



THE CITY OF WICHITA

OFFICE OF

DEPARTMENT OF LAW

DATE

September 30, 1971

TO Don Gisick, Deputy City Clerk

FROM Eugene L. Pirtle, First Assistant City Attorney

SUBJECT North Wichita Industrial Park Storm
Drainage Project - DBKR 568090

Attached hereto is a certified copy of Report of Appraisers in the captioned matter, together with certified copy of the Order of the District Court approving awards, allowing fees for appraisers and costs.

I should appreciate your placing these items on the agenda for action by the Board of City Commissioners and approval to pay the total amount of \$320,924.75.

Following approval by the Board of City Commissioners if the Auditing and Accounts Department will kindly requisition and furnish the above payment, I will deliver same to the Clerk of the District Court.

Eugene L. Pirtle
First Assistant City Attorney

ELP:cg
Encl.

cc: Dean Sellers
Lyle Botkin
Robert Vinson

JOHN DEKKER
 City Attorney
 EUGENE L. PIRTLE
 First Assistant City Atty.
 600 City Building Annex
 Wichita, Kansas 67202
 262-0611 Ext. 283

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

CITY OF WICHITA, KANSAS,
 a Municipal Corporation,

Plaintiff,

vs.

BERNARD NOVICK, et al,

Defendant.

Case No. C-22052

Division No. 3

North Wichita Industrial Park Drainage

ORDER APPROVING REPORT AND
 ALLOWING APPRAISERS' FEES

NOW, on this 30th day of SEPTEMBER, 1971, the above matter comes on for hearing upon the application of the Court's appointed appraisers in the above matter for an allowance of fees for their services. The Court, having examined the report and having been advised of the time, the application of skills and the complexity of appraising the subject lands, and having been advised in the premises FINDS that the reasonable value of the appraisers' services is \$ 3,000.⁰⁰ per appraiser.

IT IS, THEREFORE, BY THE COURT ORDERED that the report of the appraisers dated September 30, 1971, should be and is hereby approved and that the appraisers should be allowed said sum each and that upon the payment of these amounts as costs to be charged to this condemnation project, the Clerk of the District Court shall forthwith make payments in the following amounts:

Award to Landowners	\$ <u>311,904.55</u>
Don Bottenberg	\$ <u>3,000.00</u>
Nestor R. Weigand, Sr.	\$ <u>3,000.00</u>
Hal Lockett	\$ <u>3,000.00</u>
Court Costs	\$ <u>20.20</u>

B. MACK BRYANT
 JUDGE

Certificate of Clerk of the District Court. The above is a true and correct copy of the original instrument which is on file or of record in this court.

Done this 30 day of Sept 1971
 By DORIS L. VAN ARSDALE, CLERK
[Signature] Deputy



JOHN DEKKER
City Attorney
EUGENE L. PIRTLE
First Assistant City Atty.
600 City Building Annex
Wichita, Kansas 67202
262-0611 Ext. 283

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

CITY OF WICHITA, KANSAS,
a Municipal Corporation,

Plaintiff,

vs.

BERNARD NOVICK, et al,

Defendant.

North Wichita Industrial Park Drainage

Case No. C-22052

Division No. 3

REPORT OF APPRAISERS

We, the undersigned appraisers, appointed to view and appraise the value of certain lands and/or interests and/or rights therein described in the petition of the plaintiff, the City of Wichita, Kansas, a municipal corporation, in the captioned matter and to determine the damages to the interested parties resulting from the takings, after being duly sworn and in accordance with the written instructions given by the Court, now report as follows:

On June 4, 1971, we published notice of our Public Hearing to commence June 21, 1971, to all interested parties by notice published in The Daily Record, a newspaper of general circulation in Sedgwick County, Kansas, the proof of which said published notice has been filed in this action. On the 7th day of June, 1971, we mailed copies of said published notice of our Public Hearing to the plaintiff and all defendant parties named in the petition whose addresses were known to us or could with reasonable diligence be ascertained, the proof of which mailing has been filed in this action.

On and after our appointment and qualifying herein, we began our appraisal and assessment of damages by actual view of the lands to be taken and of the tracts of which they are a part. On June 21, 1971, at 9 o'clock A.M. a public hearing was held in Division 3 of the Sedgwick County District Court

in Wichita, Kansas, at the time and place stated in the published and mailed notices, at which time we heard oral and/or written testimony concerning our appraisal and assessment of damages from the plaintiff and such of the defendants as were present and desired to be heard.

After our view of the lands involved, after consideration of the testimony received at the hearing and according to the instructions given us by The Honorable B. Mack Bryant, we have appraised the lands and/or interests and/or rights therein sought by the plaintiff and described in the petition. The damages to the interested parties resulting from the takings, as follows:

NOTE BY APPRAISERS:

On any tract where temporary easement is taken, the condemnor should require its contractor to replace or restore the premises to its present condition or better.

Tract No. 1

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon that part of Lots 1, 2 and 3 in Strode's Addition to the City of Wichita, Kansas, described as follows:

Beginning at the Northwest corner of said Lot 1; thence Southerly along the West line of said Lots 1 and 2 to a point on the West line of said Lot 2, said point being 6.13 feet South of the Northwest corner thereof; thence Southeasterly to a point on the existing Westerly right-of-way line of the existing drainage canal, said point also being 9.04 feet Southeasterly, measured along said right-of-way, from the Southeast corner of said Lot 2; thence Northwesterly along said right-of-way to the North line of said Lot 1; thence Westerly along said North line to the point of beginning. The above contains 2,590 square feet, more or less.

Also a temporary construction easement 10.00 feet in width lying along the West side of the Westerly right-of-way line of the existing drainage canal and crossing Lots 3 through 13, inclusive, of said Strode's Addition. The above contains 2,800 square feet, more or less.

OWNER: Bernard and Betty Novick
ADDRESS: 1400 N. Armour, Wichita, Kan. 67206

MINERAL OWNER: Raymond Oil Company, Inc.
ADDRESS: 200 W. Douglas, Wichita, Kan. 67202

LIENHOLDER: The Dow Chemical Company
ADDRESS: P. O. Box One, Midland, Michigan 48640

(a)	Value of entire property or interest before taking.	\$ <u>23,157.45</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>22,684.95</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>472.50</u>

Hyatt B-4019

Key A 13-4074

Tract No. 2

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon the part of Lots 23, 25, 27, 29, 31 and 33 in Meekin's Addition to the City of Wichita, Kansas, described as follows:

Beginning at a point on the East line of said Lot 23, said point being 6.13 feet South of the Northeast corner thereof; thence Northerly along the East line of said Lots 23, 25, and 27 to the existing Southerly right-of-way line of the existing drainage channel; thence Northwesterly along said right-of-way line to the West line of said Lot 33; thence Southerly along said West line to a point on the West line of said Lot 29, said point being 13.91 feet North of the Southwest corner thereof; thence Southeasterly to the point of beginning. The above contains 9,185 square feet, more or less.

OWNER: Bernard and Betty Novick
ADDRESS: 1400 N. Armour, Wichita, Kan. 67206

MINERAL OWNER: Raymond Oil Company, Inc.
ADDRESS: 200 W. Douglas, Wichita, Kan. 67202

LIENHOLDER: The Dow Chemical Company
ADDRESS: P. O. Box One, Midland, Michigan 48640

(a)	Value of entire property or interest before taking.	\$ 23,157.45
(b)	Value of that portion of the property or interest remaining after taking.	\$ 21,779.70
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ 1,377.75

Part of Key # B-8839

Tract No. 4

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land in the Northeast Quarter of Section 9, Township 27 South, Range 1 East of the Sixth Principal Meridian described as follows:

Commencing at the Northwest corner of said Northeast Quarter; thence along the North line of said Northeast quarter bearing N 89°15'00" E., 486.98 feet to a point, said point also being the intersection of the Westerly right-of-way line of the existing drainage canal extended with the North line of said Quarter Section; thence along said Westerly right-of-way line, bearing S 14°39'20" E, 888.34 feet to the point of beginning of the tract of land herein described; thence continuing along said Westerly right-of-way bearing S 14°38'20" E, 61.94 feet to the intersection with the Northerly right-of-way line of the existing drainage canal to the West; thence along said Northerly right-of-way line bearing N 68°29'13" W, 203.52 feet to a point; thence N 21°30'47" E., 50.00 feet to a point; thence S 68°29'13" E, 166.96 feet to the point of beginning. The above contains 9,260 square feet, more or less.

OWNER: Bernard and Betty Novick
ADDRESS: 1400 N. Armour, Wichita, Kan. 67206

MINERAL OWNER: Raymond Oil Company, Inc.
ADDRESS: 200 W. Douglas, Wichita, Kan. 67202

LIENHOLDER: The Dow Chemical Company
ADDRESS: P. O. Box One, Midland, Michigan 48640

(a)	Value of entire property or interest before taking.	\$ <u>141,832.80</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>133,074.36</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>8,758.44</u>

Tract No. 5

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon that part of Lot 1 of Myer's and Toler's Out Lots to the City of Wichita, Kansas, described as follows:

Beginning at the Southeast corner of said Lot 1, thence along the East line of said Lot 1, bearing North $0^{\circ}44'16''$ West, a distance of 17.99 feet; thence North $43^{\circ}50'10''$ West, a distance of 339.55 feet; thence South $0^{\circ}44'16''$ East, a distance of 92.21 feet; thence South $43^{\circ}50'10''$ East, a distance of 141.10 feet; thence South $33^{\circ}33'19''$ East, a distance of 84.13 feet, more or less, to a point on the South line of said Lot 1; thence along said South line, bearing North $89^{\circ}15'00''$ East, a distance of 90.00 feet to the place of beginning. The above contains 19,540 squarefeet, more or less.

Also a permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon that part of Lots 1 and 2 of said Myer's and Toler's Out Lots, described as follows:

Beginning at a point 203.50 feet East and 22.50 feet South of the Northwest corner of said Lot 1, thence North $0^{\circ}45'24''$ West, a distance of 69.68 feet; thence South $34^{\circ}04'24''$ East, a distance of 83.39 feet; thence South $89^{\circ}15'00''$ West, a distance of 45.81 feet, to the point of beginning. The above contains 1,595 square feet, more or less.

Also a permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon that part of Lots 2 and 3 in said Myer's and Toler's Out Lots described as follows:

Beginning at a point on the West line of said Lot 2, said point being 7.90 feet South of the Northwest corner thereof; thence along the West line of said Lot 2 and 3, bearing North $0^{\circ}44'16''$ West, a distance of 57.50 feet; thence continuing along said West line, bearing North $30^{\circ}33'05''$ East, a distance of 67.00 feet; thence South $59^{\circ}26'55''$ East, a distance of 45.00 feet; thence South $38^{\circ}10'30''$ East, a distance of 115.05 feet; thence South $89^{\circ}15'00''$ West, a distance of 143.19 feet, to the place of beginning. The above contains 10,155 square feet, more or less.

Also a temporary easement upon that part of said Lot 1, described as follows:

Beginning at a point on the South line of said Lot 1, said point being 303.50 feet East of the Southwest corner thereof; thence North $0^{\circ}44'16''$ West, a distance of 173.76 feet; thence South $43^{\circ}50'10''$ East, a distance of 141.10 feet; thence South $33^{\circ}33'19''$ East, a distance of 84.13 feet, more or less, to a point on the South line of said Lot 1; thence along said South line, bearing South $89^{\circ}15'00''$ West, a distance of 142.00 feet, to the point of beginning. The above contains 13,395 square feet, more or less.

Also a temporary easement upon that part of said Lot 1, described as follows:

Beginning at a point on the East line of said Lot 1, said point being 17.99 feet North of the Southeast corner thereof; thence North $43^{\circ}50'10''$ West, a distance of 339.55 feet; thence North $0^{\circ}44'16''$ West, a distance of 24.88 feet; thence South $43^{\circ}50'10''$ East, a distance of 339.55 feet, more or less, to a point on the East line of said Lot 1; thence along said East line bearing South $0^{\circ}44'16''$ East, a distance of 24.88 feet, to the point of beginning. The above contains 5,775 square feet, more or less.

Also a temporary easement upon that part of said Lots 1 and 2, described as follows:

PO
B-12939
Beginning at a point 22.50 feet South and 276.96 feet East of the Northwest corner of said Lot 1; thence North 33°25'45" West, a distance of 136.08 feet; thence South 0°45'24" East, a distance of 44.85 feet; thence South 34°04'24" East, a distance of 83.39 feet; thence North 89°15'00" East, a distance of 27.65 feet to the point of beginning. The above contains 2,610 square feet, more or less.

The above described temporary easements are to provide working room and storage of contracting materials and equipment. All buildings and structures falling within the limits of the described easements, and not related to the construction of the project, are to be protected. Fences may be removed and replaced in kind, where required, to complete the improvements.

OWNER: Derby Refining Company
ADDRESS: % R. W. Kersey, Vice President, 202 W. 1st St., Wichita, Kansas 67202

OWNER: Colorado Oil & Gas Corporation
ADDRESS: Union National Building, Wichita, Kan. 67202

(a)	Value of entire property or interest before taking.	\$ 643,686.00
(b)	Value of that portion of the property or interest remaining after taking.	\$ 611,090.20
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ 32,595.80

Tract No. 6

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon that part of Lots 1 and 2 of Myer's and Toler's Out Lots to the City of Wichita, Kansas, described as follows:

Beginning at a point on the West line of said Lot 2, said point being 7.90 feet South of the Northwest corner thereof; thence parallel with the North line of said Lot 2, bearing North $89^{\circ}15'00''$ East, a distance of 143.19 feet; thence South $11^{\circ}03'45''$ East, a distance of 161.37 feet; thence along a curve to the left with a radius of 448.22 feet, an arc length of 106.67 feet, a long chord of 106.41 feet, bearing South $17^{\circ}52'48''$ East, to a point; thence South $0^{\circ}45'24''$ East, a distance of 114.53 feet; thence North $89^{\circ}15'00''$ East, a distance of 45.81 feet; thence South $43^{\circ}50'10''$ East, a distance of 79.32 feet; thence South $0^{\circ}44'16''$ East, a distance of 87.82 feet; thence North $43^{\circ}50'10''$ West, a distance of 111.44 feet; thence along a curve to the right with a radius of 528.22 feet, an arc length of 107.02 feet, a long chord of 106.84 feet, bearing North $38^{\circ}01'48''$ West, to a point; thence South $57^{\circ}46'20''$ West a distance of 20 feet; thence along a curve to the right with a radius of 548.22 feet, an arc length of 202.51 feet, a long chord of 201.37 feet, bearing North $21^{\circ}38'44''$ West, to a point; thence North $11^{\circ}03'45''$ West, a distance of 67.51 feet; thence along a curve to the left with a radius of 64.84 feet, an arc length of 87.99 feet, a long chord of 81.39 feet, bearing North $49^{\circ}56'31''$ West, to a point on the West line of said Lot 2; thence along said West line bearing North $0^{\circ}44'16''$ West, a distance of 57.05 feet; to the place of beginning. The above contains 47,190 square feet, more or less.

Also a temporary easement upon that part of said Lot 1, described as follows:

Beginning at a point 303.50 feet East and 144.49 feet North of the Southwest corner of said Lot 1; thence North $0^{\circ}44'16''$ West, a distance of 29.27 feet; thence North $43^{\circ}50'10''$ West, a distance of 111.44 feet; thence along a curve to the right with a radius of 528.22 feet, an arc length of 107.02 feet, a long chord of 106.84 feet, bearing North $38^{\circ}01'48''$ West, to a point; thence South $57^{\circ}46'20''$ West, a distance of 20.00 feet; thence along a curve to the left with a radius of 548.22 feet, an arc length of 111.07 feet, a long chord of 110.88 feet, bearing South $38^{\circ}01'48''$ East, to a point; thence South $43^{\circ}50'10''$ East, a distance of 132.81 feet to the point of beginning. The above contains 4,625 square feet, more or less.

The above described temporary easement is to provide working room and storage of contracting materials and equipment. All buildings and structures falling within the limits of the described easement, and not related to the construction of the project, are to be protected. Fences may be removed and replaced in kind, where required, to complete the improvements.

Po. B-12938

Tract No. 6

Also a temporary easement upon that part of said Lot 1, described as follows:

Beginning at a point 303.50 feet East and 261.58 feet North of the Southwest corner of said Lot 1; thence North $0^{\circ}44'16''$ West, a distance of 57.93 feet; thence South $89^{\circ}15'00''$ West, a distance of 54.19 feet; thence South $43^{\circ}50'10''$ East, a distance of 79.32 feet, to the point of beginning. The above contains 1,570 square feet, more or less.

OWNER: K. T. Oil Corporation
ADDRESS: % Tom Sawyer, President, 400 S. Main, El Dorado, Kan.

(a)	Value of entire property or interest before taking.	\$ <u>221,621.50</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>175,373.60</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>46,247.90</u>

Tract No. 7

PO B-140-OP
B-146-OP

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land in the Southwest quarter of Section 4, Township 27 South, Range 1 East of the Sixth Principal Meridian, described as follows:

Beginning at a point 30.00 feet West and 1,561.25 feet North of the Southeast corner of said Southwest quarter, said point also being the intersection of the West line of Washington Avenue and the South line of the C.R.I. & P. Railroad right-of-way; thence along said West line, bearing South 0°44'16" East, a distance of 680.59 feet, more or less, to the intersection with the North line of the Missouri Pacific Railroad right-of-way; thence along said North line, bearing South 30°33'05" West, a distance of 186.73 feet; thence North 59°26'55" West, a distance of 110.00 feet; thence North 3°47'36" West, a distance of 308.69 feet; thence North 60°29'17" West, a distance of 60.00 feet, more or less, to the South line of said C.R.I. & P. Railroad right-of-way; thence along said South line, bearing North 29°30'43" East, a distance of 514.63 feet to the point of beginning. The above contains 126,575 square feet, more or less.

OWNER: The Wichita Union Stock Yards Company
ADDRESS: % Don Smith, Engineer, Exchange Building, Wichita, Kan.

LIENHOLDER: The Fourth National Bank & Trust Company
ADDRESS: 200 East Douglas, Wichita, Kan. 67202

EASEMENT HOLDER: Bareco Oil Company
ADDRESS: % The Wichita Union Stock Yards Company - Attn. Don Smith
Exchange Building, Wichita, Kan.

(a)	Value of entire property or interest before taking.	\$ <u>1,766,600.00</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>1,689,068.20</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>77,531.80</u>

TRACT 7 Consolidated with TRACT 8

Key # Po B-146-UP

Tract No. 8

P

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land in the Southwest quarter of Section 4, Township 27 South, Range 1 East of the Sixth Principal Meridian, described as follows:

Beginning at a point on the North line of said Southwest quarter, said point being 50.00 feet West of the Northeast corner thereof; thence along the West line of the St. Louis and San Francisco Railway right-of-way, bearing South 0° 44' 16" East, a distance of 225.00 feet; thence South 60° 45' 58" West, a distance of 102.11 feet; thence South 29° 44' 40" East, a distance of 47.81 feet; thence South 11° 27' 38" East, a distance of 172.37 feet; thence along a curve to the right with a radius of 796.20 feet, an arc length of 411.89 feet, a long chord of 407.32 feet, bearing South 3° 21' 33" West, to a point; thence South 18° 10' 46" West, a distance of 344.66 feet, more or less, to a point on the North line of the C. R. I. & P. Railroad right-of-way; thence along said North line bearing South 29° 30' 43" West, a distance of 140.76 feet; thence North 60° 29' 17" West, a distance of 44.00 feet; thence North 0° 17' 40" East, a distance of 306.73 feet; thence North 18° 10' 46" East, a distance of 182.13 feet; thence along a curve to the left with a radius of 631.20 feet, an arc length of 326.53 feet, a long chord of 322.91 feet, bearing North 3° 21' 33" East, to a point; thence North 11° 27' 38" West, a distance of 217.78 feet; thence along a curve to the right with a radius of 235.00 feet, an arc length of 207.16 feet, a long chord of 200.52 feet, bearing North 13° 47' 44" East to a point; thence North 14° 09' 01" East, a distance of 109.79 feet, more or less, to a point on the North line of said Southwest quarter; thence along said North line bearing North 88° 55' 13" East, a distance of 158.60 feet to the point of beginning. The above contains 215,360 square feet, more or less.

Also a temporary easement in the Southwest quarter of said Section 4, described as follows:

Beginning at a point 626.36 feet South and 70.61 feet West of the Northeast corner of said Southwest quarter; thence South 0° 10' 19" East, a distance of 207.54 feet; thence South 18° 10' 46" West, a distance of 125.00 feet; thence South 29° 29' 21" West, a distance of 101.98 feet; thence North 18° 10' 46" East, a distance of 157.13 feet; thence along a curve to the left with a radius of 796.20 feet, an arc length of 270.00 feet, a long chord of 268.71 feet, bearing North 8° 27' 52" East, to the point of beginning. The above contains 4,960 square feet, more or less.

OWNER: The Wichita Union Stock Yards Company
ADDRESS: % Don Smith, Engineer, Exchange Building, Wichita, Kan.

LIENHOLDER: The Fourth National Bank & Trust Company
ADDRESS: 200 East Douglas, Wichita, Kan. 67202

EASEMENT HOLDER: Bareco Oil Company
ADDRESS: % The Wichita Union Stock Yards Company - Attn. Don Smith
Exchange Building, Wichita, Kan.

(a) Value of entire property or interest before taking. \$ _____

(b) Value of that portion of the property or interest remaining after taking. \$ _____

VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM \$ _____

253
/ 62
12

Po { B-157-UP
L B-176-UP

Tract No. 10

For permanent street right of way purposes, including overhead and underground utilities and drainage, a tract of land lying in the Southwest Quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

B-176-UP
B-157-UP Beginning at a point on the East line of said Southwest quarter, said point being 30.00 feet North of the Southeast corner thereof; thence Westerly, parallel with the South line of said Southwest quarter, a distance of 330.00 feet; thence Northerly, parallel with the east line of said Southwest quarter a distance of 10.00 feet; thence Easterly, parallel with the South line of said Southwest quarter, a distance of 330.00 feet to a point on the East line of said Southwest quarter; thence Southerly, along said East line, a distance of 10.00 feet to the place of beginning. The above contains 3,300 square feet, more or less.

Also a permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southwest quarter of said Section 33, described as follows:

B-157-UP
B-176-UP Beginning at a point on the East line of said Southwest quarter, said point being 40.00 feet North of the Southeast corner thereof; thence South $89^{\circ}06'38''$ West and parallel with the South line of said Southwest quarter, a distance of 330.00 feet; thence North $1^{\circ}07'52''$ West, a distance of 2,650.24 feet, more or less, to a point on the North line of said Southwest quarter; thence along said North line bearing North $89^{\circ}00'23''$ East, a distance of 115.00 feet; thence South $1^{\circ}07'52''$ East, a distance of 1,642.12 feet; thence North $88^{\circ}52'08''$ East, a distance of 15.00 feet; thence South $1^{\circ}07'52''$ East, a distance of 240.00 feet; thence South $7^{\circ}54'30''$ West, a distance of 222.77 feet; thence South $20^{\circ}47'26''$ East, a distance of 264.05 feet; thence South $0^{\circ}53'22''$ East, a distance of 159.97 feet; thence North $89^{\circ}06'38''$ East, a distance of 146.82 feet, more or less, to a point on the East line of said Southwest Quarter; thence along said East line bearing South $1^{\circ}07'52''$ East, a distance of 140.00 feet to the point of beginning. The above contains 355,070 square feet, more or less.

Also a temporary construction easement upon a tract of land in the Southwest quarter of said Section 33, being described as follows:

Beginning at a point 180.00 feet North and 146.82 feet West of the Southwest corner of said Southwest quarter; thence North $0^{\circ}53'22''$ West, a distance of 159.97 feet; thence Easterly, parallel with the South line of said Southwest quarter, a distance of 15.00 feet; thence Southeasterly to a point which is 65.00 feet East of the point of beginning and 180.00 feet North of the South line of said Southwest quarter; thence Westerly, parallel with said South line a distance of 65.00 feet to the point of beginning. The above contains 6,400 square feet, more or less.

Tract No. 10

Also a temporary construction easement upon a tract of land in the Southwest quarter of said Section 33, being described as follows:

Beginning at a point 215.00 feet West and 782.12 feet South of the Northeast corner of said Southwest quarter; thence Southerly, parallel with the East line of said Southwest quarter, a distance of 75.00 feet; thence Easterly, parallel with the North line of said Southwest quarter, a distance of 55.00 feet; thence Northerly, parallel with said East line, a distance of 75.00 feet; thence Westerly 55.00 feet to the point of beginning. The above contains 4,125.00 square feet, more or less.

OWNER: St. Louis - San Francisco Railway Company
ADDRESS: % George Warfel, 1625 N. Lexington, Springfield, Mo. 65802

(a)	Value of entire property or interest before taking. Land Only	\$ <u>133,691.50</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>78,087.65</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>55,603.85</u>

TRACT 10 Consolidated with TRACTS 12 & 16

Tract No. 11

P.O. B-163-UR
- 6 - 1'

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southwest quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

Beginning at a point 330.00 feet West and 698.50 feet North of the Southeast corner of said Southwest quarter; thence Westerly, parallel with the South line of said Southwest quarter, a distance of 20.00 feet; thence Southerly, parallel with the East line of said Southwest quarter, a distance of 220.00 feet; thence Southeasterly to a point which is 330.00 feet West of the East line of said Southwest quarter and 270.00 feet South of the point of beginning; thence Northerly parallel with said East line, a distance of 270.00 feet, to the point of beginning. The above contains 4,900 square feet, more or less.

OWNER: R. D. Handcox and Katie May Handcox
ADDRESS: R. R. #1, Douglass, Kansas

~~LIENHOLDER: Stockyards National Bank
ADDRESS: 750 E. 21st Street, Wichita, Kan.~~

LIENHOLDER: Southwest National Bank
ADDRESS: 400 E. Douglas, Wichita, Kan.

(a)	Value of entire property or interest before taking.	\$ <u>40,776.00</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>37,676.10</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>3,099.90</u>

Tract No. 12

B-167-VP

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southwest quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

Beginning at a point 330.00 feet West and 920.00 feet North of the Southeast corner of said Southwest quarter; thence Westerly, parallel with the South line of said Southwest quarter, a distance of 35.00 feet; thence Southerly, parallel with the East line of said Southwest quarter, a distance of 60.00 feet; thence Southeasterly to a point which is 330.00 feet West of the East line of said Southwest quarter and 95.00 feet South of the point of beginning; thence Northerly, parallel with said East line a distance of 95.00 feet to the point of beginning. The above contains 2,715 square feet, more or less.

OWNER: St. Louis - San Francisco Railway Company
ADDRESS: % George Warfel, 1625 N. Lexington, Springfield, Mo. 65802

(a)	Value of entire property or interest before taking.	\$ _____
(b)	Value of that portion of the property or interest remaining after taking.	\$ _____
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ _____

Tract No. 13

B-761-UP

A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southwest quarter of Section 33, Township 26 South, Range 1 East, described as follows:

Beginning at the Southeast corner of 30th Street and Mosely Avenue; thence Southerly parallel with the East line of said Southwest quarter, a distance of 50.00 feet; thence Westerly, parallel with the South line of said 30th Street, a distance of 35.00 feet; thence Northerly, parallel with the East line of said Southwest quarter, a distance of 50.00 feet to the South line of said 30th Street; thence Easterly, along said South line, a distance of 35.00 feet to the place of beginning. The above contains 1,750 square feet, more or less.

OWNER: The Atchison, Topeka and Santa Fe Railway Company
ADDRESS: % J. R. Fitzgerald, Supt. of Middle Div., Div. Office Bldg.,
Newton, Kansas

(a)	Value of entire property or interest before taking. Land Only.	\$ 69,481.70
(b)	Value of that portion of the property or interest remaining after taking.	\$ 63,795.05
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ 5,686.65

TRACT 13 Consolidated with TRACT 15

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Amended Tract No. 15

For permanent street right-of-way purposes including overhead and underground utilities and drainage, a tract of land lying in the Northwest quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

B-181-UP
Beginning at a point 30.00 feet North and 35.00 feet West of the intersection of the center lines of St. Francis Avenue and 33rd Street; thence Northerly, parallel with the center line of St. Francis Avenue, a distance of 120.00 feet; thence Easterly, parallel with the center line of 33rd Street, a distance of 70.00 feet; thence Southerly, parallel with the center line of St. Francis Avenue, a distance of 120.00 feet; thence Westerly, parallel with the center line of 33rd Street, to the point of beginning. The above contains 8,400 square feet, more or less.

B-181-UP
Also beginning at a point 30.00 feet North and 35.00 feet West of the intersection of the center lines of Santa Fe Avenue and 33rd Street; thence Northerly, parallel with the center line of Santa Fe Avenue, a distance of 120.00 feet; thence Easterly, parallel with the center line of 33rd Street, a distance of 70.00 feet; thence Southerly, parallel with the center line of Santa Fe Avenue, a distance of 120.00 feet; thence Westerly, parallel with the center line of 33rd Street, to the point of beginning. The above contains 8,400 square feet, more or less.

Also a permanent easement for the construction, operation, and maintenance of a storm sewer and removal of borrow material upon a tract in said Northwest quarter of Section 33, described as follows:

B-181-UP
Beginning at a point 30.00 feet North and 35.00 feet West of the intersection of the center lines of 33rd Street and Santa Fe Avenue; thence Westerly, parallel with the center line of 33rd Street, a distance of 35.00 feet; thence Northwesterly to a point which is 155.00 feet West and 68.00 feet North of the point of beginning, thence Northerly, parallel with the center line of Santa Fe Avenue, a distance of 52.00 feet to a point on the South line of the Original Town to North Wichita; thence Easterly, along said South line, a distance of 25.00 feet; thence Southerly, parallel with the center line of Santa Fe Avenue, a distance of 38.00 feet; thence Southeasterly to a point 10.00 feet North of the point of beginning; thence Southerly, parallel with the center line of Santa Fe Avenue, to the point of beginning. The above contains 4,900 square feet, more or less.

Also a temporary construction easement upon a tract in said Northwest quarter of Section 33, described as follows: beginning at a point 40.00 feet North and 35.00 feet West of the intersection of the center lines of 33rd Street and Santa Fe Avenue; thence Northerly, parallel with the center line of Santa Fe Avenue, a distance of 85.00 feet; thence Westerly, parallel with the center line of 33rd Street, a distance of 130.00 feet; thence Southerly, parallel with the center line of Santa Fe Avenue, a distance of 13.00 feet; thence Southeasterly, to the point of beginning. The above contains 6,370 square feet, more or less.

B-12191
Also a permanent construction easement over and upon Lots 36 and 38 of Block 16 of said Original Town to North Wichita, described as follows:

The North 20.00 feet of said Lot 38 and all of said Lot 36. The above contains 6,218 square feet, more or less.

Also a permanent construction easement over and upon Lots 31, 33, 35 and 37 in said Block 16 of said Original Town, described as follows:

B-12180

Beginning at the Northeast corner of said Lot 31, thence Southwesterly to the Northwest corner of said Lot 35, thence Southerly, along the West line of said Lots 35 and 37, to a point 10.00 feet South of the Northwest corner of said Lot 37, thence Northeasterly to a point on the East line of said Lot 33, said point being 10.00 feet South of the Northeast corner thereof; thence Northerly, along the East line of said Lots 33 and 31 to the point of beginning. The above contains 4,833 square feet, more or less.

Also a temporary construction easement upon a tract of land in said Northwest quarter of Section 33, described as follows:

Beginning at a point 30.00 feet North and 35.00 feet East of the intersection of the center lines of Santa Fe Avenue and 33rd Street; thence Northerly, parallel with the center line of Santa Fe Avenue, a distance of 120.00 feet; thence Southeasterly to a point which is 30.00 feet North of the center line of 33rd Street and 145.00 feet East of the center line of Santa Fe Avenue; thence Westerly parallel with the center line of 33rd Street, to the point of beginning. The above contains 6,600 square feet, more or less.

Also a temporary construction easement upon a tract of land in said Northwest quarter of Section 33, described as follows:

Beginning at a point 30.00 feet North and 70.00 feet west of the intersection of the center lines of 33rd Street and Santa Fe Avenue; thence Westerly, parallel with the center line of 33rd Street, a distance of 120.00 feet; thence Northerly, parallel with the center line of Santa Fe Avenue, a distance of 68.00 feet; thence Southeasterly to the point of beginning. The above contains 4,080 square feet, more or less.

OWNER: The Atchison, Topeka & Santa Fe Railway Company
ADDRESS: % J. R. Fitzgerald, Supt. of Middle Div., Div. Office Bldg.,
Newton, Kansas

EASEMENT HOLDER: Bridgeport Machines, Inc.
ADDRESS: 500 Lindley, Bridgeport, Conn. 06606

(a)	Value of entire property or interest before taking.	\$ _____
(b)	Value of that portion of the property or interest remaining after taking.	\$ _____
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ _____

Tract No. 16

Po B-152-UP



A permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southeast quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

Beginning at a point on the West line of said Southeast quarter, said point being 40.00 feet North of the Southwest corner thereof; thence along said West line bearing North 1°08'02" West, a distance of 140.00 feet; thence North 89°14'01" East, a distance of 95.73 feet; thence North 1°47'39" East, a distance of 279.46 feet; thence North 25°25'52" East, a distance of 55.90 feet; thence North 1°08'02" West, a distance of 2,181.74 feet, more or less, to a point on the North line of said Southeast quarter; thence along said North line bearing North 89°07'47" East, a distance of 29.00 feet; thence South 1°08'02" East, a distance of 2,651.14 feet; thence South 89°14'01" West, a distance of 164.00 feet to the point of beginning. The above contains 105,380 square feet, more or less.

For permanent street right-of-way purposes, including overhead and underground utilities and drainage, a tract of land lying in said Southeast quarter of Section 33, described as follows:

3-152-UP

Beginning at a point on the West line of said Southeast quarter, said point being 40.00 feet North of the Southwest corner thereof; thence Easterly, parallel with the South line of said Southeast quarter, a distance of 164.00 feet; thence Southerly, parallel with the West line of said Southeast quarter, a distance of 10.00 feet; thence Westerly, parallel with the South line of said Southeast quarter, a distance of 164.00 feet to the West line of said Southeast quarter; thence Northerly along said West line, a distance of 10.00 feet to the point of beginning. The above contains 1,640 square feet, more or less.

OWNER: St. Louis - San Francisco Railway Company
ADDRESS: % George Warfel, 1625 N. Lexington, Springfield, Mo. 65802

(a)	Value of entire property or interest before taking.	\$ _____
(b)	Value of that portion of the property or interest remaining after taking.	\$ _____
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ _____

TRACT 16 Consolidated with TRACTS 10 & 12

Tract No. 17

For permanent street right-of-way purposes, including overhead and underground utilities and drainage, a tract of land lying in the Southeast quarter of Section 33, Township 26 South, Range 1 East of the Sixth Principal Meridian, described as follows:

B-152
-UP
Beginning at a point 40.00 feet North and 164.00 feet East of the Southwest corner of said Southeast quarter; thence Easterly, parallel with the South line of said Southeast quarter, a distance of 456.00 feet; thence Northerly, parallel with the West line of said Southeast quarter, a distance of 140.00 feet; thence Easterly, parallel with said South line, a distance of 80.00 feet; thence Southerly, parallel with said West line, a distance of 140.00 feet; thence Easterly, parallel with said South line a distance of 296.78 feet; thence South $0^{\circ}45'49''$ East, a distance of 10.00 feet; thence Westerly, parallel with said South line, a distance of 832.78 feet; thence Northerly, parallel with said West line, a distance of 10.00 feet to the point of beginning. The above contains 19,530 square feet, more or less.

Also a permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southeast quarter of said Section 33, described as follows:

B-152
-UP
Beginning at a point 40.00 feet North and 164.00 feet East of the Southwest corner of said Southeast quarter; thence North $1^{\circ}08'02''$ West, a distance of 2,611.14 feet; thence North $89^{\circ}07'47''$ East, a distance of 86.00 feet; thence South $1^{\circ}08'02''$ East, a distance of 2,471.30 feet; thence North $89^{\circ}14'01''$ East, a distance of 370.00 feet; thence South $1^{\circ}08'02''$ East, a distance of 140.00 feet; thence South $89^{\circ}14'01''$ West, a distance of 456.00 feet to the point of beginning. The above contains 276,365 square feet, more or less.

Also a permanent easement for the construction, operation and maintenance of a drainage channel and removal of borrow material upon a tract of land lying in the Southeast quarter of said Section 33, described as follows:

A-179-UP
B-152-UP
Beginning at a point 40.00 feet North and 700.00 feet East of the Southwest corner of said Southeast quarter; thence North $0^{\circ}08'02''$ West, a distance of 140.00 feet; thence North $89^{\circ}14'01''$ East, a distance of 1,120.43 feet, more or less, to a point on the existing right-of-way line of Interstate Highway No. 35; thence along said right-of-way bearing South $33^{\circ}23'30''$ East, a distance of 13.16 feet; thence continuing along said right-of-way bearing South $18^{\circ}03'45''$ West, a distance of 62.31 feet; thence South $68^{\circ}43'45''$ West, a distance of 155.12 feet; thence South $89^{\circ}14'01''$ West, a distance of 664.44 feet; thence South $0^{\circ}45'49''$ East, a distance of 15.60 feet; thence South $89^{\circ}14'01''$ West, a distance of 296.78 feet to the point of beginning. The above contains 139,170 square feet, more or less.

OWNER: Clarkland, Inc.
ADDRESS: 321 Frisco Bldg., 3255 E. Mill St., Springfield, Mo. 65802

EASEMENT HOLDER: The Gas Service Company
ADDRESS: 127 N. Market, Wichita, Kan.

Tract No. 17

EASEMENT HOLDER: Derby Oil Company
ADDRESS: 202 W. 1st Street, Wichita, Kan. 67202

EASEMENT HOLDER: Bareco Oil Co.
ADDRESS: % The Wichita Union Stock Yards Co., Exchange Bldg.,
Wichita, Kan.

~~EASEMENT HOLDER: Phillips Petroleum Company
ADDRESS: Wichita Plaza Bldg., Wichita, Kan.~~

(a)	Value of entire property or interest before taking.	\$ <u>384,800.72</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>304,419.50</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>80,381.22</u>

Tract No. 18

A temporary construction easement upon that part of fractional Lots 11, 21 and 23 in Block 1 of the Gem City Addition to the City of Wichita, Kansas, described as follows: All of said fractional Lots 11, 21 and 23. The above contains 1,820 square feet, more or less.

OWNER: Lewis N. Farha
ADDRESS: 617 W. Douglas, Wichita, Kan.

(a)	Value of entire property or interest before taking.	\$ <u>300.00</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>243.66</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>56.34</u>

Tract No. 19

A temporary construction easement upon that part of fractional Lots 13, 15, 17 and 19 in Block 1 of the Gem City Addition to the City of Wichita, Kansas, described as follows: All of said fractional Lots 13, 15, 17 and 19. The above contains 1,830 square feet, more or less.

OWNER: Minnie May Hinds and Kenneth F. Beck, Trustee
ADDRESS: % Kenneth F. Beck, 1418 Wichita Plaza Building, Wichita, Kan.

(a)	Value of entire property or interest before taking.	\$ 300.00
(b)	Value of that portion of the property or interest remaining after taking.	\$ 245.10
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ 54.90

Tract No. 20

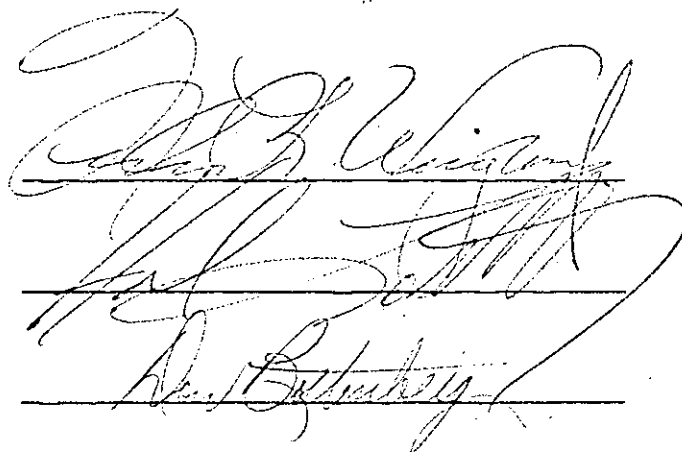
A temporary construction easement upon that part of Lots 2, 4, 6, 8 and 10 in Block 1 of the Gem City Addition to the City of Wichita, Kansas, described as follows: A strip of land 10.00 feet in width lying along the East side of the above described Lots 2, 4, 6, 8 and 10. The above contains 1,250 square feet, more or less.

OWNER: Minnie May Hinds and Kenneth F. Beck, Trustee
ADDRESS: % Kenneth F. Beck, 1418 Wichita Plaza Building, Wichita, Kan.

(a)	Value of entire property or interest before taking.	\$ <u>1,250.00</u>
(b)	Value of that portion of the property or interest remaining after taking.	\$ <u>1,212.50</u>
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ <u>37.50</u>

We, the appraisers, determine the total damages to the respective interested parties to be as follows: \$ 311,904.55 .

We, the undersigned appraisers, file this Report of Appraisers with the Clerk of the above court on the 30th day of September, 1971, and hereunto affix our signatures as of that date.



Appraisers

Approved by the Court this _____ day of _____, 1971.

AFFIDAVIT

STATE OF KANSAS

ss

SEDGWICK COUNTY

DANIEL A. FREEMAN, of lawful age, being first duly sworn on oath, deposes and says:

That he is an employee of the City of Wichita, Kansas, assigned to duties with the office of the Public Works Department; that on the 18th day of March, 1971, he made a personal inspection of the lands and properties to be acquired by condemnation for the purpose of North Wichita Industrial Park Drainage - Project No. DBKR 8 680 90

which lands are more fully set forth and described in Ordinance No. _____, which descriptions are incorporated herein by reference and made a part hereof;

That as a result of said personal inspection, as a part of which the undersigned did question all persons found to be occupying said lands on said dates, the undersigned states, on information and belief, that the following named individuals, companies and corporations were occupying said described properties as of the dates of said inspection, to-wit:

<u>Tract Number</u>	<u>Owner</u>	<u>Address</u>
1	Bernard Novick - occupant (No Tenants)	1007 E. 21st St. N. Wichita, Kansas
2	Bernard Novick - occupant (No Tenants)	1007 E. 21st St. N. Wichita, Kansas
3	City of Wichita (No Tenants)	City Annex Wichita, Kansas
4	Bernard Novick - occupant (No Tenants)	1007 E. 21st St. N. Wichita, Kansas
5	Derby Refining Co. - occupant % R. W. Kersey - Vice President (No Tenants)	Box 1030 Wichita, Kansas
6	K.T. Oil Corp. - occupant Tom Sawyer - President (No Tenants)	400 S. Main El Dorado, Kansas
7	Wichita Union Stockyards - occupant Don Smith - Engineer (No Tenants)	Exchange Building Wichita, Kansas
8	Wichita Union Stockyards - occupant	Exchange Building Wichita, Kansas
10	St.Louis-San Francisco Railroad Co. occupant (Unable to contact) (appears to have no tenants)	% George Warfel 1625 N. Lexington Springfield, Mo. 65802
11	R. D. Handcox (Unable to contact) (Unable to determine tenants, if any)	R.R. #1 Douglass, Kansas
12	St.Louis-San Francisco Railroad Co. - occupant (Unable to contact) (Appears to have no tenants)	% George Warfel 1625 N. Lexington Springfield, Mo. 65802

