

DR 77-4 - KG&E Electrical Substation - generally located on the north side of Harry, approx. 1/2 mile east of Webb Road.

POSTED
2-7-77

ACTION

DATE

COMMITTEE _____
M.A.P.C. Appr. sent to comd. 2-17-77
~~B.C.C./B. CO. C. Appr.~~ 3-6-77
(See notes inside)

Book 3
 Map No. G-11-B
 Sec. 28
 Twp. 27
 Range 2E

DATA SHEET
 (ZONING & CONDITIONAL USE)

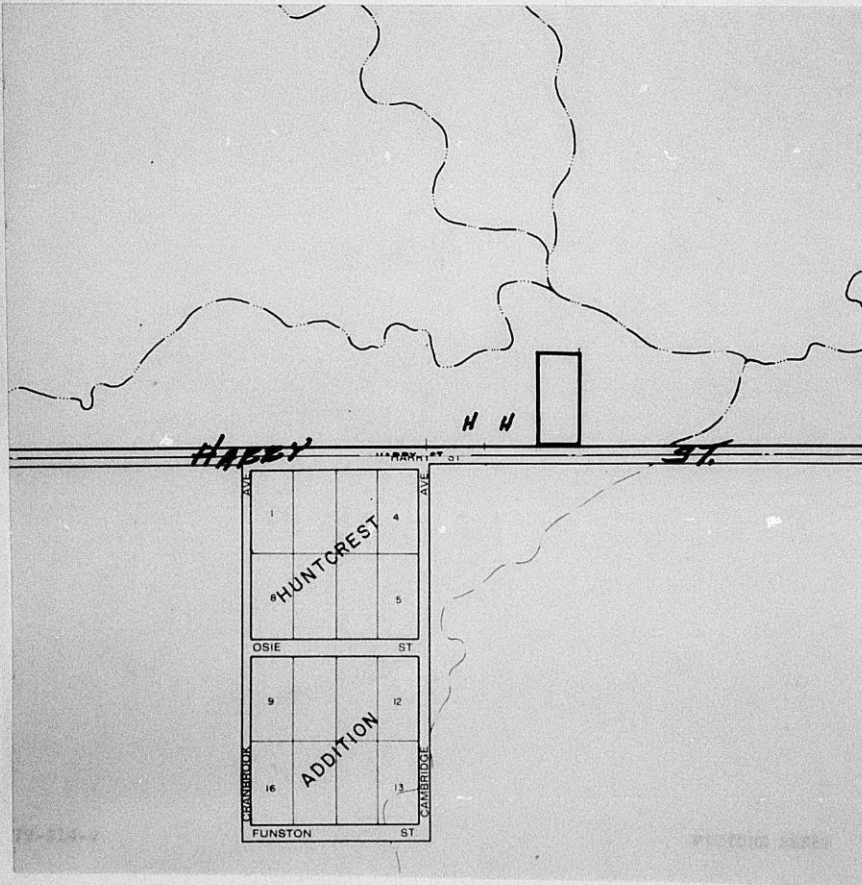
DR- 77-4
 SCZ-
 CU-
 Filed 1-21-77

- APPLICATION DATA: From _____ to _____
- Applicant: KG&E The Electric Company
 Address _____ Phone _____
 - Agent: _____
 Address _____ Phone _____
 - General Location: north side of Harry, approximately 1/2 mile east of Webb Road. Address _____
 - Proposed Use: _____

MAPC: 2-17-77

- AREA DATA:
- Acres: 1.72 (150 ft. by 366 ft.)
 - Adjoining Zoning: E R-1 S R-1 W R-1 N R-1
 - Land Use: East Undeveloped South Undeveloped
 West Single family North Undeveloped
 - Sketch Plan Land Use is for: 4
 - Present Land Use is for: _____
 - Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Smith
 No. 2-153C
 NATIONAL MAP-LOG ANGLERS
 LOCAL CH - MEMPHIS, TN U.S.A.

April 5, 1977

Mr. Syd Werbin
Division Head
County Building, Planning
and Inspection
1015 Stillwell
Wichita, Kansas 67213

Re: Case No. DR 77-4 - Special
permit for electric sub-
station.

Dear Mr. Werbin:

On March 16, 1977, we wrote you concerning the approval of the above referred to special permit. As you will recall, the approval was given subject to several conditions, one of which was that the applicant was to submit architectural plans for the screening wall and fence to be constructed around the perimeter of the site, said plans to be reviewed and approved by the Planning Department. This is to advise you that the plans have been submitted and have been reviewed and approved.

If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Rod Nicholson, Assistant Division Manager
Kansas Gas & Electric, P. O. Box 208, 67201

March 16, 1977

Mr. Syd Werbin
County Zoning Administrator
1015 Stillwell
Wichita, Kansas 67213

Re: Case No. DR 77-4
Special Permit

Dear Mr. Werbin:

The Board of County Commission at the regular meeting of March 15, 1977, considered the above captioned request for an electrical substation. Their action was to approve the request subject to the following conditions:

- A. Platting of subject property within one year from the date of approval by the Board of County Commissioners in order to provide for appropriate street right-of-way, access control and building setbacks.
- B. A minimum 8 foot high solid or semi-solid brick, stone, masonry architectural tile or a combination of masonry and wood wall, being constructed around the perimeter of the substation to prevent the entrance of unauthorized persons and to provide a solid screen for adjacent property owners. Said wall being constructed on the north, south and east as residential development occurs on adjacent properties, said wall on the south being placed not closer than 25 feet from the new street right-of-way line of Harry Street. The required wall shall be constructed on the west property line at the same time of construction of the substation; however, a temporary fence, so designed as to prevent the admittance of unauthorized individuals, shall be erected on the north, east and south property lines until residential development occurs on adjacent property and the wall is constructed at those locations.

Page Two
Mr. Syd Werbin
March 16, 1977

J Architectural plans for the walls shall be submitted to the Planning Department for their review and approval.

- D. The existing shelter belt along the south property line shall be retained and maintained in such a manner so as to not constitute a traffic hazard.

For the benefit of those receiving a copy of this letter, we call to their attention that the security fence was permitted to be located at a 25 foot setback from Harry rather than a 35 foot setback as recommended by the Planning Commission. This dimension is now reflected in condition B.

If you have any questions concerning this application, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Rod Nicholson, Assistant Division Manager
K.G.&E. Co., 201 N. Market, 67201
Gordon A. Bulloch, 10414 E. Harry, 67207
Robert Walker, 7616 Clay, 67207

3/9/77

Board of County Commissioners

Jack H. Galbraith, Chief Planner

DR 77-4 and S/D 77-18 - Final plat of Harry St. Substation

At the regular meeting of the Metropolitan Area Planning Commission on March 3, 1977, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee on February 24, 1977, except that Condition B. was changed to read as follows:

- B. That the applicant be permitted to construct a security fence or wall to within 25 feet of Harry Street.

The associated case DR 77-4 approved by the Planning Commission on February 17, 1977, and scheduled for consideration at your meeting of March 16, 1977, specified a 35 foot setback for the fence or wall from Harry Street under conditions of approval B. and C.

Should the County Commission concur in the 25 foot setback, Condition B. should be changed to reflect same and Condition E. eliminated.

Jack H. Galbraith, Chief Planner

JHG:IS:ew

BGC 3-16-77 approved 25' w/E'
demanded ~~20~~

Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

CASE NO. DR 77-4

CONSIDERED BY MAPC: 2-17-77

REQUEST FOR: Special Permit for the Construction of an Electrical
Substation
REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

GENERAL LOCATION: North side of Harry, approximately 1/2 mile
east of Webb Road

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of Section
28-27-2E described as: Beginning at a point 424.3 feet
East of the Southwest corner of said SE 1/4; thence
North 366 feet; thence East 150 feet; thence South 366 feet,
thence West 150 feet to the point of beginning.

APPLICANT: Kansas Gas and Electric Company

COUNSEL FOR APPLICANT: Rod Nicholson, Agent

PROTESTORS (LIST COUNSEL) IF ANY: Gordon Bullock, 10414 East Harry
67207

SURROUNDING ZONING: North, east, south and west - "R-1"

LAND USE: North, east and south - undeveloped; west - single family

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions
as shown in the attached excerpt of Planning Commission minutes.
Greider moved, Bayouth seconded, and it carried unanimously.
Kamen and Barrier were absent.

ACTION: 1. Approve the application as recommended by the Metropolitan
Area Planning Commission, subject to the recommended conditions of
approval; or
2. Take such action as the County Commission desires.

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 17, 1977:

13. DR-77-4 - Kansas Gas and Electric Company requests Special Permit for the Construction of an Electrical Substation on a tract of land in the Southeast Quarter of Section 28-27-2E described as: Beginning at a point 424.3 feet East of the Southwest corner of said SE 1/4; thence North 366 feet; thence East 150 feet; thence South 366 feet, thence West 150 feet to the point of beginning. Generally located on the north side of Harry, approximately 1/2 mile east of Webb Road.

MEEK showed maps and pictures of the area and reviewed the following staff report:

Comments:

1. Kansas Gas and Electric is requesting a special permit under Section 11F of the County Zoning Resolution in order to construct a substation. The permit may be granted subject to whatever protective restrictions are deemed necessary.
2. Subject property is located on a FAS road and is unplatted, as are surrounding lands. To the west is a single family residence, land to the north, south, and east is undeveloped.
3. The applicant has submitted a site plan with the application which indicates the location of proposed facilities on the site, fencing and 60 feet of half-street right-of-way for Harry Street. The fencing proposed by the applicant is to be a six foot chain link fence with one foot barbed wire, however, the Planning Commission may wish to consider requiring a minimum 8 foot high solid or semi-solid brick, stone, masonry, architectural tile or combination of masonry and wood wall along the west property line to provide a solid screen for the single family residence to the west of subject property.
4. In the event the Planning Commission recommends approval of this request, the following are recommended conditions of approval:
 - A. Platting of subject property within one year from the date of approval by the Board of County Commissioners in order to provide for appropriate street right-of-way, access control and building setbacks.
 - B. The applicant providing a fence around the substation facility so as to prevent the admittance of unauthorized individuals and said fence shall not be placed closer than 35 feet from the south property line.
 - C. A minimum 8-foot high solid or semi-solid brick, stone, masonry, architectural tile or a combination of masonry and wood wall, being constructed around the perimeter of the substation to prevent the entrance of unauthorized persons and to provide a solid screen for adjacent property owners. Said wall being constructed on the north, south and east as residential development occurs on adjacent properties, said wall on the south being placed not closer than 35 feet from the new street right-of-way line of Harry Street.
 - D. Architectural plans for the walls shall be submitted to the Planning Department for their review and approval.
 - E. The existing shelter belt along the south property line

shall be retained and maintained in such a manner so as to not constitute a traffic hazard.

- F. Submission of two revised copies of the site plan indicating the east-west fence on the south as being 35 feet from the south property line.

MEEK pointed out that the surrounding area was zoned "R-1" although very little development had taken place in the area at the present time. Several plats had been approved recently, and there was the possibility that the area would urbanize fairly quickly. He stated that on substations in the county, screening had not been required, but that one of the conditions being recommended by the staff was that as the area became urbanized, screening of the facility would be required. He stated that a representative of KG&E was present and may wish to discuss that recommendation.

GREIDER questioned whether the present temporary structure would have to be moved.

ROD NICHOLSON, Assistant District Manager, KG&E, replied that the present power facility was a temporary facility which had been necessary to get sufficient power into the area as the load had increased drastically. As a result, KG&E were requesting a substation in this location and the temporary structure would be removed.

SAVINA asked if the applicant had any quarrel with the requirements.

NICHOLSON stated that they hesitated to go with a masonry fence at present but that they did have an agreement with the land owner that in the event the area was platted and developed, KG&E would provide screening on the other three sides (east, west and north). He further stated that KG&E was presently meeting with the property owner directly to the west to come up with some mutually agreed upon screen on that side, something that would look aesthetically pleasing.

GORDON BULLOCK, 10414 East Harry, stated that he was the owner of the property adjacent to the west of the proposed site. He said that due to the amount of area there was available, he did not like having the substation placed within 100 feet to his property. There was a certain noise to it--not a real loud noise, but there was a hum. He said the existing substation was west of him nearly 1/2 mile and he could hear that sound. He further stated that there was always the question of whether these things draw lightning and he didn't really have an answer to that. He said a number of people had told him this would be a detriment if he tried to sell his property.

BULLOCK remarked that KG&E had acquired the land from the Park Mills Development Company who had control of the entire frontage on Harry Street. He felt that this substation would be a detriment to Park Mills Development Company in selling their home sites and that they wanted to hide it somewhere, so they put it over next to him. He said that the power line from the substation would go right across the north end of his property.

GREIDER asked how far the structure would be from Mr. Bullock's home.

BULLOCK replied that he had two buildings on his property, an artist's studio and his home. The structure would be immediately

behind his art studio which was adjacent to his house and that he was only talking about 40-50 feet.

GREIDER asked Mr. Nicholson how far this structure would be from Mr. Bullock's buildings.

NICHOLSON showed an aerial photograph of the facility and pointed out Mr. Bullock's home and art studio and stated that he thought it would be approximately 150 feet.

NICHOLSON pointed out that the transformer would set approximately in the middle of the site itself which appeared to be in the neighborhood of 70-80 feet.

HENNESSY inquired as to how high the structure would be.

NICHOLSON said it would be 10-12 feet high.

SAVINA asked if it would be a step up or step down transformer.

NICHOLSON replied that it would be step down to distribution voltage. He said when they had looked for a substation site they had tried to keep the cost down as much as possible and looked toward its availability to their existing facilities, plus having it located in the middle of the area they are and will be serving. He said they had stationed it in close proximity to the middle of the area, after having investigated the entire area in relationship to cost, drainage and accessibility. He felt that this site had presented the best solution.

PORTER asked if there would be a problem in moving the transformer equipment to the east side of the site, as far as possible from the property owner to the west.

NICHOLSON stated that the equipment had been designed and placed in the shown location for a purpose. He said that they were designed large enough so that if the area does progress there would be room enough to add another unit some time in the future. He said that the structure was 80 + 60, or approximately 140 feet, from the studio which is between the site and the home.

PORTER asked if Mr. Nicholson was aware of any technical reason that would require that the structure be in the middle of the site.

WALKER, Supervisor of Substation Design, KG&E, stated that if the transformer were moved to the east, all that would be accomplished would be creating a problem for a future neighbor who was going to move in on that side. He said that they needed also to maintain a drive-in area between the transformer and the switch gear, because both are worked on from all sides with equipment on trucks.

PORTER stated that she was not so much concerned about a future buyer that would have been warned, but was concerned about a current owner.

PORTER questioned the screening arrangement KG&E would provide between their substation and Mr. Bullock's property. She asked if KG&E had concrete suggestions as to how to handle the barrier.

NICHOLSON stated that since Mr. Bullock had a rough cedar fence to the west side of his property, they were thinking of going to a rough cedar fence on the KG&E side of the same color.

PORTER asked Mr. Bullock if that was agreeable to him.

BULLOCK remarked that in the spring when he repaints his house it might change color--that he usually stained his fence the same color as his house.

BAYOUTH remarked that these substations were needed, but that there had to be some protection for Mr. Bullock, and asked what screening could be required.

BULLOCK stated he was concerned about run-off water and thought that a cement foundation for a wall would act like a dam.

LAKIN stated that could be handled in design.

NICHOLSON stated that a masonry fence would cost about \$32 a foot, which was a sizeable item, and that if it cost KG&E a lot, it would cost the consumers, too, but that anything KG&E could do to make it pleasant at the least amount of cost, they should do.

SAVINA suggested that the fences be approved by the Planning Department staff.

MOTION: That the Planning Department recommend to the County Commissioners that this application be approved subject to:

- A. Platting of subject property within one year from the date of approval by the Board of County Commissioners in order to provide for appropriate street right-of-way, access control and building setbacks.
- B. A minimum 8-foot high solid or semi-solid brick, stone, masonry, architectural tile or a combination of masonry and wood wall, being constructed around the perimeter of the substation to prevent the entrance of unauthorized persons and to provide a solid screen for adjacent property owners. Said wall being constructed on the north, south and east as residential development occurs on adjacent properties, said wall on the south being placed not closer than 35 feet from the new street right-of-way line of Harry Street. The required wall shall be constructed on the west property line at the same time of construction of the substation; however, a temporary fence, so designed as to prevent the admittance of unauthorized individuals, shall be erected on the north, east and south property lines until residential development occurs on adjacent property and the wall is constructed at those locations.
- C. Architectural plans for the walls shall be submitted to the Planning Department for their review and approval.
- D. The existing shelter belt along the south property line shall be retained and maintained in such a manner so as to not constitute a traffic hazard.
- E. Submission of two revised copies of the site plan indicating the east west fence on the south as being 35 feet from the south property line.

Greider moved, Bayouth seconded.

PORTER stated that she was only recommending that the request for a fence on the west side be definite.

VOTE ON MOTION: Motion carried unanimously.
Kaman and Barrier were absent.

February 22, 1977

Mr. Rod Nicholson
Assistant Division Manager
Kansas Gas and Electric Company
201 North Market
Wichita, Kansas 67201

Re: Case No. DR 77-4
Special Permit

Dear Mr. Nicholson:

At the regular meeting of the Metropolitan Area Planning Commission on February 17, 1977, the above-captioned request was considered. It was the action of the Commission to recommend approval subject to the conditions as stated below:

- ✓ A. Platting of subject property within one year from the date of approval by the Board of County Commissioners in order to provide for appropriate street right-of-way, access control and building setbacks.

- ✓ B. A minimum 8-foot high solid or semi-solid brick, stone, masonry, architectural tile or a combination of masonry and wood wall, being constructed around the perimeter of the substation to prevent the entrance of unauthorized persons and to provide a solid screen for adjacent property owners. Said wall being constructed on the north, south and east as residential development occurs on adjacent properties, said wall on the south being placed not closer than 25' ⁽³⁵⁾ feet from the new street right-of-way line of Harry Street. The required wall shall be constructed on the west property line at the same time of construction of the substation; however, a temporary fence, so designed as to prevent the admittance of unauthorized individuals, shall be erected on the north, east and south property lines until residential development occurs on adjacent property and the wall is constructed at those locations.

- ✓ C. Architectural plans for the walls shall be submitted to the Planning Department for their review and approval.

- ✓ D. The existing shelter belt along the south property line shall be retained and maintained in such a manner so as to not constitute a traffic hazard.

Mr. Rod Nicholson

February 22, 1977

omit E. Submission of two revised copies of the site plan indicating the east west fence on the south as being 35 feet from the south property line.

Please note item C which provides for architectural plans for the required wall to be submitted to the Planning Department prior to the issuance of a building permit. Also note item F requiring revised copies of the site plan.

This matter will be forwarded to the County Commission for consideration at their regular meeting on March 16, 1977, this meeting to be held in the County Commission Meeting Room, Third Floor, Sedgwick County Courthouse, 525 North Main.

Please call if you have any questions.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bh

cc: Gordon A. Bulloch, 10414 E. Harry, 67207
Robert Walker, 7616 Clay, 67207
Syd Werbin, Sedgwick County Courthouse

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-17-76

Case No. DR 77-4

Request: Special Permit

Location: North side of Harry in an area approximately 1/2 mile east of Webb Road.

Reason: Kansas Gas and Electric Substation.

Acres: 1.2

Size: 150' x 366'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Undeveloped	"R-1"
East	Undeveloped	"R-1"
South	Undeveloped	"R-1"
West	Single family	"R-1"

Existing R/W 13th St - half - 30 ft.
Proposed R/W 13th St. - half - 60 ft.

Platted: No
History: None

Comments:

1. Kansas Gas and Electric is requesting a special permit under Section 11F of the County Zoning Resolution in order to construct a substation. The permit may be granted subject to whatever protective restrictions are deemed necessary.
2. Subject property is located on a FAS road and is unplatted, as are surrounding lands. To the west is a single family residence, land to the north, south, and east is undeveloped.
3. The applicant has submitted a site plan with the application which indicates the location of proposed facilities on the site, fencing and 60 feet of half-street right-of-way for Harry Street. The fencing proposed by the applicant is to be a six foot chain link fence with one foot barbed wire, however, the Planning Commission may wish to consider requiring a minimum 8 foot high solid

or semi-solid brick, stone, masonry, architectural tile or combination of masonry and wood wall along the west property line to provide a solid screen for the single family residence to the west of subject property.

4. In the event the Planning Commission recommends approval of this request, the following are recommended conditions of approval:
- A. Platting of subject property within one year from the date of approval by the Board of County Commissioners in order to provide for appropriate street right-of-way, access control and building setbacks.
 - B. The applicant providing a fence around the substation facility so as to prevent the admittance of unauthorized individuals and said fence shall not be placed closer than 35 feet from the south property line.
 - C. A minimum 8-foot high solid or semi-solid brick, stone, masonry, architectural tile or a combination of masonry and wood wall, being constructed around the perimeter of the substation to prevent the entrance of unauthorized persons and to provide a solid screen for adjacent property owners. Said wall being constructed on the north, south and east as residential development occurs on adjacent properties, said wall on the south being placed not closer than 35 feet from the new street right-of-way line of Harry Street.
 - D. Architectural plans for the walls shall be submitted to the Planning Department for their review and approval.
 - E. The existing shelter belt along the south property line shall be retained and maintained in such a manner so as to not constitute a traffic hazard.
 - F. Submission of two revised copies of the site plan indicating the east-west fence on the south as being 35 feet from the south property line.
-

DR-77-4 13 "Notice to Adjoining
property owners" mailed 2/3/77 for the MAPC
meeting for 2/17/77

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

NOTICE TO ADJOINING PROPERTY OWNERS

FEB 3 1977

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Chambers, City Hall, 1st floor, 455 North Main Street, Wichita, Kansas, at its meeting at 1:30 p.m. on FEB 17 1977, at which time you may appear either in person or by agent or attorney, if you so desire.

CASE NO. DR 77-4

Request for a Special Permit for the Construction
of an Electrical Substation

A tract of land in the Southeast Quarter of Section 28-27-2E described as: Beginning at a point 424.3 feet East of the Southwest corner of said SE $\frac{1}{4}$; thence North 366 feet; thence East 150 feet; thence South 366 feet, thence West 150 feet to the point of beginning. Generally located on the north side of Harry, approximately 1/2 mile east of Webb Road.

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 new notices.

Robert A. Lakin
Secretary

T9-216

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

Book 3; G-11-B
28
27
2E

DR 77-4

2-1-2-77

REAL ESTATE PURCHASE CONTRACT

THIS AGREEMENT, made and entered into this 30th day of December, 1976, by and between Jack Pearce et al, party of the First Part, hereinafter referred to as "Seller," whether one or more, and KANSAS GAS AND ELECTRIC COMPANY party of the Second Part, hereinafter referred to as "Buyer,"

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

1. The Seller does hereby agree to sell and convey to the Buyer by a good, sufficient and acceptable warranty deed the following described real property, situated in Sedgwick County, State of Kansas, to-wit: A tract of land in the Southeast 1/4 of Section 28, Township 27 South, Range 2 East, Sedgwick County, Kansas, described as follows: Beginning at a point 424.3 feet East of the Southwest corner of said Southeast 1/4, thence North 366 feet, thence East 150 feet, thence South 366 feet thence West 150 feet to the point of beginning containing 1.26 acres more or less.

2. The Buyer hereby agrees to purchase, and to pay to the Seller, as consideration for the conveyance to him of the above described real property, the sum of [redacted] dollars in manner following to-wit: Deposit of earnest money within ten (10) days after the execution and delivery of this contract; and the balance upon closing.

3. The Seller agrees to furnish to the Buyer a complete abstract of title to the above described real property, certified to date, showing a merchantable title, vested in the Seller, subject to: _____

The Title Evidence shall be sent to R. E. Lewis, KG&E, P O Box 208, Wichita, Kansas 67201 for examination by the Buyer as promptly and expeditiously as possible, and it is understood and agreed that the Seller shall have a reasonable time after said Title Evidence has been examined in which to correct any defects in title.

4. A duly executed copy of this Purchase Agreement shall be delivered to the parties hereto.

5. The Buyer agrees to deposit with Jack Pearce et al the sum of [redacted] dollars, earnest money, as a guarantee that the terms and conditions of this contract shall be fulfilled by him, said deposit to be applied on the purchase price upon acceptance of title by the Buyer and delivery of deed by the Seller. In the event the Buyer shall fail to fulfill his obligations hereunder, the Seller may, at his option, cancel this agreement, and thereupon the aforementioned deposit shall become the property of the Seller and his Agent, not as a penalty but as liquidated damages; provided however, that, in the event the Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer and this agreement shall be null and void and of no further force and effect.

6. It is further agreed by and between the parties hereto that: Should Buyer fail to obtain proper zoning on the above described tract this contract will be null and void and the earnest money will be returned.

7. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before March 31, 1977.

8. Possession to be given to Buyer on or before March 31, 1977.

9. Buyer to construct ^{decorative} ~~ornate~~ fence along subject tract when adjacent development occurs.

WITNESS OUR HANDS AND SEALS the day and year first above written.

KANSAS GAS AND ELECTRIC COMPANY

By Richard E. Lewis
Richard E. Lewis

Jack Pearce
Jack Pearce

Melony Pearce
Melony Pearce

George Hall
George Hall

Velma Hall
Velma Hall

Bernard E. Lickteig
Bernard E. Lickteig

Mary Ann Lickteig
Mary Ann Lickteig

Keith E. Parker
Keith E. Parker

Jackquelyn K. Parker
Jackquelyn K. Parker

BUYER

SELLER



KANSAS GAS AND ELECTRIC COMPANY

January 19, 1977

✓
RODNEY D. NICHOLSON
ASSISTANT DIVISION MANAGER

Jack Galbraith, Chief Planner
of Metropolitan Area Planning Dept.
455 N. Main
Wichita, KS 67202

RE: Harry Street Substation

Dear Mr. Galbraith:

We are presently in the planning stages for a new substation to be located on the north side of Harry Street approximately 3,065 feet east of Webb Road.

This will be a 69 to 12 KV station, and will be an essential part of our distribution system in the southeast area of Wichita.

Our preliminary plans call for a common six foot chain link fence with one foot of barbed wire. We do not have any plans at this time for landscaping of the area, but could add this at a later date if and when the area develops. I do want to point out that the front of the substation (along Harry Street) presently has large evergreen trees which at this time we are intending to leave in place to provide screening.

Enclosed, in addition to five copies of the survey of the proposed substation tract, is an ownership list of the property owners located within 1,000 feet of the construction site.

I will appreciate your consideration of this project for a conditional use permit. Should you have any questions, please feel free to call me.

Sincerely,

RDN:ck
Enclosures



KANSAS GAS AND ELECTRIC COMPANY

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

January 4, 1977

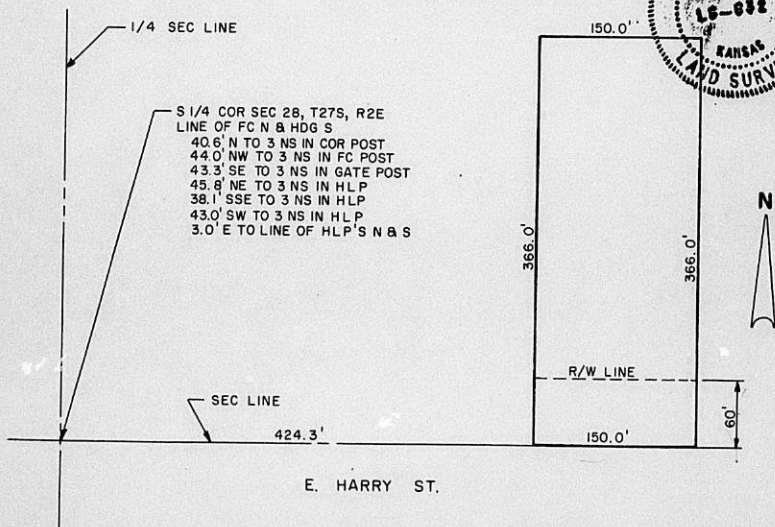
I, Stu Spaulding, surveyor in aforesaid county and state, do hereby certify that I did on this 4th day of January, 1977, survey the following described tract:

A tract of land in the southeast 1/4 of Section 28, Township 27 South, Range 2 East, Sedgwick County, Kansas, described as follows:
Beginning at a point 424.3 feet East of the Southwest corner of said Southeast 1/4, thence North 366 feet, thence East 150 feet, thence South 366 feet, thence West 150 feet to the point of beginning containing 1.26 acres more or less.

On said tract are no buildings. There are no encroachments on said tract by buildings on adjacent tracts.

The accompanying plat is a true and correct exhibit of said survey.

Stu Spaulding
Surveyor





KANSAS GAS AND ELECTRIC COMPANY

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

January 4, 1977

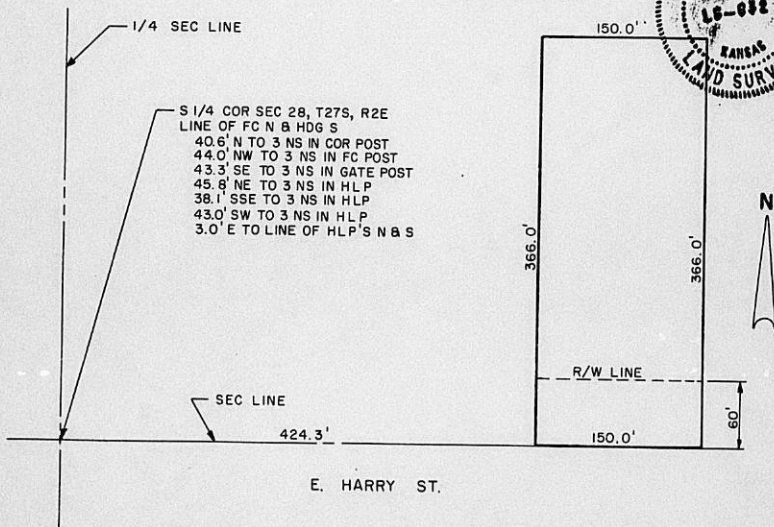
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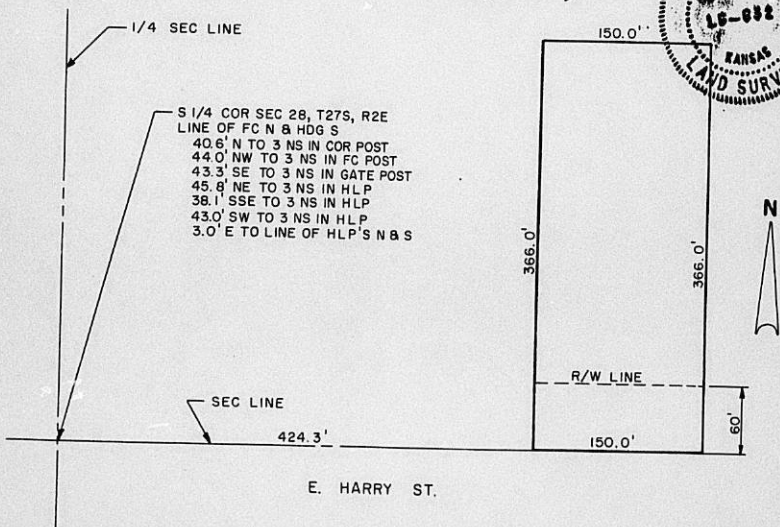
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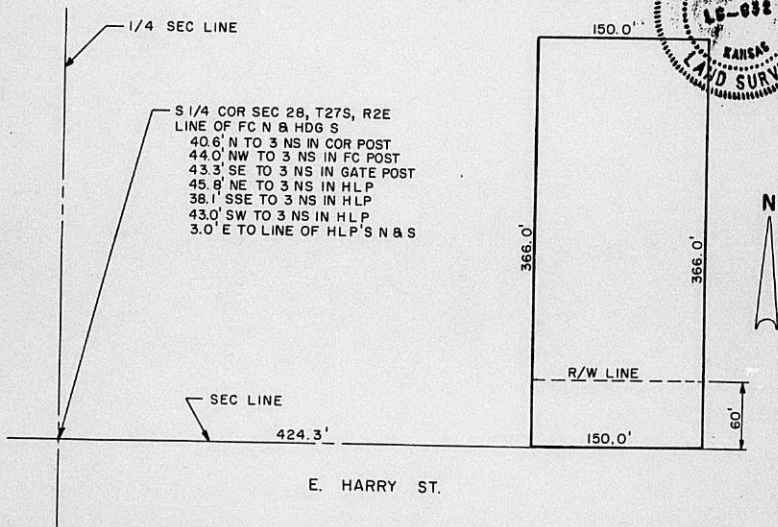
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STATE OF KANSAS)
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January 4, 1977

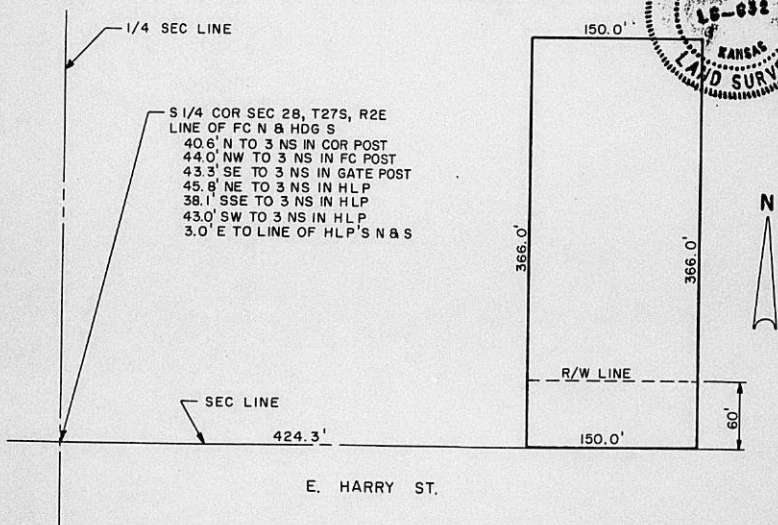
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Stu Spaulding
Surveyor



OWNERSHIP LIST

Tract	Property Owner
Beginning 250 feet East of the Southwest corner of the SE $\frac{1}{4}$ of Section 28-27-2E, thence East 174.3 feet, North 290 feet, West 174.3 feet, South 290 feet to pob.	✓ Gordon A. Bulloch and Barbara A. 10414 East Harry 67207
Beginning 290 feet North of the Southwest corner of the SE $\frac{1}{4}$ of Section 28-27-2E, thence North 51.33 feet, East 424.3 feet, South 51.33 feet, West 424.3 feet to beg.	Same
The North 40 feet of the South 290 feet of the West 250 feet of the SE $\frac{1}{4}$ of Section 28-27-2E	✓ Lester O. Tanner and Virginia 10402 East Harry 67207
Beginning at the Southwest corner of the SE $\frac{1}{4}$ of Section 28-27-2E, East 250 feet, North parallel with the West line said Quarter Section 250 feet, West parallel to the South line said Quarter Section 250 feet, thence South 250 feet to beg.	Same
The South Half of the SE $\frac{1}{4}$ of Section 28-27-2E except the previously described tracts	✓ Roy W. McCrea and Audra McCrea 11148 East Harry 67207
The North Half of the SE $\frac{1}{4}$ of Section 28-27-2E	✓ Arthur Lankin 953 South Greenwich Road 67207
The Northeast Quarter of Section 33-27-2E	✓ Elizabeth K. Dotts 708 South Martinson 67213
Lot 1 Huntcrest Addition	✓ A. T. Mallory and Faye L. Mallory 1602 Cranbrook 67207
Lots 2,3,4, 5,6,11 and 12 Same	✓ Frank W. Barton, 635 N. Hydraulic 67214
	✓ Stephen F. Barton and Gilda Z. 215 Live Oake Lane 67206
	✓ Keith E. Parker and Jacquelyn K. 1021 East Waterman 67211
Lot 7 Same	✓ La Verne Edward Forste and Winifred Maxine Forste 10328 East Osie 67207
Lot 8 Same	① La Verne E. Forste & Winifred M. 10328 East Osie 67207

Lot	Block	Addition	Property Owner
7	1	Park Meadow Estates	<input checked="" type="checkbox"/> Jack Pearce, 8220 Peach Tree Lane 67207 <input checked="" type="checkbox"/> Bernard Lickteig, 402 N. Bluff 67208 <input type="checkbox"/> Keith Parker, 1021 E. Waterman 67211
2	2	Same	Same
19 thru 29 inclusive, Block 3		Same	Same
11 thru 18 inclusive Block 4		Same	Same
4,5,6,7,8 Block 4		Same	Same

The Security Abstract & Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners of:

A 1000 foot radius of: A tract of land in the Southeast Quarter of Section 28-27-2E described as: Beginning at a point 424.3 feet East of the Southwest corner of said SE $\frac{1}{4}$; thence North 366 feet; thence East 150 feet; thence South 366 feet, thence West 150 feet to the point of beginning

as shown by the records on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 10th day of January, 1977 at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

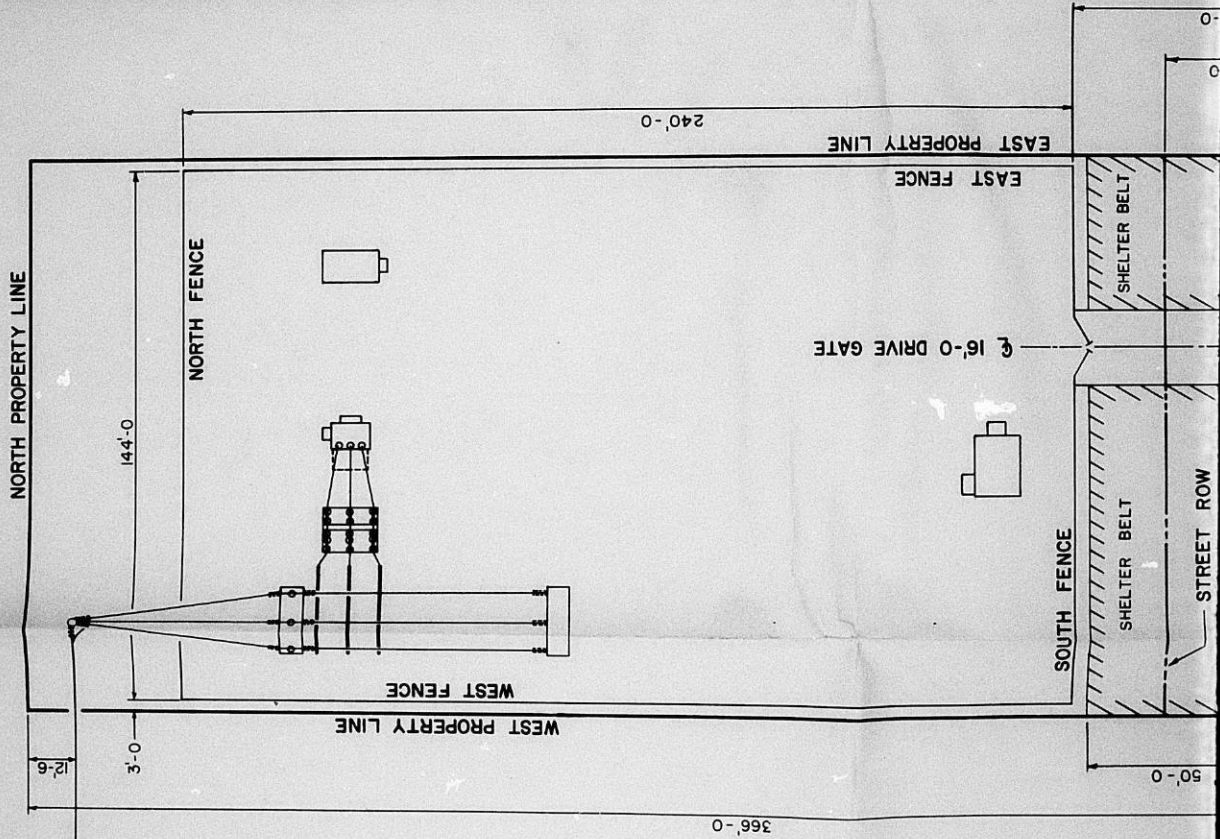
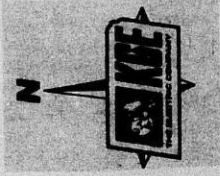
By

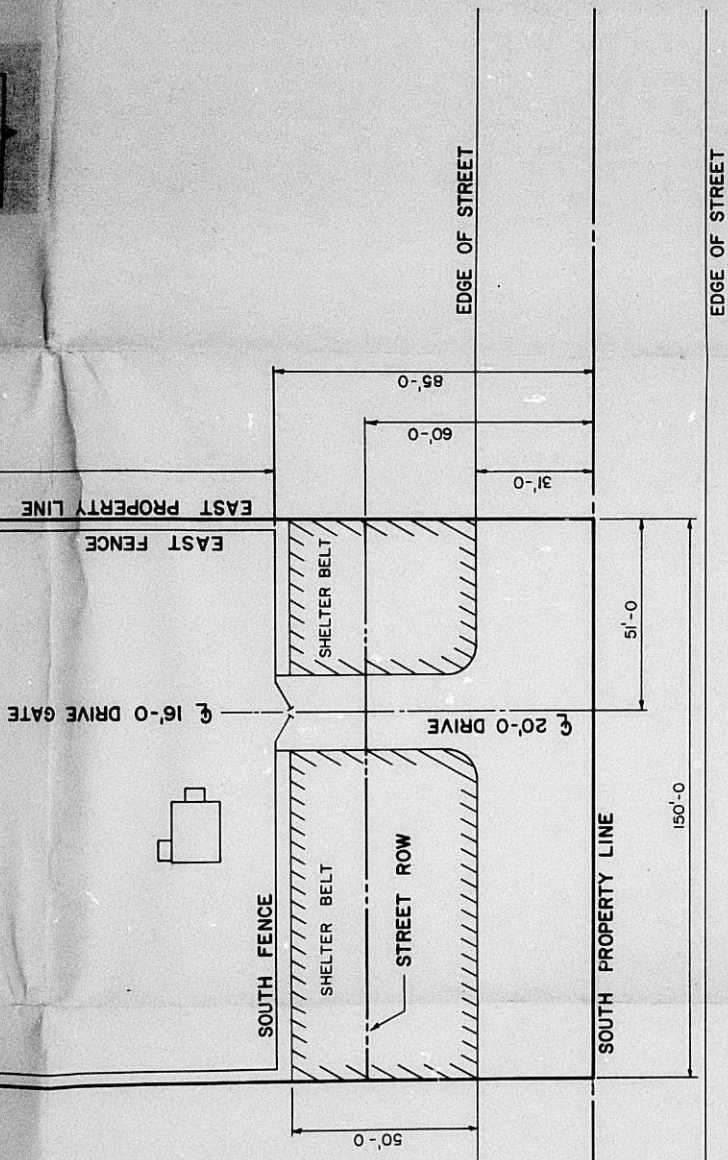
Mary Gable

Vice President

Order No. 245901

wh



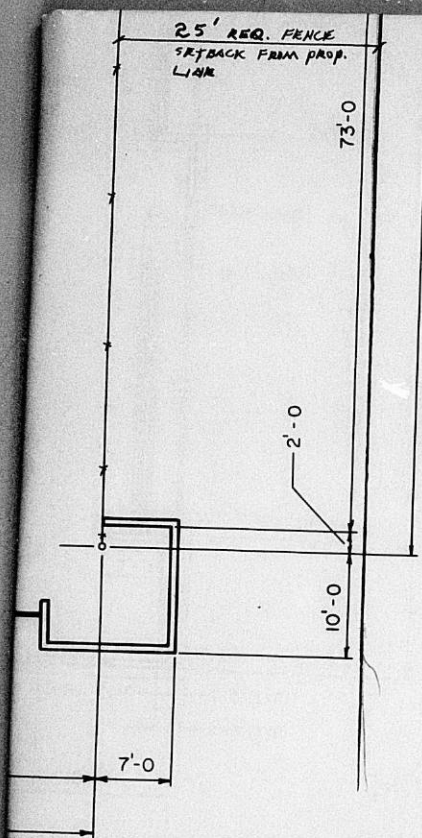


HARRY ST. SUBSTATION

GENERAL PLAN

DR	RLD	APPROVED	SCALE	SHTS. OF
CK	G W	<i>J. N. Haman</i>	1" = 30'-0"	SM
DATE	1-19-77	KANSAS GAS AND ELECTRIC COMPANY		CHIEF ENGINEER
BY		WICHITA, KANSAS		KD-7780

NO.	DATE	REVISION	BY	CK	APP



1. SEE SHEETS 2 & 3 FOR
MASONRY WALL DETAILS.

ARCHITECTURAL WALL
& FENCE PLAN

APPROVED 4/4/77
BY [Signature]



HARRY ST. SUBSTATION
FENCE PLAN

DR	RD	APPROVED	<i>J. N. [Signature]</i> CHIEF ENGINEER	
CK	<i>REW</i>	DATE	3-22-77	SCALE 3/32" = 1'-0"
BY	CK	APP	KANSAS GAS AND ELECTRIC COMPANY ENGINEERING DEPT.	SH. 1 OF 3 SHTS.
			WICHITA, KANSAS	KD-7782

Unable to microfilm.

Set of three