

POSTED
11-11-75
[Signature]

DR-75-33 - Gas Substation (Meter
Facilities Site)-City of Wichita
Gas Utility, Approximately 1/2 mile
north of 63rd Street South in an

ACTION

| COMMITTEE | DATE |
|--|--|
| M.A.P.C. Wichita B. CO. C. | 11-13-75 11-13-75 12-3-75 |
| Haysville | 11-13-75 |
| " " <i>cancelled. Subsequent written</i> | 11-25-75 |
| Derby | 11-20-75 |
| Haysville | 12-1-75 |

Approved

Approved

Wfr

Approved

Approved

Map No. 5840
Sec. _____
Twp. _____
Range _____

DR- DR 75-33
SCZ- _____
CU- _____
Filed _____

AREA DATA:

1. Acres: _____ (40 ft. by 40 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East AGRICULTURE South AGRICULTURE
West UNDEVELOPED North FARM HOUSE
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: UNDEVELOPED
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



DR 75-33

December 22, 1975

Vera Stevens, Zoning Department (*1015 Steilwell, 67213*)

Edythe Lakin, Secretary to Jack H. Galbraith

DR-33; DR-34; DR-35 and DR-36; Gas Substation (Meter Facilities Site) City of Wichita Gas Utility

Attached are copies of the four referral sheets in connection with the above captioned cases, and also a copy of the Memorandum of December 3, 1975 addressed to Syd Werbin which accompanied the original mail-out.

Edythe Lakin

Edythe Lakin
Secretary to Jack H. Galbraith

EL:el

Enclosures

December 3, 1975

Syd Werbin, County Building, Planning & Inspection
Jack H. Galbraith, Chief Planner

33

Attached are four referral sheets considered by the County Commission as an off-agenda item on this date. These four special permit cases all pertain to the requests by the City of Wichita Gas Utility Company for the purpose of installing gas utility substations. The action of the County Commission was to approve all four applications.

Please call if you have any questions.

Jack H. Galbraith
Chief Planner

JHG:ber

Attachments

Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS
REQUEST FOR SPECIAL PERMIT

CASE NO. DDR 75-33

CONSIDERED BY MAPC: 11-13-75

REQUEST FOR: Special Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

Gas Substation (meter facilities site) and a 12'x12'
metal building to house a calorimeter.

GENERAL LOCATION: East of Oliver approximately 1/4 mile
north of 63rd Street South

LEGAL DESCRIPTION:

A tract of land in the southwest quarter of Section 25, Town-
ship 28 South, Range 1 East described as follows: Beginning
at a point 1,293 feet north of the southwest corner; thence
easterly 85 feet to the true point of beginning; thence east-
erly 40 feet; thence south 40 feet; thence west 40 feet; thence
north 40 feet to the point of beginning.

APPLICANT: City of Wichita Gas Utility

COUNSEL FOR APPLICANT: Jim Meyers, Energy Coordinator, City of Wichita

PROTESTORS (LIST COUNSEL) IF ANY: At the MAPC meeting of 11-13-75, Mr. Ben
Welsh of RFD #2, Derby, Kansas, appeared in protest. However, at the Derby
Planning Commission meeting of 11-20-75, Mr. Welsh again appeared and stated
that he no longer objected to the special permit request.

SURROUNDING ZONING: To the north, south, east and west is
the "R" Rural Residential District

LAND USE: Subject property is undeveloped. To the north, south,
east, and west is agriculture and undeveloped.

PLANNING COMMISSION RECOMMENDATION:

- 11-13-75 - MAPC - That a special permit be approved as requested. Kamen
moved, Collier seconded and it carried by a vote of 8 in
favor and 1 opposed (Hennessy).
- 11-13-75 - Haysville - Deferred.
- 11-20-75 - Derby - That a special permit be approved as requested
(unanimous vote).
- 12-1-75 - Haysville - That a special permit be approved as requested
(unanimous vote).

ACTION: 1. Approve the application as recommended by the Metropolitan,
Derby and Haysville Planning Commissions; or
2. take such action as the County Commission desires.

DR-75-33 - The following notices were mailed 11-26-75 for the rescheduled
HAYSVILLE CITY PLANNING COMMISSION meeting of 12-1-75 and the
MAPC meeting of 12-1-75

| | |
|---|-----------|
| Adjacent property owners and Jim Myers | 3 |
| Haysville City Planning Commission and Secretary | <u>12</u> |
| TOTAL | <u>15</u> |

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, 455 North Main
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

November 26, 1975

Due to inclement weather the November 24, 1975 meeting of the Haysville Planning Commission was cancelled.

NOTICE IS HEREBY GIVEN that on Monday, December 1, 1975 at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in the Public Meeting Room, City Hall, 1st Floor, 455 North Main Street, Wichita, Kansas, for purposes of making a recommendation to the Board of Sedgwick County Commissioners.

CASE NO. DR 75-33

Special Permit Request to Allow the Construction
of a Gas Utility Substation.

A tract of land in the Southwest Quarter (SW/4) of Section 25, Township 28 South, Range 1 East described as follows: Beginning at a point 1293 feet North of the Southwest Corner; thence Easterly 85 feet to the TRUE POINT OF BEGINNING; thence Easterly 40 feet; thence South 40 feet; thence West 40 feet; thence North 40 feet to the Point of Beginning. Generally located in an area east of Oliver approximately 1/4 mile north of 63rd Street South.

This item will also be considered by the HAYSVILLE CITY PLANNING COMMISSION at their rescheduled meeting on Monday, December 1, 1975 at 8:00 p.m., in the City Hall, Haysville, Kansas.

You may appear at said times and places in person or by agent or attorney if you so desire.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing notices.

Robert A. Lakin
Secretary

November 14, 1975

Mr. James Myers, Energy Coordinator
City of Wichita Gas Utility
Century Plaza Building
Wichita, Kansas 67202

Re: DR 75-33 - Request for Special
Permit - 1/4 mile north of 63rd
Street South in an area east of
Oliver

Dear Mr. Myers:

At the regular meeting of the Metropolitan Area Planning Commission on November 13, 1975, the above-captioned matter was considered. The action of the Commission was to recommend to the Board of County Commissioners that the request be approved. The Haysville City Planning Commission, at their evening meeting on the same date, on considering this case, moved to defer the matter to their meeting of November 25, 1975, so that they would have sufficient time to review the case.

This will advise you, and those receiving copies of this letter, that it will be reconsidered by the Haysville City Planning Commission at 8:00 p.m. on November 25, 1975, in the Haysville City Building, 711 East Grand Avenue, Haysville, Kansas, and will be considered by the Derby City Planning Commission on Thursday, November 20, 1975, beginning at 7:30 p.m. in the Derby City Building, Derby, Kansas.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Richard Wasinger, Chr., Haysville City Planning Commission,
P. O. Box 404, Haysville, Kansas 67060
Pauline Ozbun, Secretary, Haysville City Planning Commission,
6400 Keystone, Wichita 67217
Ben R. Welsh, RFD #2, Derby, Kansas 67037
M. M. Williams, Fourth Financial Center,
100 North Broadway 67202

DR 75-33 The following notices and staff reports were mailed 11-7-75 for the
MAPC MEETING of 11-13-75; The Haysville City Planning Commission
meeting of 11-13-75; and the Derby City Planning Commission
meeting of 11-20-75:

| | |
|--|-----------|
| Adjacent property owners and Jim Myers | 3 |
| Haysville City Planning Commission | 10 |
| Derby City Planning Commission | 11 |
| | — |
| TOTAL | <u>24</u> |

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: Nov. 13, 1975
HCPC HEARING DATE: Nov. 13, 1975
DCPC HEARING DATE: Nov. 20, 1975

Case No. DR 75-33

Request: Special Permit to allow construction of Gas Utility Substation

Location: Approximately 1/4 mile north of 63rd Street South in an area west of Oliver

Reason: Wichita Gas Utility service requires odorizer and metering at point nearest to access with Anadarko line at 63rd Street South and Oliver

Acres: .04

Size: 40 ft. by 40 ft.

| | <u>Land Use</u> | <u>Zoning</u> |
|----------|---------------------------|---------------|
| Existing | Agriculture & undeveloped | "R" |
| North | Agriculture & undeveloped | "R" |
| East | Agriculture & undeveloped | "R" |
| South | Agriculture & undeveloped | "R" |
| West | Agriculture & undeveloped | "R" |

Platted: No

History: None

Comments

- The City of Wichita Gas Utility has requested a special permit to allow construction of a Gas Utility substation to be operated in conjunction with the proposed natural gas pipeline running from South Central Kansas to the City of Wichita. Section 11.F.1 of the Sedgwick County Zoning Resolution permits the Board of County Commissioners to approve special permits for any public structure, installation or use by any department of City, County, State or Federal governments, subject to such restrictions as the County Commission deems necessary, provided that the Metropolitan Area Planning Commission shall first review the request and make a recommendation to the governing body.
- The Wichita Gas Utility has proposed to locate a metal building on a 12-foot by 12-foot base approximately 1/4 mile north of 63rd Street South in an area east of Oliver. The building is proposed to house a calorimeter and various valves pertaining to the pipeline operation. An odorizer extending to an approximate height of 7 feet is also proposed to be located on a 6-foot by 6-foot base. The 40-foot by 40-foot site will be enclosed by a 6-foot chainlink fence and will be accessible only by means of a 12-foot private access road.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

November 6, 1975

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 1:30 p.m. on Thursday, November 13, 1975, at which time you may appear either in person or by agent or attorney, if you so desire.

CASE NO. DR 75-33

Special Permit Request to Allow the Construction
of a Gas Utility Substation.

A tract of land in the Southwest Quarter (SW/4) of Section 25, Township 28 South, Range 1 East described as follows: Beginning at a point 1293 feet North of the Southwest Corner; thence Easterly 85 feet to the TRUE POINT OF BEGINNING; thence Easterly 40 feet; thence South 40 feet; thence West 40 feet; thence North 40 feet to the Point of Beginning. Generally located in an area east of Oliver approximately 1/4 mile north of 63rd Street South.

This matter will also be considered by the Haysville City Planning Commission during the regularly scheduled meeting on Thursday, November 13, 1975, beginning at 8:00 p.m., in the Haysville City Building, 711 East Grand Avenue, Haysville, Kansas.

and

The Derby City Planning Commission during the regularly scheduled meeting on Thursday, November 20, 1975, beginning at 7:00 p.m. in the Derby City Building, Derby, Kansas. at which times and places you may also appear either in person or by agent or attorney, if you so desire.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, 104 South Main, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: November 13, 1975
 Haysville " " : November 13, 1975
 Derby " " : November 20, 1975

Case No. DR-75-33

Request: ~~Request~~ Special Permit to allow
 construction of Gas Utility Substation.

Location: Approximately 1/4 mile north of 63RD Street South in an
 area east of Oliver

Reason/Proposed Use:

~~Gas Metering Facilities~~
 Wichita Gas Utility service requires Odorizer and metering at point
 nearest to access with Amundson line at 63RD St. Se. and Oliver

Acres: .04

Size: 40' x 40'

| | Land Use | Zoning |
|----------|---------------------------|--------|
| Existing | Agriculture & Undeveloped | "R" |
| North | " | "R" |
| East | " | "R" |
| South | " | "R" |
| West | " | "R" |

Existing R/W

Platted: No

Proposed R/W

~~Sidewalk~~

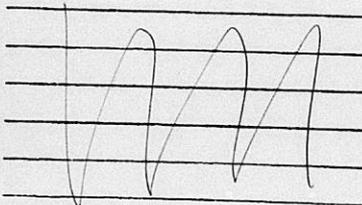
Existing R/W

History: None

Proposed R/W

Existing R/W

Proposed R/W



①

Comment #2

Same as in DR-75-35

② The Wichita Gas Utility has proposed to locate a metal building on a 12^{foot} x 12^{foot} base approximately 1/4 mile north of 63rd Street South in an area east of Oliver. The building is proposed to house a calorimeter and various valves pertaining to the pipeline operation. An odorizer extending to an approximate height of 7 feet is also proposed to be located on a 6-foot x 6-foot base. The site will be enclosed by a 6-foot chain link fence and will be accessible only by means of a 12-foot private access road.

ADP
ADP x ADP

OLIVER

①

BEN R. WELCH
R.F.D. #2
DERBY, KAN 67037
Ph. 788-1185

③

Myers

②

GRANTOR

M.M. Williams
Fourth FINANCIAL CENTER
Wichita, KAN. 100 N. Broadway
Ph 262-1414 67202

Fenced & Road Constructed
as per attached PLAT.

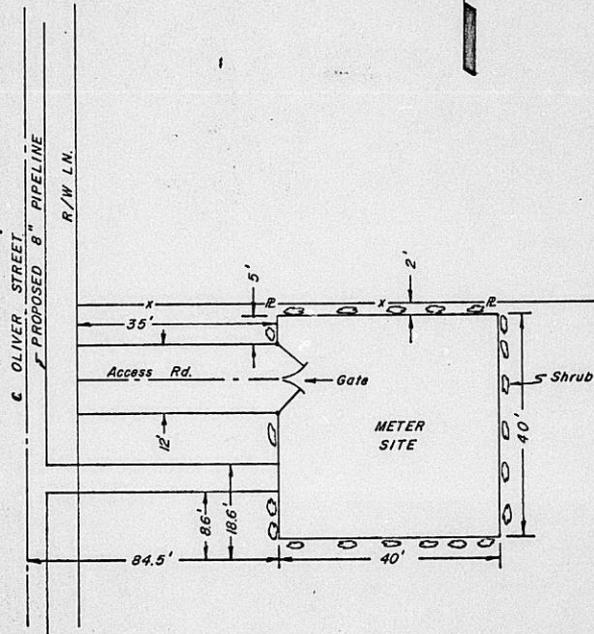
Building will be of metal
structure on a 12' x 12' BASE

IT WILL HOUSE a CALORIMETER,
~~GRANTOR~~ and various VALUES PERTAINING TO
The OPERATION.

THERE WILL BE an ODORIZOR
on a base approximately 6' x 6' that will
EXTEND TO a height of approximately 7'.

A 6' Chain Link Fence shall
ENCIRCLE the property;

OLIVER



Scale: 1" = 20'

WILLIAMS BROTHERS ENGINEERING COMPANY

A Resource Sciences company

TULSA, OKLAHOMA

METER & FACILITIES SITE

Date 10/10/75

Approved *Alvin Anderson*

BEN R. WELCH

RFD # 2

DERBY KAN

Ph. 788 1185

ONLY RESIDENT
LIVING WITHIN 200' of the
METER Facility.

WILLIAMS PROPERTY
METER SITE
ON
OLIVER ST.

EASEMENT

Project _____
Parcel No. S-0-3

Pipe Lines and Appurtenances

For the consideration of

ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS

the undersigned, herein designated Grantor, owner of the hereinafter described lands, for a valuable consideration the receipt of which is hereby acknowledged, does hereby GRANT and CONVEY to the City of Wichita

herein designated Grantee, a perpetual easement and right of way upon, through, under, over and across the hereinafter described real property for the installation, construction, operation, maintenance, repair, replacement, and reconstruction of pipe lines and/or mains, manholes, lateral pipe lines, and all structures incidental thereto, together with the perpetual right to remove buildings, structures, trees, bushes, undergrowth, flowers, and any other obstructions interfering with the use of said easement and right of way by Grantee, its successors or assigns and in addition thereto, to remove soil and other materials within said right of way and to use the same in such manner and at such locations as said Grantee may deem proper, needful or necessary in the construction, reconstruction and maintenance of said pipe lines or structures incidental thereto.

To have and to hold said easement and right of way unto itself and unto its successors and assigns forever, together with the right to convey said easement, or any portion of said easement, to other public agencies.

The real property referred to herein and made subject to said easement and right of way by this grant is situated in Sedgwick County, State of Kansas, and is particularly described as follows:

A tract of land in the Southwest Quarter (SW/4) of Section 25, Township 28 South, Range 1 East described as follows: Beginning at a point 1293 feet North of the Southwest Corner; thence Easterly 85 feet to the TRUE POINT OF BEGINNING; thence Easterly 40 feet; thence South 40 feet; thence West 40 feet; thence North 40 feet to the Point of Beginning.

The above described land shall be used only for gas metering facilities and shall be fenced and landscaped with shrubs surrounding it. Shrubs shall be maintained by Grantee to reasonably shield said facilities from view.

When this facility ceases to be functional, all rights hereunder granted by the Grantor shall terminate.

Grantor agrees to grant a road right-of-way from Oliver Street to the above described property.

The Grantor may, at his own risk, use the surface of the above described real property in a manner that will not interfere with or be detrimental to the use of said easement and right of way by Grantee, its successors and assigns, provided no trees shall be planted or grown thereon.

The Grantor hereby covenants and agrees for himself, his heirs, successors and assigns, that there shall not be constructed or maintained upon the above described real property or within said easement and right of way any building or structure of any nature or kind that will interfere with the use of said easement and right of way by Grantee, its successors or assigns, or that will interfere with the ingress or egress along said easement by said Grantee its successors or assigns.

The Grantee hereby covenants and agrees for itself, its successors and assigns, not to prevent the Grantor, his successors or assigns, from crossing over said real property and agrees that the Grantor, his heirs, successors and assigns may enjoy the continued use of the surface of said real property herein described, subject to the conditions above stated; and the Grantee hereby covenants and agrees that after the installation of any pipe line by it in any excavation made by it in the above described easement and right-of way it will backfill any such excavation made by it so as to fill said excavation as nearly as practicable to the level of the surrounding ground, and will replace any oiled, asphalt or concrete surface with like material and will replace any fence removed by it.

(As used above, the term "grantor" shall include the plural as well as the singular number and the words "himself" and "his" shall include the feminine and neuter gender as the case may be.)

Executed this 23rd day of October, 1975

IN WITNESS WHEREOF: The said first part has signed these presents the day and year first written.

Winston Wheeler Co. Trustee
M. M. Williams Co. Trustee

STATE OF KANSAS
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid WINSTON WHEELER and M. M. WILLIAMS AS CO-TRUSTEES

to me personally known to be the same person^s who executed the foregoing instrument of writing and said person^s duly acknowledged the execution thereof.

Dated at Wichita, this 23rd day of October, 1975.

M. Catherine O'Donnell
Notary Public

M. Catherine O'Donnell

My Commission expires February 4, 1977

DR-75-33
Oliver
Easement

5590

Application For Approval of Conditional Use Permit
WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

INSTRUCTIONS

1. All applicants requesting approval of a Conditional Use Permit should consult the Planning Department prior to submitting a formal application. The purpose of the consultation is to advise the applicant of his rights and responsibilities and the necessity of a detailed plan(s) to be submitted with the application for certain uses such as mobile home parks, sand extraction operations, multiple family development, etc.
2. An application for approval of a Conditional Use Permit must be signed by at least one of the owners of the property included within the application.
3. In order for any application to be considered by the Commission, the following items must be submitted to the Planning Department:
 - A. Application form (PR-3). All blanks must be completely filled in with either the information requested or the notation - N/A - (Not Applicable). **INCOMPLETE APPLICATION FORMS WILL NOT BE ACCEPTED for processing.**
 - B. Detailed plot plan(s) as may be required.
 - C. A current abstractor's certificate listing the names, mailing addresses and zip codes of the owners of all adjacent property and including the property for which the conditional use is requested, in all directions from subject property for a distance of twice the frontage of the subject property but for a distance of not more than 1,000 ft. or less than 200 ft.
 - D. The appropriate fee as established by the Zoning Regulation of Sedgwick County. The fee shall be the same as that for the district in which located. Those fees are as follows:

| | |
|--|----------|
| <u>"R", "R-1", and "AA" Classifications</u> | \$70.00 |
| <u>"BB" Classification</u> | \$140.00 |
| <u>"LC", "C", "E", and "F" Classifications</u> | \$200.00 |
| (6 acres and under) | |
| <u>"LC", "C", "E", and "F" Classifications</u> | \$400.00 |
| (over 6 acres) | |
4. The Wichita-Sedgwick County Metropolitan Area Planning Commission will meet to consider Conditional Use requests on the second and fourth Thursday of each month at 1:30 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas. An application for a Conditional Use, accompanied by appropriate documents and fees as listed above, must be filed with the Planning Department before 5 p.m., on the closing date established by the Metropolitan Area Planning Commission.
5. It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, 104 South Main, at least 7 days prior to the meeting. If, in the discretion of the Chairman and Secretary, such deferral is to be granted, notices of such deferral and date of next hearing will be mailed to those who received original notice of the hearing. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Room 402 City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT City of Wichita Gas Utility

ADDRESS Century Plaza Bldg., Wichita, Kans. PHONE 262-0611

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

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

II. The applicant proposes to establish a Meter Facilities Site

_____ (use)

on property legally described as ~~XXXXXX Southwest Quarter (SW/4)~~

~~Section 25, Township 28 South, Range 1 East~~
~~XXXXXX~~ of the _____

Sedgwick County, Kansas ~~XXXXXX~~.

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

A tract of land in the Southwest Quarter (SW/4) of Section 25, Township 28 South, Range 1 East described as follows: Beginning at a point 1293 feet North of the Southwest Corner; thence Easterly 85 feet to the TRUE POINT OF BEGINNING; thence Easterly 40 feet; thence South 40 feet; thence West 40 feet; thence North 40 feet to the Point of Beginning.

THIS PROPERTY IS LOCATED AT (ADDRESS) _____ N _____

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE N/A CORNER OF N/A AND N/A, OR

B. ON THE East SIDE OF Oliver (AVENUE) STREET BETWEEN 63 rd (AVENUE) STREET AND 55 th. (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED R (ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:

Wichita Gas Utility service requires Odorizer and metering at point nearest to access with Anadarko line at 63rd So. & Oliver without

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

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

* _____
BY _____ AUTHORIZED AGENT (IF ANY) BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY) BY _____ AUTHORIZED AGENT (IF ANY)

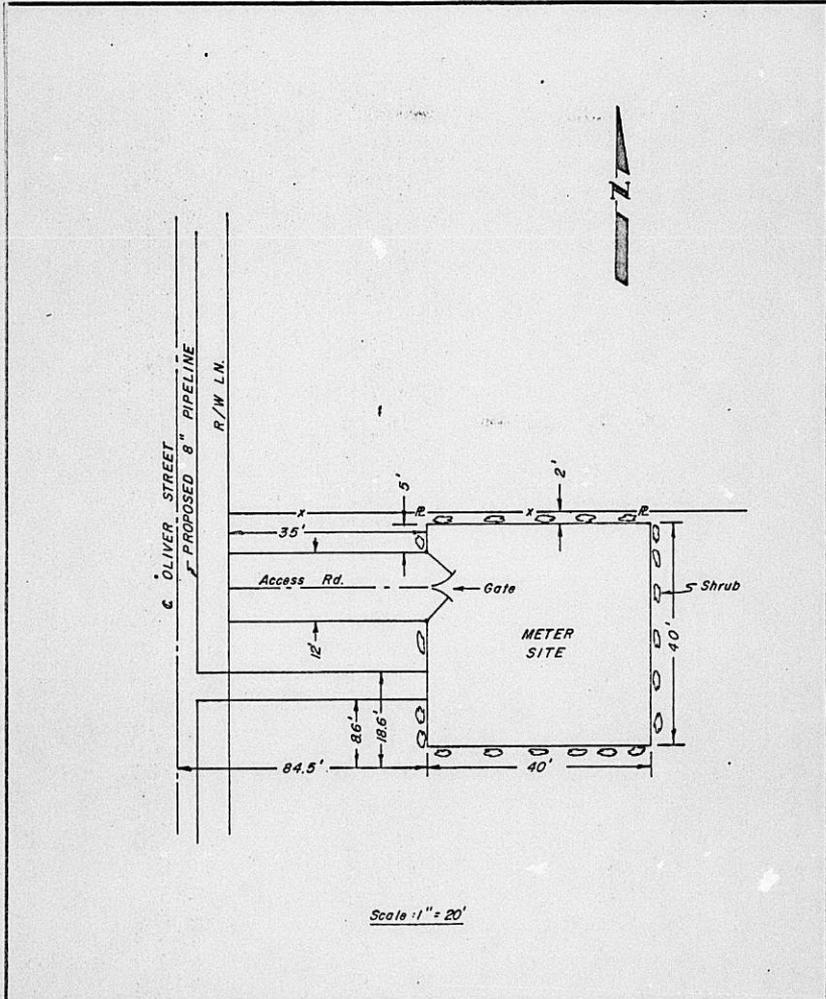
BY _____ AUTHORIZED AGENT (IF ANY) BY _____ AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY
This application was received at the Planning Department at _____ (AM, PM) on _____ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ _____.

Name

Title

M.M. WILLIAMS



WILLIAMS BROTHERS ENGINEERING COMPANY

A Resource Sciences company

TULSA, OKLAHOMA

METER & FACILITIES SITE

Date 10/10/75

Approved

STATEMENT OF TITLE

8

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

The Fidelity Title Company, Inc., duly qualified Abstractor under the laws of the State of Kansas, after a careful search of the records of Sedgwick County, Kansas, makes the following statement concerning the title to the following described property situated in said County and State, to-wit:

The Southwest Quarter of Section 25, Township 28 South Range 1 East of the 6th P.M., Except Beginning 1293 feet North of the Southwest Corner, thence East 745 feet, thence North 300 feet, thence West 745 feet, thence South to Beginning and Except Highway.

That the last deed or deeds purporting to convey title to said property is a Warranty Deed from Walter H. Burdge and Winston S. Wheeler Co-Trustees to M.M. Williams and Winston S. Wheeler C-Trustees dated Feb. 24, 1961 and filed of record July 15, 1964 at 8 A.M. in Deed Book 1350 at pg 516.



and purports to be a full and complete conveyance of the entire fee simple title, except as follows:

None

That the Probate Court discloses the following facts with reference to the grantee under the last deed above set forth:

None

That said land is mortgaged as follows: (Any releases of record are assumed to be valid).

None

Dated at Wichita, Kansas, this 14th day of July
1975 at 7:00 o'clock A.M.

Tracer No. 29294

FIDELITY TITLE COMPANY, INC.

By *C. J. Burdge*
Asst. Secy. at

Fidelity Title

COMPANY, INC.



STATEMENT OF TITLE

9

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

The Fidelity Title Company, Inc., duly qualified Abstracter under the laws of the State of Kansas, after a careful search of the records of Sedgwick County, Kansas, makes the following statement concerning the title to the following described property situated in said County and State, to-wit:

Beginning at a point 1293 feet North of the Southwest Corner of the SW $\frac{1}{4}$ of Section 25, Township 28 South Range 1 East of the 6th P.M., thence East 745 feet, thence North 300 feet, thence West 745 feet thence South 300 feet to Beginning.

That the last deed or deeds purporting to convey title to said property is a

Warranty Deed from Ruth S. Wheeler and Winston Wheeler, her husband to Ben R. Welch and Juanita I. Welch, husband and wife as joint tenants with rights of survivorship, dated April 11, 1949 and filed April 12, 1949 at 3 P.M. in Deed Book 722 at page 477.



and purports to be a full and complete conveyance of the entire fee simple title, except as follows:

None

That the Probate Court discloses the following facts with reference to the grantee under the last deed above set forth:

None

That said land is mortgaged as follows: (Any releases of record are assumed to be valid).

None

Dated at Wichita, Kansas, this 14th day of July
19 75 at 7:00 o'clock A.M.

Tracer No. 29304

FIDELITY TITLE COMPANY, INC.
By *C. E. Paul D. Duddy*
Asst. Sec. ag



EASEMENT

Project

Parcel No. S-0-3

Pipe Lines and Appurtenances

For the consideration of

ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS

the undersigned, herein designated Grantor, owner of the hereinafter described lands, for a valuable consideration the receipt of which is hereby acknowledged, does hereby GRANT and CONVEY to the City of Wichita

herein designated Grantee, a perpetual easement and right of way upon, through, under, over and across the hereinafter described real property for the installation, construction, operation, maintenance, repair, replacement, and reconstruction of pipe lines and/or mains, manholes, lateral pipe lines, and all structures incidental thereto, together with the perpetual right to remove buildings, structures, trees, bushes, undergrowth, flowers, and any other obstructions interfering with the use of said easement and right of way by Grantee, its successors or assigns and in addition thereto, to remove soil and other materials within said right of way and to use the same in such manner and at such locations as said Grantee may deem proper, needful or necessary in the construction, reconstruction and maintenance of said pipe lines or structures incidental thereto.

To have and to hold said easement and right of way unto itself and unto its successors and assigns forever, together with the right to convey said easement, or any portion of said easement, to other public agencies.

The real property referred to herein and made subject to said easement and right of way by this grant is situated in Sedgwick County, State of Kansas, and is particularly described as follows:

A tract of land in the Southwest Quarter (SW/4) of Section 25, Township 28 South, Range 1 East described as follows: Beginning at a point 1293 feet North of the Southwest Corner; thence Easterly 85 feet to the TRUE POINT OF BEGINNING; thence Easterly 40 feet; thence South 40 feet; thence West 40 feet; thence North 40 feet to the Point of Beginning.

The above described land shall be used only for gas metering facilities and shall be fenced and landscaped with shrubs surrounding it. Shrubs shall be maintained by Grantee to reasonably shield said facilities from view.

When this facility ceases to be functional, all rights hereunder granted by the Grantor shall terminate.

Grantor agrees to grant a road right-of-way from Oliver Street to the above described property.

The Grantor may, at his own risk, use the surface of the above described real property in a manner that will not interfere with or be detrimental to the use of said easement and right of way by Grantee, its successors and assigns, provided no trees shall be planted or grown thereon.

The Grantor hereby covenants and agrees for himself, his heirs, successors and assigns, that there shall not be constructed or maintained upon the above described real property or within said easement and right of way any building or structure of any nature or kind that will interfere with the use of said easement and right of way by Grantee, its successors or assigns, or that will interfere with the ingress or egress along said easement by said Grantee its successors or assigns.

The Grantee hereby covenants and agrees for itself, its successors and assigns, not to prevent the Grantor, his successors or assigns, from crossing over said real property and agrees that the Grantor, his heirs, successors and assigns may enjoy the continued use of the surface of said real property herein described, subject to the conditions above stated; and the Grantee hereby covenants and agrees that after the installation of any pipe line by it in any excavation made by it in the above described easement and right-of way it will backfill any such excavation made by it so as to fill said excavation as nearly as practicable to the level of the surrounding ground, and will replace any oiled, asphalt or concrete surface with like material and will replace any fence removed by it.

(As used above, the term "grantor" shall include the plural as well as the singular number and the words "himself" and "his" shall include the feminine and neuter gender as the case may be.)

Executed this 23rd day of October, 1975

IN WITNESS WHEREOF: The said first part^{ies} have signed these presents the day and year first written.

Winston Wheeler Co. Trustee
M. M. Williams Co. Trustee

STATE OF KANSAS
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid WINSTON WHEELER and M. M. WILLIAMS AS CO-TRUSTEES

to me personally known to be the same person^s who executed the foregoing instrument of writing and said person^s duly acknowledged the execution thereof.

Dated at Wichita, this 23rd day of October, 1975.

M. Catherine O'Donnell
Notary Public
M. Catherine O'Donnell

My Commission expires February 4, 1977



OLIVER

HIGHWAY K-15

SIXTY FIVE