



Wichita-Sedgwick County Metropolitan Area Planning Department

August 15, 2023

DIDCOT, L.C.
Attn: Chad Ohl
9400 East 34th Street North
Wichita, KS 67226

MKEC Engineering, Inc.
Attn: Joey Deneke
411 North Webb Rd.
Wichita, KS 67206

Ref: VAC2023-00023: Request in the City to Vacate a Portion of a Platted Drainage and Utility Easement and a Waterline Easement by Separate Instrument, Located at 9400 East 34th Street North.

Dear applicants,

At the Tuesday, August 15, 2023, meeting of the Wichita City Council the above-referenced vacation request was **approved.**

Please contact our office at 316-268-4421 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Current Plans
Division Manger



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

July 14, 2023

MKEC Engineering, Inc.
Attn: Joey Deneke
411 N. Webb Rd
Wichita, KS 67206

Ref: VAC2023-00023: Request in the City to vacate a portion of a platted utility easement and a waterline easement dedicated by separate instrument for building expansion; generally located north of East 34th Street North and approximately 700 feet west of North Webb Road (9400 E. 34th St. N).

Joey,

At the **Thursday, July 13, 2023**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was **approved** subject to the following conditions:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described drainage and utility easement and waterline easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) Per the approval of Public Works, vacate the portions of platted 40-foot utility easement located on and across the east 65 feet of Lot 7 and all of Lots 8-10 inclusive, Comotara Industrial Park 5th Addition, Wichita, Sedgwick County, Kansas.
- (5) Per the approval of Public Works, vacate the 15-foot waterline easement by separate instrument, recorded in 2012 on Doc #/FLM-PG: 29266452.

VAC2023-00023: Request in the City to vacate a portion of a platted utility easement and a waterline easement dedicated by separate instrument for building expansion; generally located north of East 34th Street North and approximately 700 feet west of North Webb Road (9400 E. 34th St. N).

July 14, 2023

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- (6) Provide Planning with a legal description of the vacated platted drainage and utility easement and waterline easement by separate instrument on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.
- (7) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **July 27, 2023**, (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,



Philip Zevenbergen
Current Plans Division Manager

PZ:kw

cc: DDCOT LC, Chad Ohi, 9400 East 34th Street North, Wichita KS 67226



**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED DRAINAGE AND UTILITY EASEMENT)
AND A WATERLINE EASEMENT DEDICATED BY)
SEPARATE INSTRUMENT)**

**GENERALLY LOCATED ON THE NORTH SIDE OF)
EAST 34TH STREET NORTH, WITHIN ONE-QUARTER)
MILE WEST OF NORTH WEBB ROAD.)**

VAC2023-00023

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 15th day of August 2023, comes on for hearing the petition for vacation filed by DIDCOT, L.C. (owner), praying for the vacation of the described portion of a platted drainage and utility easement and waterline easement dedicated by separate instrument, to wit:

Portion of Platted Drainage and Utility Easement

The south 15 feet of the north 40 feet of a platted Drainage and Utility Easement lying in Lots 7, 8, 9, and 10, Comotara Industrial Park Fifth Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT the west 150 feet of said Lot 7.

Waterline Easement by Separate Instrument Recorded on Doc.#/Flm-Pg: 29266452

A 15' Waterline Easement described as follows:

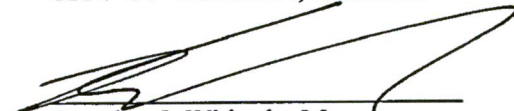
COMMENCING at the Southeast corner of Lot 8, Comotara Industrial Park Fifth Addition, an addition to Wichita, Sedgwick County, Kansas; Thence Bearing S89°07'32"W, along the south line of said Lot 8, a distance of 87.75 feet to the POINT OF BEGINNING; Thence continuing Bearing S89°07'32"W, along said south line, a distance of 15.00 feet; Thence Bearing N00°56'53"W, a distance of 313.79 feet; Thence Bearing N89°03'07"E, a distance of 15.00 feet; Thence Bearing S00°56'53"E, a distance of 177.89 feet; Thence Bearing N89°03'07"E, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 15.00 feet; Thence Bearing S89°03'07"W, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 120.92 feet to the POINT OF BEGINNING. (Said 15' Waterline Easement containing 0.126 acres, more or less.)

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on June 22, 2023, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of a platted drainage and utility easement and waterline easement dedicated by separate instrument, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. A new waterline easement shall be dedicated by separate instrument and recorded with the Sedgwick County Register of Deeds along with this Vacation Order.
5. The vacation of the described portion of a platted drainage and utility easement and waterline easement dedicated by separate instrument should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of August 2023, ordered that the described portion of a platted drainage and utility easement and waterline easement dedicated by separate instrument, is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS



Brandon J. Whipple, Mayor


ATTEST:



Jamie Buster, City Clerk



Approved as to Form:



Jennifer Magana, City Attorney and Director of Law

WATERLINE EASEMENT

THIS EASEMENT made this _____ day of _____, 20 _____,

by and between DIDCOT, L.C., a limited company
organized under the laws of the State of Kansas
(Property Owner(s) and/or Company)

Grantor and the City of Wichita, Kansas, a municipal corporation, Grantee.


WITNESSETH: That the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the Grantee a perpetual easement for the purpose of constructing, operating, maintaining, and repairing waterline facilities, and any appurtenances thereto, over, along and under the following described real estate situated in Sedgwick, County, Kansas to wit:

'Exhibit A'

And said Grantee is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such waterline facility, and any appurtenances thereto.

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

DIDCOT, L.C.,
a limited company organized under
the laws of the State of Kansas

By: 
Name: Chad Ohl
Title: Vice President of Operations

State of Kansas
County of Sedgwick } ss.

This instrument was acknowledged before me on May 17th, 2023
by Chad Ohl
as Vice President of Operations of DIDCOT, L.C., a limited company organized under
the laws of the State of Kansas

(seal)



Julia A. Gile
Notary Public
My Commission expires: 01/29/2027

Reviewed and approved by the City Engineer:



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	435823	Print Legal Ad-IPL01281040 - IPL0128104		\$167.79	2	100 L

Attention: MANDY HEBERT
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

kgonzalez@wichita.gov

LEGAL PUBLICATION

OCA 180004
 Published in The Wichita Eagle on June 22, 2023
 (One Time Only)
 MAPC/BZA July 13, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, July 13, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board-Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2023-00026: Conditional Use request in the City to allow multi-family density on property zoned TF-3 Two-Family; generally located west of N Erie Street and 68 feet north of E 3rd Street N (405 N Erie St).

CUP2023-00020: CUP Amendment in the City to CUP DP-155 to allow Vehicle and Equipment Sales for car rentals; generally located on the east side of North Woodlawn, within one-quarter mile south of East 37th Street North (550 North Woodlawn).

VAC2023-00023: Request in the City to vacate a portion of a platted utility easement and a waterline easement dedicated by separate instrument for building expansion; generally located north of East 34th Street North and approximately 700 feet west of North Webb Road (9400 E. 34th St.).

VAC2023-00024: Vacation request in the City to vacate a portion of an unused, platted utility easement; generally located south of W 37th Street N and 518 ft. west of North Ridge Road (Lot 7, Block A, Hoskinson 2nd Addition).

ZON2023-00036: Zone change in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential and LC Limited Commercial; generally located at the southeast corner of East Pawnee Road and South 127th Street East.

ZON2023-00037: Zone change request in the City from LC Limited Commercial and GC General Commercial to CBD Central Business District for redevelopment in a manner like nearby properties; located on the south side of W. Douglas and on the west side of S. Handley (905 W Douglas, 115, 118, 121 S Handley).

ZON2023-00038: Zone change request in the City from LC Limited Commercial and SF-5 Single-Family Residential to MF-18 Multi-Family Residential (17.7 acres) and TF-3 Two-Family Residential (61.6 acres); generally located on the east side of South Webb Road, within one-half mile south of East Pawnee Road.

ZON2023-00039: Zone change request in the City from NO Neighborhood Office and LC Limited Commercial to GC General Commercial to increase buildable area; generally located on the east side of North Broadway within one-quarter mile south of East 13th Street North (1150 North Broadway).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):

1) Participate virtually

2) Attend in-person at the Ronald Reagan Building

3) Submit comments ahead of time

Participate Virtually

Join Zoom Meeting

<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySEBnfjQ0TFV0xP-VjZkUj09>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile

+1689900633,4089866967#...094136# US (San Jose)

+17193594580,4089866967#...094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/4089866967>

Attend in-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email: Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.856.7764

WITNESS MY HAND on June 22, 2023

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0128104

Jun 22 2023

In The STATE OF KANSAS
 In and for the County of Sedgwick

1 insertion(s) published on:

06/22/23

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 06/22/2023 to 06/22/2023.

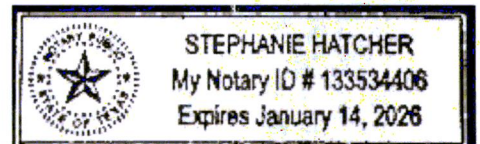
M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 06/22/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

STAFF REPORT

CASE NUMBER: VAC2023-00023 - Request to vacate a portion of a platted drainage and utility easement and vacate a waterline easement by separate instrument.

OWNER/APPLICANT: DIDCOT, L.C. (applicant), MKEC Engineering, Inc. (agent)

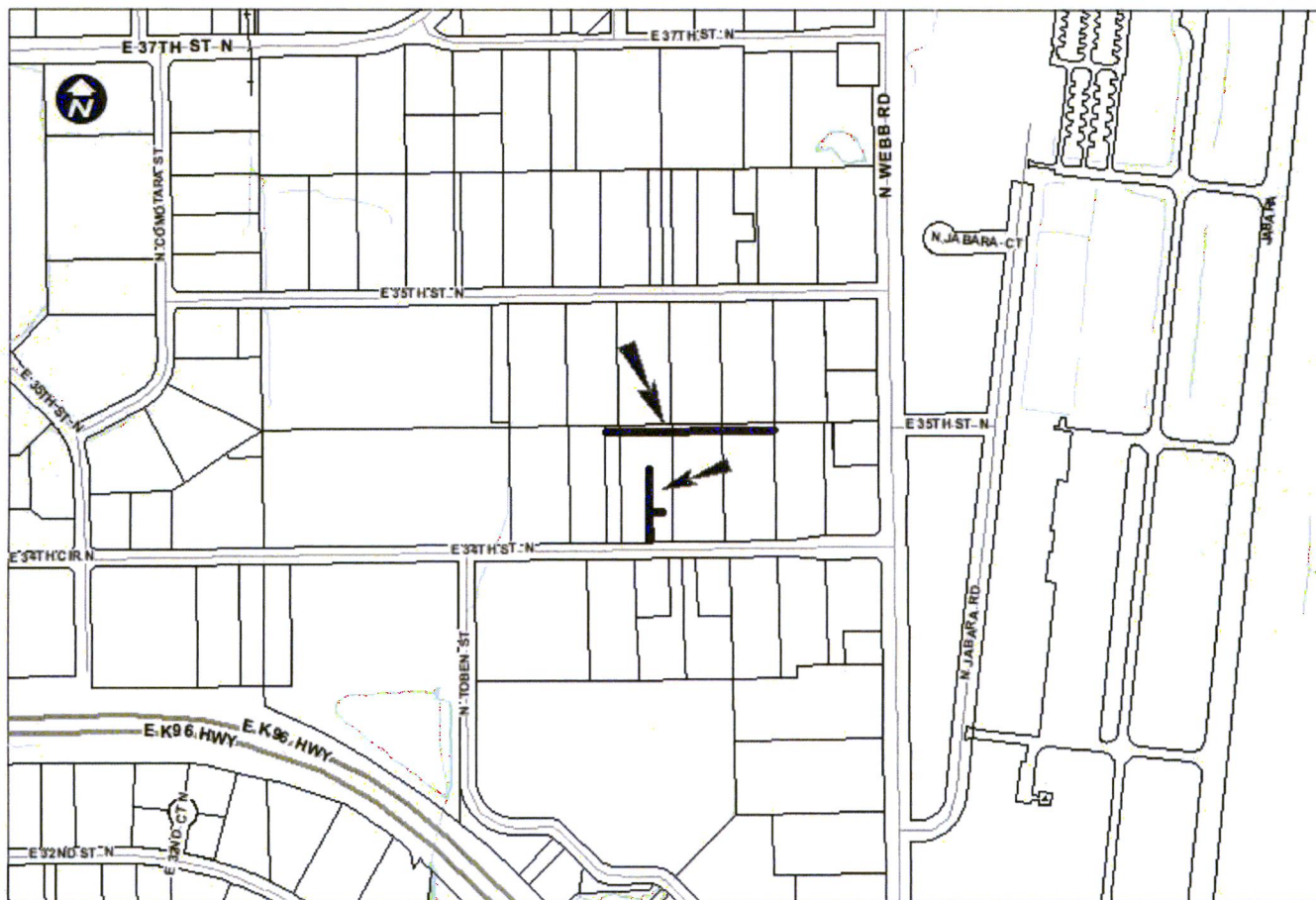
LEGAL DESCRIPTION: See Attached.

LOCATION: Generally located within a quarter mile west of North Webb Road and within a quarter mile south of East 37th Street North (9400 East 34th Street North). (WCC II)

REASON FOR REQUEST: To permit a building expansion.

CURRENT ZONING: The site and all abutting properties are zoned LI Limited Industrial District.

VICINITY MAP:



VAC2023-00023 - Request to vacate a portion of a platted drainage and utility easement, and a waterline easement by separate instrument.

July 13, 2023

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The applicant proposes to vacate the following on the subject site:

1. The south 15 feet of the 40-foot platted drainage and utility easement abutting the north property line; and
2. A 15-foot waterline easement dedicated by separate instrument, recorded in 2012 of Doc #/FLM-PG: 29266452.

The subject site is platted as the east 65 feet of Lot 7 and all of Lots 8- 10 inclusive, Comotara Industrial Park 5th Addition, see legal description and exhibits. If approved, the vacation will allow the owners construct building additions onto the southwest corner and along the rear of the existing structure.

The 15-foot section of the platted drainage and utility easement has a private eight-inch water line and a private storm sewer line. There are no public utilities in this portion of the easement. There is sanitary sewer within the easement but outside of the vacation area.

The 15-foot waterline easement has public water main. The applicant proposed dedicating different easement by separate instrument which shares the boundary of the existing easement on the south side but deviates to the west as it approaches the building. The applicant intends to relocate the existing watermain to the new easement location. The entire existing water main will be covered by the proposed new easement dedication.

Wichita Public Works and Utilities Department Supports the vacation. Evergy does not object to the vacation of these requests. They have equipment near the portion of the drainage and utility easement requesting to be vacated. If any existing Evergy equipment or lines are in conflict the applicant can either maintain that portion as easement or relocate or remove at their expense. Steven Chronister, Design Representative, will be the contact for this vacation request and any project associated with it. He can be reached at (785) 508-2682. The Comotara Industrial Park 5th Addition was recorded December 2, 1978.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portions of the platted drainage and utility easement, and waterline easement dedicated by separate instrument.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
 1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time June 22, 2023, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted drainage, utility and waterline easement and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described drainage and utility easement and waterline easement shall be to City Standards and shall be the responsibility and

VAC2023-00023 - Request to vacate a portion of a platted drainage and utility easement, and a waterline easement by separate instrument.

July 13, 2023

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at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) Per the approval of Public Works, vacate the portions of platted 40-foot utility easement located on and across the east 65 feet of Lot 7 and all of Lots 8-10 inclusive, Comotara Industrial Park 5th Addition, Wichita, Sedgwick County, Kansas.
- (5) Per the approval of Public Works, vacate the 15-foot waterline easement by separate instrument, recorded in 2012 on Doc #/FLM-PG: 29266452.
- (6) Provide Planning with a legal description of the vacated platted drainage and utility easement and waterline easement by separate instrument on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.
- (7) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

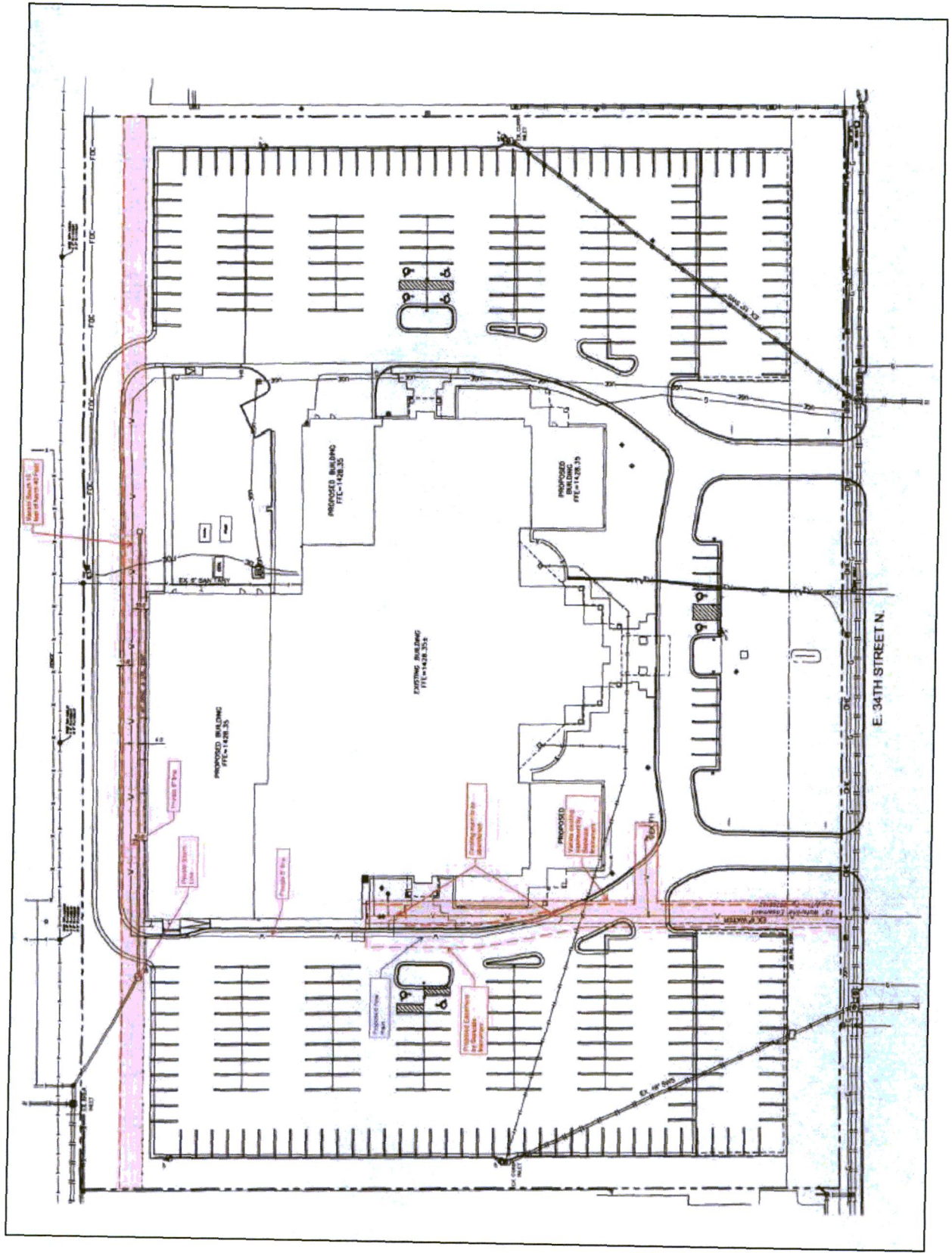
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

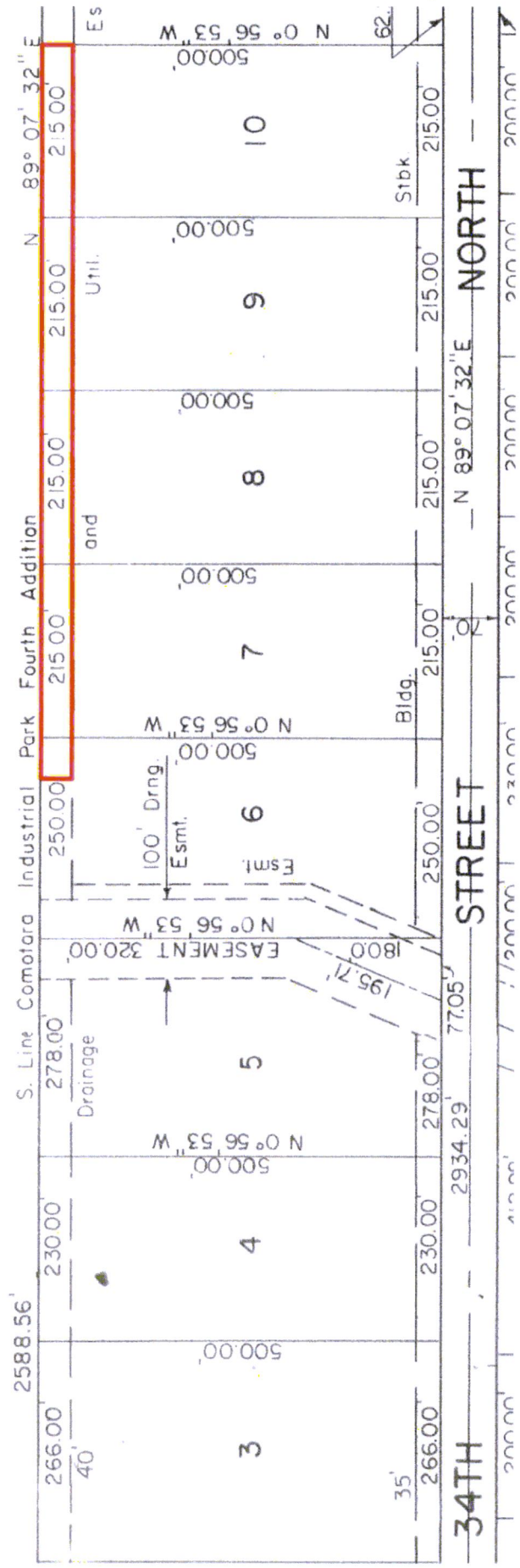
Attachments:












- (1) Vacation Exhibit
- (2) Plat Excerpt
- (3) Aerial Map
- (4) Legal Descriptions
- (5) Site Photos

**Vacation
Exhibit**



Plat Exhibit



-  VAC2023-00023
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains

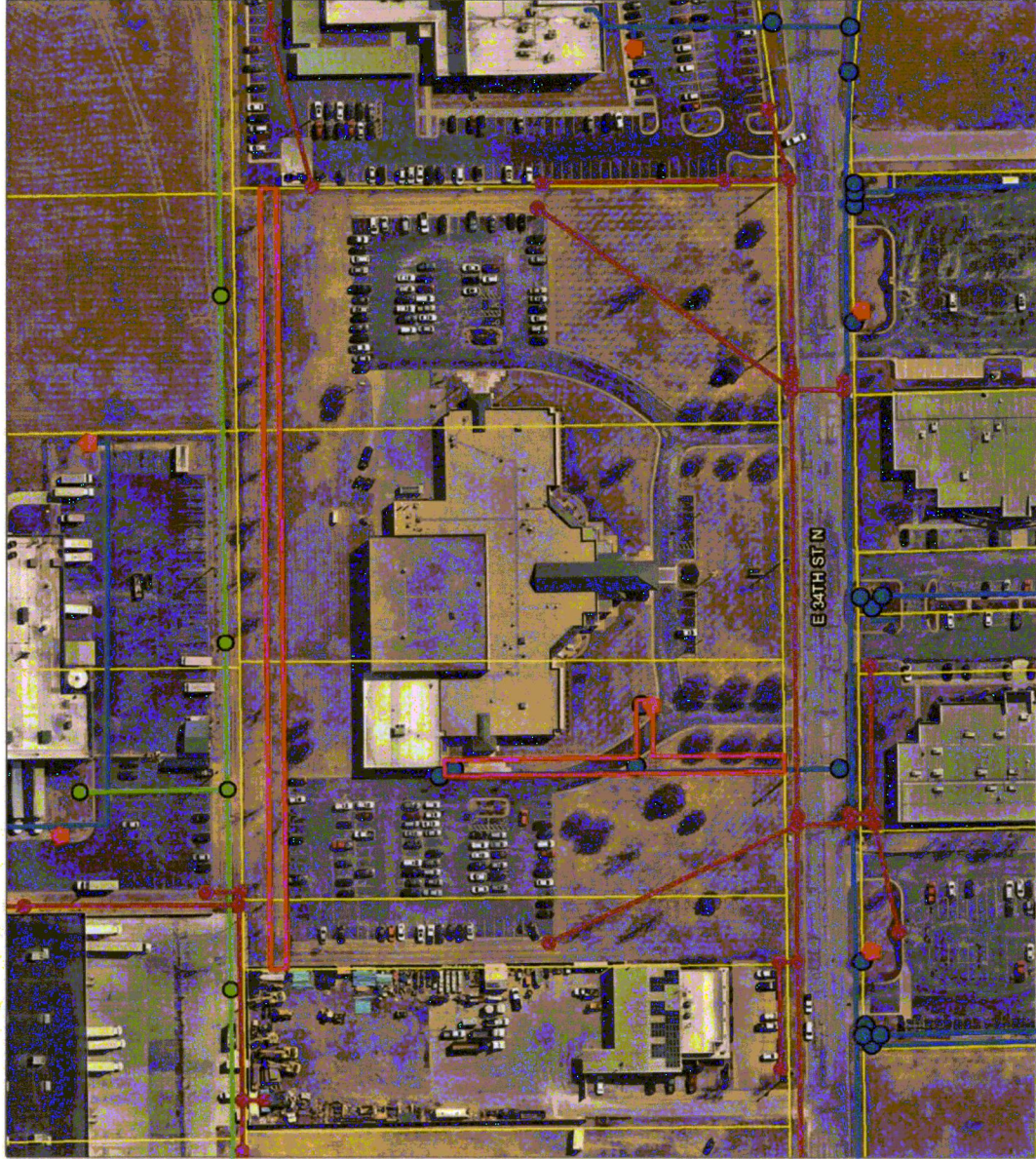


Software: ArcGIS

Map Data Sources:
 City of Wichita
 Sedgwick County

Prepared: 6/11/2023

It is understood that while the City of Wichita, Data Center Geographical Information Systems Department have no indication and reason to believe that there are any errors in the information or data displayed, the Data Center GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or data displayed. The City of Wichita and its employees and agents assume no liability for any errors or omissions represented on this map as not intended to be inclusive.



VAC2023-00023 - Request to vacate a portion of a platted drainage and utility easement, and a waterline easement by separate instrument.

July 13, 2023

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Legal Descriptions

Portion of Platted Drainage and Utility Easement

The south 15 feet of the north 40 feet of a platted Drainage and Utility Easement lying in Lots 7, 8, 9, and 10, Comotara Industrial Park Fifth Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT the west 150 feet of said Lot 7.

Waterline Easement by Separate Instrument Recorded on Doc.#/Flm-Pg: 29266452

A 15' Waterline Easement described as follows:

COMMENCING at the Southeast corner of Lot 8, Comotara Industrial Park Fifth Addition, an addition to Wichita, Sedgwick County, Kansas; Thence Bearing S89°07'32"W, along the south line of said Lot 8, a distance of 87.75 feet to the POINT OF BEGINNING; Thence continuing Bearing S89°07'32"W, along said south line, a distance of 15.00 feet; Thence Bearing N00°56'53"W, a distance of 313.79 feet; Thence Bearing N89°03'07"E, a distance of 15.00 feet; Thence Bearing S00°56'53"E, a distance of 177.89 feet; Thence Bearing N89°03'07"E, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 15.00 feet; Thence Bearing S89°03'07"W, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 120.92 feet to the POINT OF BEGINNING. (Said 15' Waterline Easement containing 0.126 acres, more or less.)

Looking northwest along drainage and utility easement



Looking southeast at rear of building



Looking northeast along drainage and utility easement



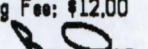
Looking north at front of building and area of water easement





Sedgwick County
 Register of Deeds - Bill Meek
 DOC.#/FLM-PG: 29266452

Receipt #: 1804777
 Pages Recorded: 2
 Cashier Initials: LK

Recording Fee: \$12.00
 Authorized By 

Date Recorded: 1/19/2012 9:12:00 AM



WATERLINE EASEMENT

THIS EASEMENT made this 10 day of Jan, 2012,
 by and between the City of Wichita, of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, operating, maintaining, and repairing water mains, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A 15' Waterline Easement described as follows:

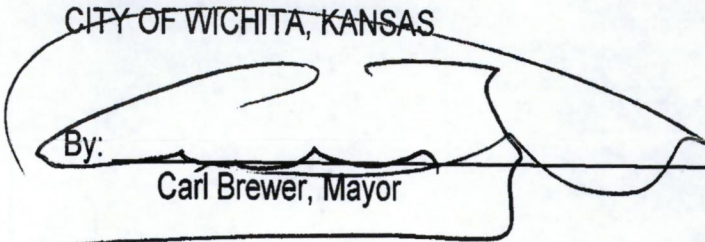
COMMENCING at the Southeast corner of Lot 8, Comotara Industrial Park Fifth Addition, an addition to Wichita, Sedgwick County, Kansas; Thence Bearing S89°07'32"W, along the south line of said Lot 8, a distance of 87.75 feet to the **POINT OF BEGINNING**; Thence continuing Bearing S89°07'32"W, along said south line, a distance of 15.00 feet; Thence Bearing N00°56'53"W, a distance of 313.79 feet; Thence Bearing N89°03'07"E, a distance of 15.00 feet; Thence Bearing S00°56'53"E, a distance of 177.89 feet; Thence Bearing N89°03'07"E, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 15.00 feet; Thence Bearing S89°03'07"W, a distance of 51.89 feet; Thence Bearing S00°56'53"E, a distance of 120.92 feet to the **POINT OF BEGINNING**.

(Said 15' Waterline Easement containing 0.126 acres, more or less)

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such waterlines.

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

OWNER:
 CITY OF WICHITA, KANSAS

By: 
 Carl Brewer, Mayor

000029266452

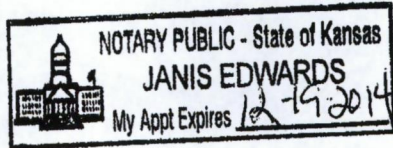
STATE OF KANSAS)
)SS
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for the County and State aforesaid Carl Brewer, Mayor, City of Wichita, Kansas, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof on behalf of said City.

Dated this 10th day of January, 2012.

Janis Edwards
Notary Public

My Commission Expires 12-19-2014



Approved as to Form:

By: Mary E. Rehm, s. 2012