

CU-296 Midwest Cellular Telephone Co., Etal, request conditional use permit for a cellular mobile telephone tower east of 199th St. West 1/2 mi. south of 29th St. North

Posted 7-9-86 KJ

ACTION

DATE

COMMITTEE

M.A.P.C. Approved subject to conditions

7/24/86

FELDAY

R.D.B. CO. C. Approved as recommended

8-22-86

closed

DATA SHEET

Z- _____
 SCZ- _____
 CU- 296
 DR- _____
 DP- _____

Case Filed: Amend
 6-25-86
 Associated Case: _____

APPLICATION DATA: Map No. 4250D (Map C)

1. General Location: East of 199th Street West approximately 1/4-mile south of 29th Street North
2. From _____ to _____
3. Proposed Use: Cellular Mobile Telephone Tower 299 feet in Height and an Associated Equipment Building
4. DP Name: _____
5. Applicant: Midwest Cellular Telephone Company (Lessee)
 Address 204 North Robinson, Suite 2911, Oklahoma City, OK. 73102 Phone 405-239-2420
6. Applicant: Edmund Strunk (Owner-Lessor)
 Address R. R. #1, Box 105, Colwich, Kansas 67030 Phone 796-0319
7. Agent: David Blaha
 Address 1516 East Murdock, Wichita, Kansas 67214 Phone 262-6752

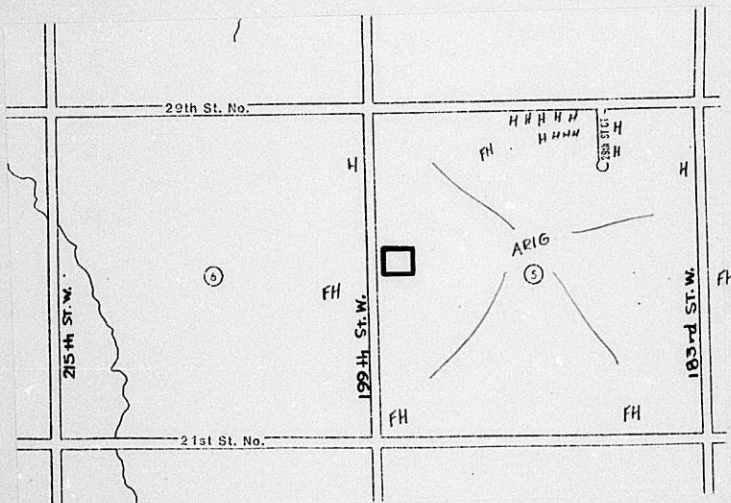
AREA DATA:

1. Acres: 4.3 (405 ft. by 463.01 ft.)
2. Adjoining Zoning: N "R" S "R" E "R" W "R"
3. Land Use: North farm land East farm land
 South farm land West farmhouse / farm land

PICTURE SHEET

PHOTO DATA:

Taken by _____ Date _____ Time _____



NOTES:

T9-214-2

LOS ANGELES CHICAGO OMAHA OK
 MEMPHIS NEW YORK ST. LOUIS, MO
 U.S.A.

Strunk
 No. 2153C

DEDICATION DEED

KNOWN ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby-acknowledged, the undersigned, EDMUND J. STRUNK and ANN STRUNK

being the owner s of the following described real estate in Sedgwick County, Kansas, to wit:

The west fifty (50) feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 27 South, Range 2 West of the 6th P.M.

Do hereby dedicate the above described real estate to the public for street or road purposes.

ENTERED ON
TRANSFER RECORD
AUG 27 1986
DON WRIGHT
COUNTY CLERK

Executed this 4th day of Aug., 19 86.

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
3:00 P.M.

AUG 27 1986
8 28949

NO. PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed [Signature]
Deputy

STATE OF KANSAS)
SEDGWICK COUNTY) ss

Edmund Strunk
Edmund J. Strunk

Ann Strunk
Ann Strunk

BE IT REMEMBERED, That on this 4th day of Aug., 19 86, before me a Notary Public in and for the said County and State came Edmund J. Strunk and Ann Strunk, husband and wife

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal, on day and year last above written.



C. J. Suellentrop
NOTARY PUBLIC
C. J. Suellentrop

My appointment expires Aug. 30, 1986

SUBMITTED TO THE OFFICE OF COUNTY ENGINEER AND THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL ON 8-20-86

APPROVED BY

David C. Spears

DIRECTOR, BUREAU OF PUBLIC SERVICES/
COUNTY ENGINEER

Bernard R. Hentzen

CHAIRMAN

Bernard R. Hentzen



2016-21 DEDICATION DEED (REV 1/86)

County clerk
Mary Ann

PS-132

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: September 3, 1986

TO: Ron Worley, Zoning Administrator, Sedgwick County Department
of Planning and Code Enforcement

FROM: Louise Olivarez, Senior Planner, Current Plans Division

SUBJECT: CU-296

Attached are two copies of the approved site plan for the above-referenced case, being a conditional use permit for a 299-foot-tall cellular mobile telephone tower on "R" zoned property east of 199th Street West, $\frac{1}{2}$ -mile south of 29th Street North. County Resolution No. 190-1986 authorizes this use subject to the four conditions listed in the resolution.

Please call if you have any questions about CU-296.

LO:blw
Attachments

August 29, 1986

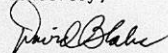
Jack Galbraith
Metropolitan Area Planning Commission
City Hall - 10th Floor
455 N. Main
Wichita, Kansas 67202

Dear Jack:

Your agency's work in our recent applications for conditional use permits was very beneficial to our getting approval. Your staff and your own input at the County Commission meeting was a key reason that we were given approval with the unanimous support that we received. I feel strongly that you deserve a minimum of a "thank you" for the professionalism that you displayed in our application process and hope that we might work together in the future.

Again, I express my thanks for your help in our getting approval.

Sincerely,



David Blaha
System Supervisor
Midwest Cellular Telephone Co.
1516 E. Murdock
Wichita, Kansas 67214

RECEIVED

SEP 02 1986

METROPOLITAN PLANNING

ROUTE

Published in The Daily Reporter on September 8, 1986

RESOLUTION NO. 190-1986

CASE NO. CU-296

A RESOLUTION TO PERMIT A CELLULAR MOBILE TELEPHONE TOWER 299 FEET IN HEIGHT AND AN ASSOCIATED EQUIPMENT BUILDING ON PROPERTY ZONED "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a Conditional Use Permit for a cellular mobile telephone tower 299 feet in height and an associated equipment building on property zoned "R" Rural Residential District is hereby approved on lands legally described as follows:

That part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately 1/2-mile south of 29th Street North.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall dedicate 50 feet of the right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

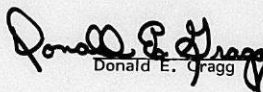
SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use approval shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Commission.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.


PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 22d day of August, 1986.

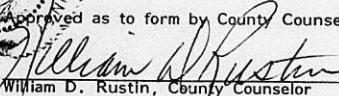

Bernard A. Hentzen, Chairman


Tom Scott, Commissioner


Donald E. Cragg, Commissioner



ATTEST:

Daniel L. Wright, County Clerk

Approved as to form by County Counselor

William D. Rustin, County Counselor

Total Area 5,063,515 SQ. FT.
Application Area 187,515 "
Street R/W 144,000 "
Net Area 4,732,000 "
20% of Net Area 946,400 "
Net Protest Area 1,985,110 "
Total % Protesting 42 %

Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE

CU-296 - CONDITIONAL USE PERMIT FOR A CELLULAR MOBILE TELEPHONE
TOWER 299 FEET IN HEIGHT AND AN ASSOCIATED EQUIPMENT BUILDING,
LOCATED EAST OF 199TH STREET WEST APPROXIMATELY 1/2-MILE SOUTH
OF 29TH STREET NORTH.

The MAPC recommends that the application be approved subject to conditions.
(see minutes for full motion)
Moore moved, Parsons seconded and it carried unanimously.

- ACTION:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the conditional use permit subject to the recommended conditions; accept the dedication; adopt a resolution authorizing the conditional use permit; or
 2. Adopt findings and deny the application.

DATA AND MINUTES

MAPC Hearing Date: 7-24-86

BCoC Hearing Date: 8-20-86

Commission District #3

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Agriculture	"R"	4.3 acres
North	Agriculture	"R"	(405'x463')
South	Agriculture	"R"	
East	Agriculture	"R"	
West	Agriculture	"R"	

History: None.

Applicant: Edmund Strunk (lessor), R R #1, Box 105, Colwich, KS 67030 AND
Midwest Cellular Telephone Co., c/o David Blaha, 1516 E. Murdock,
Wichita, KS 67214 (lessee).

Protestors: George Kreidler, 2801 North 199th Street West, Colwich, KS;
Mrs. Herbert Martin, 2505 North 199th Street West, Colwich, KS.

NOTE: Protest petitions filed by owners of 42% of the land within 1000 feet
of the application area will require a unanimous vote of the County Commission
in order to grant the conditional use permit.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JULY 24, 1986

LEGAL:

6. Case No. CU-296 - Edmund Strunk requests Conditional Use Permit for a cellular mobile telephone tower 299 feet in height and an associate equipment building on that part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately 1/2-mile south of 29th Street North.

OLIVAREZ pointed out land use, zoning and showed slides of the general area. She reviewed the following staff report:

Background: The applicant is requesting a conditional use permit for a 299-foot guyed tower on a 405-foot by 463-foot site in the Rural Residential District east of 199th Street West approximately 1/2-mile south of 29th Street North. The tower will be used for mobile telephone relay for the Midwest Cellular Telephone Company.

Analysis: The application area is a small part of a 40-acre tract which is in agricultural use. The site will be leased from the owner. In addition to the tower, the application area will contain a modular building (approximately 11' x 32') for electronic switching equipment. A site plan submitted with the application indicates that access to the tower and equipment building will be by means of a 12-foot-wide gravel driveway. A 6-foot chainlink fence with barbed wire on top will surround the base of the tower and the equipment building. The three guy anchors will be located about 250 feet from the tower but are included in the application area.

Midwest Cellular has received approval from the FCC and has made application to the FAA. The site appears to be far enough away from all airports that FAA will have no problems with this tower.

A recommendation of approval should be subject to the following conditions:

1. The applicant shall dedicate 50 feet of right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

DISCUSSION:

OLIVAREZ stated that this is a large tower with guys and anchors and the site is 405' x 463'. The need for that larger site is to include the anchors as part of the application area. She mentioned that the equipment building and the tower would be protected behind a 6-foot chainlink fence. She said that FAA approval had now been received on the application. Staff recommended approval of the application.

GEORGE KREIDLER, 2801 North 199th Street West, stated that he lived one-quarter mile north of the site. He said that he was opposed to the construction of the tower for two reasons. One, he felt that it would definitely lower the resale value of his property. He has lived at this address for six years and has worked day and night to improve the property. This last year, he said that he had invested \$40,000 on a room addition. He now questions if he could get any of this money out of his property if he tried to sell. KREIDLER said that he had talked with a real estate broker and he was told

that there was a 50-50 chance that a potential home buyer would object to the tower. The second reason he objects is the aesthetic reason. He said that he did not want to look out of his front porch and see a concrete building and a 300-foot tower where there used to be alfalfa fields and hedge rows. He wanted the area to stay as rural as possible. That is why he moved to the country. He did not like flashing red lights in his bedroom all night. He said that he knew that there were other rural locations already spoiled with these towers and asked why couldn't this one be put in one of those spoiled areas. KREIDLER felt that they should preserve the historical beauty of their neighborhood by not allowing this tower to be put up. He said that of the three families that live along this site within viewing distance of this proposed tower, two of them are present today to protest its construction. He felt that was indicative of what the neighborhood wants.

MRS. KURT MARTIN, 2505 North 199th Street West, stated that her home was located one-quarter mile south of the tower on the opposite side of the road. She said that she and her husband have lived there for four years and they just purchased the 80 acres that they are living on. They live in a mobile home there with the intent of building a house in the future. She said that the ground that they just bought had been in her husband's family for 100 years and they would like to keep the aesthetic looks of the area, with the pretty fields. They feel that there could be a possibility of the tower attracting lightning. She asked if there was a possibility of a humming noise from the tower. She said that they just purchased a \$4,000 satellite system two years ago, and asked if there was a possibility the tower could interfere with that TV reception or the local TV reception. MRS. MARTIN was concerned, with the high winds, about the possibility of the tower falling down. She felt that Mr. Strunk, who owns the ground, wants this tower and wants the rent from it, lives straight east of the site. Put it in his back yard so that he could look at it. MRS. MARTIN said that they have worked hard and planted trees for four years in hopes of having a house for their future children.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

1. The applicant shall dedicate 50 feet of the right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

Moore moved, Parsons seconded and it carried unanimously.

DEDICATION DEED

KNOWN ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby-acknowledged, the undersigned, EDMOND J. STRUNK and ANN STRUNK

being the owner s of the following described real estate in Sedgwick County, Kansas, to wit:

The west fifty (50) feet of the SW 1/4 NW 1/4 Section 5, Township 27 South, Range 2 West of the 6th P.M.

Do hereby dedicate the above described real estate to the public for street or road purposes.

Executed this 4th day of Aug. , 19 86 .

Edmond J. Strunk
Edmond J. Strunk

Ann Strunk
Ann Strunk

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, That on this 4th day of Aug. , 19 86 , before me a Notary Public in and for the said County and State came Edmond J. Strunk and Ann Strunk, husband and wife

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal, on day and year last above written.

C. J. Suellentrop
NOTARY PUBLIC
C. J. Suellentrop

My appointment expires Aug. 30, 1986

SUBMITTED TO THE OFFICE OF COUNTY ENGINEER AND THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL ON _____

APPROVED BY

DIRECTOR, BUREAU OF PUBLIC SERVICES/
COUNTY ENGINEER

CHAIRMAN

COUNTY CLERK

Published in The Daily Reporter on _____, 1986

R E S O L U T I O N N O . _____

CASE NO. CU-296

A RESOLUTION TO PERMIT A CELLULAR MOBILE TELEPHONE TOWER 299 FEET IN HEIGHT AND AN ASSOCIATED EQUIPMENT BUILDING ON PROPERTY ZONED "R" RURAL RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a Conditional Use Permit for a cellular mobile telephone tower 299 feet in height and an associated equipment building on property zoned "R" Rural Residential District is hereby approved on lands legally described as follows:

That part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately 1/2-mile south of 29th Street North.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall dedicate 50 feet of the right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use approval shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Commission.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this _____ day of _____, 19____.

_____, Chairman
Bernard A. Hentzen

_____, Commissioner
Tom Scott

_____, Commissioner
Donald E. Gragg

ATTEST:

Donnell L. Wright, County Clerk

(SEAL)

Approved as to form by County Counselor

William D. Rustin, County Counselor

1,000. x
 405. =
 405,000. *

30. x
 463. =
 13,890. *

13,890.000 +
 3,000.000 +
 16,890.000 *

785,000.000 +
 16,890.000 -
 768,110.000 *

~~405,000.000 +~~
~~768,110.000 -~~
~~363,110.000 *~~

0. *

Protect Area

0. *

0. *

0. *

405,000.000 +
 768,110.000 +
 1,173,110.000 *

See next stage

App Area

405. x
 463. =
 187,515. *

405. x
 2,000. =
 810,000. *

463. x
 2,000. =
 926,000. *

187,515.000 +
 3,140,000.000 +
 810,000.000 +
 926,000.000 +

Total Area

5,063,515.000 *

~~400.000 x~~
~~2,400.000 x~~
~~2,400.000 *~~

0. *

ST R/W

2,400. x
 60. =
 144,000. *

5,063,515.000 +
 187,515.000 -
 144,000.000 -
 4,732,000.000 *

Net Area

0.20 x

20% NA

4,732,000. =
 946,400.00 *

~~1,173,110~~
~~4,732,000~~
~~3,558,890~~
~~Protect 70~~

1,173,110.000 +
 785,000.000 +
 → 1,958,110.000 *

Protect area

~~100,110~~
~~4,558,000 =~~
~~4,457,890 *~~

0. *

0. *

0. *

0. *

0. *

1,985,110. ÷
 4,732,000. =
 0.420 *

70% Protect

PROTEST PETITION
(COUNTY CASES)

SECTION I: Zone Change or Conditional Use Being Protested.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning OR conditional use permit for property described as Case No. SCZ- zone change from _____ to _____ OR Case No. CU-2916, request for establishment of ~~199th tower and equipment bldg.~~ in the R zoning district.

Legal description of property included in the above case:

East of 199th street west approximately 1/2 mile south of 29th street north

SECTION II: Protestor's Name and Property Description.

A. Legal description of property owned by protestor:

N 1/2 of SE 1/4 of sec. 6, T27, R2W Sedg. Co. Ks.

B. Name(s) of protestor(s):

(a) Kurt R. Martin
Signature

KURT R. MARTIN
Typed or Printed Name

(b) Cheryl A. Martin
Signature

CHERYL A. MARTIN
Typed or Printed Name

ACKNOWLEDGEMENT

State of Kansas)
County of Sedgwick) ss



The foregoing instrument was acknowledged before me this 5TH day of AUGUST, 1986, by KURT R. MARTIN AND CHERYL A. MARTIN



[Signature]
Notary Public

My Appointment expires My Appointment Expires Sept. 25, 1986

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgement may be attached and made a part of this petition as necessary.

STATUTORY WARRANTY DEED

(Joint Tenancy)

MICROFILMED
OF RECORD

This space reserved for
 REGISTER OF DEEDS
 STATE OF KANSAS
 SEDGWICK COUNTY
 FILED FOR RECORD AT
 F. S. O. P.
 JUN 13 1986
 NO. 8 11831
 PAT KETTLER
 REGISTER OF DEEDS

GRANTOR

Herbert E. Martin and Mary Lou Martin, husband and wife

CONVEY AND WARRANT TO

Kurt Martin and Cheryl A. Martin, husband and wife

*Ed Reed
Deputy*

as joint tenants with the right of survivorship and not as tenants in common, the following described premises situated in Sedgwick County, Kansas, to-wit: The Southeast Quarter of Section 6, Twp. 27 South, Range 2 West of the 6th P.M., Sedg. Co., KS except the S 1324.20 ft, ^{k/a} North Half (N/2) of the Southeast Quarter (SE/4) of Section 6, Township 27, Range 2 West, subject to easement of North 30 feet thereof for ingress and egress to 20 acre tract adjoining west side of said North Half (N/2) of the Southeast Quarter (SE/4) of Section 6, Township 27, Range 2 West, Sedgwick County, Kansas.

ENTERED ON
 TRANSFER RECORD
 JUN 13 1986
 DON WRIGHT
 COUNTY CLERK

for the sum of One Dollar and Other Valuable Consideration.

Subject to:

Dated this 3rd day of March 19 86

Herbert E. Martin

(Herbert E. Martin)

Mary Lou Martin

(Mary Lou Martin)

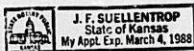
STATE OF KANSAS, SEDGWICK COUNTY, ss:

The foregoing instrument was acknowledged before me this 6th day of March
 A.D. 19 86 by, Herbert E. Martin and Mary Lou Martin, husband and wife

My appointment expires:

J. F. Suellentrop

 J. F. Suellentrop Notary Public



STATE BANK OF COLWICH
 COLWICH, KANSAS 67825

*See
 return to:*

ced

PROTEST PETITION
(COUNTY CASES)

SECTION I: Zone Change or Conditional Use Being Protested:

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning OR conditional use permit for property described as Case No. SCZ- _____, zone change from _____ to _____ OR Case No. CU- 396, request for establishment of 299 ft. thru & equipment bldg in the R zoning district.

Legal description of property included in the above case:

East of 199th street west approximately 1/2 mile south of 29th street north.

SECTION II: Protestor's Name and Property Description. OK

A. Legal description of property owned by protestor:

Beginning 1075.9 feet south of the northeast corner of the NE 1/4, thence west 365 feet, south 261.24 feet, east 365 feet, north 261.24 feet to beginning, Section 6, Township 27, Range 2 West, Sedgwick County, Kansas

B. Name(s) of protestor(s):

(a) George Kreidler, Jr.
Signature

(b) Lois A. Kreidler
Signature

George A. Kreidler, Jr.
Typed or Printed Name

Lois A. Kreidler
Typed or Printed Name

ACKNOWLEDGEMENT

State of Kansas)
County of Sedgwick) ss



The foregoing instrument was acknowledged before me this 5TH day of AUGUST 1986, by GEORGE A. KREIDLER, JR. AND LOIS A. KREIDLER



[Signature]
Notary Public

My Appointment expires My Appointment Expires Sept. 25, 1986

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgement may be attached and made a part of this petition as necessary.

PROTEST PETITION
(COUNTY CASES)

SECTION I: Zone Change or Conditional Use Being Protested.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning OR conditional use permit for property described as Case No. SCZ-_____, zone change from _____ to _____ OR Case No. CU-296, request for establishment of 999 Ft tower and equipment bldg. in the R zoning district.

Legal description of property included in the above case:

East of 199th street west approximately 1/2 mile south of 29th street north

SECTION II: Protestor's Name and Property Description. OK

A. Legal description of property owned by protestor:

NE 1/4 Sec 6-27-24 except bog 673.9' S of NE cor;
th W 541.79', th S 402', th E 170.79'; th S 261.24';
th E 365'; th N 663.24' to bog

B. Name(s) of protestor(s):

(a) Reinard M. Simon
Signature

(b) Patricia A. Simon
Signature

Reinard M. Simon
Typed or Printed Name

Patricia A. Simon
Typed or Printed Name

ACKNOWLEDGEMENT

State of Kansas)
County of Sedgwick) ss



The foregoing instrument was acknowledged before me this 5TH day of AUGUST, 1986, by REINARD M. SIMON AND PATRICIA A. SIMON



[Signature]
Notary Public

My Appointment expires My Appointment Expires Sept. 25, 1986

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgement may be attached and made a part of this petition as necessary.

July 28, 1986

Mr. George Kreidler
2801 North 199th Street West
Colwich, Kansas 67030

RE: CU-296 - Conditional Use Permit for Mobile Telephone Tower

Dear Mr. Kreidler:

Enclosed are several protest petitions which may be used by property owners of land within 1000 feet of the above-referenced case if the owners wish to protest the request for conditional use permit. To be valid, these petitions must be returned to the office of the County Clerk no later than 5 p.m. on Thursday, August 7, 1986. If you have need of more petitions, they may be obtained from our office.

Please call me at 268-4421 if you have any questions regarding this matter.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw
Enclosures

cc: Mrs. Herbert Martin, 2505 North 199th Street West, Colwich, KS. 67030

July 25, 1986

Midwest Cellular Telephone Co.
c/o David Blaha
1516 E Murdock
Wichita, Kansas 67214

Re: CU-296 Conditional Use Permit

Dear Mr. Blaha:

At its regular meeting of July 24, 1986, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Commission was to recommend approval subject to the following conditions:

1. The applicant shall dedicate 50 feet of the right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, August 20 in Room 320, Sedgwick County Courthouse, provided the dedication has been signed by the applicant and returned to this office by August 6, 1986.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG/lw

cc: Edmund Strunk, R. R. #1, Box 105, Colwich, KS 67030
George Kreidler, 2801 N. 199th St. West, Colwich, KS 67030
Mrs. Herbert Martin, 2505 N. 199th St. West, Colwich, KS 67030
Ron Worley, County Zoning Administrator

DO NOT REMOVE CARBONS

Form Approval OMB No. 2120-0001

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

1. Nature of Proposal

A. Type
 New Construction
 Alteration

B. Class
 Permanent
 Temporary (Duration _____ months)

C. Work Schedule Dates
 Beginning _____ End _____

2. Complete Description of Structure

A. Include effective radiated power and assigned frequency of all existing, proposed or modified AM, FM, or TV broadcast stations utilizing this structure.

B. Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports.

C. Include information showing site orientation, dimensions, and construction materials of the proposed structure.

A guyed tower of 284 feet above ground level with antennas mounted at the top of the tower extending its height by 11 feet. The proposed installation will operate in the 870-880 Mhz range with an effective radiated power of 100 watts.

(If more space is required, continue on a separate sheet.)

3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration. (Number, Street, City, State and Zip Code)

14051272-9698
 area code Telephone Number

Midwest Cellular Telephone Co.
 500 West Main
 Oklahoma City, OK. 73102

3B. Name, address and telephone number of proponent's representative if different than 3 above.

4. Location of Structure

A. Coordinates (To nearest second)

B. Nearest City or Town, and State
 St. Marks, KS.

C. Name of nearest airport, heliport, flightpark, or seaplane base
 Maize

5. Height and Elevation (Complete to the nearest foot)

A. Elevation of site above mean sea level
 1450'

B. Height of Structure including all appendances and lighting (if any) above ground, or water if so situated
 295'

C. Overall height above mean sea level (A + B)
 1745'

D. Description of location of site with respect to highways, streets, airports, prominent terrain features, existing structures, etc. Attach a U.S. Geological Survey (or single map or equivalent showing the relationship of construction site to nearest airports). (If more space is required, continue on a separate sheet of paper and attach to this notice.)

200' East of Southwest Corner of the Northwest Quarter of Section 5 Township 27 South Range 2 West, Segwick County

Notice is required by Part 77 of the Federal Aviation Regulations (14 CFR, Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1101) Persons who knowingly and willfully violate the Notice requirements of Part 77 are subject to a civil penalty of not more than \$5000, by which willfully and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472(a)).

I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction marking and lighting with the structure in accordance with established marking & lighting standards if necessary.

Date: 6-4-86

Typed Name/Title of Person Filing Notice: Dale B. Baldwin, RF Engineer

Signature: [Signature]

FOR FAA USE ONLY

This Proposal:

Does not require a notice to FAA

Is not identified as an obstruction under any provision of FAR, Part 77, Subpart G, or FAR, Part 78, Subpart B, and is not a hazard to air navigation.

Is identified as an obstruction under the standards of FAR, Part 77, Subpart G, but would not be a hazard to air navigation.

Shows an obstruction marked.

Is lighted per FAA Advisory Circular 70/7420-1, Chapter 5.

Obstruction marking and lighting are not necessary.

Remarks:

Signature: Dale B. Baldwin
 Date: 7/11/86

CU-296

DEDICATION DEED

KNOWN ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby-acknowledged, the undersigned, EDMUND J. STRUNK and ANN STRUNK

being the owner ^s_____ of the following described real estate in Sedgwick County, Kansas, to wit:

The west fifty (50) feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 27 South, Range 2 West of the 6th P.M.

Do hereby dedicate the above described real estate to the public for street or road purposes.

Executed this _____ day of _____, 19 _____.

Edmond J. Strunk

Ann Strunk

STATE OF KANSAS)
SEDGWICK COUNTY) ss

BE IT REMEMBERED, That on this _____ day of _____, 19 _____, before me a Notary Public in and for the said County and State came

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal, on day and year last above written.

NOTARY PUBLIC

My appointment expires _____.

SUBMITTED TO THE OFFICE OF COUNTY ENGINEER AND THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL ON _____.

APPROVED BY

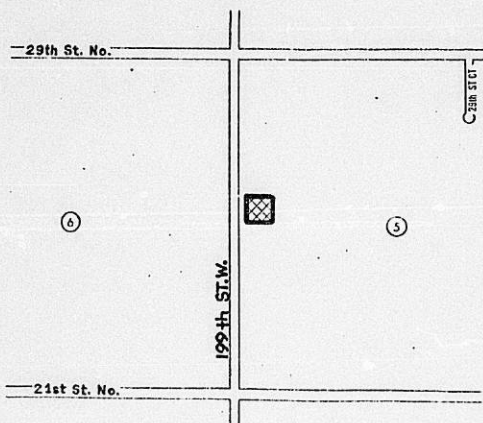
DIRECTOR, BUREAU OF PUBLIC SERVICES/
COUNTY ENGINEER

CHAIRMAN

COUNTY CLERK

JULY 24, 1986

STAFF REPORT



CU-296 - REQUEST FOR CONDITIONAL USE PERMIT FOR A CELLULAR MOBILE TELEPHONE TOWER 299 FEET IN HEIGHT AND AN ASSOCIATED EQUIPMENT BUILDING, LOCATED EAST OF 199TH STREET WEST APPROXIMATELY 1/4-MILE SOUTH OF 29TH STREET NORTH.

Applicant: Edmund Strunk (lessor), R R #1, Box 105, Colwich, KS 67030 AND Midwest Cellular Telephone Co., c/o David Blaha, 1516 E. Murdock, Wichita, KS 67214 (lessee).

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Agriculture	"R"	4.3 acres
North	Agriculture	"R"	(405'x463')
South	Agriculture	"R"	
East	Agriculture	"R"	
West	Agriculture	"R"	

History: None.

Background: The applicant is requesting a conditional use permit for a 299-foot guyed tower on a 405-foot by 463-foot site in the Rural Residential District east of 199th Street West approximately 1/4-mile south of 29th Street North. The tower will be used for mobile telephone relay for the Midwest Cellular Telephone Company.

Analysis: The application area is a small part of a 40-acre tract which is in agricultural use. The site will be leased from the owner. In addition to the tower, the application area will contain a modular building (approximately 11' x 32') for electronic switching equipment. A site plan submitted with the application indicates that access to the tower and equipment building will be by means of a 12-foot-wide gravel driveway. A 6-foot chainlink fence with barbed wire on top will surround the base of the tower and the equipment building. The three guy anchors will be located about 250 feet from the tower but are included in the application area.

Midwest Cellular has received approval from the FCC and has made application to the FAA. The site appears to be far enough away from all airports that FAA will have no problems with this tower.

A recommendation of approval should be subject to the following conditions:

1. The applicant shall dedicate 50 feet of right-of-way for the east half of 199th Street from his entire 40-acre ownership prior to this case being scheduled for County Commission review.
2. The applicant and the lessee shall comply with all FAA and FCC regulations regarding the construction and use of this 299-foot tower and associated equipment building.
3. The associated building shall be used for equipment storage only and shall not be occupied.
4. The applicant shall obtain a building permit from Sedgwick County prior to construction of the tower or equipment building.

CASE NO. CU-296

5	"Notices to adjoining property owners mailed on 7-10-86 for MAPC meeting on 7-24-86.
3	One each to Applicants and Agent.
3	One each to Ron Worley, David Spears and Karen Crook.
3	One each to Louise, Barbara and Glen.
<hr/>	
14	TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

July 10, 1986

NOTICE OF PUBLIC HEARING

Case No.: CU-296.

Location: East of 199th Street West approximately $\frac{1}{2}$ -mile south of 29th Street North.

Address: N/A.

Request: Conditional Use Permit for a Cellular Mobile Telephone Tower 299 Feet in Height and an Associated Equipment Building on Property Zoned "R" Rural Residential District.

A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

JULY 24, 1986

The meeting will begin at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

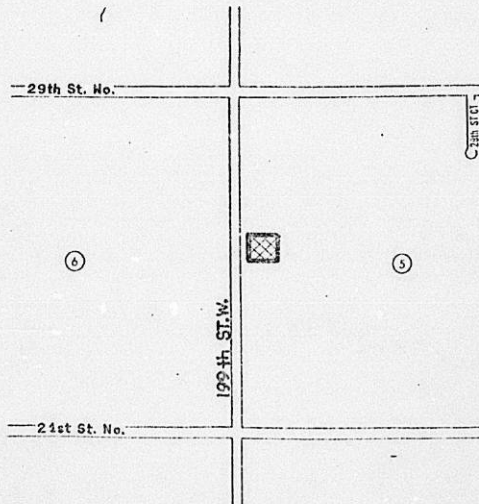
As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information, please call 268-4421.

APPLICATION
AREA



↑
NORTH



SEE REVERSE SIDE

CASE NO. CU-296

Conditional Use Permit for a Cellular Mobile Telephone Tower
299 Feet in Height and an Associated Equipment Building
on Property Zoned "R" Rural Residential District

That part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately $\frac{1}{2}$ -mile south of 29th Street North.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

***Mobile home parks and trailer camps are not permitted.

() Published in The Eagle Beacon on July 2, 1986 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN THAT ON THURSDAY, July 24, 1986, the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, beginning at 1:30 p.m., will consider the following applications:

CASE NO. CU-294
Conditional Use Permit to Establish a Sand Extraction Operation
with Concrete Batch Plant on Property Zoned "R-1"
Suburban Residential District

A tract of land in Section 22, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, described as beginning 2765 feet west of the northeast corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, on the south line of Oaklawn Addition extended; thence south at a deflection angle to the left of 90°00'00" off the south line of Oaklawn Addition extended, a distance of 600 feet; thence east at a deflection angle to the left of 90°00'00", a distance of 725 feet; thence north at a deflection angle to the left of 90°00'00", a distance of 600 feet; thence west at a deflection angle to the left of 90°00'00" along the south line of Oaklawn Addition extended, a distance of 725 feet to the point of beginning. Said tract of land containing 10 acres, more or less. Generally located between the Arkansas River and Pinaire Mobile Home Park, south of Oaklawn Addition.

CASE NO. CU-296
Conditional Use Permit for a Cellular Mobile Telephone Tower
299 Feet in Height and an Associated Equipment Building
on Property Zoned "R" Rural Residential District

That part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately $\frac{1}{2}$ -mile south of 29th Street North.

CASE NO. CU-297
Conditional Use Permit for a Cable T.V. Tower 56 Feet in Height
on Property Zoned "R-1" Suburban Residential District

Beginning at the southwest corner of Section 16, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence east 708.43 feet; thence north 630.21 feet to the point of beginning; thence continuing north 147.58 feet; thence east 147.58 feet; thence south 147.58 feet; thence west 147.58 feet to beginning. Generally located north of 47th Street South in an area east of Webb Road.

As provided in Section 17C of the Sedgwick County Zoning Regulations, the same will there be discussed and considered by the said MAPC and all persons interested in said matter(s) will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed application(s) will be considered by the MAPC as by law provided.

WITNESS MY HAND AND SEAL this 30th day of June, 1986.

Michael E. Lindebak, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

(SEAL)

CASE NO. CU-296

Conditional Use Permit for a Cellular Mobile Telephone Tower
299 Feet in Height and an Associated Equipment Building
on Property Zoned "R" Rural Residential District

That part of the NW $\frac{1}{4}$ of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southwest corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning. Generally located east of 199th Street West approximately $\frac{1}{2}$ -mile south of 29th Street North.

APPLICATION FOR CONDITIONAL USE PERMIT

3

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

A. APPLICANT Edmond Strunk (Owner-Lessor) X
 ADDRESS R.R. #1 Box 105 Zip Code 67030 PHONE 3167960319
Colwich, Ks.

AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____

B. APPLICANT Midwest Cellular Telephone Co. (Lessee) X
 ADDRESS 204 N. Robinson Suite 2011 Zip Code 73102 PHONE 4052392420
Oklahoma City, Ok.

AGENT David Blaha X
1516 E. Murdock
 ADDRESS Wichita, Ks. Zip Code 67214 PHONE 3162626752

C. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

2. A. The applicant proposes to establish a cellular mobile telephone tower 299 feet in height and associated modular building for electronic switching equipment _____ (use)

on property legally described ~~as (101)~~ SW corner of the NW 1/4 of
Section 5, ~~Block (10)~~ Township 27 South, Range 2 West,
~~of XXXXX~~ Sedgwick County, Kansas Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

ATTACHED

5+3+3+3+1=15

- B. There are 4.3 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 4250D Zoning (N) R (S) R (E) R (W) R MAPC 7-24-86

T9-333-2 (*mapc*)

Revised 1/85

Eagle Beacon 7-1-86

3. This property is located at (address) N/A.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the SW corner of the NW¼ of Section 5 ,
Range 2 West, Sedgwick ~~XXXX~~
County, Kansas, OR

B. On the _____ side of _____ (Ave.)Street between
_____ (Ave.)Street and _____ (Ave.)Street.

4. We request this Conditional Use Permit for the following reasons:

To construct a cellular mobile telephone tower
and modular building containing electronic
switching equipment.

5. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING
THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT
THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY
FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFI-
CATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED
BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE
AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF
OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF COUNTY
COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS
THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST
AND WELFARE.

Edmund Stroud
APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

David Blake
APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 3 (AM,
PM) on 6-25-86 (day, month, year). It has been checked and
found to be complete and accompanied by required documents and the appropri-
ate fee of \$ 200.00.

Louise Olvino Name
Sr. Planner Title

WILLIAM L. KORBER, L.S.
JOHN E. LUNDBLADE, L.S.
N. BRENT WOOTEH, P.E.



BAUGHMAN COMPANY, P.A.
SURVEYING & ENGINEERING
316/262-7271 • 330 LAURA • WICHITA, KANSAS 67211

June 25, 1986

St. Marks 199th St. W. and 29th St. No.

LEGAL DESCRIPTION:

Legal
That part of the NW $\frac{1}{4}$ of Sec. 5, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, described as commencing at the S.W. Corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 118.75 feet; thence east, at right angles, 287 feet for a place of beginning; thence north, at right angles, 60 feet; thence east, at right angles, 60 feet; thence south, at right angles, 60 feet; thence west at right angles, 60 feet to the place of beginning.

St. Marks 199th St. W. and 29th St. No.

Expanded LEGAL DESCRIPTION:

new legal
That part of the NW $\frac{1}{4}$ of Sec. 5, Twp. 27-S, R-~~1~~²-W of the 6th P.M., Sedgwick County, Kansas, described as commencing at the S.W. Corner thereof; thence north, along the west line of said NW $\frac{1}{4}$, 0.50 feet; thence east, at right angles, 70.24 feet for a place of beginning; thence north, at right angles, 405 feet; thence east, at right angles, 463.01 feet; thence south, at right angles, 405 feet; thence west, at right angles, 463.01 feet to the place of beginning.

4.3



STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 1000 feet of:
Southwest Quarter of the Northwest
Quarter of Section 5, Township 27
South, Range 2 West of the 6th P.M.,
Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

DESCRIPTIONS

RECORD OWNERS

including application area
Southwest Quarter of the Northwest Quarter of Section 5, Township 27 South, Range 2 West, *Jup* Edmund J. & Ann Strunk Colwich, Kansas 67030

Northwest Quarter of Section 5, Township 27 South, Range 2 West, *Jup* Edmund J. & Ann Strunk Colwich, Kansas 67030
EXCEPT beginning at the Northeast corner; thence West 223 feet; thence South 269 feet; thence East 223 feet; thence North to beginning and EXCEPT beginning 15½ Rods West of the Northeast corner; thence West 713 feet; thence South 115½ feet; thence East 713 feet; thence North to beginning and EXCEPT West 120 feet of the East 1164.75 feet of the North 210 feet and EXCEPT the Southwest Quarter of the Northwest Quarter, all in Section 5, Township 27 South, Range 2 West,

Fidelity  **Title**
COMPANY, INC.

DESCRIPTIONS

RECORD OWNER

Southwest Quarter EXCEPT the East 1/3 thereof, Section 5, Township 27 South, Range 2 West,

X Elizabeth Smarsh
2300 N. 199th Street West
Goddard, Kansas 67052

East 1/3 of the Southwest Quarter of Section 5, Township 27 South, Range 2 West,

dup X Elizabeth Smarsh
2300 N. 199th Street West
Goddard, Kansas 67052

NE ?

Northwest Quarter, EXCEPT beginning 673.90 feet South of the Northeast corner; thence West 541.79 feet; thence South 402 feet; thence East 176.79 feet; thence South 261.24 feet; thence East 365 feet; thence North 663.24 feet to beginning, Section 6, Township 27 South, Range 2 West,

X Reinard M. & Patricia A. Simon .
Rt. #1, Box 135
Colwich, Kansas 67030



Beginning 1075.9 feet South of the Northeast corner of the Northeast Quarter; thence West 365 feet; thence South 261.24 feet; thence East 365 feet; thence North 261.24 feet to beginning, Section 6, Township 27 South, Range 2 West,

X George A., Jr. & Lois A. Kreidler,
2801 N. 199th Street West
Colwich, Kansas 67030



Beginning 673.90 feet South of the Northeast corner of the Northeast Quarter; thence South 402 feet; thence West 541.79 feet; thence North 402 feet; thence East 541.79 feet to beginning, Section 6, Township 27 South, Range 2 West,

X Cliff A. & Theresa M. Woodard
2847 N. 199th Street West
Colwich, Kansas 67030



Southeast Quarter EXCEPT the South 1324.20 feet thereof, Section 6, Township 27 South, Range 2 West,

X Herbert E. & Mary Lou Martin .
2505 N. 199th Street West
Garden Plain, Kansas 67050

Dated at Wichita, Kansas, this 11th day of June, 1986 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

Medina L. Senter

By Assistant Secretary

Tracer No. 73455



FORM 29-021 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION AMOUNT

City of Wichita Planning

NAME

ADDRESS

FUND DUE DATE

COMMENTS

DATE BY

FORM 29-021 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION AMOUNT

City of Wichita Planning

NAME

ADDRESS

FUND DUE DATE

COMMENTS

DATE BY

*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

*