ACTION

COMMITTEE		DATE
M.A.P.C.	Approved	11-13-75
~~Wichita~~		~~11-1-75~~
~~[illegible]~~./B. CO. C.	Approved	12-3-75
Haysville	Approved	12-1-75
Haysville	Deferred	11-13-75
"	Continued-Inclement weather	11-25-75
Derby	Approved	11-20-75

POSTED 11-11-75

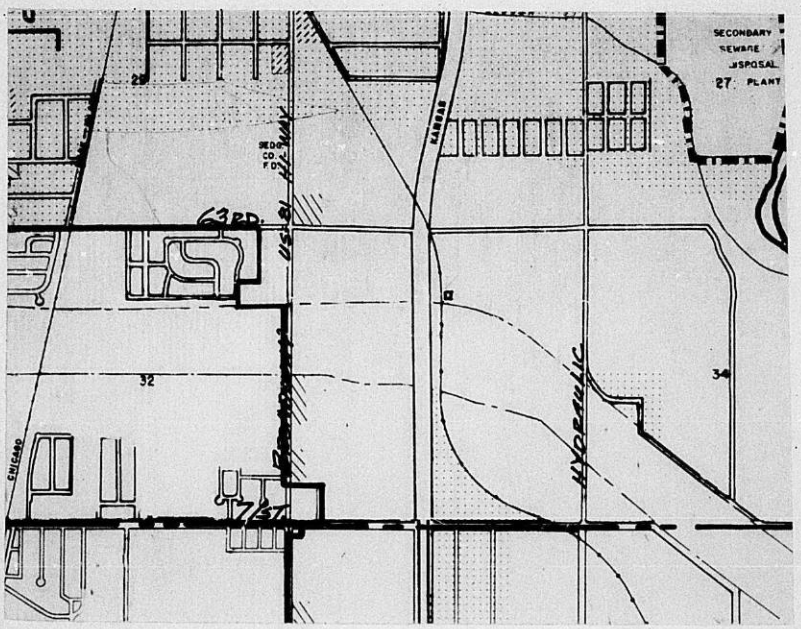
DR-75-36 - Gas Substation (Meter Facilities Site)-City of Wichita Gas Utility, A portion of the Midland Valley ROW Approximately [illegible]

Map No. 5539
Sec. 33
Twp. 28
Range 1E

~~DBA-~~ DP-75-36
SCZ-
CU-
Filed

AREA DATA:
1. Acres: (10 ft. by 20 ft.)
2. Adjoining Zoning: E S W N
3. Land Use: East UNDEVELOPED South VALLEY CENTER Flood Cont
West KANSAS TURNPIKE North UNDEVELOPED
4. Sketch Plan Land Use is for:
5. Present Land Use if for: UNDEVELOPED
6. Area (is) (is not) platted.

PHOTO DATA:
Taken by Date Time



Smead
No. 2-153C
HASTINGS, MN - LOS ANGELES
LOGAN OH - McGREGOR, TX U.S.A.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE December 22, 1975

TO Vera Stevens, Zoning Department (1015 Stackwell, 67213)

FROM Edythe Lakin, Secretary to Jack H. Galbraith

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

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

Edythe Lakin

Edythe Lakin
Secretary to Jack H. Galbraith

EL;el

Enclosures

December 3, 1975

Syd Werbin, County Building, Planning & Inspection

Jack H. Galbraith, Chief Planner

36

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

Please call if you have any questions.

Jack H. Galbraith
Chief Planner

JHG:ber

Attachments

Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

CASE NO. DR 75-36 CONSIDERED BY MAPC: 11-13-75

REQUEST FOR: Special Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

Gas Substation (Meter Facilities Site)

GENERAL LOCATION: 1/2 mile east of Broadway in an area south of 63rd Street South and north of the Wichita-Valley Center Flood Control Project (Big Ditch)

LEGAL DESCRIPTION:

At a point 1,276 feet south of the north line of the northeast quarter of section 33, Township 28 South, Range 1 East and 34 feet east of the Center Line of the Midland Valley right-of-way to the true point of beginning; thence east 10 feet; thence 20 feet north; thence 10 feet west; thence 20 feet south to the true point of beginning.

APPLICANT: City of Wichita Gas Utility

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

PROTESTORS (LIST COUNSEL) IF ANY: None

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

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

PLANNING COMMISSION RECOMMENDATION:

11-13-75 - MAPC - That a special permit be approved as requested. Kamen moved, Collier seconded and it carried unanimously.
11-13-75 - Haysville - Deferred
11-20-75 - Derby: That a special permit be approved as requested (unanimous vote).
12-1-75 - Haysville: That a special permit be approved as requested (unanimous vote).

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

DR 75-36 - The following notices were mailed 11-26-75 for the rescheduled HAYSVILLE CITY PLANNING COMMISSION meeting for 12-1-75 and the MAPC meeting of 12-1-75

Adjacent property owners and Jim Myers	4
Haysville City Planning Commission and Secretary	12
TOTAL	16

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

NOTICE TO ADJOINING PROPERTY OWNERS

November 26, 1975

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

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

CASE NO. DR 75-36

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

At a point 1276 feet South of the North line of the Northeast Quarter of Section 33, Township 28 South, Range 1 East and 34 feet East of the Center Line of the Midland Valley Right-of-way to the True Point of Beginning; thence East 10 feet; thence 20 feet North; thence 10 feet West; thence 20 feet South to the True Point of Beginning. Generally located 1/2 mile east of Broadway in an area south of 63rd Street South and north of the Wichita-Valley Center Flood Control Project (Big Ditch).

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

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

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

Robert A. Lakin
Secretary

November 14, 1975

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

Re: DR 75-36 - Request for Special Permit - 1/2 mile east of Broadway in an area south of 63rd Street South on the abandoned Midland Valley Railroad ROW

Dear Mr. Myers:

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

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

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber
cc: Richard Wasinger, Chr., Haysville City Planning Commission, P.O. Box 404, Haysville, Kansas 67060
Pauline Ozbun, Secretary, Haysville City Planning Commission 6400 Keystone, Wichita 67217
Ethel and Joe Martin, 1132 North Ridgewood Drive 67208
Edna and Lawrence Nelson, 6601 South Hydraulic 67233
J. T. Wheeler, 6534 South Broadway 67233

and Staff Reports

DR 75-36 Notices/mailed 11-7-75 for the MAPC meeting of 11-13-75; The Haysville City Planning Commission meeting of 11-13-75; and the Derby City Planning Commission meeting of 11-20-75 to the following:

Adjacent property owners & Jim Myers	4
Haysville Planning Commission	10
Derby Planning Commission	11
TOTAL	25

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

NOTICE TO ADJOINING PROPERTY OWNERS

November 7, 1975

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

CASE NO. DR 75-36

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

At a point 1276 feet South of the North line of the Northeast Quarter of Section 33, Township 28 South, Range 1 East and 34 feet East of the Center Line of the Midland Valley Right-of-way to the True Point of Beginning; thence East 10 feet; thence 20 feet North; thence 10 feet West; thence 20 feet South to the True Point of Beginning. Generally located ½ mile east of Broadway in an area south of 63rd St. South and north of the Wichita-Valley Center Flood Control Project (Big Ditch).

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

and

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

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

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

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

Case No. DR 75-36	Request: Special permit to allow construction of a Gas Utility substation

Location: Approximately 1/2 mile east of Broadway in an area south of 63rd Street South on the abandoned Midland Valley Railroad ROW

Reason: "Wichita Gas Utility Service requires tap and metering at the point of entry nearest to the existing Anadarko line adjacent to site."

Acres: .01	Size: 10 ft. by 20 ft.

	Land Use	Zoning
Existing	Undeveloped	"R"
North	Undeveloped	"R"
East	Undeveloped	"R"
South	Undeveloped	"R"
West	Undeveloped	"R"

Platted: No	History: None

Comments

1. The City of Wichita Gas Utility has requested a special permit to allow construction of a Gas Utility substation to be operated in conjunction with the proposed natural gas pipeline running from South Central Kansas to the City of Wichita. Section II.F.1 of the Sedgwick County Zoning Resolution permits the Board of County Commissioners to approve special permits for any public structure, installation or use by any department of City, County, State or Federal governments, subject to such restrictions as the County Commission deems necessary, provided that the Metropolitan Area Planning Commission shall first review the request and make a recommendation to the governing body.

2. The City of Wichita Gas Utility has requested a special permit to allow construction of a meter run facility and valves, none of which shall protrude more than 6 feet above ground on a 10-foot by 20-foot tract located approximately 1/2 mile east of Broadway south of 63rd Street South, on the old Midland Valley Railroad right-of-way. No building is proposed and the site will be enclosed by a 6-foot chainlink fence with access by means of the former railroad right-of-way.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 11-13-75
Haysville PC " " 11-13-75
Derby PC " " 11-20-75

Case No. DR-75-36

Request: Special permit to allow construction of a Gas Utility Substation

Location: Approximately 1/2 mile east of Broadway in an area south of 63rd Street south on the abandoned Midland Valley Railroad ROW

Reason/Proposed Use: "Wichita Gas Utility Service requires tap and metering at the point of entry nearest to the existing Amadarko line adjacent to site."

Acres: .01

Size: 10' X 20'

	Land Use	Zoning
Existing	Undeveloped	"R"
North	"	"R"
East	"	"R"
South	"	"R"
West	"	"R"

Existing R/W
Proposed R/W
Existing R/W
Proposed R/W
Existing R/W
Proposed R/W

Platted: No

~~Sidewalk:~~

History: None

DR-75-36

(1) Comment #1
Same as in other 3 Gas Utility DR's

(2) The City of Wichita Gas Utility has requested a special permit to allow construction of a meter run facility and valves none of which shall protrude more than 6 feet above ground on a 10 ft x 20 foot tract located approximately 1/2 mile east of Broadway south of 63RD Street South on the old Midland Valley Railroad right-of-way. No building is proposed and the site will be enclosed by a 6 foot chain link fence with access by means of the former railroad right-of-way.

MIDLAND VALLEY

Bob Young
4th MAPE.
Annex

R1 - ~~445~~ 446

(1) N/2 NE/4 Section 33-28-1E
ETHEL MARTIN & JOE MARTIN
1132 NORTH RIDGEWOOD DRIVE 67208
Ph. 686-8622

R1 - 447

(2) S/2 NE/4 Section 33-28-1E
EDNA NELSON
LAWRENCE NELSON
6601 South HYDRAULIC 67233
HAYSVILLE KAN.
Ph.- UNKNOWN

(4) Jim Myers

(3) NW/4 SECTION 33-28-1E.
J. T. WHEELER
65 34 SOUTH BROADWAY 67233
Wichita, KAN.
Ph. 524-4415

THE Property shall be enclosed by a 6' chain link fence. The enclosure shall consist of a 3' high metering devise, odorizer, and various valves necessary for the operation. Engress & Egress shall be on the Midland Valley Right of Way when necessary.

Bridgeport Testing Results.

* Windows – Storm, Pkg
* Vents & Doors & crawl spaces
* Furnaces
* Insulation
Wall & Attic.

→ Public Awareness Program
→ Insulation Pgm. – 100@ + 990 O&M
→ City Test Facility

→ Back Reaction on
Insulation Costs: –

Frank Bogert
Engineering Firm (~~Rains Bates~~)
Williams Bros Engineering
Goddard, Ks.
794-2295

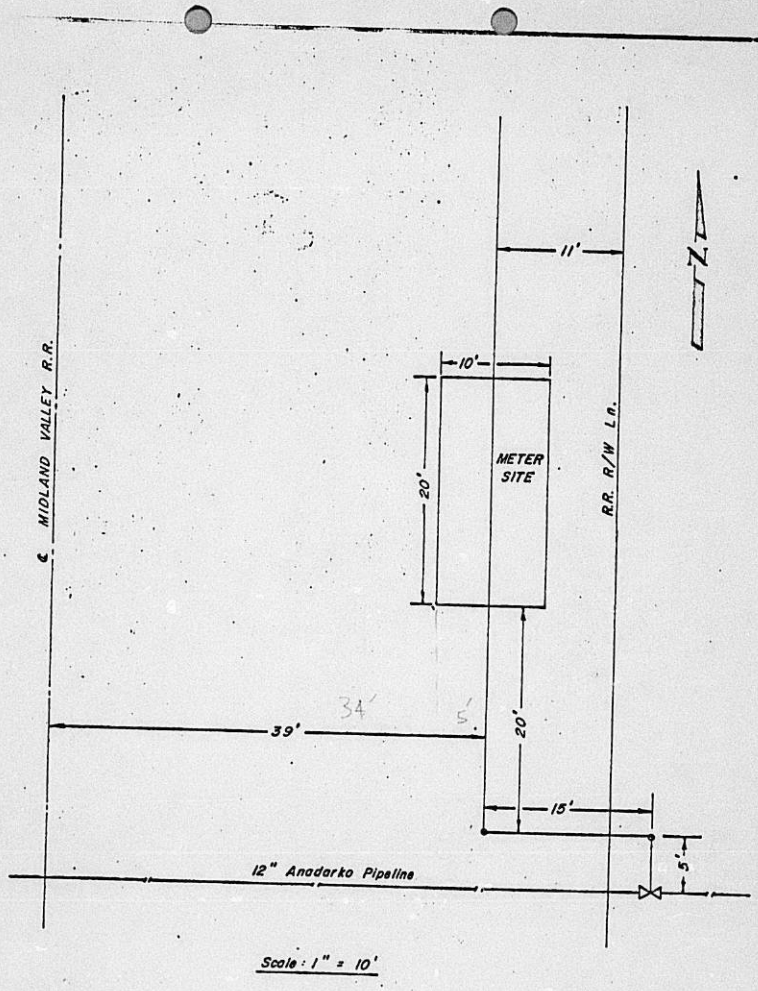
To: Bob Young

MIDLAND VALLEY METER RUN

At a point ~~1300~~ 1276 feet South of the North line of the Northeast Quarter of Section 33, Township 28 South, Range 1 East and ~~thence 50~~ 34 feet East of the Center Line of the Midland Valley Right-of-Way to the True Point of Beginning; thence EAST 10 feet; thence 20 feet North; thence 10 feet West; thence 20 feet South to the True Point of Beginning.

This area shall be enclosed with a 6 foot chain link fence.

The enclosure shall contain no building only a meter run facility and valves, none of which shall protrude more than 6 feet above ground.



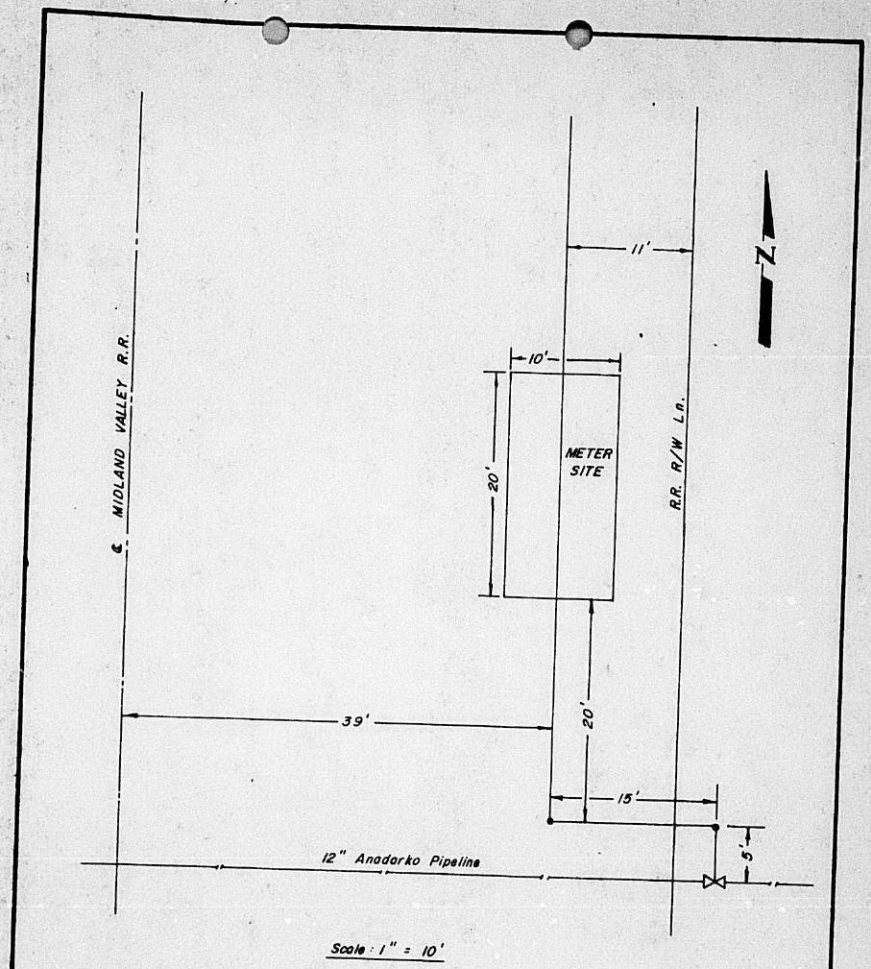
WILLIAMS BROTHERS ENGINEERING COMPANY

A Resource Sciences company

METER & FACILITIES SITE

Date 9/20/75

MIDLAND VALLEY



WILLIAMS BROTHERS ENGINEERING COMPANY A Resource Sciences company TULSA, OKLAHOMA	METER & FACILITIES SITE
	Date 9/30/75
	Approved Glen Roberts

5539 Midland Valley DR 75-36 Condemnation R/W

5539

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

INSTRUCTIONS

1. All applicants requesting approval of a Conditional Use Permit should consult the Planning Department prior to submitting a formal application. The purpose of the consultation is to advise the applicant of his rights and responsibilities and the necessity of a detailed plan(s) to be submitted with the application for certain uses such as mobile home parks, sand extraction operations, multiple family development, etc.

2. An application for approval of a Conditional Use Permit must be signed by at least one of the owners of the property included within the application.

3. In order for any application to be considered by the Commission, the following items must be submitted to the Planning Department:

   A. Application form (PR-3). All blanks must be completely filled in with either the information requested or the notation - N/A - (Not Applicable). INCOMPLETE APPLICATION FORMS WILL NOT BE ACCEPTED for processing.

   B. Detailed plot plan(s) as may be required.

   C. A current abstractor's certificate listing the names, mailing addresses and zip codes of the owners of all adjacent property and including the property for which the conditional use is requested, in all directions from subject property for a distance of twice the frontage of the subject property but for a distance of not more than 1,000 ft. or less than 200 ft.

   D. The appropriate fee as established by the Zoning Regulation of Sedgwick County. The fee shall be the same as that for the district in which located. Those fees are as follows:

   "R", "R-1", and "AA" Classifications.....$70.00

   "BB" Classification.....$140.00

   "LC", "C", "E", and "F" Classifications.....$200.00
   (6 acres and under)

   "LC", "C", "E", and "F" Classifications.....$400.00
   (over 6 acres)

4. The Wichita-Sedgwick County Metropolitan Area Planning Commission will meet to consider Conditional Use requests on the second and fourth Thursday of each month at 1:30 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas. An application for a Conditional Use, accompanied by appropriate documents and fees as listed above, must be filed with the Planning Department before 5 p.m., on the closing date established by the Metropolitan Area Planning Commission.

5. It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, 104 South Main, at least 7 days prior to the meeting. If, in the discretion of the Chairman and Secretary, such deferral is to be granted, notices of such deferral and date of next hearing will be mailed to those who received original notice of the hearing. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

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

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

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

A. APPLICANT City of Wichita Gas Utility

ADDRESS 204 So. Main PHONE 262-0611

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

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

II. The applicant proposes to establish a Meter Run Facilities _____ (use)

On property legally described as Lot(s) ~~Northeast Quarter of Section 33, Township 28 South, Range 1 East,~~ _____ Block(s) _____ of the _____ Addition.

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

At a point 1276 feet South of the North line of the Northeast Quarter of Section 33, Township 28 South, Range 1 East and 34 feet East of the Center Line of the Midland Valley Right- of-way to the True Point of Beginning; thence East 10 feet; thence 20 feet North; thence 10 feet West; thence 20 feet South to the True Point of Beginning.

III. THIS PROPERTY IS LOCATED AT (ADDRESS) N/A _____.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

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

N/A, OR

B. ON THE South SIDE OF 63rd Street (AVENUE)

STREET BETWEEN 63rd (AVENUE) STREET AND

Flood Control Drainage Ditch, on the Midland Valley Railroad (AVENUE) STREET. Right of Way.

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

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
Wichita Gas Utility service requires tap and metering at the point of entry nearest to existing Anadarko line adjacent to site).

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

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

City of Wichita

BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY)

BY _____ AUTHORIZED AGENT (IF ANY)

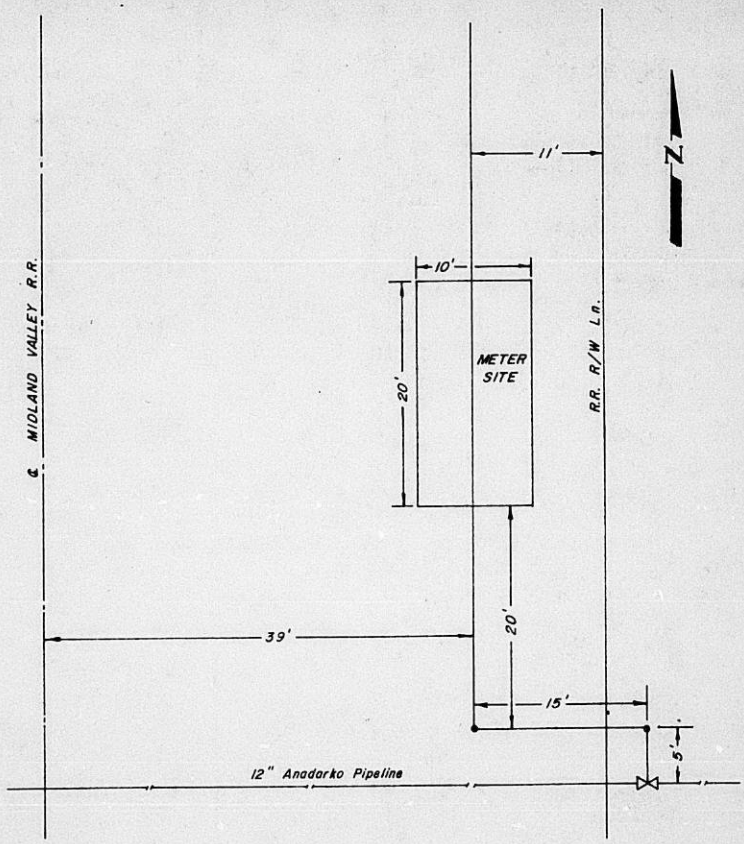
VII. OFFICE USE ONLY

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

_____ Name

_____ Title

(PR-3)



Scale: 1" = 10'

WILLIAMS BROTHERS ENGINEERING COMPANY A Resource Sciences company TULSA, OKLAHOMA	METER & FACILITIES SITE
	Date 9/30/75
	Approved [illegible]

STATEMENT OF TITLE

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

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

The North one-half of the Notheast Quarter of Section Thirty three (33), Township Twenty eight (28) South, Range One (1) East of the 6th P.M.,

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

Warranty Deed dated March 4, 1943, filed March 6, 1943; 12:30 P..M. recorded in Book "539" of Deeds, page 46, from George L. Blood and Emma J. Blood, his wife, to ETHEL MARTIN,

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

Subject to a life estate and interest in all the above described real estate for the terms of their natural life.

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

None

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

None

Dated at Wichita, Kansas, this 6th day of October, 19 75 at 7 o'clock A.M.

FIDELITY TITLE COMPANY, INC.
By Carla Gray
Assistant Secretary

Tracer No. 30246

Fidelity Title COMPANY, INC.

DEED RECORD 539

THE WICHITA EAGLE PRESS—3700

WARRANTY DEED (General Form)

From

GEORGE L. BLOOD ET UX

To

ETHEL MARTIN

State of Kansas, Sedgwick County, ss:

This instrument was filed for record on the 6 day of March A.D., 1943, at 12:30 o'clock P. M.

ARCH E. McVICAR
Register of Deeds.

By R. A. McVICAR
Deputy.

THIS INDENTURE, Made this 4th day of March A.D., 1943, between George L. Blood and Emma J. Blood, his wife,

of Sedgwick County, in the State of Kansas of the first part, and Ethal Martin

of Sedgwick County, in the State of Kansas of the second part.

WITNESSETH, That the said parties of the first part, in consideration of the sum of ($1.00) One Dollar Love and Affection Dollars, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all the following-described Real Estate, situated in the County of Sedgwick, and State of Kansas, to-wit:

The North One-half (N^2) of the North-East quarter of Section Thirty-three (33) in Township Twenty-eight (28) South and in Range One (1) East of the 6th P.M.

Also the North one-half (N^2) of the South-West quarter (SW^4) of the North-east Quarter (NE^4) of Section Four (4) in Township Twenty-nine (29) South and in Range One (1) East of the 6th P.M.
except and subject to the following reservation
We hereby reserve to each and both of us a life estate and interest in all the above and fore described real estate for the terms of our natural lives.

See Affidavit in Book 300 P. 544

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said Grantors for themselves and for their heirs, executors or administrators, do hereby covenant, promise and agree to and with said party of the second part, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature and kind soever;
Subject however to the above life estate reserved by us in said real estate

and that they will WARRANT AND FOREVER DEFEND the same unto said party of the second part her heirs and assigns, against said parties of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first-above written.

George L.Blood
Emma J.Blood

State of KANSAS
Sedgwick County } ss.

BE IT REMEMBERED, That on this 4th day of March A.D., 1943, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came

George L.Blood and Emma J. Blood, his wife,

who are personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

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

Paul Brown
Notary Public.

Term expires March 17, 1944, 19

(NOTARIAL SEAL)

STATEMENT OF TITLE

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

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

The South Half of the Northeast Quarter of Section Thirty three (33), Township Twenty eight (28), Range One (1) East of the 6th P.M., Sedgwick County, Kansa.

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

Warranty Deed dated December 23, 1944, filed January 8, 1945; 1:30 P.M., recorded in Book "569" of Deeds, page 591, from Bertha Nelson and Augie Nelson, husband and wife; Edna Nelson and Lawrence Nelson, her husband; and Dora Booth and Roy Booth, her husband, to EDNA NELSON and LAWRENCE NELSON, her husband, as joint tenants in common

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

except railroad right of way

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

Probate #60208, In the Matter of the Estate of Edna Blanch Nelson, Deceased (See Exhibit A attached).
Probate #37228, Decree of Final Settlement, In the Matter of the Estate of Lawrence Allen Nelson, Deceased. (See Exhibit "B" attached).

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

None

Dated at Wichita, Kansas, this 6th day of October, 19 75 at 7 o'clock A.M.

FIDELITY TITLE COMPANY, INC.
By Orela Gay
Assistant Sec.

Tracer No. 30498

Fidelity Title COMPANY, INC.

Rm-5R

The Wichita Eagle Press—3890

WARRANTY DEED (General Form)

From

BERTHA NELSON, ET AL.

To

EDNA NELSON, ET UX

State of Kansas, Sedgwick County, as:

This instrument was filed for record on the 8 day of JAN. A.D., 19 45, at 1:30 o'clock P. M.

ARCH E. McVICAR
Register of Deeds.

By R.R. McCAFFERTY
Deputy.

THIS INDENTURE, Made this 23rd day of December A.D., 19 44, between Bertha Nelson and Augie Nelson, her husband; Edna Nelson and Lawrence Nelson, her husband; and Dora Booth and Roy Booth, her husband; of Sedgwick County, in the State of Kansas of the first part, and Edna Nelson and Lawrence Nelson, her husband, as joint tenants in common. of Sedgwick County, in the State of Kansas of the second part.

WITNESSETH, That the said parties of the first part, in consideration of the sum of One Dollar and Other Valuable Consideration Dollars, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said parties as joint tenants as aforesaid and their ~~heirs and~~ assigns, all of the following-described Real Estate, situated in the County of Sedgwick, of the second part, and State of Kansas, to-wit:

The South Half of the Northeast Quarter ($S\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Thirty-three (33), Township Twenty-eight (28) South of Range One (1) East of the 6th Principal Meridian.

($ 7.70 I.R.S. CANCELLED)

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances hereunto belonging or in anywise appertaining, forever.

And said Grantors for themselves and for their heirs, executors or administrators, do hereby covenant, promise and agree to and with said parties of the second part, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature and kind soever;

except railroad right of way.

as joint tenants as aforesaid

and that they will WARRANT AND FOREVER DEFEND the same unto said parties of the second part / heirs and assigns, against said parties of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first-above written.

Bertha Nelson
Augie Nelson
Edna Nelson
Lawrence Nelson
Dora Booth
Roy Booth

State of Kansas
Sedgwick County } as.

BE IT REMEMBERED, That on this 2nd day of January A.D., 19 45, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Bertha Nelson and Augie Nelson, her husband; Edna Nelson and Lawrence Nelson, her husband; and Dora Booth and Roy Booth, her husband; who are personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEROF, I have hereunto set my hand and affixed my Official seal, the day and year above written.

Fred G. Stearns
Notary Public.

Term expires June 20th, 19 47

(NOTARIAL SEAL)

Fidelity Title
COMPANY, INC.

Abstracts — Title Insurance — Escrow Closings

This Probate is pending

WICHITA, KANSAS 67202
221 N. MARKET, PHONE (316) 262-8261
YOUR FULL SERVICE TITLE COMPANY

60208

RONALD J. WILKINSON
Alkire, Clausing, Wilkinson & Wilson
915 Union National Building
Wichita, Kansas 67202
Telephone - 262-0473

FILED
SEP 17 1975
Clerk of Probate Court

IN THE PROBATE COURT OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE ESTATE OF	)	Case No.: 60208
EDNA BLANCH NELSON, Deceased.	)	

EXHIBIT "A"

PETITION FOR PROBATE OF WILL
AND
ISSUANCE OF LETTERS TESTAMENTARY

COMES NOW Delos Nelson and alleges:

1. That he is a resident of Sedgwick County, Kansas, and his address is 261 South Delos Street, Haysville, Kansas, 67060.

2. That Petitioner has an interest in decedent's estate as an heir, devisee and legatee, and as executor named in the Last Will and Testament of Edna Blanch Nelson, deceased, dated December 26, 1968.

3. That Edna Blanch Nelson died testate at Haysville, Kansas, on the 31st day of August, 1975; that at the time of her death she was a resident of Sedgwick County, Kansas, and a citizen of the United States.

4. That the sole heir of the decedent is:

Delos Nelson, adult, son, whose address and residence is 261 South Delos Street, Haysville, Kansas, 67060.

5. That so far as known or can with reasonable diligence be ascertained decedent had no spouse or children or adopted children or issue of deceased children, natural or adopted, or other heirs who survived her, other than the person above named.

6. That the instrument in writing dated December 26, 1968, and filed herewith, is the Last Will and Testament of the decedent; that the same had a legal existence and remained unrevoked at the time of her death; that at the time of the execution thereof she was of legal age, of sound mind, and not under restraint.

7. That the name, residence and address of the named executor of the Will is:

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Name	Residence	Address
Delos Nelson	Sedgwick County, Kansas	261 South Delos Street Haysville, Kansas 67060

8. That the name and address of the scrivener of the will is:

Richard B. Clausing, 915 Union National Building, Wichita, Kansas, 67202.

9. That the names, ages, relationships, residences and addresses of the devisee and legatees so far as known or can with reasonable diligence be ascertained are:

Name	Age	Relationship	Residence & Address
Delos Nelson	Adult	Son	261 South Delos Street Haysville, Kansas 67060
Colleen Camden, formerly Colleen Nelson	Adult	Granddaughter	4248 Brookside, St. Louis Park, Minnesota 55416

10. That the names and addresses of the duly appointed legal representatives of the heirs, devisees and legatees, above named, so far as known or can with reasonable diligence be ascertained are:

None.

11. That the general character and probable value of decedent's estate are:

Real estate of the estimated value of $100,000.00.
Personal property of the estimated value of $150,000.00.

12. That the appointment of an executor is necessary for the collection, conservation and administration of the estate; that Delos Nelson, a resident of Kansas, whose residence and address is 261 South Delos Street, Haysville, Kansas, 67060, is a suitable and competent person to be granted Letters Testamentary, without bond, as provided by said Last Will and Testament.

WHEREFORE, Petitioner prays that the instrument offered herewith be admitted to probate and record as the Last Will and Testament of the decedent and that Letters Testamentary be granted to him to serve without bond.

Delos Nelson
DELOS NELSON, Petitioner

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

DELOS NELSON, of lawful age, being first duly sworn, upon his oath states:

That he is the Petitioner above named; that he has read the above and foregoing Petition for Probate of Will and Issuance of Letters Testamentary; that he knows the content thereof, and that all the statements therein made are true.

Delos Nelson
DELOS NELSON

ALICE B. VORIS
STATE NOTARY PUBLIC
Sedgwick County, Ks.
My Commission Expires
Mar. 14, 1977

SUBSCRIBED AND SWORN TO before me this 15th day of September, 1975.

Alice B. Voris, Notary Public

Last Will and Testament

OF 60208

EDNA BLANCH NELSON

FILED
SEP 17 1975
Clerk of Probate Court

I, EDNA BLANCH NELSON, being of sound and disposing mind and memory and not under undue influence, do hereby make, publish, and declare this to be my last will and testament, hereby revoking any and all wills by me formerly made.

FIRST: I direct that all of my just debts, including the expenses of my last illness and my funeral expenses be paid.

SECOND: I bequeath the sum of One Thousand Dollars ($1,000.00) in cash to my grand-daughter, Colleen Nelson.

THIRD: I give, bequeath and devise all the rest, residue and remainder of my property, of whatever nature, real, personal or mixed, to my son, Delos Nelson.

FOURTH: In the event my son, Delos Nelson, should predecease me, or we should die within thirty (30) days of one another as the result of a common accident, calamity or disaster, then I give, devise, and bequeath my property as follows:

a. To my sister, Dora Booth, if she be living at my death, if not, then to the heirs of Dora Booth, who are living at my death:

An undivided one-half interest in and to all oil and gas and other minerals as I may own at the time of my death under the following described property, to-wit:

All real property owned by me in the East Half (E½) of the Southwest Quarter of Section 32, Township 28 South of Range 1 East of the Sixth P.M., Sedgwick County, Kansas, and also all real property owned by me in Nelson's Second Addition to Haysville, Sedgwick County, Kansas;

provided the same is then producing, such interest to continue as long as such production of said oil, gas and/or other minerals shall continue.

b. To my sister-in-law, Evelyn Little, the following described real property, to-wit:

All real property owned by me in the East Half (E½) of the Southwest Quarter of Section 32, Township 28 South, of Range 1 East of the Sixth P.M., Sedgwick County, Kansas, and also all real property

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owned by me in Nelson's Second Addition to Haysville, Sedgwick County, Kansas,

subject to the provision in article FOURTH a. hereinabove pertaining to a portion of the oil, gas and mineral interests thereunder.

c. To my said sister, Dora Booth, if she be living at my death, or if not, then to the heirs of my said sister, Dora Booth, who are living at my death, all my mutual fund shares and all the rest, residue, and remainder of my property, of whatever nature, real, personal, or mixed.

FIFTH: I hereby nominate, constitute, and appoint my son, Delos Nelson, as executor hereunder, to serve without bond.

SIXTH: In the event my said son, Delos Nelson, should for any reason be unable or unwilling to serve as executor of this, my last will and testament, then I direct that the court admitting this will to probate appoint my niece, Kay Turkle, executrix of this, my last will and testament.

SEVENTH: I desire that all legal matters pertaining to the affairs of my estate be handled under the direction of Richard B. Clausing, Attorney at Law, if he is living and able to act; and I desire that my executor shall employ and retain him for such purpose.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused this, my last will and testament, consisting of two (2) pages, including the attestation clause, to be executed, declared and published at Wichita, Kansas, this 26th day of December, 1968.

Edna Blanche Nelson
Testatrix

The foregoing last will and testament was signed, declared and published by the testatrix, Edna Blanch Nelson, as and for her last will and testament, in the presence of us and each of us, who at her request, and in her presence, and the presence of each other, have hereunto subscribed our names as attesting witnesses, at Wichita, Kansas, this 26th day of December, 1968.

Richard B. Clausing	Wichita, Kansas
Robert A. Bollanow	Wichita, Kansas
Mary B. Jungjohann	Wichita, Kansas

#37228

FILED

JUL 17 1959

James V. Riddell J.
Probate Judge

IN THE PROBATE COURT OF SEDGWICK COUNTY, KANSAS.

IN THE MATTER OF THE ESTATE OF LAWRENCE ALLEN NELSON, Deceased.	Case No.: 37228

EXHIBIT "B"

DECREE OF FINAL SETTLEMENT

On this 17th day of July, 1959, at 10:00 o'clock A. M. of said day, the above entitled matter comes on for hearing before the Court on the petition of Edna Blanch Nelson as executrix of said estate for a final settlement thereof. The executrix, Edna Blanch Nelson, appears by her attorney, Richard B. Clausing, and no one appears to object, and no written objections have been filed.

THE COURT FINDS that due notice of said hearing has been given and published, as required by law, and the order of the Court, and that proof thereof has been duly filed in this Court.

THEREUPON, the Court, after hearing the evidence and being duly advised in the premises finds that the allegations of the petition have been duly proved and are true; that the said Lawrence Allen Nelson died testate on the 26th day of February, 1958, a resident of Sedgwick County, Kansas, and a citizen of the United States; that he left as his only heirs at law the following named persons, to-wit:

1. Edna Blanch Nelson, his widow, who resides at Haysville, Kansas;
2. Lawrence Delos Nelson, his son, who resides at Haysville, Kansas.

THE COURT FURTHER FINDS that letters testamentary were granted to Edna Blanch Nelson, as executrix of the said estate, on the 25th day of April, 1958, and that she first published notice of

H 37220

her appointment on the 26th day of April, 1958; that more than nine months have expired since the publication of said notice, and that more than one year has expired since the date of death of the decedent.

THE COURT FURTHER FINDS that the said estate has been fully administered; that there are no outstanding debts or liabilities of any kind or nature against the said estate; that all demands of creditors allowed against the said estate have been fully paid and discharged; that the executrix has filed a Federal Estate Tax return showing an estate tax due the United States from the said estate in the sum of $525.46 and that said sum has been paid and a receipt therefor filed herein; that it has been determined by the State of Kansas that the distributive shares of said estate are subject to a state inheritance tax in the sum of $510.52, which tax has been paid to the County Treasurer of Sedgwick County, Kansas, and a receipt filed herein; that all taxes due to the United States and the State of Kansas have been paid in full; that the said exeeutrix has duly filed her account of the administration of the said estate showing receipts and disbursements of assets of the said estate; that the said executrix has paid out of her own personal funds all of the claims and demands filed against said estate as shown in said account, together with receipts for said items, and that said account is true and correct and should be and the same is hereby approved and allowed.

THE COURT FURTHER FINDS that Edna Blanch Nelson has performed services in and about the administration of the said estate but that she has waived her right to compensation as executrix thereof.

THE COURT FURTHER FINDS that the executrix has employed the firm of Alkire, Clausing, Coldsnow and Bradley as attorneys in connection with said estate and that they have rendered services in connection therewith including the preparation and filing of Federal Estate and State Inheritance Tax returns and that the services so rendered are reasonably worth the sum of $2000.00 and that said executrix should be allowed as fee for said attorneys the said sum of $2000.00.

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THE COURT FURTHER FINDS that under the will of the said decedent, Edna Blanch Nelson is the sole and only legatee and devisee of all of the property, real, personal and mixed, in said estate, and that all of said property should be assigned to the said Edna Blanch Nelson as sole legatee and devisee.

THE COURT FURTHER FINDS that the said executrix having discharged all of her duties in such capacity should be discharged upon the payment of court costs, publication expenses, and the attorney fees herein allowed.

IT IS THEREFORE BY THE COURT ORDERED that no allowance be made for the fees of the executrix as such, but that the executrix should be and is hereby allowed a fee of $2000.00 for her attorneys, Alkire, Clausing, Coldsnow and Bradley.

IT IS FURTHER ORDERED that the Court should and does hereby approve the accounting made by said executrix as set out herein.

IT IS FURTHER ORDERED that all the personal property in said estate be and is hereby assigned to Edna Blanch Nelson as executrix of said estate, and she is directed to make an assignment thereof as executrix to herself as sole legatee.

IT IS FURTHER ORDERED that all of the real property owned by the decedent at the time of his death, if any there be, be and is hereby assigned as of the date of death, subject to any lawful disposition thereafter made, to Edna Blanch Nelson as sole devisee.

IT IS FURTHER BY THE COURT ORDERED that upon filing her receipt for the attorney fees, court costs, and publication expenses in this estate, the said executrix be discharged as executrix of said estate.

THEREUPON, the said executrix submits receipts as above provided, including a receipt from herself as sole legatee and devisee,, and the Court, having examined said receipts finds that the said executrix should be and is hereby finally discharged.

PROBATE JUDGE

APPROVED:
ALKIRE, CLAUSING, COLDSNOW & BRADLEY

By Richard B. Clausing
Attorneys for Executrix

500 City Building Annex
Wichita, Kansas 67202
AMherst 2-0611, Ext. 245

MIDLAND VALLEY
FILED
APP. DOCKET NO. C 19427

JUN 30 11 01 AM '70
BERNICE A. SAN ANGELO,
CLERK
DEPUTY _____

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

THE CITY OF WICHITA, KANSAS
A Municipal Corporation,

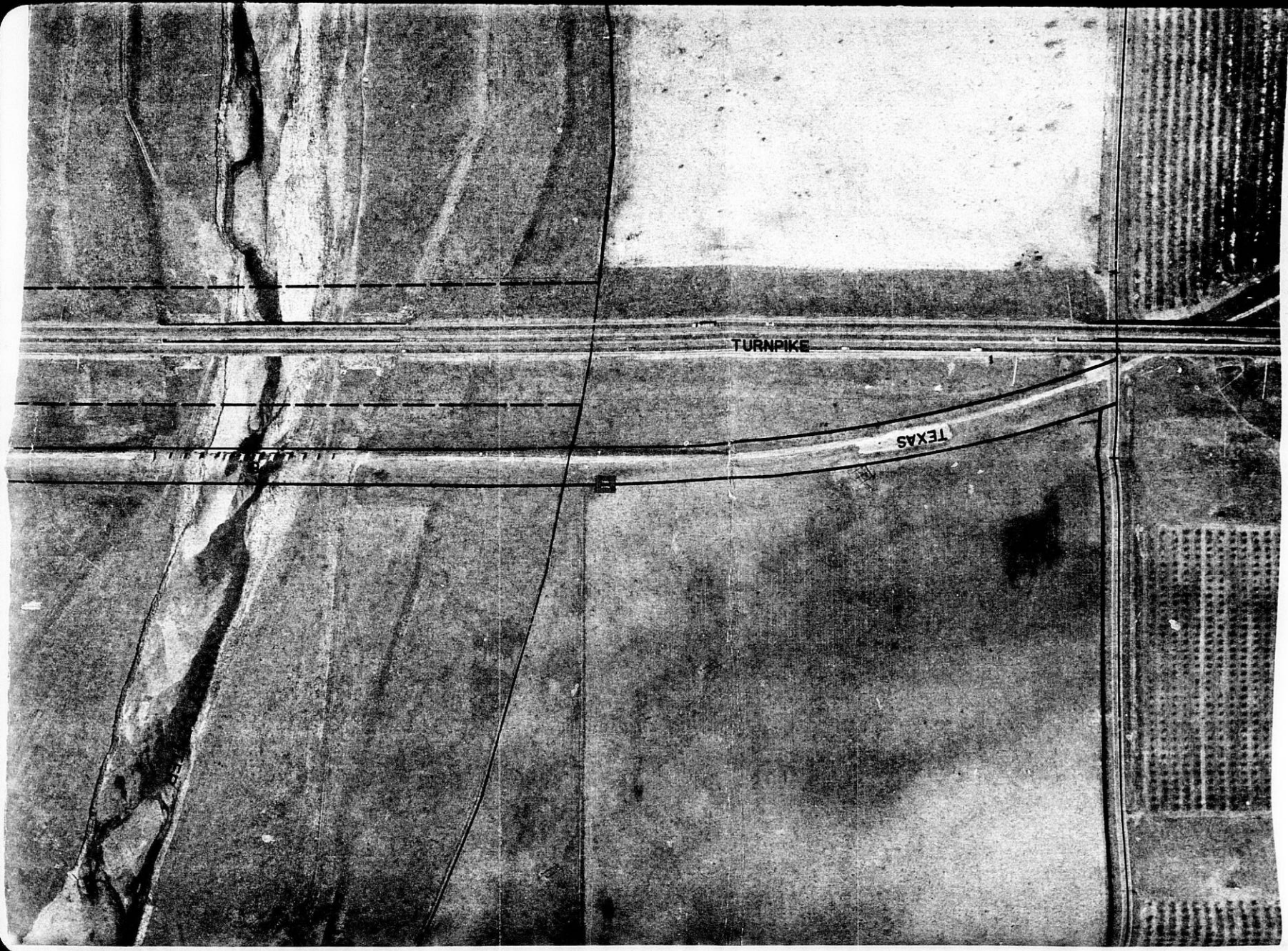
Plaintiff,

vs.

WILLIS W. JOHNSON and ILENE JOHNSON; GOVERNMENT NATIONAL MORTGAGE ASSOCIATION; ADMINISTRATOR OF VETERANS AFFAIRS; ROBERT WAGHER; CODY V. EDEN and DOROTHY JEAN EDEN; WILLIAM O. PENIX and GERTRUDE PENIX; MARVIN RAY GATES and WANETA JUNE GATES; JOHN E. HOLLIDAY and CECILY A. HOLLIDAY; JOSEPH D. BARRONE; DAVID MICHAEAL WEBER and CONNIE RUTH WEBER; CLERK OF SEDGWICK COUNTY DISTRICT COURT; UNITED SAVINGS AND LOAN ASSOCIATION; GEORGE J. PRICE and REBECCA B. PRICE; TREASURER OF SEDGWICK COUNTY, KANSAS; WILLIAM J. MAJORS and LILLIAN V. MAJORS; LESTER E. ALLISON and MARY H. ALLISON; KENNETH YOUNG and GWENDOLYN M. YOUNG; FRED CARP and MARY CARP; KANSAS TURNPIKE AUTHORITY; UNIFIED SCHOOL DISTRICT NO. 259; MOBILE HOMES RESORT, INC.; VALLEY FEDERAL SAVINGS AND LOAN ASSOCIATION OF HUTCHINSON; THE SOUTHWEST NATIONAL BANK; BOULEVARD STATE BANK; HALFORD E. MOODY and ZATTIE O. MOODY; C. W. BEEVERS and PAULINE L. BEEVERS; VIVIAN L. GORE; FOURTH NATIONAL BANK AND TRUST COMPANY and VIVIAN L. GORE, CO-TRUSTEES FOR ETHEL M. McKINSTER TRUST; KIMLEE, INC.; THOMAS FINDLEY; MORRIS J. LOYD and RIVERSIDE DRAINAGE DISTRICT; JOHN H. BARTLOW and DOROTHY B. BARTLOW; HERBERT PAYNE; FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF WICHITA; WILLIAM J. MILLER; THE PRUDENTIAL INSURANCE COMPANY OF AMERICA; LEWIS C. WEIDE and EVELYN M. WEIDE; RUTH M. McCORD; RONALD R. SCHREMMER; WICHITA FEDERAL SAVINGS AND LOAN ASSOCIATION; KENNETH DWAYNE GEAN and JANICE J. GEAN; WILLIAM JOHN FITCH and DOROTHY J. FITCH; EVELYN R. WILCOX; LaVURNE J. UNRUH and MARSHA R. UNRUH; ROBERT C. LINN and MARY LINN; HARTER, INC.; RALPH L. BURDICK and WANDA G. BURDICK; JAMES A. MAGUIRE and MARGARET E. MAGUIRE; DONALD K. GILLAM and MARGARET GILLAM; LEONARD DALE RECTOR and CAROLYN JUNE RECTOR; THE ONONDAGA SAVINGS BANK OF SYRACUSE, NEW YORK; HORST HILLMANN and MARY S. HILLMANN; METROPOLITAN LIFE INSURANCE COMPANY; DAVE PINKERTON; STANLEY JONES and VICKI JONES; RONALD R. HAMILTON and FRANCES HAMILTON; DALE A. PRESLEY and LaMERLE PRESLEY; FAREL V. ROARK and EDNA MAE ROARK; WILLIAM C. GIVENS and NADINE GIVENS; WILLIAM P.

Case No. C 19427

Division No. _____


TURNPIKE
TEXAS

LY AIDED THROUGH A FEDERAL
MPANY THE HOUSING
N PLANNING ASSISTANCE PROGRAM
USING ACT OF 1954 AS

PREPARED BY
WESTERN AIR MAPS, INC.

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