RESTRICTIVE COVENANT

THIS DECLARATION, made this __th day of ______________, 2016, by Steven Enterprises, L.L.C., a Kansas limited liability company, hereinafter called "Declarant",

WITNESSETH

WHEREAS, Declarant is the owner of the following described real property:

PARCEL ‘A’

Lot 1, Block 1, Larkin Addition, Sedgwick County, Kansas;
TOGETHER WITH that portion of the vacated right of way adjacent on the north as described in Vacation Order filed on Doc#/FLM-PG: 28834270.

and,

WHEREAS, Declarant is in the process of vacating a portion of Cypress Drive and Kellogg Drive adjacent to said Parcel “A”, described as Parcel “B” below:

PARCEL ‘B’

That part of Cypress Drive and that part of Kellogg Drive as dedicated in Larkin Addition in Wichita, Sedgwick County, Kansas lying within and being coincident with the following described tract of land: Commencing at the southeast corner of Lot 1, Block 1, in said Larkin Addition, said southeast corner also being on the west line of said Cypress Drive; thence north along the west line of said Cypress Drive, (and along the east line of said Lot 1), 504.33 feet (platted), to the point of curvature of a curve to the left in the west line of said Cypress Drive, (said point of curvature also being the point of curvature in the east line of said Lot 1), and for a point of beginning; thence northerly, northwesterly, and westerly along the northeast line of said Lot 1, (said northeast line also being the west line of said Cypress Drive and the south line of said Kellogg Drive), said curve having a radius of 35.00 feet and tangent lengths of 29.98 feet (platted), 30.25 feet (calculated per measured information), to the point of compound curvature in the south line of said Kellogg Drive, (and in the north line of said Lot 1), as originally dedicated in said Larkin Addition, said point of compound curvature also being a radius point as described in the Vacation Order recorded in DOC.#/FLM-PG: 28834270, and also being a point of compound curvature as described in the Quit Claim Deed recorded in DOC.#/FLM-PG: 29510731; thence easterly along the south line of that part of
said vacated street right-of-way, (Vacation Order, Case No. VAC2006-00031, recorded in DOC.#/FLM-PG:28834270), described in said Quit Claim Deed recorded in DOC.#/FLM-PG: 29510731, 29.98 feet (platted), 30.25 feet (calculated per measured information), to the southeast corner of the parcel described in said Quit Claim Deed; thence south to the point of beginning.

and,

WHEREAS, as a condition of this vacation case, the Wichita-Sedgwick County Metropolitan Area Planning Commission has required this covenant.

NOW, THEREFORE, Declarant hereby declares that, for and in consideration of the recitals, Declarant hereby covenants and agrees as follows:

Parcel "A" and Parcel "B", described above, shall be tied together as one ownership, and under this ownership, shall be conveyed, encumbered, improved, operated and otherwise used together as one undivided parcel.

This covenant shall remain in force until said Parcel "A" and Parcel "B" of this ownership are re-platted or this Restrictive Covenant is released through a public hearing process.

This covenant shall run with said lots and shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title for the above described tract located in Wichita, Sedgwick County, Kansas.

Steven Enterprises, L.L.C.

By: ____________________________
Brandon J. Steven, Member
STATE OF KANSAS  
COUNTY OF SEDGWICK  

BE IT REMEMBERED, that on this 3rd day of November, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Brandon J. Steven as Member of Steven Enterprises, L.L.C., a Kansas limited liability company personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
Notary Public

(My Appointment Expires: 10/05/20)

Approved as to form:

[Signature]
Jennifer Magana, City Attorney and Director of Law