

PROJECT: 55th and Clifton Drainage

DATE: April 26, 2013

COUNTY: Sedgwick

TRACT NO.: NA

CITY OF WICHITA, KANSAS

A MUNICIPAL CORPORATION

CONTRACT FOR CONVEYANCE OF REAL ESTATE BY PERMANENT EASEMENT

THIS AGREEMENT made and entered into this ___ day of _____, 2013, by and between:

The City of Wichita, State of Kansas (City) and Sedgwick County, Kansas (hereinafter, "County"),

WITNESSETH, For consideration as hereinafter set forth, City hereby agrees to convey a permanent drainage easement to the County over the following described real property in Sedgwick County to wit:

A portion of the East Half of the Southwest Quarter of Section 23, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows:

Commencing at the southwest corner of the East Half said Southwest Quarter; thence, along the south line of said Southwest Quarter on an assumed bearing of N88°45'41"E, 213.16 feet; thence, N01°14'19"W, 40.00 feet to the north line of the 55th Street right-of-way and being the Point of Beginning; thence, along said right-of-way line, S88°45'41"W, 93.05 feet; thence, along said right-of-way line, N33°51'31"W, 80.74 feet; thence, N14°42'34"E, 262.77 feet; thence, 225.79 feet on a curve concave to the southeast, having a radius of 475.00 feet, a chord bearing of N28°19'37"E, and a chord distance of 223.67 feet; thence, N41°56'40"E, 142.29 feet; thence, 164.72 feet on a curve concave to the northwest, having a radius of 225.00 feet, a chord bearing of N20°58'20"E, and a chord distance of 161.06 feet; thence, N00°00'00"E, 265.00 feet; thence, S90°00'00"W, 165.00 feet; thence, N00°00'00"E, 1220.00 feet; thence N90°00'00"E, 463.93 feet; thence, S24°52'36"E, 252.19 feet; thence, N65°07'24"E, 90.38 feet; thence, 398.50 feet on a curve concave to the northwest, having a radius of 325.00 feet, a chord bearing of N29°59'49"E, and a chord distance of 374.00 feet; thence, N05°07'46"W, 216.64 feet to the north line of said Southwest Quarter; thence, along said north line, N88°41'06"E, 150.33 feet; thence, S05°07'46"E, 206.64 feet; thence, 582.42 feet on a curve concave to the northwest, having a radius of 475.00 feet, a chord bearing of S29°59'49"W, and a chord distance of 546.61 feet; thence, S65°07'24"W, 90.38 feet; thence, S24°52'36"E, 380.00 feet; thence, S17°42'34"W, 535.77 feet; thence S90°00'00"W, 315.00 feet; thence, S00°00'00"E, 265.00 feet; thence, 274.53 feet on a curve concave to the northwest, having a radius of 375.00 feet, a chord bearing of S20°58'20"W, and a chord distance of 268.44 feet; thence S41°56'40"W, 142.29 feet; thence, 154.49 feet on a curve concave to the southeast, having a radius of 325.00, a chord bearing of S28°19'37"W, and a chord distance of 153.04 feet; thence, S14°42'34"W, 290.63 feet to the Point of Beginning.

Additionally, the City shall grant to the County a temporary construction easement over the

following described real property in Sedgwick County to wit:

The East Half of the Southwest Quarter of Section 23, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, lying North of 55th Street right of way and East of Clifton Street right of way.

The term of the temporary easement shall be 24 months after acquisition or 30 days after completion of construction, whichever is sooner. The easement documents will be prepared and executed at closing.

Excess soil from the project will be deposited within the temporary construction easement and in substantial conformance with the locations, grades and quantities shown on Sheet 15 of the project plans.

IN WITNESS WHEREOF The parties have hereunto signed this agreement the day and year first above written.

CITY:

City of Wichita, KS, a municipal corporation

Carl Brewer, Mayor

APPROVED AS TO FORM:

ATTEST:

Gary E. Rebenstorf, Director of Law

Karen Sublett, City Clerk

COUNTY:

Board of County Commissioners of
Sedgwick County, Kansas

James B. Skelton, Chairman
Fifth District

APPROVED AS TO FORM:

ATTEST:

Robert W. Parnacott

Robert W. Parnacott, Assistant
County Counselor

Kelly B. Arnold, County Clerk