

AGREEMENT

On this 4<sup>th</sup> day of January, 2011, the City of Lawrence, Kansas, a municipal corporation ("City") and May-West, L.C., its successor in title and assigns ("Owner"), in consideration of the mutual understanding and promises contained herein, do hereby agree as follows:

1. Owner is the owner of real property described in Attachment A ("the Property").
2. Owner has requested and the City has agreed that annexation shall occur in accord with the terms and conditions of a Petition and Consent to Annexation filed in the office of the Register of Deeds of Douglas County, Kansas in Book 1071 at page 1808.
3. At such time as the property is annexed into the City, the Owner waives and relinquishes for a period of thirty (30) years, any right Owner may have pursuant to K.S.A. 12-6a06 to protest the placement of the property into an improvement district for the construction of public improvements.
4. This Agreement is intended to be a covenant running with the land.

IN WITNESS WHEREOF, the City and the Owner have hereunto set their hands and the Mayor of the City of Lawrence, Kansas has signed this agreement on behalf of the City and the Owner(s) of the property has signed this Agreement on its behalf, and the City has caused these presents to be attested to by its Clerk and the seal of the City to be hereto attached, this 4 day of Jan, 2011.

City of Lawrence, Kansas,  
a municipal corporation

By: [Signature]  
Mike Amyx, Mayor  
Date of Execution: 1/4/2011

Owner(s)  
By: [Signature]  
Michael A. Flory, Manager  
May-West, L.C.

Date of Execution: 12/29/2010

[Signature]  
Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
Toni Ramirez Wheeler, Director of Legal Services



Douglas County Register of Deeds  
Book: 1071 Page: 1810  
Receipt #: 413415  
Pages Recorded: 3  
Cashier Initials: TRE  
Recording Fee: \$18.00  
Authorized By: [Signature]

Date Recorded: 1/26/2011 8:57:30 AM



mail  
May-West, LC  
1921 Quail Run  
Lawrence, KS 66047

**ACKNOWLEDGEMENT**

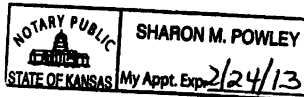
STATE OF KS )  
COUNTY OF Douglas ) ss

BE IT REMEMBERED, that on this 4<sup>th</sup> day of January, 2010, before me, the undersigned, a Notary Public in and for the County and State aforesaid came Toni Ramirez Wheeler, Director of Legal Services of the City of Lawrence, Kansas, who is personally known to me to be the same person who executed the within and foregoing instrument of writing, and duly acknowledged the execution of the same.

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

Sharon M Powley  
Notary Public

My Commission Expires:  
2/24/2013



**ACKNOWLEDGEMENT**

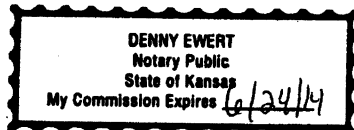
STATE OF KS )  
COUNTY OF Douglas ) ss.

BE IT REMEMBERED, that on this 29 day of December, 2010, before me, the undersigned, a Notary Public in and for the County and State aforesaid came Michael A. Flory, Manager, May-West, L.C., Owner(s) of the Property, who is personally known to me to be the same person who executed the within and foregoing instrument of writing, and duly acknowledged the execution of the same.

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

Denny Ewert  
Notary Public

My Commission Expires:  
6/24/14



Attachment A

**LEGAL DESCRIPTION**

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN NOW DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 00°17'16" WEST ALONG THE WEST LINE OF SAID QUARTER SECTION, 1035.81 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90°00'00" EAST 1094.77 FEET; THENCE SOUTH 30°23'02" EAST, 320.37 FEET; THENCE SOUTH 21°49'48" WEST, 304.41 FEET; THENCE SOUTH 13°41'33" WEST, 259.12 FEET; THENCE SOUTH 08°28'51" EAST, 131.79 FEET; THENCE NORTH 90°00'00" WEST, 1106.44 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH 00°17'16" EAST ALONG SAID WEST LINE, 941.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE CONTAINS 25.00 ACRES, MORE OR LESS, ALL IN DOUGLAS COUNTY, KANSAS, SUBJECT TO PUBLIC ROAD RIGHT-OF-WAY AND EASEMENTS OF RECORD.