4, 5, 6, 22, and 23, Block 1 are required to adhere to the minimum pad elevation as per the "Minimum Pad Elevation" table shown herreon (Page 1/2).

All reserves are platted for open space, benches, berms, landscaping, irrigation, signs, monuments, water features, sidewalks (public and private), fences/walls, lighting, shade structures, drainage facilities including but not limited to drainage structures, drainage pipes and culverts, conveyance of cross-lot drainage, detention/retention ponds, utilities confined by easement (platted or otherwise separate instrument), and service line connections. The reserves are hereby reserved for the stated uses and shall be owned and maintained by the developer, and/or a lot owner's association, and/or their successors and/or assigns.

All abutters rights of access to or from North Webb Road over and across the east line of "Skyview at Webb Addition," are hereby granted to the appropriate governing body, provided however two full movement openings and one right turn in/out only opening are allowed, as indicated hereon.

All Lots shall adhere to the setback requirements as follows: Front, Rear, and Street Side Setbacks shall be as per depicted hereon, or otherwise as per the zoning district. Internal Side Setbacks for Lots 1-36, inclusive, Block 1, Lots 1-21, inclusive, Block 2, and Lots 1-12, inclusive, Block 3, shall be 5 feet, unless otherwise shown hereon.

New Holland Capital LLC,
a Kansas limited liability company

By: IANC, LLC, a Kansas limited liability company, its Manager

Isaiah Ast, Manager

Nicholas Cowgill, Manager

STATE OF KANSAS, SEDGWICK COUNTY) ss:

This instrument was acknowledged before me on ___ day of _____, 2025, by Isaiah Ast and Nicholas Cowgill, Managers of IANC, LLC, a Kansas limited liability company, its Manager of New Holland Capital LLC, a Kansas limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.
Affix Seal

_____, Notary Public:

My Term Expires: _____

MORTGAGE CERTIFICATE

The Bennington State Bank, holder of a mortgage on the above described property, does hereby consent to "SKYVIEW AT WEBB ADDITION", the final plat.

BENNINGTON STATE BANK

Name/Title:

STATE OF KANSAS, SEDGWICK COUNTY) ss:

This instrument was acknowledged before me on ___ day of _____, 2025, by _____, of Bennington State Bank.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.
Affix Seal

_____, Notary Public:

My Term Expires: _____

PLANNING COMMISSION CERTIFICATE

This plat was approved by the Bel Aire Planning Commission on _____, 2025.

Signed _____, 2025.

By: _____
Philip Jordan, Chairperson

Attest:

Paula Downs, Secretary

GOVERNING BODY CERTIFICATE

The dedications shown on this plat, if any, are hereby accepted by the Governing Body of the City of Bel Aire, Kansas on _____, 2025.

By: _____
Jim Benage, Mayor

Attest:

Melissa Krehbiel, City Clerk

REGISTER OF DEEDS' CERTIFICATE

STATE OF KANSAS, SEDGWICK COUNTY) ss:

This is to certify that this instrument was filed for record in the Register of Deeds office this ___ day of _____, 2025, at _____ o'clock __M; and is duly recorded.

Tonya E. Buckingham, Register of Deeds

Attest:

Kenly Zehring, Deputy

TRANSFER RECORD

STATE OF KANSAS, SEDGWICK COUNTY) ss:

Entered on transfer record this ___ day of _____, 2025.

Kelly B. Arnold, County Clerk

CITY OF BEL AIRE, KANSAS

File No. S/D _____ - _____

APPLICATION FOR FINAL PLAT APPROVAL

This is an application for processing a final plat in accordance with the City Subdivision Regulations. The application must be completed and filed with the Subdivision Administrator at least 15 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Skyview at Webb Addition

General Location 1/4 mile south of E. 53rd St. N. and N. Webb Rd. on the W side.

Inside City To Be Annexed

Name of Landowner New Holland Capital, LLC Attn: Isaiah J. Ast

Address 1645 S. West St. Wichita, KS 67213-1101 Phone 316.942.0019

Name of Subdivider/Agent New Holland Capital, LLC Attn: Isaiah J. Ast

Address Brian 1645 S. West St. Wichita, KS 67213-1101 Phone 316.942.0019

Name of (Engineer) (Land Planner) MKEC Engineering, Inc.; Attn: Brian Lindebak

Address 411 N. Webb Road, Wichita, KS 67206 Phone (316) 684-9600

Name of Registered Land Surveyor MKEC Engineering, Inc.; Attn: Brian Lindebak

Address 411 N. Webb Road, Wichita, KS 67206 Phone (316) 684-9600

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area
 - Final Plat of unit number _____ of _____ unit developments
 - Final Plat for small tract _____
 - Final Replat of original platted area _____
2. Gross acreage of plat 24 Acres
3. Total number of lots 74
4. Proposed land use:
 - a. Residential-Single-Family 69 Duplex _____ Multiple-Family _____
 - Manufactured/Mobile Home _____
 - b. Commercial 5
 - c. Industrial _____
 - d. Other _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:

a. Vicinity map received _____

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on _____,
19____. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$_____ paid to the City Clerk.

Subdivision Administrator



KANSAS WARRANTY DEED

Grantor: Skyview at Block 49, LLC, a Kansas limited liability company,

Grantee: New Holland Capital LLC, a Kansas limited liability company
Grantee's mailing address: 1645 S. West St., Wichita, KS 67213

"Grantor" and "Grantee" are used for singular or plural, as context requires.

In consideration of One Dollar and other valuable considerations, the receipt of which is hereby acknowledged, the Grantor *GRANTS, BARGAINS, WARRANTS, AND CONVEYS* to Grantee, the following described premises, to wit:

The North 882.00 feet of the East 1,235.00 feet of the South Half of the Northeast Quarter of Section 20, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas

Subject to all easements, restrictions, reservations and covenants, if any, now of record.

The Grantor hereby covenants that the Grantor, Grantor's successors, and assigns will *WARRANT AND DEFEND* the title to the premises unto the Grantee, Grantee's successors, and assigns against the lawful claims of all persons whomsoever, excepting however the general taxes for the current calendar year and thereafter, and the special taxes becoming a lien after the date of this deed.

Dated this 1st day of November, 2021

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.

SIGNATURES FOLLOW ON NEXT PAGE

Skyview at Block 49, LLC, a Kansas limited liability company

By: *[Handwritten Signature]*
Andrew M. Reese, Manager

State of Kansas, Sedgwick County } ss.

This instrument was acknowledged before me on November 1st, 2021 by Andrew M. Reese, Manager of Skyview at Block 49, LLC, a Kansas limited liability company, for and on behalf of said company.

Deborah L. Beck
Notary Public

My appointment expires:

