

FILE NO. S/D 75-49

MAP NO. 5556

NAME F.O.E. PARK

LOCATION: North side of 69th St. No. in an area  
east of Broadway.

ENGINEER Delamater, Freund & Scherer

OWNER T. G. Williamson, et.al.

APPLICATION FILED 6-9-75

SKETCH PLAT FILED \_\_\_\_\_

PRELIMINARY FILED \_\_\_\_\_

S/D ACTION \_\_\_\_\_

FINAL FILED 6-9-75 ; Revised Final 11-10-75

S/D ACTION 6-19-75 deferred indef

S/D " (Revised) 11-20-75 approve

MAPC ACTION 6-10-76 approved

Be CC ACTION 7-21-76 Approved

RECORDED September 1, 1976

REMARKS \_\_\_\_\_

S/D 75-49 - F.O.E. PARK ADDITION  
North side of 69th St. North in  
an area east of Broadway.

*POSTED*  
*6-13-75*

ACTION

DATE

*S/D* COMMITTEE *final dependent* *6-12-75*  
*S/D* (Revised *final*) *approved* *11-20-75*

M.A.P.C. *approved* *6-10-76*

~~B.B.B.~~ B. CO. C. *Approved* *2-21-76*

Map No. 5556  
Sec. No. 4  
Twp. No. 26  
Range 1E

Subdivision Report and Progress

S/D No.: 75-49

Name: F.O.E. PARK

General Location: North side of 69th St. No. in an area east of Broadway

Owner: T. G. Williamson, et.al.  
Address: 7200 N. Broadway 14 Phone: 744-1032  
Subdivider: same  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Engineer/Surveyor: Delamater, Freund & Scherer  
Address: 512 Century Plaza Bldg Phone: 262-8293

Application Received 6-9-75  
Conf. with Applicant \_\_\_\_\_  
Sketch Plat Received \_\_\_\_\_  
Present Zoning R  
Proposed Zoning R (C.U. application)  
Letter of Intent \_\_\_\_\_

FINAL PLAT RECEIVED 6-9-75 *Revised June - 11-10-75*  
S/D Comm. Action 6-19-75 *Revised S/D 11-20-75*  
Dept. Report on Final \_\_\_\_\_  
M.A.P.C. ACTION 6-10-76 *Approved*  
Dept. Report on Final \_\_\_\_\_  
Letter on Irons Received \_\_\_\_\_  
Title/Taxes Rec'd & Reviewed 7/14/76  
Final Review \_\_\_\_\_  
Referral to B.C.C. \_\_\_\_\_

PREL. PLAT RECEIVED \_\_\_\_\_  
S/D Comm. Action \_\_\_\_\_  
Dept. Report on Prel. \_\_\_\_\_

Bd CoC. ACTION 7-21-76 *Approved*  
Recorded \_\_\_\_\_

TRACING PROGRESS:  
Received 7-16-76  
Released \_\_\_\_\_  
Received \_\_\_\_\_  
Released \_\_\_\_\_

Comments:

CU-179 Associated Case

F.O.E. PARK  
Kechi Township  
U.S.D. #262

Note: also send correspondence to:  
James McKinney & John Conlee, Attorneys  
802 E. 69th St. No. 14  
125 N. Market

REGISTER OF DEEDS  
SEDGWICK COUNTY, KANSAS

T9-30

F. O. E. PARK ADDITION was  
filed for record on September 1, 1976

Barry J. McAuliffe  
Register Of Deeds

T9-328



HERSHBERGER, PATTERSON, JONES & ROTH  
ATTORNEYS AT LAW  
700 FARM CREDIT BANKS BUILDING  
WICHITA, KANSAS 67202

316 263-7583

J. B. PATTERSON (1895-1957)

A. W. HERSHBERGER  
OF COUNSEL

RICHARD JONES  
H. E. JONES  
JEROME E. JONES  
ROBERT J. ROTH  
WILLIAM R. SMITH  
ROBERT J. O'CONNOR  
GREER GSELL  
STEPHEN J. JONES  
MICHAEL L. JONES  
JACK D. SAGE

July 27, 1976

Mr. Curtis L. Newby, Junior Planner  
Metropolitan Area Planning Department  
Tenth Floor, City Hall  
Wichita, Kansas 67202

Re: F.O.E. Park  
Subdivision number 75-49

Dear Mr. Newby:

Pursuant to your request of July 26, 1976, I have checked the legal description contained in Mr. Freund's plat for F.O.E. Park. In so far as I can ascertain from Security Abstract and other sources, the legal description of F.O.E. Park is completely within that part of Section 4, 26 South, 1 East, Sedgwick County, Kansas, owned by Mr. and Mrs. Thomas G. Williamson.

Therefore, it is necessary that the signatures of the Williamsons, the members of the Eagles Lodge and Reserve Savings and Loan Association should appear on the plat, in order that all parties be protected.

If there are any further questions, please feel free to write or call.

Yours very truly,

HERSHBERGER, PATTERSON, JONES & ROTH

SJ:d1



## CHICAGO TITLE INSURANCE COMPANY

### COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:  
THE SECURITY ABSTRACT &  
TITLE COMPANY, INC.  
434 North Main Street  
Wichita, Kansas 67202  
(316) AM 7-8371

CHICAGO TITLE INSURANCE COMPANY

*Alvin W. Long*  
President.

ATTEST:

*Chester C. McLaughlin*  
Secretary.

*R. Bell*  
Authorized Signatory



Form 3615 - K.C. Division

**Security**  
ABSTRACT AND TITLE CO., INC.  
434 NORTH MAIN  
Phone 267-8371

DELIVER TO:

METROPOLITAN AREA PLANNING COMMISSION

ATTENTION: Curtis Newby



## CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusion from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE A

Number  
230815-A

Effective Date  
July 22, 1976 @ 7:00 A. M.

1. Owners Policy to be issued: ALTA Form B - 1970 Amount: \$33,000.00  
(Amended 10-17-70)

Proposed Insured:

Fraternal Order of Eagles Aerie No. 132

Loan Policy to be issued: ALTA Form 1970 Amount:  
(Amended 10-17-70)

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

Thomas G. Williamson and Ronella J. Williamson, husband and wife

3. The land referred to in this Commitment is described as follows:

Beginning at a point 571.68 feet West of the Southeast Corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; Section 4, Township 26 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, thence West on the South line of the said Southwest  $\frac{1}{4}$  a distance of 365 feet, which point is 401 feet East of the Southwest Corner of said Southwest  $\frac{1}{4}$ ; thence North parallel to the East line of said Southwest  $\frac{1}{4}$ , a distance of 308 feet; thence West parallel to the South line of said Southwest  $\frac{1}{4}$  a distance of 185 feet; thence North parallel to the East line of said Southwest  $\frac{1}{4}$  a distance of 342 feet; thence East parallel to the South line of said Southwest  $\frac{1}{4}$  a distance of 562.34 feet; thence South a distance of 650.08 feet to the point of beginning.

"When sending instruments for filing please include the above referenced commitment number"

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the necessary deeds and/or mortgages in insurable form, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1975 Taxes; \$987.40 Paid. Key #KE-26.
9. Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
10. Right-of-Way Easement, to Rural Water District No. 2, dated October 31, 1972, filed February 2, 1973, in Book 46, Page 1312, for a water pipeline.
11. Mortgage dated December 5, 1975, executed by Thomas G. Williamson and Ronella J. Williamson, husband and wife, to Reserve Savings and Loan Association, filed December 8, 1975, on Film 169, Page 15, in the original amount of \$40,000.00.
12. Pay and file Release of Notice State Sales Tax Lien filed March 22, 1976, In Re 76-44, S. M. Chism, H. E. Knox, La Beher - Trustees - Fraternal Order of Eagles, Aerie 132-3741 Mascot, \$2,094.06 plus interest. Satisfaction \$15.00.

*Curt  
File*

HERSHBERGER, PATTERSON, JONES & ROTH

ATTORNEYS AT LAW  
700 FARM CREDIT BANKS BUILDING  
WICHITA, KANSAS 67202

J. B. PATTERSON (1895-1957)

A. W. HERSHBERGER  
OF COUNSEL

316 263-7583

July 22, 1976

RICHARD JONES  
H. E. JONES  
JEROME E. JONES  
ROBERT J. ROTH  
WILLIAM R. SMITH  
ROBERT J. O'CONNOR  
GREER OSKELL  
STEPHEN J. JONES  
MICHAEL L. JONES  
JACK D. SAGE

Mr. Robert A. Lakin, Director  
Metropolitan Area Planning Department  
Tenth Floor, City Hall  
Wichita, Kansas 67202

Re: F.O.E. Park  
Subdivision No. 75-49

Dear Mr. Lakin:

You requested that I outline the present ownership of F.O.E. Park as of July 21, 1976, and I take this opportunity to do so.

Briefly, the Eagles' Lodge has an executory contract with Thomas G. and Ronella J. Williamson to purchase from them the tract of land upon which the Eagles' Lodge is to be built, the plat of which was approved at County Commission meeting the morning of July 21, 1976. Thomas G. and Ronella J. Williamson in fact own the property as of July 21, 1976, but they own it subject to the Eagles' right to purchase.

There also is a mortgage of record from the Williamsons to Reserve Savings and Loan Association of Wichita, Kansas, and I am unsure as to whether the mortgage covers the property encompassing F.O.E. Park. I am assuming that the mortgage does cover at least a small portion of F.O.E. Park.

Thus, it would appear necessary that the signatures of the Williamsons, the necessary members of the Eagles' Lodge and Reserve Savings and Loan Association appear on the plat itself, in order that all parties will be protected. I believe the plat as it is presently set up is proper.

I am informed that it will be approximately August 2nd before the Eagles close their real estate transaction on F.O.E. Park with the Williamsons.

If you need anything further, please let me know.

Yours very truly,

HERSHBERGER, PATTERSON, JONES & ROTH

*Michael L. Jones*  
88

MJ:bb

ccs: Mr. Curtis L. Newby  
Mrs. Maurine Rutschman  
Mr. J. D. Schneider  
Mr. Wilmer Freund



HERSHBERGER, PATTERSON, JONES & ROTH

ATTORNEYS AT LAW  
700 FARM CREDIT BANKS BUILDING  
WICHITA, KANSAS 67202

J. B. PATTERSON DDBS-10871

A. W. HERSHBERGER  
OF COUNSEL

RICHARD JONES  
H. E. JONES  
JEROME E. JONES  
ROBERT J. ROTH  
WILLIAM R. SMITH  
ROBERT J. O'CONNOR  
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316 263-7583

July 22, 1976

Mr. Robert A. Lakin, Director  
Metropolitan Area Planning Department  
Tenth Floor, City Hall  
Wichita, Kansas 67202

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Yours very truly,

HERSHBERGER, PATTERSON, JONES & ROTH

*Michael L. Jones*  
88

MJ:bb

ccs: Mr. Curtis L. Newby  
Mrs. Maurine Rutschman  
Mr. J. D. Schneider  
Mr. Wilmer Freund





**DELAMATER, FREUND & SCHERER, P.A.**  
ENGINEERS & ARCHITECTS (316) 262-8293 512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. B. DELAMATER, P. E.  
WILMER FREUND, P. E.  
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHARR, P. E.  
NORMAN L. ROELFS, P. E.  
RONALD L. MADLEY, ARCHITECT

*Newby*

July 16, 1976

Mr. Robert A. Lakin, Director  
Metropolitan Area Planning Department  
Tenth Floor, City Hall  
Wichita, Kansas 67202

Attn: Mr. Curtis L. Newby, Junior Planner

Re: F.O.E. Park  
Subdivision Number 75-49



Dear Mr. Newby:

We have this date handed to you the tracing of F.O.E. Park along with a copy of the covenants concerning the remainder of the channel work to be constructed prior to issuance of building permits on any part of the remaining property owned by the Williamsons. We have also handed you a copy of the title insurance, a copy of the tax receipts showing taxes paid in full for the year 1975, and two prints of the Traverse closure.

As we have discussed, Mr. J.D. Schneider will bring the seal to your office on Wednesday morning at 8:00 a.m. to put the impression seal on the tracing and he will have the two remaining trustees with him to sign the tracing. This is a result of their being out of town at the present time and he was unable to secure their signatures, but this should complete the requirements on the part of the Metropolitan Area Planning Department.

You are also advised that the originals for the covenant concerning the channel construction will be in your hands Monday so that you can submit it along with the tracings and present it to the County Commission.

Also for your information, a copy of the tax receipt has been given to Madalyn Cain at the County Clerks office and a print of the plat thus far executed has been sent to the County

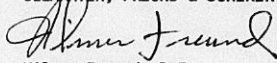
Page Two  
July 16, 1976  
Mr. Robert A. Lakin  
Attn: Mr. Curtis L. Newby

Engineer's office in order to obtain a letter from him showing approval of the plat to avoid any delay in execution on the part of the County Board when the plat is approved at next Wednesdays commission meeting.

Thank you for all the assistance and cooperation you have shown in this particular matter.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.



Wilmer Freund, P.E.

WF/k1a  
cc: J.D. Schneider  
Lakeview Electric Co.,  
1512 East First Street  
Maurine Rutschman  
Consolidated Realty  
2311 A Amidon

Mike Jones, Attorney

230-N

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 75-49 Name F.O.E.PARK  
Application & Sketch Filed: 6-9-75  
Preliminary Plat Filed: N/A Approved by S/D: N/A  
Final Plat Filed: 11-10-75 Approved by S/D: 11-20-75  
Approved by Metropolitan Area Planning Commission: 6-10-76

DESCRIPTION

General Location: North side of 69th Street North in  
an area east of Broadway

Surveyor or Engineer: Delamater, Freund & Scherer  
Owner: T. G. Williamson  
Address: 7200 North Broadway 67219

1. Gross Acreage of Plat	6.4	6. Access Control	
2. Number of Lots:		St. 69th St.No.	No. Openings 2
Residential		St.	No. Openings
Commercial		St.	No. Openings
Industrial		7. Req'd Improvements	
Other	1	St. Paving	Water X
Total Number of Lots:	1	Sidewalk	Drainage X
3. Minimum Lot Area:	6.4 Acres	Sewer	Other
4. Existing Zoning	"R"		
5. Special Problems Discussed	None		

The Environmental Health Division has approved the use of a sewerage stabilization pond and a private water supply on subject property. Satisfactory arrangements have been made with the County Director of Public Works for handling of the drainage on subject property and an agreement/easement has been submitted assuring that future development in the area will provide for drainage improvements in accordance with County requirements.

Planning Commission Recommendation:

That this plat be approved subject to recording of the plat within 30 days after approval by the Board of County Commissioners. Savina moved, Kamen seconded and it carried unanimously.

NOTE: Associated Conditional Use Case CU-179 to permit private club has been approved by the Board of County Commissioners subject to platting.

ACTION: Accept the agreement and easement and instruct the County Clerk to record said instrument with the Register of Deeds; and approve the plat as approved by the Metropolitan Area Planning Commission and sign.

## CHICAGO TITLE INSURANCE COMPANY

### COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:  
THE SECURITY ABSTRACT &  
TITLE COMPANY, INC.  
434 North Main Street  
Wichita, Kansas 67202  
(316) AM 7-8371

CHICAGO TITLE INSURANCE COMPANY

*Alvin W. Long*  
President.

ATTEST:

*Chester C. McCullough*  
Secretary.

*R. Bell*  
Authorized Signatory



## CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusion from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE A

Number  
230815

Effective Date  
November 19, 1975 @ 7:00 A. M.

1. Owners Policy to be issued: ALTA Form B - 1970 Amount: \$33,000.00  
Proposed Insured: (Amended 10-17-70)

Fraternal Order of Eagles # 132

Loan Policy to be issued: ALTA Form 1970 Amount:  
Proposed Insured: (Amended 10-17-70)

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

Thomas G. Williamson and Ronella J. Williamson, husband and wife

3. The land referred to in this Commitment is described as follows:

Described as beginning at the Southeast corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Section 4, Township 26 South, Range 1 East of the 6th Principal Meridian; thence west on the south line of the said Southwest  $\frac{1}{4}$  a distance of 936.68 feet; thence north parallel to the east line of said Southwest  $\frac{1}{4}$  a distance of 308 feet; thence west parallel to the south line of said Southwest  $\frac{1}{4}$  a distance of 185 feet; thence north parallel to the east line of said Southwest  $\frac{1}{4}$  a distance of 342 feet; thence east parallel to the south line of said Southwest  $\frac{1}{4}$  a distance of 562.34 feet; thence south a distance of 61.57 feet; thence east parallel to the south line of said Southwest  $\frac{1}{4}$  a distance of 562.66 feet; thence south along the east line of said Southwest  $\frac{1}{4}$  a distance of 534.54 feet to the point of beginning except

A tract in the West half of the Southwest Quarter of Section 4, Township 26 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, described as commencing at the Southeast corner thereof; thence North along the East line of the West half of said Southwest Quarter, 534.25 feet; thence with an angle to the left of  $89^{\circ}38'$ , a distance of 282 feet for a place of beginning; thence with an angle to the left of  $88^{\circ}39'15''$ , a distance of 221.08 feet; thence with an angle to the right of  $89^{\circ}26'45''$ , a distance of 277.11 feet; thence with an angle to the right of  $89^{\circ}56'$ , a distance of 217.21 feet; thence with an angle to the right of  $89^{\circ}16'30''$  a distance of 279.53 feet to the place of beginning and except a tract described as:

Beginning 1,338.22 feet east of the southwest corner of Section 4, Township 26 South, Range 1 East, Sedgwick County, Kansas and running north 534.54 feet; thence west at a deflection angle to the left of  $89^{\circ}45'$  for a distance of 283.13 feet; thence south at a deflection angle to the left of  $89^{\circ}21'$  for a distance of 221.09 feet; thence west at a deflection angle to the right of  $90^{\circ}01'$  for a distance of 277.11 feet; thence south at a deflection angle to the left of  $89^{\circ}30'$  for a distance of 317.30 feet to the south line of said Section 4; thence (See Reverse Side)

(Continued from Reverse Side)

east along the section line 571.55 feet to the place of beginning, the south 30 feet being reserved for roadway; Sedgwick County, Kansas.

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the necessary deeds and/or mortgages in insurable form, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1974 Taxes; \$940.06 Paid. Key # Part of KE-26. Year 1975 Taxes; not paid, amount unknown.
9. Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
10. Right-of-way dated April 12, 1934, to Stanolind Pipe Line Company, filed June 27, 1934, in Book Misc. 112, Page 258, over the W $\frac{1}{2}$  SW $\frac{1}{4}$ , Section 4, Township 26 South, Range 1 East, for a pipe line, and assigned unto Skelly Oil Company.
11. Right-of-way Easement, to Rural Water District No. 2, dated October 31, 1972, filed February 2, 1973, in Book 46, Page 1312, for a water pipeline.
12. File Warranty Deed from Thomas G. Williamson and Ronella J. Williamson, husband and wife, to The Fraternal Order of Eagles # 132.





TWO

PLEASE DO NOT FOLD OR MUTILATE

0000

MADE CHECKS PAYABLE TO

*O.B. (Bruce) McCracken* *George Pearce*  
COUNTY TREASURER COUNTY CLERK

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

LEGAL DESCRIPTION

W 1/2 SW 1/4 EXC N 15A  
G EXC PT TO STATE & EXC  
BEG SE COR W 1/2 SW 1/4 N  
534.54 FT W 562.66 FT S  
534.51 FT E 571.55 FT TO  
BEG SEC 4-26-1E

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, 1975 FIRST DELINQUENT NOV. 1, 1975 SECOND DELINQUENT JAN. 1, 1976 WITH INTEREST AT 10% PER ANNUM.

RE-14-0080-14-2  
KE - -00025 12-08  
T G WILLIAMSON ETUX  
7200 N BROADWAY  
WICHITA KS 67219

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

O.B. (BRUCE) MCCRACKEN  
COUNTY TREASURER, SEDGWICK COUNTY  
WICHITA, KANSAS 67203

INTEREST

CA

CK

RECEIPT NO.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

PLEASE INDICATE ANY CHANGE OF ADDRESS

TOTAL FIRST SECOND

DATE

INTEREST

PAID

97

987.40

987.40

210849

SECTION

MILL LEVY  
2.180

GENERAL TAX  
987.40

SPECIAL TAX

TOTAL TAX  
987.40

FIRST HALF  
493.70

SECOND HALF  
493.70

1975 REAL ESTATE TAX

SECTION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	INTEREST	TOTAL PAID	RECEIPT NO.
2.180	081.667	987.40		987.40	493.70	493.70			

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
JUL 15 1976

NO. 2 87025  
BETTE F. McCART  
REGISTER OF DEEDS

*MAPD*

AGREEMENT AND EASEMENT

FILM 200 PAGE 333

*Pat Record*

This instrument, entered into by Thomas G. Williamson and Ronella J. Williamson, husband and wife, as First Party, and Sedgwick County, Kansas, as Second Party, this 15th day of July, 1976;

WHEREAS, First Party has agreed to sell to Fraternal Order of Eagles, Aerie No. 132, Wichita, Kansas, a portion of the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Four (4), Township Twenty-Six (26) South, Range One (1) East of the Sixth Principal Meridian, Sedgwick County, Kansas, to be known as F. O. E. Park, which said F. O. E. Park is shown on plans (drawing numbers 230-N-106 and 230-N-107) heretofore approved by the Director of Public Works/County Engineer, Sedgwick County, Kansas, on June 10, 1976, and on file in the Wichita Sedgwick County Flood Control Office; and

WHEREAS, the Fraternal Order of Eagles, Aerie #132 has agreed to construct a 100-year frequency flow drainage channel improvement through said F. O. E. Park as a condition of plat approval; and

WHEREAS, as a further condition of plat approval of said F. O. E. Park and as an assurance that the drainage problem on their said remaining property will be taken care of in the future, the Wichita/Sedgwick County Metropolitan Area Planning Commission has requested the filing by First Party of an agreement that they will not further develop the remainder of their property, which is described in Exhibit "A" attached hereto, until such time as there has been constructed thereon that 100-year frequency flow drainage channel as such drainage channel is shown on the aforesaid approved plans;

NOW THEREFORE, for and in consideration of plat approval and of other valuable considerations, First Party does hereby agree that the 100-year frequency flow drainage channel reflected on the aforesaid approved plans will be constructed in accordance with said approved plans and their specifications before any further platting or building occurs upon the remainder of their said property, which is described on Exhibit "A" attached hereto, and First Party does by these presents grant unto Second Party, its successors and assigns, a right-of-way and easement for the construction, operation, maintenance, repair, inspection and replacement of a water drainage channel for drainage purposes only over and across the following described real estate situated

*8'*

*Consolidated Rentals  
2311 - A - Amidon  
Wichita, KS - 67204*

in the Southwest Quarter (SW/4) of Section 4, Township 26 South, Range 1 East  
of the Sixth (6th) Principal Meridian, Sedgwick County, Kansas, to-wit:

TRACT I

Beginning at the SW corner of said SW/4; thence North 95 feet; thence East parallel with the South line of said SW/4 a distance of 255 feet to a point; thence Northeasterly a distance of 85 feet, more or less, to a point, which point is 153 feet North and 319 feet East of the said SW corner; thence Northerly parallel to the West line of FOE Park a distance of 155 feet; thence Easterly on a South line of FOE Park a distance of 82 feet to a point on the South perimeter of said FOE Park; thence Southerly on a West line of said FOE Park a distance of 308 feet, more or less, to a point on the South line of the said SW/4; thence Westerly on said South line a distance of 401 feet, more or less, to the point of beginning, except existing road right-of-way, containing 0.95 acres, more or less, all in the SW/4, Section 4, 26S, 1E, of the 6th P.M., Sedgwick County, Kansas.

TRACT II

Beginning at a point on the North line of FOE Park 250 feet East of the NW corner of said FOE Park, thence Northerly at right angle a distance of 130 feet; thence Easterly at right angle a distance of 100 feet; thence Southerly at right angle a distance of 130 feet to a point on the North line of said FOE Park; thence Westerly along said North line of FOE Park a distance of 100 feet to the point of beginning, containing 0.30 acres, more or less, all in the SW/4, Section 4, 26S, 1E, of the 6th P.M., Sedgwick County, Kansas.

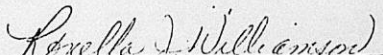
together with the rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted.

The foregoing shall be binding upon First Party, their heirs, successors and assigns and shall run with title to the aforesaid real estate.

The First Party retains the right to the full use and enjoyment of said property subject to the rights herein conveyed unto Second Party, its successors and assigns.

IN WITNESS WHEREOF, First Party and Second Party have executed this Agreement and Easement the day and year first above written.

  
THOMAS C. WILLIAMSON

  
RONELLA J. WILLIAMSON

FIRST PARTY

STATE OF KANSAS, SEDGWICK COUNTY, ss.

BE IT REMEMBERED, That on this 15th day of July A. D. 19 76 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Thomas G. Williamson and Ronella J. Williamson, husband and wife personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

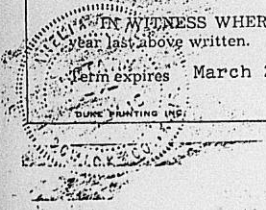
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Term expires March 22

, 1979

*Amelia Feil*

Amelia Feil Notary Public



THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

\_\_\_\_\_  
EARL E. RUSH, Chairman

\_\_\_\_\_  
TOM SCOTT, Commissioner

\_\_\_\_\_  
JOHN HALE, Commissioner

SECOND PARTY

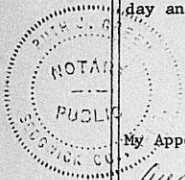
ATTEST:

\_\_\_\_\_  
GEORGE PIERCE, County Clerk

STATE OF KANSAS        )  
                              ) ss.  
COUNTY OF SEDGWICK )

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this 15th day of July, 1976, personally appeared Thomas G. Williamson and Ronella J. Williamson, husband and wife, to me personally known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Richard J. Thomas  
Notary Public

My Appointment Expires:

Aug. 4, 1977

STATE OF KANSAS        )  
                          ) ss.  
COUNTY OF SEDGWICK    )

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 1976, personally appeared Earl E. Rush, Tom Scott, and John Hale, to me personally known to be all of the Commissioners of the Board of Commissioners of Sedgwick County, Kansas, and who are personally known to me to be the identical persons who subscribed their names to the foregoing instrument, and all of said persons acknowledged to me that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of said County for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

EXHIBIT A

Beginning at the Southwest corner of Section 4, Township 26 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas; running thence North 2,165.29 feet; thence East 1,340.70 feet; thence South 1,629.75 feet; thence at a deflection to the right of  $90^{\circ}15'$  for a distance of 283.13 feet; thence at a deflection angle to the left of  $89^{\circ}21'$  for a distance of 221.09 feet; thence at a deflection angle to the right of  $90^{\circ}01'$  for a distance of 277.11 feet; thence at a deflection angle to the left of  $89^{\circ}30'$  for a distance of 317.31 feet to a point on the south line of said Section, being 766.67 feet East of the Southwest corner of said Section; thence West  $766.67$  feet to the point of beginning, except a tract in the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 4, Township 26 South, Range 1 East described as commencing at the Southeast Corner thereof; thence north along the East line of the West  $\frac{1}{2}$  of said Southwest  $\frac{1}{4}$ ; 534.25 feet; thence with an angle to the left of  $89^{\circ}38'$ , a distance of 282 feet for a place of beginning; thence with an angle to the left of  $88^{\circ}39'15''$ , a distance of 221.08 feet; thence with an angle to the right of  $89^{\circ}26'45''$ , a distance of 277.11 feet; thence with an angle to the right of  $89^{\circ}56'$ , a distance of 217.21 feet; thence with an angle to the right of  $89^{\circ}16'30''$ , a distance of 279.53 feet to the place of beginning.

AGREEMENT AND EASEMENT

This instrument, entered into by Thomas G. Williamson and Ronella J. Williamson, husband and wife, as First Party, and Sedgwick County, Kansas, as Second Party, this \_\_\_\_\_ day of \_\_\_\_\_, 1976;

WHEREAS, First Party has agreed to sell to Fraternal Order of Eagles, Aerie No. 132, Wichita, Kansas, a portion of the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Four (4), Township Twenty-Six (26) South, Range One (1) East of the Sixth Principal Meridian, Sedgwick County, Kansas, to be known as F. O. E. Park, which said F. O. E. Park is shown on plans (drawing numbers 230-N-106 and 230-N-107) heretofore approved by the Director of Public Works/County Engineer, Sedgwick County, Kansas, on June 10, 1976, and on file in the Wichita Sedgwick County Flood Control Office; and

WHEREAS, the Fraternal Order of Eagles, Aerie #132 has agreed to construct a 100-year frequency flow drainage channel improvement through said F. O. E. Park as a condition of plat approval; and

WHEREAS, as a further condition of plat approval of said F. O. E. Park and as an assurance that the drainage problem on their said remaining property will be taken care of in the future, the Wichita/Sedgwick County Metropolitan Area Planning Commission has requested the filing by First Party of an agreement that they will not further develop the remainder of their property, which is described in Exhibit "A" attached hereto, until such time as there has been constructed thereon that 100-year frequency flow drainage channel as such drainage channel is shown on the aforesaid approved plans;

NOW THEREFORE, for and in consideration of plat approval and of other valuable considerations, First Party does hereby agree that the 100-year frequency flow drainage channel reflected on the aforesaid approved plans will be constructed in accordance with said approved plans and their specifications before any further platting or building occurs upon the remainder of their said property, which is described on Exhibit "A" attached hereto, and First Party does by these presents grant unto Second Party, its successors and assigns, a right-of-way and easement for the construction, operation, maintenance, repair, inspection and replacement of a water drainage channel for drainage purposes only over and across the following described real estate situated

In the Southwest Quarter (SW/4) of Section 4, Township 26 South, Range 1 East of the Sixth (6th) Principal Meridian, Sedgwick County, Kansas, to-wit:

TRACT I

Beginning at the SW corner of said SW/4; thence North 95 feet; thence East parallel with the South line of said SW/4 a distance of 255 feet to a point; thence Northeasterly a distance of 85 feet, more or less, to a point, which point is 153 feet North and 319 feet East of the said SW corner; thence Northerly parallel to the West line of FOE Park a distance of 155 feet; thence Easterly on a South line of FOE Park a distance of 82 feet to a point on the South perimeter of said FOE Park; thence Southerly on a West line of said FOE Park a distance of 308 feet, more or less, to a point on the South line of the said SW/4; thence Westerly on said South line a distance of 401 feet, more or less, to the point of beginning, except existing road right-of-way, containing 0.95 acres, more or less, all in the SW/4, Section 4, 26S, 1E, of the 6th P.M., Sedgwick County, Kansas.

TRACT II

Beginning at a point on the North line of FOE Park 250 feet East of the NW corner of said FOE Park, thence Northerly at right angle a distance of 130 feet; thence Easterly at right angle a distance of 100 feet; thence Southerly at right angle a distance of 130 feet to a point on the North line of said FOE Park; thence Westerly along said North line of FOE Park a distance of 100 feet to the point of beginning, containing 0.30 acres, more or less, all in the SW/4, Section 4, 26S, 1E, of the 6th P.M., Sedgwick County, Kansas.

together with the rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted.

The foregoing shall be binding upon First Party, their heirs, successors and assigns and shall run with title to the aforesaid real estate.

The First Party retains the right to the full use and enjoyment of said property subject to the rights herein conveyed unto Second Party, its successors and assigns.

IN WITNESS WHEREOF, First Party and Second Party have executed this Agreement and Easement the day and year first above written.

\_\_\_\_\_  
THOMAS G. WILLIAMSON

\_\_\_\_\_  
RONELLA J. WILLIAMSON

FIRST PARTY

THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

\_\_\_\_\_  
EARL E. RUSH, Chairman

\_\_\_\_\_  
TOM SCOTT, Commissioner

\_\_\_\_\_  
JOHN HALE, Commissioner

SECOND PARTY

ATTEST:

\_\_\_\_\_  
GEORGE PIERCE, County Clerk

STATE OF KANSAS        )  
                          ) ss.  
COUNTY OF SEDGWICK    )

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this \_\_\_\_ day of \_\_\_\_\_, 1976, personally appeared Thomas G. Williamson and Ronella J. Williamson, husband and wife, to me personally known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

STATE OF KANSAS            )  
                                  ) ss.  
COUNTY OF SEDGWICK        )

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 1976, personally appeared Earl E. Rush, Tom Scott, and John Hale, to me personally known to be all of the Commissioners of the Board of Commissioners of Sedgwick County, Kansas, and who are personally known to me to be the identical persons who subscribed their names to the foregoing instrument, and all of said persons acknowledged to me that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of said County for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_



SEDGWICK COUNTY COURTHOUSE

**COUNTY OF SEDGWICK**  
DEPARTMENT OF PUBLIC WORKS

1018 STILLWELL  
WICHITA, KANSAS 67213

PHONE 268-7201

G. C. MCLURE, JR., P. E.  
COUNTY ENGINEER/DIRECTOR OF PUBLIC WORKS

June 3, 1976

Mr. Robert A. Lakin  
Director of Planning  
Wichita-Sedgwick County  
Metropolitan Area Planning Department  
City Hall  
455 North Main  
Wichita, Kansas 67202

ATTENTION: Mr. Curtis Newby

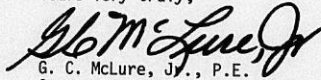
RE: F.O.E. Park

Dear Mr. Lakin:

This office has examined the plat of F.O.E. Park as submitted by Delameter, Freund & Scherer and finds that it conforms to the requirements as pertains to drainage of the area.

The drainage channel easement submitted herewith is to be recorded and the recorded easement will accompany the plat for final approval. The final approval of the plat is made subject to the recording of the pre-stated drainage easement being submitted with the final plat.

Yours very truly,

  
G. C. McLure, Jr., P.E.  
County Engineer/Director of  
Public Works

GCM/lt

enclosure

cc: M. S. Mitchell-Wichita-Valley Center Flood Control



KANSAS GAS AND ELECTRIC COMPANY

June 17, 1976

Metropolitan Area Planning Commission  
455 North Main  
Wichita, Kansas 67201

Subject: F.O.E. Park Addition

Dear Mr. Newby:

KG&E The Electric Company would like to request a ten foot utility easement be added to the east and north side of Lot 1, Block A, of subject plat.

This will meet future easement needs on this plat.

This has been discussed with and agreed to by  
Mr. Wilmer Freund.

Sincerely,

Robert L. Blevins  
Senior Estimator

RLB:pw





**COUNTY OF SEDGWICK  
COMMISSIONERS OFFICE**

JACK N. TURNER - County Counselor  
FREDRICK J. DODDS, III - Assistant  
THEODORE HILL - Assistant  
CLAY COX - Assistant

ROOM 320 • COUNTY COURTHOUSE, WICHITA, KANSAS 67203 • TELEPHONE 268-7411

July 2, 1976

TO: Robert Lakin, Director, MAPD  
FROM: Daniel J. Bosanko, Assistant County Counselor *DJB*  
RE: Indenture

(1) I believe that the title "indenture" on this contract is archaic but sufficient.

(2) This indenture should be signed by the governmental entity that will enforce it (i.e. the Board of County Commissioners of Sedgwick County, Kansas).

(3) The agreement must include the granting of an easement to the County for the channel on the remaining property.

(4) I recommend that the plat be approved upon condition that the easement is granted and the necessary covenant running with the land contracted with the County and recorded.

DJB:sd

*cc furnished Mike Jones 7/4/76 DJB*



Legal description used  
(SW  $\frac{1}{4}$  & SW  $\frac{1}{4}$ ) is not all of Willmerson's  
ownership and not all of their  
property involved in the drainage  
area.

Willmerson's ownership is:  
W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  except N 15 acres  
thereof and except that portion  
thereof deeded to William Kenney.  
Legal should be changed to  
reflect all of Willmerson's ownership;  
that would be in the drainage  
benefit area.

(Mc Lane)  
Why County is party to the  
indenture?  
I assume we still bond the  
FOP drainage channel improvement

I N D E N T U R E

This indenture, entered into by Thomas G. Williamson and Ronella J. Williamson, husband and wife, as First Party, and Sedgwick County, Kansas, as Second Party, this \_\_\_\_\_ day of \_\_\_\_\_, 1976;

WHEREAS, First Party has agreed to sell to Fraternal Order of Eagles, Aerie No. 132, Wichita, Kansas, a portion of the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Four (4), Township Twenty-Six (26) South, Range One (1) East of the Sixth Principal Meridian, Sedgwick County, Kansas, to be known as F. O. E. Park, which said F. O. E. Park is shown on plans (drawing numbers 230-N-106 and 230-N-107) heretofore approved by the Director of Public Works/County Engineer, Sedgwick County, Kansas, on June 10, 1976, and on file in the Wichita Sedgwick County Flood Control Office; and

WHEREAS, the Fraternal Order of Eagles, Aerie #132 has agreed to construct a 100-year frequency flow drainage channel improvement through said F. O. E. Park as a condition of plat approval; and

WHEREAS, as a further condition of plat approval of said F. O. E. Park and as an assurance that the drainage problem on their said remaining property will be taken care of in the future, the Wichita/Sedgwick County Metropolitan Area Planning Commission has requested the filing by First Party of an agreement that they will not further develop the remainder of their property lying in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Four (4), Township Twenty-Six (26) South, Range One (1) East of the Sixth Principal Meridian, Sedgwick County, Kansas, until such time as there has been constructed thereon that 100-year frequency flow drainage channel as such drainage channel is shown on the aforesaid approved plans;

NOW THEREFORE, for and in consideration of plat approval and of other valuable considerations, First Party does hereby agree that the 100-year frequency flow drainage channel reflected on the aforesaid approved plans will be constructed in accordance with said approved plans and their specifications before any further platting or building occurs upon the remainder of their said property lying in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Four (4), Township Twenty-Six (26) South, Range One (1) East of the Sixth Principal Meridian, Sedgwick County, Kansas, and outside the perimeters of the said F. O. E. Park.

*include  
a present  
quantity of  
on 2/2/77  
for the  
channel  
in the  
improvement  
project*

The foregoing shall be binding upon First Party, their heirs, successors and assigns and shall run with title to the aforesaid real estate.

IN WITNESS WHEREOF, First Party has executed this indenture the day and year first above written.

\_\_\_\_\_  
THOMAS G. WILLIAMSON

\_\_\_\_\_  
RONELLA J. WILLIAMSON

FIRST PARTY

*Ed of Commission* }  
SEDGWICK COUNTY, KANSAS

By \_\_\_\_\_  
GROVER C. McCLURE, JR.

SECOND PARTY

STATE OF KANSAS        )  
                          ) ss.  
COUNTY OF SEDGWICK    )

Before me, the undersigned, a Notary Public, within and for said County and State, on this \_\_\_\_ day of \_\_\_\_\_, 1976, personally appeared Thomas G. Williamson and Ronella J. Williamson, husband and wife, to me personally known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

STATE OF KANSAS            )  
                                  ) ss.  
COUNTY OF SEDGWICK        )

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this \_\_\_\_ day of \_\_\_\_\_, 1976, personally appeared Grover C. McClure, Jr., personally known to me to be the Director of Public Works/County Engineer of Sedgwick County, Kansas, and to be the identical person who executed the foregoing indenture in behalf of Sedgwick County, Kansas, and he duly acknowledged the execution of the same for himself and for Sedgwick County, Kansas, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

EASEMENT FOR DRAINAGE CHANNEL

THIS INDENTURE made the 1st day of May, 1976,  
by and between Thomas G. Williamson and Ronella J. Williamson, hereinafter  
called First Party, and Sedgwick County, Kansas, and the Eagles Lodge,  
Fraternal Order #132, Parties of the Second Part.

WITNESSETH: That the First Party in consideration of the payment  
of One Dollar (\$1.00) and other valuable considerations, does by these  
presents grant unto Second Parties, their successors and assigns, a right-  
of-way and easement for the construction, operation, maintenance, repair,  
inspection and replacement of a water drainage channel for drainage purposes  
only over and across the following-described real estate situated in the  
Southwest Quarter (SW/4) of Section 4, Township 26 South, Range 1 East of  
the Sixth (6th) Principal Meridian, Sedgwick County, Kansas, to-wit:

TRACT I

Beginning at the SW corner of said SW/4; thence  
North 95 feet; thence East parallel with the South  
line of said SW/4 a distance of 255 feet to a point;  
thence Northeasterly a distance of 85 feet, more or  
less, to a point, which point is 153 feet North and  
319 feet East of the said SW corner; thence Northerly  
parallel to the West line of FOE Park a distance of  
155 feet; thence Easterly on a South line of FOE  
Park a distance of 82 feet to a point on the South  
perimeter of said FOE Park; thence Southerly on a  
West line of said FOE Park a distance of 308 feet,  
more or less, to a point on the South line of the  
said SW/4; thence Westerly on said South line a  
distance of 401 feet, more or less, to the point of  
beginning, except existing road right-of-way, con-  
taining 0.95 acres, more or less, all in the SW/4,  
Section 4, 26S, 1E, of the 6th P.M., Sedgwick County,  
Kansas.

TRACT II

Beginning at a point on the North line of FOE Park  
250 feet East of the NW corner of said FOE Park,  
thence Northerly at right angle a distance of 130  
feet; thence Easterly at right angle a distance of  
100 feet; thence Southerly at right angle a distance  
of 130 feet to a point on the North line of said  
FOE Park; thence Westerly along said North line of  
FOE Park a distance of 100 feet to the point of  
beginning, containing 0.30 acres, more or less, all  
in the SW/4, Section 4, 26S, 1E, of the 6th P.M.,  
Sedgwick County, Kansas.

230-N

together with the rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted.

The First Party retains the right to the full use and enjoyment of said property subject to the rights herein conveyed unto Second Parties, their successors and assigns.

IN WITNESS WHEREOF, the First Party has executed this instrument the day and year first above written.

Thomas G. Williamson  
Thomas G. Williamson

Ronella J. Williamson  
Ronella J. Williamson

STATE OF KANSAS )  
COUNTY OF Sedgwick ) ss.

BE IT REMEMBERED, that on this 28<sup>th</sup> day of May, 1976, before me the undersigned, a Notary Public in and for the county and state aforesaid, came Thomas G. Williamson and Ronella J. Williamson, who is (are) personally known to me to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

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

BETTY J. MARLMAN  
STATE NOTARY PUBLIC  
SEDGWICK COUNTY, KANSAS  
MY COMM. EXP. JULY 16, 1978

Betty J. Marلمان  
Notary Public

My Commission Expires:

June 11, 1976

Mr. Wilmer Freund  
Delamater Freund & Scherer  
512 Century Plaza Building  
Wichita, Kansas 67202

Re: S/D 75-49 - Final Plat of  
F. O. E. PARK ADDITION

Dear Mr. Freund:

At the regular meeting of the Metropolitan Area Planning Commission on June 10, 1976, the above-captioned plat was considered. The action of the Commission was to approve the plat as recommended by the Subdivision Committee subject to conditions A. through G. described in our letter to you on November 21, 1975, with the following exception and addition:

That Condition C. be deleted and that a condition be added requiring the placing of a restriction on the balance of the Williamson property advising future developers of any portion of said property that the drainage problems will have to be resolved before any building permits are issued; and that no building permits are to be issued on subject plat until drainage improvements are completed in conformance with the approved drainage plan. For your information, the conditions of approval now read as follows:

1. Submission of a drainage plan for subject plat and adjacent area to the County Engineering Department for approval.

(This condition has been satisfied based on the approved plans by the County Director of Public Works.)

2. The applicant shall obtain a letter from the Environmental Health Division stating that a waste stabilization pond sewage facility, meeting State requirements, has been approved for subject property.

(This condition has been satisfied since approval of the sewage and water systems by the Health Department on February 17, 1976.)

Page 2 - Mr. Wilmer Freund  
June 11, 1976

- d* The applicant shall guarantee that they, their heirs and/or assign will participate in a future drainage benefit district to be established in the area.

(The Planning Commission in their action deleted this requirement as an alternate drainage plan has been approved.)

- d* A 10-foot utility easement shall be indicated adjacent to the east 10 feet of the plat. *(see memo of 6-11-76 from KGE; requests 10 feet on north also.)*  
(This is to be indicated on the final plat tracing by the applicant's engineer.)

- d* The applicant and/or his engineer shall work with Robert Blevins of Kansas Gas & Electric and M. S. Mitchell of the Maintenance-Flood Control Office relative to providing additional utility easements on the plat.

(The applicant or his engineer needs to obtain a letter from KGE stating that their easement needs have been taken care of on the plat. This letter should be submitted to the Planning Department.)

- d* The applicant shall supply topographical data for this plat to M. S. Mitchell of the Maintenance-Flood Control Office.

(The applicant or his engineer needs to have Mr. Mitchell advise the Planning Department if this condition has been taken care of or is no longer applicable.)

- d* The applicant shall furnish to the Planning Department for review, a properly executed covenant which applies to the balance of the Williamson property and states that the drainage problems must be resolved in a manner meeting the approval of the County Engineer on any additional subdivisions, prior to the issuance of any building permits. This covenant, when approved as to legal form and content, shall be recorded with the Register of Deeds and a recorded copy of this instrument shall be submitted to the County Director of Public Works, the Maintenance-Flood Control Office and the Planning Department

(The applicant and/or his engineer may wish to discuss this condition of approval with the Planning staff to determine the type of wording and form this instrument should take.)

- d* Recording of the plat within 30 days after approval by the Board of County Commissioners.

Page 3 - Mr. Wilmer Freund  
June 11, 1976

In addition to complying with the above conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of County Commissioners for consideration:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
  2. Submission of a fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- d* Certification by an attorney that fee title is vested in the plat.
- d* Certification that all taxes due and payable for 1975 and prior years have been paid.

*b* It is also our understanding that various additions, changes and corrections are to be made on the drainage plans in accordance with the County Director of Public Works approval and we will, therefore, require that copies of the marked "approved" drainage plans be submitted for our records and for the Flood Control Office prior to forwarding the plat to the County Commission. You should also be advised that the Planning Commission, in their action, did not require any guarantee for the drainage improvements, other than the restriction on issuance of building permits on the property imposed by the County Director of Public Works.

Inasmuch as Mr. Conlee and his client had asked that the drainage plans be reviewed with them, we would encourage that either you or Mr. Jones arrange a meeting with them and perhaps the County Engineer and M. S. Mitchell, to explain the proposed plans prior to this plat being considered by the County Commission.

If you have any questions concerning the conditions of this plat approval, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:CLN:ber

cc: Michael Jones, Farm Credit Banks Building 67202  
John Conlee, Attorney, 125 North Market 67202  
T. G. Williamson, et al., 7200 N. Broadway 67219  
James McKinney, 802 East 69th Street North 67219  
Grover McLure, County Director of Public Works,  
1015 Stillwell 67213  
M. S. Mitchell, Flood Control Supervisor



**DELAMATER, FREUND & SCHERER, P.A.**

ENGINEERS & ARCHITECTS

(316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. B. DELAMATER, P. E.  
WILMER FREUND, P. E.  
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAR, P. E.  
NORMAN L. ROELFS, P. E.  
RONALD L. HADLEY, ARCHITECT

COST ESTIMATE  
FOR  
CHANNEL WORK AND SHEET PILING WALLS  
June 10, 1976  
F.O.E. PARK

EARTHWORK:

Sta. 1+00 to 4+80  
 $\frac{12 \times 380}{27} \times \$1.10 = \$ 186.00$

Sta. 4+80 to 8+60  
 $\frac{120 \times 380}{27} \times \$1.10 = \$ 1,857.00$

Sta. 8+60 to 9+75  
 $\frac{67.5 \times 115}{27} \times \$1.10 = \$ 316.00$

SHEET PILING WALLS:

320 L.F. @ 3 locations each = 960 L.F.  
960 x \$12.00 = \$ 11,520.00  
\$ 13,879.00  
CONTINGENCIES 1,390.00  
\$ 15,269.00

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
JUN 4 1976  
80935  
NO. 2  
BETTE F. MCCART  
REGISTER OF DEEDS

EASEMENT FOR DRAINAGE CHANNEL

*Pat Rutchman*

THIS INDENTURE made the 1st day of May, 1976,  
by and between Thomas G. Williamson and Ronella J. Williamson, hereinafter  
called First Party, and Sedgwick County, Kansas, and the Eagles Lodge,  
Fraternal Order #132, Parties of the Second Part.

WITNESSETH: That the First Party in consideration of the payment  
of One Dollar (\$1.00) and other valuable considerations, does by these  
presents grant unto Second Parties, their successors and assigns, a right-  
of-way and easement for the construction, operation, maintenance, repair,  
inspection and replacement of a water drainage channel for drainage purposes  
only over and across the following-described real estate situated in the  
Southwest Quarter (SW/4) of Section 4, Township 26 South, Range 1 East of  
the Sixth (6th) Principal Meridian, Sedgwick County, Kansas, to-wit:

TRACT I

Beginning at the SW corner of said SW/4; thence  
North 95 feet; thence East parallel with the South  
line of said SW/4 a distance of 255 feet to a point;  
thence Northeasterly a distance of 85 feet, more or  
less, to a point, which point is 153 feet North and  
319 feet East of the said SW corner; thence Northerly  
parallel to the West line of FOE Park a distance of  
155 feet; thence Easterly on a South line of FOE  
Park a distance of 82 feet to a point on the South  
perimeter of said FOE Park; thence Southerly on a  
West line of said FOE Park a distance of 308 feet,  
more or less, to a point on the South line of the  
said SW/4; thence Westerly on said South line a  
distance of 401 feet, more or less, to the point of  
beginning, except existing road right-of-way, con-  
taining 0.95 acres, more or less, all in the SW/4,  
Section 4, 26S, 1E, of the 6th P.M., Sedgwick County,  
Kansas.

TRACT II

Beginning at a point on the North line of FOE Park  
250 feet East of the NW corner of said FOE Park,  
thence Northerly at right angle a distance of 130  
feet; thence Easterly at right angle a distance of  
100 feet; thence Southerly at right angle a distance  
of 130 feet to a point on the North line of said  
FOE Park; thence Westerly along said North line of  
FOE Park a distance of 100 feet to the point of  
beginning, containing 0.30 acres, more or less, all  
in the SW/4, Section 4, 26S, 1E, of the 6th P.M.,  
Sedgwick County, Kansas.

4.00

730-N Mamine Rutchman  
Consolidated Realty, Inc.  
2311 G. Condon 67204

together with the rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted.

The First Party retains the right to the full use and enjoyment of said property subject to the rights herein conveyed unto Second Parties, their successors and assigns.

IN WITNESS WHEREOF, the First Party has executed this instrument the day and year first above written.

*Thomas G. Williamson*  
Thomas G. Williamson

*Ronella J. Williamson*  
Ronella J. Williamson

STATE OF KANSAS )  
COUNTY OF *Sedgwick* ) ss.

BE IT REMEMBERED, that on this *28th* day of *May*, 1976, before me the undersigned, a Notary Public in and for the county and state aforesaid, came *Thomas G. Williamson and Ronella J. Williamson*, who is (are) personally known to me to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

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

BETTY J. MARLMAN  
STATE NOTARY PUBLIC  
SEDGWICK COUNTY, KANSAS  
MY COMM. EXP. JULY 16, 1978

*Betty J. Marلمان*  
Notary Public

My Commission Expires:

June 4, 1976

M. S. Mitchell, Assistant Superintendent  
Public Works-Maintenance  
Curtis L. Newby, Junior Planner

Drainage easement and plan for S/D 75-49, F.O.E. Park Addition.

We have received a copy of a drainage easement together with a cover letter from the County Engineer/Director of Public Works, explaining that the easement conforms to the requirements for the drainage of the area. Max Greene of your office has also advised that your office has also received copies of the letter and easement. We were told by the County Director of Public Works that the aforementioned easement when recorded satisfies all of the drainage requirements associated with the F.O.E. Park plat and he asked that we place the plat on the June 10, 1976 Planning Commission agenda for consideration of approval.

We would appreciate any comments you may have concerning the drainage prior to the June 10 Planning Commission meeting and we also would ask that you be present at this meeting when the plat is considered if you have any concerns or do not agree with the drainage plans as submitted.

Max Greene has also indicated that in addition to the easement being submitted, the following still needs to be accomplished:

- 1) The lot grading plan needs to be revised to be compatible with the final accepted drainage plan.
- 2) The drainage easement agreed to on the final plan needs to be indicated on the final plat of F.O.E. Park.
- 3) The cross sections on the drainage plan need to be revised to correspond with the final agreed to channel design.
- 4) Copies of the recorded easement for the drainage need to be furnished for the files and records.

We would appreciate your advising us when these 4 items have been taken care of, and if you have any questions concerning this matter, please call.

Curtis L. Newby  
Junior Planner

CLN:rme

cc: George Wilton, Superintendent, Public Works-Maintenance  
Ray Bruggeman, Director of Public Works



March 15, 1976

Mr. G. C. McLure  
Director, Public Works Dept.  
Sedgwick County  
1015 Stillwell  
Wichita, Kansas 67213

Subject: F.O.E. Park Addn. - SD 75-49

Dear Mr. McLure:

On March 9th we received a copy of a letter from DFS to you requesting completion of our review of information furnished with a letter from Steve Ramsey of February 23. I have reviewed Mr. Ramsey's computations for runoff and storage contributing to a small storm water holding pond proposed for the northwest portion of subject plat. All of our computations were for the 100-year storm. The Hydrograph Computation and inflow-outflow curves were checked and it appears that the pond can store runoff in excess of the capacity of the 24 inch discharge pipe without exceeding the design pond's elevation of 1342.8.

The other portion of the drainage plan which we were asked to review, features a leveed channel along the west portion of the plat in the area north of the place where the property line jogs to the west. Again we made runoff estimates for the 100-year frequency storm using the rational formula and find that this runoff can be carried in the 28 ft. bottom channel at an approximate depth of 3 ft. Our disagreement with the Typical Drainage Channel section proposed is that it would require an embankment on either side of the channel to contain the flow and that there is no level access way provided within the section. We recommend that the channel be set below ground using an approximate 0.3% gradient from the upstream end of the culvert at 69th and Broadway which we estimate would provide approximately 3 ft. of depth across subject plat. The side slopes should be flattened from 3:1 to 4:1 for better maintenance and the right-of-way required should be 82 to 85 ft. If the above recommendation is approved, either the slopes of the sewage and storm water lagoons will have to be moved eastward or additional right-of-way provided from the land west of F.O.E. Park. We call to your attention the fact that subject plat reduces the distance from its west line to the right-of-way line along U.S. 81 to approximately 130 ft. It may not be in the best interest of U.S. 81 frontage tracts to reduce that distance further.

We also recommend that the design channel be constructed from the upstream end of 69th Street culvert at least to the north line of the plat.

G. C. McLure

-2-

March 15, 1976

If it is not practical to initiate construction at this time then some form of guarantee should be provided and the necessary rights-of-way and easements acquired. Failure to acquire the rights-of-way and construct the design channel may further complicate the drainage problems which have blighted this area. If further information or discussion is desired, please advise.

Yours truly,

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: G. H. Wilton  
Jack Galbraith ✓  
Wilmer Freund  
F.O.E. Park Addn. Plat File  
Tally Ho Acres Addn. Plat File



DELAMATER, FREUND & SCHERER, P.A.

ENGINEERS & ARCHITECTS

(316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

N. S. DELAMATER, P. E.  
WILMER FREUND, P. E.  
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAR, P. E.  
ROBERT L. REICHS, P. E.  
RONALD L. MADLEY, ARCHITECT

March 9, 1976

Mr. Grover C. McLure, Jr., P.E.  
Director of Public Works  
1015 Stillwell  
Wichita, Kansas 67213

Re: Drainage Plans for FOE Park  
S/D 75-49

Dear Mr. McLure:

On February 23, 1976, you were furnished the proposed drainage plan and design calculations for the above referenced subdivision. The same was also furnished to Mr. M.S. Mitchell of the Sedgwick County Flood Control Office. These were for your review and comments in order that we could develop a suitable drainage plan which you and Mr. Mitchell will approve.

Both you and Mr. Mitchell have previously agreed to the plan and concept of the holding pond with a maximum discharge of 20 c.f.s. for a 25 year frequency. The drainage plan could not be finalized until the exact dimensions of the sewage lagoon were known.

All other matters related to the plat have been resolved or approved by the agencies involved. We are anxiously awaiting your comments in order to finalize the plat and submit it to the Planning Commission. By copy of this letter we are also requesting Mr. Mitchell to furnish whatever comments he may have. We will appreciate your early response.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.

Wilmer Freund, P.E.

WF/sh

cc: Mr. J.D. Schneider  
Ms. Maurine Rutschman  
Mr. M.S. Mitchell  
Mr. Curtis Newby ✓

bcc

230-N



THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF ENVIRONMENTAL HEALTH

DATE February 17, 1976

TO Curtis Newby, Junior Planner

FROM Steve Innes, Environmental Health Engineer

SUBJECT F.O.E. Park

Review of preliminary design plans and specifications for sewerage for this plat has been made by this office. The waste stabilization pond system as specified in the plans and water wells are approved for this property.

*Steve Innes*

Steve Innes  
Environmental Health Engineer

SI/gt

cc Steve Ramsey  
Delameter, Freund & Scherer, P. A.



November 21, 1975

Delamater, Freund & Scherer  
512 Century Plaza Building  
Wichita, Kansas 67202

Re: S/D 75-49 - Revised final plat  
of F.O.E. PARK.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 20, 1975, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Subject plat shall not be forwarded to the M.A.P.C. until the drainage for subject property and adjacent area has been satisfactorily resolved with the Maintenance-Flood Control Office and the County Engineering Department. #
- B. The applicant shall obtain a letter from the Environmental Health Division stating that a waste stabilization pond sewage facility, meeting State requirements has been approved for subject property.
- C. The applicants shall guarantee that they, their heirs and/or assigns will participate in a future drainage benefit district to be established in the area.
- D. A 10 foot utility easement shall be indicated adjacent to the east 10 feet of the plat.
- E. The applicant and/or his engineer shall work with Robert Blevins of Kansas Gas & Electric and M. S. Mitchell of the Maintenance-Flood Control Office relative to providing additional utility easements on the plat.
- F. The applicant shall supply topographical data for this plat to M. S. Mitchell of the Maintenance-Flood Control Office.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

S/D 75-49  
November 21, 1975  
Page 2

Relative to the comments and conditions involving drainage, the applicant and his engineer shall be advised that a method must be worked out for handling of the drainage coming through the site and a drainage plan for the general area agreed to and approved by the County Engineer and the Flood Control Office. This may also involve appropriate guarantees such as petitions, etc., as part of a drainage improvement district or other means of accomplishing said drainage improvements.

The enclosed "marked" copy of the final plat is for your information and files.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rne  
Encl.

cc: T. G. Williamson, et. al., 7200 N. Broadway, 67219  
James McKinney, 802 East 69th Street North, 67219  
John T. Conlee, Attorney, 125 N. Market, 67202  
Dean Sellers, Assistant City Engineer

REVISED FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 75-49 Name F.O.E. PARK  
Date Application Rec'd. 6-9-75 Preliminary Approval N/A  
Scheduled S/D Meeting 11-20-75

DESCRIPTION

General Location North side of 69th Street North in an area east of  
Broadway.  
Owner T. G. Williamson, et. al.  
Surveyor/Engineer Delamater, Freund & Scherer  
Address 512 Century Plaza Building Phone 262-8293

- |   |                                 |
|---|---------------------------------|
| 1. Gross Acreage of Plat <u>2</u>                                     | 7. Lineal Feet of New Streets:  |
| 2. Number of Lots:  | a. <u>20</u> R/W <u>250</u> ft. |
| Residential _____   | b. _____ R/W _____ ft.          |
| Commercial _____  | c. _____ R/W _____ ft.          |
| Industrial _____  | d. _____ R/W _____ ft.          |
| Other <u>1</u>  | e. _____ R/W _____ ft.          |
| Total Number of Lots <u>1</u>   | TOTAL <u>250</u> ft.            |
| 3. Minimum Lot Frontage <u>250</u> ft.                                | 8. Sidewalk adjacent to all     |
| 4. Minimum Lot Area <u>74,620</u> sq. ft.                             | streets? <u>yes</u> <u>X</u> no |
| 5. Existing Zoning <u>R</u>   |                                 |
| 6. Proposed Zoning <u>R</u>   |                                 |
| 9. Public Water Supply <u>No</u> (Yes-No), Name _____                 |                                 |
| 10. Public Sanitary Sewers <u>No</u> (Yes-No), Name _____             |                                 |
| 11. Health Department Approval (where applicable) <u>Yes</u> (Yes-No) |                                 |
| 12. City of Wichita <u>Three-Mile Area</u> <u>X</u>                   |                                 |

STAFF COMMENTS:

- A. It shall be noted that the associated conditional use case CU-179 (request to permit a nonprofit institutional lodge) has been approved by the Board of County Commissioners subject to platting.
- B. Subject plat shall not be forwarded to the M.A.P.C. until the drainage for subject property has been satisfactorily resolved with the Maintenance-Flood Control Office and the County Engineering Department.
- C. The applicant shall obtain a letter from the Environmental Health Division stating that a waste stabilization pond sewage facility, meeting State requirements has been approved for subject property.
- D. The applicants shall guarantee that they, their heirs and/or assigns will participate in a future drainage benefit district to be established in the area.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

MAPD

SCCD-Cons-5 (6/7)

RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

MAILED TO:

Property Name F. O. E. Park

Wilmur Freund  
Name -

Location N. side of 69th St. N. in an area  
East of Broadway Sec. 9-26-1E

Delamater, Freund, &  
Firm Scherer

Date 6/19/75

Prepared by Larry L. Henry, District Conservationist,  
USDA-Soil Conservation Service,  
4100 Maple, Wichita, Kansas 67209  
Phone: 943 9471

Phone -- Date  
111 8/12  
119 12  
102 12  
104 12  
103 12

Requested by: Wichita-Sedgwick County Metropolitan  
Area Planning Commission

\*\*\*\*\*

A. SOIL TYPE: Parum loam, 3 to 6% slopes.

B. SITUATION: The area has a severe slope thus causing a water erosion  
problem. This will need to be corrected.

Conservation Starts When Construction Starts. A Ground Plan Outdoors Is As  
Important As A Floor Plan Inside.

C. EROSION CONTROL RECOMMENDATIONS: (The recommendations which apply to the above  
named property will be indicated by a checkmark.)

- 1. Disturb only the area needed for construction.
- 2. Remove only those trees, shrubs, and grasses that must be removed for construction; protect the rest to preserve their esthetic and erosion-control values.
- 3. Stockpile topsoil and protect it with anchored straw mulch or jute mat material.
- 4. Disturbing as small an area as possible, install streets, curbs, water mains, electric and telephone cables, storm drains, and sewers in advance of home or other building construction.
- 5. Install erosion and sediment control practices according to the Sedgwick County Conservation District standards and specifications.
- 6. Temporarily stabilize each segment of graded or otherwise disturbed land, including the sediment-control devices not otherwise stabilized, by seeding and mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District standards and specifications.

\* CONTINUED \*

The following are adapted perennial grasses and should be seeded at the following rates:

STANDARD RATES:

Native bluestem mix, 3 pounds per 1,000 square feet  
Tall fescue, 3 pounds per 1,000 square feet  
Brome grass, 3 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Apply nitrogen fertilizer at the rates listed below or have the soil tested and apply fertilizer accordingly.

STANDARD RATES:

Tall fescue, 2 pounds per 1,000 square feet  
Brome grass, 2 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Adapted perennial grasses for sodding are fescue, zoysia, and bluegrass.

7. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is used for foundation backfill or until the lot is ready for final grading and permanent vegetation.
8. Stabilize each lot within 60 days after work starts on home or other building construction.
- X 9. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
10. Discharge water from outlet structures at nonerosive velocities.
- X 11. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316 943 9471.
12. Divert foreign runoff water around area during construction.
- X 13. Remove all debris such as tree stumps, scrap lumber, mortar or concrete, and rocks. Do not bury them; wood will eventually rot and cause settling; rocks, mortar and concrete can cause real difficulties in lawn maintenance and later construction.
14. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Distribution: Original to Developer and/or Owner  
Copy to Metropolitan Area Planning Department Staff  
File Copy: Sedgwick County Conservation District



**DELAMATER, FREUND & SCHERER, P.A.**

ENGINEERS & ARCHITECTS

(316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. B. DELAMATER, P. E.  
WILMER FREUND, P. E.  
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAR, P. E.  
NORMAN L. ROELFS, P. E.  
RONALD L. HADLEY, ARCHITECT

November 10, 1975

Mr. Robert A. Lakin, Director  
Metropolitan Planning Department  
Fourth Floor, City Building Annex  
104 South Main  
Wichita, Kansas 67202

*Edie - more  
card up for Nov-20  
S/O meeting.*

*S/D 75-49*

*card n*

Attn: Mr. Jack Galbraith, Chief Planner

Dear Mr. Galbraith:

We are transmitting herewith twenty-nine (29) prints of F.O.E. Park, final plat showing all the requirements of the associated Application for Conditional Use Permit on the property north of 69th Street North and east of Broadway.

We believe the plat now conforms with all requirements which were brought out at the various hearings on the subject matter. We are in the process of working the drainage problem with Grover McLure, County Engineer, and hope to have a solution to that problem in the very near future. You will recall that we suggested three methods of solving that problem and it was suggested by the Subdivision Committee member representing the County that a drainage district be formed to concern itself with the drainage problem at the intersection of 69th Street North and old U.S. 81 Highway.

Should any member of the Subdivision Committee have any other questions regarding the subject plat, please ask them to contact us prior to the Subdivision Committee meeting in order that we may have an opportunity to work with them on the problem or study the matter prior to the Subdivision Committee meeting.

Mr. Robert A. Lakin, Director  
Metropolitan Planning Department  
Attn: Mr. Jack Galbraith  
November 10, 1975  
Page Two

It is extremely important that this plat be processed as expeditiously as possible without any further delay since time is of the essence for the Fraternal Order of the Eagles and much time has been lost in the process of gaining the Conditional Use Permit. We would appreciate your placing this matter on the Subdivision Commission Agenda for Thursday, November 20, 1975.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.



Wilmer Freund, P.E.

WF/bjm

cc: Mr. J.D. Schneider  
Mrs. Maurine Rutschman  
Mr. Mike Jones

230-N

June 23, 1975

Delamater, Fraund & Scherer  
512 Century Plaza Building  
Wichita, Kansas 67202

Re: S/D 75-49 - Final plat of  
F.O.E. PARK.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 19, 1975, the above captioned plat was considered. The action of the Committee was to recommend that this plat be deferred until after the associated conditional use request is considered by the Valley Center Planning Commission. Additional comments from the Committee are as follows:

- A. Approval of this plat is subject to approval of the associated conditional use case CU-179 request to permit a nonprofit institutional lodge.
- B. A 35 foot building setback shall be indicated from 69th Street North.
- C. "Access control except for one opening" shall be labeled adjacent to 69th Street North with the appropriate wording in the plat's text.
- D. A 10 foot utility easement shall be indicated adjacent to the north and west lines of the plat.
- E. The applicants shall guarantee that they, their heirs and/or assigns will participate in a future drainage benefit district to be established in the area.
- F. Due to the unacceptable percolation rate on subject property a waste stabilization sewage treatment system meeting State Health Regulations and involving 5 or more acres will have to be utilized if subject property is to be developed.

S/D 75-49  
June 23, 1975  
Page 2

G. The expanded revised final plat shall be submitted to the Subdivision Committee for consideration together with an overall sketch plan of the balance of the owners property showing how this subdivision and the previous one at the intersection of Broadway and 69th Street North will relate to the future subdividing of the balance of his ownership. It is recognized that the contract purchaser of subject plat cannot speak for the property owner regarding this matter of future subdivisions but rather the property owner should advise the contract purchasers engineer of his intent regarding the balance of his property so that a sketch plan can be drawn up and submitted.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rne

cc: T. G. Williamson, et. al., 7200 N. Broadway, 67219  
James McKinney, 802 East 69th Street North, 67219  
John T. Conlee, Attorney, 125 N. Market, 67202  
Dean Sellers, Assistant City Engineer

2-24-12-1

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF ENVIRONMENTAL HEALTH  
Air Quality Control

DATE June 16, 1975

TO Curtis Newby, Junior Planner

FROM Steve Innes, Environmental Health Engineer

SUBJECT F.O.E. Park

Results of soil percolation tests conducted by Engineering Testing Company on the NE corner of 69th North and Broadway were unsatisfactory with a rate greater than 250 minutes per inch.

Therefore, soil absorption systems for sewage disposal are not approved for this property. A waste stabilization pond, which is the usual choice of systems in tight soil, requires a property size of at least five acres. Please contact the Environmental Health Division regarding this or other alternatives.

*Steve Innes*

Steve Innes  
Environmental Health Engineer

SI/gt

cc Kenneth Pruitt, Contr.  
800 West 55th North  
Wichita, Kansas 67204

Orval W. Daniels, PE  
Engineering Testing Company  
P. O. Box 2391  
Wichita, Kansas 67201

Norman Rolfes  
Dileameter, Freund and Scherer  
512 Century Plaza Building  
Wichita, Kansas 67202

Don Yelton  
Assistant County Engineer  
1015 Stillwell  
Wichita, Kansas





**DELAMATER, FREUND & SCHERER, P. A.**

ENGINEERS & ARCHITECTS

(316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. B. DELAMATER, P. E.  
WILMER FREUND, P. E.  
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAR, P. E.  
NORMAN L. ROELFS, P. E.  
RONALD L. HADLEY, ARCHITECT

June 10, 1975

Mr. Robert A. Lakin, Director  
Metropolitan Area Planning Department  
City Building Annex, 4th Floor  
104 S. Main  
Wichita, Kansas 67202

Attn: Mr. John Richter, Planning Analyst

Dear Mr. Richter:

We have this date submitted to you 29 prints of F.O.E. Park, along with the Application for Subdivision Approval and the \$50 filing fee.

We expect to have the drainage details worked out to the satisfaction of the County Engineer, as heretofore discussed, and it is our understanding that the Health Department is working on the lateral field design as the result of percolation tests which we have run and submitted to them.

Our architect is presently reviewing the plans for the construction of the proposed building which the Eagles plan to construct if the necessary requirements are met and we will be in touch with you on that matter at a later date.

Should any of the Subdivision Committee members have any question relative to development or progress on working out the details of the plat, please ask them to feel free to contact us. We would appreciate the opportunity of reviewing any problems with them prior to the Subdivision Committee Meeting.

We understand that this matter will be placed on the Subdivision Committee Agenda for Thursday, June 19th, and should go before the Planning Commission on Thursday, June 26, 1975. We will appreciate your attention on this matter.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.

Wilmer Freund, P.E.

WF/psb  
Enclosure

cc: J. D. Schneider, Chairman  
Board of Trustees  
Fraternal Order of the Eagles

Michael Jones, Attorney at Law

Maurine Rutschman, Consolidated Realty, Inc.

230-N

Grover McLure, Jr., P.E.  
Director of Public Works/County Engineer



FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 75-49 Name F.O.E. PARK  
Date Application Rec'd. 6-9-75 Preliminary Approval N/A  
Scheduled S/D Meeting 6-19-75

DESCRIPTION

General Location North side of 69th Street North in an area east of Broadway.  
Owner Fraternal Order of Eagles  
Surveyor/Engineer Delamater, Freund & Scherer  
Address 512 Century Plaza Phone 262-8293

1. Gross Acreage of Plat 2
2. Number of Lots:
  - Residential \_\_\_\_\_
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other 1
  - Total Number of Lots 1
3. Minimum Lot Frontage 250 ft.
4. Minimum Lot Area 74,620 sq. ft.
5. Existing Zoning R
6. Proposed Zoning R
7. Lineal Feet of New Streets:
  - a. 20 R/W 250 ft.
  - b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL 250 ft.
8. Sidewalk adjacent to all streets? yes  no
9. Public Water Supply No (Yes-No), Name \_\_\_\_\_
10. Public Sanitary Sewers No (Yes-No), Name \_\_\_\_\_
11. Health Department Approval (where applicable) Yes (Yes-No)
12. City of Wichita \_\_\_\_\_: Three-Mile Area X

STAFF COMMENTS:

- A. Approval of this plat is subject to approval of the associated conditional use case CU-179 request to permit a nonprofit institutional lodge.
- B. A 35 foot building setback shall be indicated from 69th Street North.
- C. "Access control except for one opening" shall be labeled adjacent to 69th Street North with the appropriate wording in the plat's text.
- D. The applicant shall contact the Wichita-Sedgwick County Environmental Health Department relative to obtaining approval of the use of an individual private water system on subject property. A letter shall be obtained from said Department setting forth approval of such systems which shall be submitted to the Planning Department.
- E. It should be pointed out that subject lot contains approximately 73,000 sq. ft. which does not meet the minimum two acre requirement in the "R" Rural Residential District.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

NOTE: This plat has been submitted in final form only, as provided for in Article 4, Part 5, of the MAPC Subdivision Regulations. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

Map No.: 5356  
Section No.: 4  
Twp. No.: 26  
Range: 1E

P/D No. 75-49

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: F.O.E. PARK

General Location: 500' east of Broadway on north side of 69th Street North

Name of Property Owner: T. G. Williamson 7200 N. Broadway 19 744-1032  
Fraternal Order of Eagles (Contract Purchaser)

Address: J. D. Schneider (Lakeview Elect) Phone: 262-7485

Name of Subdivider: Same

Address: \_\_\_\_\_ Phone: 262-7485

Name of Agent/Surveyor: Delamater, Freund & Scherer, P.A.

Address: 512 Century Plaza Phone: 262-8293

Date of Application: June

\* 30' exist - 20' new

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2 acres
2. Number of Lots:
  - Residential \_\_\_\_\_
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other 1
  - Total Number of Lots 1
3. Minimum Lot Frontage 250 ft.
4. Minimum Lot Area 74,620 sq. ft.
5. Existing Zoning R
6. Proposed Zoning R (Application for C.U. Permit)
7. Lineal Feet of New Streets:
  - a. 20\* R/W 250 ft.
  - b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL \_\_\_\_\_ ft.
8. Sidewalk adjacent to streets? yes  no
9. Public Water Supply No (Yes-No), Name \_\_\_\_\_
10. Public Sanitary Sewers No (Yes-No), Name \_\_\_\_\_
11. Health Department Approval (where applicable) Yes  No
12. City of Wichita Three-Mile Area Yes

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: John Chrusick Chairman of Board of Municipal Ward trustee

Blake Hardison

Daniel Burger

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, Room 402, City Building  
Annex, 104 South Main Street, Wichita, Kansas

Received by Wichita  
Date 6/5/75  
Fee Submitted \$50

T9-301B  
(2-71)

230-N

Form 223-1

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FLOOR**

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

\$50

DESCRIPTION	AMOUNT
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*F.O.F. Park*

Name: *J.D. Schneider*

Address: *620 N. G. Road*

Type: *AA 407107* Due Date: \_\_\_\_\_

Comments: \_\_\_\_\_

Date: *6/2/75* By: *J.R.*